

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Ms. Haverstock: — Thank you very much, Mr. Speaker. I again am going to present a petition regarding the proposed 230,000-volt power line from Condie near Regina to Queen Elizabeth power station in Saskatoon. And I'll read the prayer:

Wherefore your petitioner humbly prays that the Hon. Assembly may be pleased to cause the government to do the following:

1. Order SaskPower to facilitate the production of non-utility generated power in areas of increased demand, namely Lloydminster and Meadow Lake. Several companies in this area have applied to generate power. Allowing non-utility generation of power in this area will make the construction of the power line and its attendant \$42 million expenditure unnecessary.
2. Order the Minister of the Environment to undertake a complete environmental assessment including public hearings.
3. Order SaskPower to ensure that there is a full and complete compensation package for all affected landowners.
4. Order SaskPower to table in the legislature a complete economic analysis by an independent auditor that proves the economic benefits of the proposed line.
5. Order SaskPower to table in the legislature a review of all national and international studies on the effects of electric and magnetic fields on humans.
6. Further order SaskPower to cease and desist all planning, surveying, or preparation for construction of the Condie to Queen Elizabeth 230,000-volt power line on any of the proposed routes until all other points in this petition are honoured.

And the signatories are from Dilke, Grandview, from Pense, Hanley, Saskatoon, Imperial, Neilburg, Lloydminster, Allan, Dinsmore, and throughout the province of Saskatchewan, Mr. Speaker.

INTRODUCTION OF GUESTS

Hon. Mr. Lautermilch: — Thank you very much. Mr. Speaker, I'd like to introduce to you and through you to members of the Assembly 10 grade 8 students from Boucher School in Prince Albert. They are accompanied by teacher Terri Hiebert and chaperon Steve Kasyon. I'll be meeting with them a little later for

pictures and drinks. And I ask you again to give a warm legislative welcome to the students and the folks from Boucher in Prince Albert.

Hon. Members: Hear, hear!

ORAL QUESTIONS

Legal Actions Against Government

Mr. Martens: — Thank you, Mr. Speaker. My question is for the Minister of Justice.

Mr. Minister, as you know, this session the opposition has continued its effort to facilitate the work of the Assembly by providing all ministers written estimate questions rather than taking a lengthy time in the House. For the most part I want to say that this has been a very cooperative process and most ministers have been forthcoming in their answers.

However, Mr. Minister, there is one set of standard questions that the government House business office has indicated will not be answered and they have to do with the legal actions against the government, and you are refusing to provide such a list.

Will you explain that refusal to the Assembly?

Some Hon. Members: Hear, hear!

Hon. Mr. Mitchell: — I think that, Mr. Speaker, that we'll deal with that matter during estimates. We simply had no way of collating the information in the way that the opposition have requested in their written questions. But we are of course prepared to answer any questions with respect to any action or anything like that that the members may have, during the estimates of the Department of Justice.

Mr. Martens: — Well, Mr. Speaker, and Mr. Minister, one of the questions we asked was: for each of the departments, which of the departments had a legal action in the framework of the estimates that we asked? And we are probably suggesting to you that there are so many people taking your government to court that it would be very lengthy and probably a costly process to put this all together. But I think it's in the interests of the people of the province of Saskatchewan that they know what's going on. And we want to have those answers provided from every department, not only the Department of Justice.

Hon. Mr. Mitchell: — And so we will, Mr. Speaker. It just wasn't possible to collate that information. Some of these actions have been going on for years and years; some are recent. Every department and agency of government's involved in it, and we just simply couldn't collate the information and make it available to the opposition as you've requested.

But we're not trying to hide anything, and we'll answer any questions and provide any information that we have to during estimates, as we always do.

Some Hon. Members: Hear, hear!

Mr. Martens: — Well, Mr. Minister, I want to ask you the question. We're suggesting that perhaps you didn't want to have the information provided early enough so that we could ask questions about the various problems that the government is having. And also we're probably going to find out that there's some embarrassing ones that you need to deal with.

For example, will you confirm this very day one Jack Messer has you in court over some flies that are apparently bugging him. Is it not true that your SaskPower appointee is trying to obtain financial compensation from the people of Saskatchewan for his insect problem?

Hon. Mr. Cunningham: — Mr. Speaker, it is true that Mr. Messer has an action against his neighbour for a nuisance caused by what he . . . alleged nuisance caused by flies that are arising from a dairy barn, and the Department of Agriculture has been named as a co-defendant in that. That was at a pre-trial hearing yesterday and of course all parties continue to try to arrive at some suitable settlement without going to court. But if not, it will end up as a lawsuit.

Some Hon. Members: Hear, hear!

Mr. Martens: — Mr. Speaker, and Mr. Minister, I want to know, is it a buggy problem for you, the fact that Jack Messer is suing you and you are being represented by one Don McKillop in the Department of Justice? What I would like you to confirm is that Jack Messer is actually suing you over a permit given to his neighbour. Will you confirm that?

Hon. Mr. Cunningham: — Mr. Speaker, it is true that there is an alleged nuisance occurring. I think the member opposite must realize that this is not an action that was taken against our government, that it's been started . . . I think it's been going on something like 13 years. The problem and the lawsuit was started before we came into office. And certainly Mr. Messer has the same right as any other citizen to seek redress in the court for problems that he believes he has.

Some Hon. Members: Hear, hear!

Mr. Martens: — Mr. Minister, he is suing the neighbour and yourself over a permit given to his neighbour under the livestock pollution control Act. Will you also confirm that the minister that gave that permit was none other Jack Messer himself when he was minister of Agriculture. So that what we have is a former minister trying to get compensation from the taxpayer for something he himself did. Is that not correct? Will you confirm that?

Some Hon. Members: Hear, hear!

Hon. Mr. Cunningham: — Well I believe it is true that in 1974 when the original permit was issued, that it was signed at that time by the then minister of Agriculture, Mr. John Messer. I believe the member opposite was also associate minister of Agriculture, so

probably has dealt with this issue in his term as minister as well. And it now continues in my term as minister.

Some Hon. Members: Hear, hear!

Mr. Martens: — Mr. Minister, did I hear you correctly say that the minister at the time when the order was signed, giving permission for this farm under the livestock pollution control Act, was in fact Mr. Messer himself?

Hon. Mr. Cunningham: — That's what you heard. And the original permit that was issued to this dairy barn was signed by Jack Messer back in 1974, I believe. The owner of the barn has changed as some circumstances have changed. There has been an allegation of a problem there for 13 years, and through part of the period when the member opposite was the minister of Agriculture as well. And that continues on.

Some Hon. Members: Hear, hear!

Mr. Martens: — Mr. Speaker, and Mr. Minister, wouldn't you think that was a bit of a conflict of interest, a person who has lit up his yard and pulling the flies in by the thousands, and is also now suing the government for potential removal of that facility so that he can have some personal comfort? Isn't that a conflict of interest, Mr. Minister?

Some Hon. Members: Hear, hear!

Hon. Mr. Cunningham: — I don't believe that Mr. Messer has any . . .

The Speaker: — Order, order, order. It's very difficult to hear the minister. I just ask members to just tone it down a bit.

Hon. Mr. Cunningham: — Mr. Speaker, I see no conflict of interest. I think Mr. Messer has the same rights as any other citizen. Just because he happened to have been minister of Agriculture a number of years ago does not, is not . . . I don't think he . . . he does not now hold that portfolio. If he was the current Minister of Agriculture, it would be a conflict of interest, but he's not and I think the courts will rule on that. We don't believe that he has a case, but that is certainly Mr. Messer's right to go to court and seek redress, and that's what he is doing.

Some Hon. Members: Hear, hear!

Farm Income Problems

Mr. Muirhead: — Thank you, Mr. Speaker. My question is to the Minister of Agriculture. Mr. Minister, you campaigned on a promise to help Saskatchewan farmers and protect farm families. That was your main campaign. In fact you began your term of office by putting a moratorium on farm foreclosures until a solution to the farm debt crisis could be found. You promised that. You promised it very clearly.

Mr. Minister, what solutions have you found by this

time? Net farm income is forecast to drop by as much as 68 per cent this year to a record low of \$5,000. Your government by its own admission has turned ACS (Agricultural Credit Corporation of Saskatchewan) into nothing more than a collection agency. Farm families are in more trouble than they've ever been.

Mr. Minister, where are the solutions you have promised? Or was this promise just one more example like health care tactics . . . (inaudible) . . . and so on? Can you tell us that, Mr. Minister?

Some Hon. Members: Hear, hear!

Hon. Mr. Cunningham: — Mr. Speaker, we did attempt to address the debt issue. We had a committee that . . . we had a voluntary moratorium which we got cooperation from all parties involved. We came up with a six-year leaseback program which certainly is not the answer to all the farm problems but it's within our resource as a province as a solution that will help some farmers in that area. It's, I think, an effort, the best effort we could make.

As to the income problem, I again would remind the members opposite that they voted against a third line of defence from the federal government, which is what we feel is needed to get us through this transition period. And we're working to help the farmers to the best of our ability and the best with the resources that we have to work with.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Mr. Speaker, of course my next question is to the minister. That's the same answer as I expected to get from you — an absolutely a nothing answer. You don't want to admit what your problem is. You took the GRIP (gross revenue insurance program) away from farmers. We're talking about . . . my first question was talking about cash flow for farmers, and you took the . . . your Premier took it away from us as a result of your government breaking down its own contractual obligations. You're the ones that threw out the '91 GRIP. The average net income will drop under \$5,000.

Now listen very clearly; I said that the first question. You get off of that. Have you no compassion at all for farmers that can't get their crops in this spring for the lack of cash? Now, Mr. Minister, tell us what your solution is, instead of blaming it on someone else.

Hon. Mr. Cunningham: — Mr. Speaker, it's been curious that the members opposite, after talking about GRIP for 35 straight days last year, have not once mentioned it in the House this year. It is not, I think, a total surprise.

I have here an article from *Western Report* on the GRIP problem in Alberta, which is basically the GRIP design that we had in Saskatchewan that was introduced by the members opposite. And it's entitled, "A pig in a GRIP." This is "A pig in a GRIP." Ernie Isley is saying: . . . that the GRIP program in Alberta has accumulated a \$400 million deficit. Four

hundred million dollars, and remember Alberta has half the acres that Saskatchewan has.

He also goes on to say:

. . . that Ottawa was asking . . . In 1992 he says, the federal-provincial allocation for Alberta of \$250 million fell \$131 million short.

And they go on to say:

. . . that they have a team of auditors . . . Alberta Auditor General Donald Salmon is not at all happy with GRIP and has assigned a team of accountants to make sense of it.

That's a program that we changed . . .

The Speaker: — Order. Next question.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Thank you, Mr. Speaker. To the same minister. Of course we haven't had too much chance to talk to you about the GRIP program, but that's coming. That's last year's. We've been too busy on trying to help the people save their hospitals in this province.

Mr. Minister, you have abandoned Saskatchewan farm families. You have strictly abandoned them. Just like you abandoned rural health care in this province. In many cases you're hitting the same people twice. And you don't seem to care. If you do care, you don't show that you care.

Mr. Minister, it's very clear that if you have an income of \$5,000 a year, your family's not going to do very well. Now you as a minister have a much bigger income than that. Do you not feel sorry and want to do something about the farm families that have only a \$5,000 income? Many of these families are able to survive because they've got second jobs. So what did you do? You closed 52 hospitals, and all over this province there are towns that are going to be hurt because another farm family is out of a job. Why are you picking on farmers?

And given your government's pathetic job-creation record, it's pretty doubtful a lot of these new jobs will be springing up in rural Saskatchewan. And on top of all that, Mr . . .

The Speaker: — Order. Does the member have a question?

Mr. Muirhead: — Mr. Speaker, yes, I'm coming very quickly to my question. On top of all that, now these families will have to live with the knowledge that if one of them has an accident on the farm they're going to have to go a lot farther to get a hospital to take care of them.

Mr. Minister, Mr. Minister, what are you doing to counter these problems and to counter the vicious attack your government is having on farmers in rural

Saskatchewan?

Hon. Mr. Cunningham: — Mr. Speaker, it's curious the members opposite claim to be very concerned about the farmers. This is day 47 of the session. It's the first question we've had dealing with farmers in this session.

Some Hon. Members: Hear, hear!

Hon. Mr. Cunningham: — Mr. Speaker, we are concerned about farmers. There's no denying the serious problem that's out there. We have been talking to the federal government for third line of defence. We have been . . . I've been meeting with farmers across this province on a strategy for what the future of this province is. We've got a committee working with farmers to try to develop a program that will replace the GRIP program, a farm income support program that will be adequate. And we continue to work for the farmers.

We don't have a billion dollars or two for the immediate cash solution that these farmers need, and we know that. And we know that farmers are having a very hard time going into this session this spring.

But I think the members opposite, having voted against the third line of defence and played politics with other issues when they're in the forefront and then after 47 days to say, what are you doing about farmers, I think rings fairly hollow.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Mr. Speaker, the way the minister talks as if that's the reason why he's not helping farm families, because we don't happen to bring it up in the legislature. What a joke, Mr. Speaker. What a joke.

We're talking about rural Saskatchewan hospitals, and he says he didn't help farmers because we didn't bring it up in the legislature. That's no excuse whatsoever.

I know how much you like to get a hold of the old NDP (New Democratic Party) blame thrower. You like to get it going. You want to blame it on somebody else all the time. You always blame it on the feds, everybody else.

The fact is, the fact, Mr. Speaker, Mr. Minister, you are the government that gutted GRIP last year and that's why Saskatchewan farmers will be going into a spring seeding with no cash or very little cash. Do you realize, Mr. Minister, that the average farm is going to be \$45,000 less cash because of you gutting GRIP in the last session? And that's why there's only \$5,000 out there.

Mr. Minister, what are you going to do to make up for this shortfall? Somebody's got to make up the shortfall — the 5,000 to the \$45,000. What are you going to do as government and the new Minister of Agriculture — the one that's got the new portfolio — to straighten this mess out? What are you going to do to help the

farmers with their shortfall?

Hon. Mr. Cunningham: — Mr. Speaker, we will do our best to straighten out this mess. It won't be with a flawed GRIP program that the member opposite was part of putting in, that was flawed from the beginning and was a disaster not only for the farmers but for the provincial government. And as the other provinces, as Manitoba, have also given notice to get out of this program, and it was . . . I think that's the first step towards fixing this problem is getting out of a fundamentally flawed program. And, Mr. Speaker, we will continue to work with our very limited resources to do the very best that we can to protect our farm families and rural Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Mr. Speaker, thank you. Mr. Minister, you know that's just an old rhetoric story about the '91 GRIP. You can go any place in rural Saskatchewan, the people that complained about the '91 GRIP say to every one of you, say to you every day: please give us back what we didn't want in '91; please give it back to us. That's what they want.

How do you add up that \$5,000 net income for this year is what they're talking about, compared to 45,000 average drop per farm? How do you compare it? How can you say anything was flawed about the '91 GRIP?

There's many, many things here that you're not looking at. You're out to get farmers every day. Your government likes to talk about diversifying the rural economy. Your actions run counter to everything you are saying. If your government believes in diversification, then why have you piled up all kinds of new charges on Saskatchewan livestock producers? At a time when the government should be encouraging more Saskatchewan farmers to diversify into livestock, you have got brand registration fees, livestock dealer licences fees, certificate incorporation fees, and breeder fees.

And, Mr. Speaker, now you have increased community pasture fees by 18 per cent; that's \$360 for a herd of 50 head. Mr. Minister, 360 may not seem like a lot compared to a minister's salary, but for a farm family with 5,000 it's quite a bit.

Why are you piling . . . Why, Mr. Minister, are you piling all of these on the Saskatchewan producers at a time when you say it's time for them to diversify? Why are you doing it now?

Some Hon. Members: Hear, hear!

Hon. Mr. Cunningham: — Mr. Speaker, it's interesting to . . . The member opposite claims that changes to the GRIP program reduced net farm income by \$45,000. I would like to know at what year that farmers in this province had a \$50,000 income under any program, so they could drop by 45,000.

As to the livestock, we now have record numbers of

cattle and hogs in this province and that industry is expanding. There's a great future in that industry, and we intend to work with the industry to continue to help it grow and to become one of the engines that drives our economy.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Thank you, Mr. Speaker. A further question to the Minister of Agriculture. We've already seen the disaster your government has made out of the health reform, absolute disaster. Even though it was obvious your government had no idea what it was doing, you decided to bull right ahead and bring down this plan that threatens the very future of 52 Saskatchewan communities, even though by your own admission your people don't really know what you're doing.

Now have you decided to do exactly the same thing with the GRIP even though you have no idea how it will be replaced. Why are you taking this huge and unnecessary risk with the lives of 60,000 Saskatchewan farm families when you don't know how or when, what you're going to do to replace it? Tell us what you're going to do to replace the GRIP program if 1991 or '92, if it was no good.

Some Hon. Members: Hear, hear!

Hon. Mr. Cunningham: — Mr. Speaker, we have given notice to get out of GRIP which will take two years because that's the contract. We are now working with farmers. We have a Farm Support Review Committee made up of 32 farmers who are working at what will be suitable as a replacement program. We are working towards that very hard.

We know that GRIP was not the answer, and the ministers who designed GRIP, including the member from Estevan who was in on it, when I talked to those ministers they readily admit that GRIP was intended to be a short-term program because the support level drops year after year after year, and sooner or later, grain prices are going to go up and kill the program naturally.

And all we've done, I think, is taken the lead in getting rid of it and getting it replaced with something . . . with a more meaningful program that's more suitable to this province.

We need a national program, and I think if the members opposite would join with us in urging Ottawa, not only for third line of defence but for proper cost sharing on programs, it would allow Saskatchewan to implement adequate programs for our farmers. I think that would be very helpful.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Mr. Speaker, to the minister. Talk is cheap. You said the 1991 GRIP program is no good so you replaced it with the '92. Now you've dumped that out.

Okay, you're the government. You don't want '91, you don't want '92, but what are the farmers suppose to be . . . how are they supposed to be planning their future when you have nothing for '93 or '94? Or when the programs are completely done, what's their future?

Mr. Speaker, my question now is to the Premier. Throughout the time you were leader of the opposition there were two things that happened every spring, two things that happened every spring. One, Saskatchewan farmers seeded their crops. And two, then you would get up and complain that the government wasn't doing enough to help farmers. No matter what was done it wasn't enough.

Mr. Premier, or Deputy Premier, since you were elected you have done nothing to help Saskatchewan farmers. In fact you done less than nothing. And the Premier, Mr. Premier, or Deputy Premier, you have said the '91 GRIP should have retained . . .

The Speaker: — Order. Does the member have a question? I want the member to put his question, all right? Put your question.

Mr. Muirhead: — Yes I'll come to my question instantly, Mr. Speaker. Your actions have cost farmers money and you have already cost them many of them their farms. When are you going to stop this? When are you going to stop this brutal attack on Saskatchewan farm families? When are you going to do something and quit their brutal attacks on them?

Some Hon. Members: Hear, hear!

Hon. Mr. Cunningham: — Mr. Speaker, I think what we were saying in opposition was that what the members opposite was doing was not in the right direction. We have introduced a six-year leaseback to help with the farm programs. We've called on . . . With the farm debt situation we call on Ottawa for third line of defence.

What the members opposite did was lent \$25 an acre to cash, hassle-free cash straight across the board, 6 per cent interest, and later increased it to 10 per cent, which was not a solution to the debt problem. Their solution was to lend the farmers more money. Was that a solution to the debt problem? We feel not. We feel that we need to deal with the debt problem and reduce the debt and hence we've gone with a program like the six-year leaseback.

So I think it's not only spending money to help farmers, it's spending money in a way that helps solve the problem and not adds to it. And that's what we are attempting to do.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Mr. Speaker, to the same minister. It's easier for you to make that statement. What our philosophy . . . the difference in our philosophy, we kind of wanted the farmers to help balance their budget. We kind of put that as an important first —

balance the farmers' budget and then ours. But that's the difference.

Mr. Minister, the Farm Debt Review Board have stated that the cash flow for farmers to plant this crop and operate their farms is more serious than any time since 1939. And this statement is backed by the Sask Wheat Pool and all farm organizations.

You must know, Mr. Minister, that there's frozen wheat, no cash, poor seed. Some people have no seed. In 1944 the CCF (Co-operative Commonwealth Federation) threw the Liberals out of office and began to help farmers survive. When are you going to take action and help the farmers survive? Don't put all Saskatchewan on welfare like you are doing now.

Some Hon. Members: Hear, hear!

Hon. Mr. Cunningham: — Mr. Speaker, again the member opposite makes a good point. There is a serious problem in rural Saskatchewan. Farmers are facing a very serious spring.

Again I think we would do better if we worked together. We've been fighting the federal government as they've made cuts to our transportation subsidies, as they attempt to destroy orderly marketing. And we're fighting for our farmers every day and we wish the members opposite would join and help us fight on some of these issues.

Some Hon. Members: Hear, hear!

(1430)

INTRODUCTION OF BILLS

Bill No. 58 — An Act to amend The Northern Municipalities Act

Hon. Mr. Lingenfelter: — Mr. Speaker, I move first reading of a Bill to amend The Northern Municipalities Act.

Motion agreed to and the Bill ordered to be read a second time at the next sitting.

Bill No. 59 — An Act to amend The Education Act (No. 2)

Hon. Mrs. Teichrob: — Mr. Speaker, I move that The Education Amendment Act (No. 2) now be introduced and read the first time.

Motion agreed to and the Bill ordered to be read a second time at the next sitting.

Bill No. 60 — An Act respecting Condominiums

Hon. Mr. Mitchell: — Mr. Speaker, I move that a Bill to replace The Condominium Property Act be now introduced and read the first time.

Motion agreed to and the Bill ordered to be read a second time at the next sitting.

Bill No. 61 — An Act to amend The Vital Statistics Act

Hon. Mr. Calvert: — Mr. Speaker, I move that An Act to amend The Vital Statistics Act be now introduced and read the first time.

Motion agreed to and the Bill ordered to be read a second time at the next sitting.

Bill No. 62 — An Act to amend The Medical Profession Act, 1981

Hon. Mr. Calvert: — Mr. Speaker, I move that An Act to amend The Medical Profession Act, 1981 now be introduced and read the first time.

Motion agreed to and the Bill ordered to be read a second time at the next sitting.

ROYAL ASSENT

At 2:33 p.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. 11 — An Act to amend The Wakamow Valley Authority Act

Bill No. 4 — An Act respecting Local Improvements in Urban and Northern Municipalities and to Effect Certain Consequential Changes

Bill No. 25 — An Act to repeal The Saskatchewan Mining Development Corporation Act

Bill No. 9 — An Act to amend The Emergency Planning Act

Bill No. 5 — An Act to amend The Planning and Development Act, 1983

Bill No. 8 — An Act to amend The Uniform Building and Accessibility Standards Act and to make Related Amendments to Certain Other Acts

Bill No. 3 — An Act respecting Health Districts

Bill No. 7 — An Act respecting Social Workers

Bill No. 26 — An Act to repeal The Saskatchewan Computer Utility Corporation Act

Bill No. 13 — An Act to repeal The Mineral Taxation Act

Bill No. 14 — An Act to amend the Statute Law

Bill No. 15 — An Act to amend The Limitation of Actions Act

Bill No. 18 — An Act to amend The Victims of Crime Act

Bill No. 16 — An Act respecting the interpretation of Enactments and prescribing Rules Governing Acts

Bill No. 17 — An Act to amend The Fatal Accidents Act

Bill No. 19 — An Act respecting Survivorship

Bill No. 32 — An Act to amend The Family Maintenance Act

Bill No. 6 — An Act to amend The Prairie and Forest Fires Act, 1982

Bill No. 22 — An Act respecting the Manufacture, Sale, Use, Consumption, Collection, Storage, Recycling and Disposal of Ozone-depleting Substances and

Products

- Bill No. 28 — An Act to amend The Saskatchewan Property Management Corporation Act
 Bill No. 46 — An Act to amend and repeal The Farm Purchase Program Act
 Bill No. 47 — An Act to amend The Farm Financial Stability Act
 Bill No. 50 — An Act to amend The Provincial Lands Act

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

Bill No. 57 — An Act for granting to Her Majesty certain sums of Money for the Public Service for the Fiscal Year ending on March 31, 1994

Her Honour: — In Her Majesty's name I thank the Legislative Assembly, accept their benevolence, and assent to this Bill.

Her Honour retired from the Chamber at 2:37 p.m.

ORDERS OF THE DAY

Hon. Mr. Lingenfelter: — Mr. Speaker, by agreement of the Assembly, I would move that we would move to private members' motions number 190, and then following that, move to government motions as per the agreed agenda.

Leave granted.

MOTIONS FOR RETURNS (Debatable)

Return No. 194

Mr. Neudorf: — Thank you very much, Mr. Speaker. I do not intend to take up much of the Assembly's time, but I do want to make a few salient remarks regarding the return 190.

Mr. Speaker, it is a continual problem for the opposition to get information from this government in terms of them answering the legitimate questions that the opposition may be asking. And over the period of time, over the last 11 or 12 weeks that the House has been sitting, on innumerable occasions we have been asking this government to live up to their election promise of being open and being accountable.

I think it is of rather some significance, Mr. Speaker, to notice that we are dealing now with item 190. And there are items on motions for return (debatable) that go well in the 200, Mr. Speaker. That means that this opposition has asked this government — this open, this honest, this accountable government — over 200 questions in notice of questions that the Government House Leader has seen fit to transfer over into items that are now going to be simply debatable.

In others words, Mr. Speaker, what the public should be aware of is that these motions for return (debatable) are such because the government has seen fit to refuse

to answer the questions that we have asked.

Now, Mr. Speaker, this particular one on 190 — and I will be reading this into the record — was a question that we asked the government many, many weeks ago actually because we wanted to incorporate the answers that the Minister of Health would be giving into the debate on Bill 3; however the government, for whatever reason, saw fit not to answer our questions. Now that did not allow us to have a fully impacting debate on Bill 3 because we were lacking some of the information that we wanted to acquire.

It is for obvious reasons why the government chose not to answer these questions because, Mr. Speaker, the motion that I am making is regarding the government's rural health care policy. And we're asking the government to, number 1, provide the actual amounts of monies allocated specifically to the hospitals (a) outside of Regina, Saskatoon, Moose Jaw, and Prince Albert and (b) within the border of the cities of Regina, Saskatoon, Moose Jaw, and Prince Albert because we wanted to find out the difference, the spread between those amounts of money allocated to the major urban centres and their hospital budgets as opposed to those of the rural.

Now on the face of it, that should not have posed a problem for the government to do. Surely those are legitimate facts. Surely those are facts which, in the meantime, Mr. Speaker, we have been able to ascertain. But I guess when the government looks at a motion such as this, as a question such as this — it originally started off as a question — they realized that there would be some embarrassing information in that answer.

And rather to avoid accountability, they decided they were not going to answer the question at all because the second part of that question, Mr. Speaker, was the average . . . We wanted the government to give the average cost per patient to the provincial government of patients in hospitals, again (a) outside the major cities and within the four major cities, Mr. Speaker, because what we're trying to do is determine what is the cost effectiveness of urban-based hospitals as opposed to rural-based hospitals.

So, Mr. Speaker, we and the people of this province would be able to assess adequately and quite precisely what it was that Bill 3 . . . the impact that Bill 3 was really going to have. And we were not able to do that, Mr. Speaker, because the government refused to give us that kind of information.

Furthermore, Mr. Speaker, we asked the government to give us the number of special care beds in the province, expressed as proportion of the total number of seniors in the province and then to give comparative data for other provinces used by the Minister of Health to justify her policy. Mr. Speaker, it's a well-known fact that in Saskatchewan proportionate to the population we have more seniors than any other province in Canada.

And so therefore, Mr. Speaker, we are unique, and it is

that uniqueness I think that should be translated into our health care delivery system. And this is what we were trying to prove and this is what we wanted to discuss. But again, Mr. Speaker, that kind of information was denied the opposition.

(1445)

We further wanted to — point number 4, Mr. Speaker — wanted the government to provide the average distance to the nearest hospital over primary all-weather highways for residents not living in a community with a hospital. And we know, Mr. Speaker, that there are many, many communities in Saskatchewan that are without a hospital. And we full well know now that there are 52 communities that are also been added to the list of those communities with no hospitals.

We want to know, quite legitimately, what is going to be now the average distance that the people in this province are going to have to travel. I grant you, Mr. Speaker, it does not make much difference whether you have two blocks or three blocks in the major centres. But we're talking about significant distances in rural Saskatchewan. The south-west part of the province where a number of my colleagues are from is a very, very significant factor. And again for whatever reason, the government has seen not to be honest, not to be forthright, and be the open government that they have pledged to be.

We needed that information, Mr. Speaker. It was not forthcoming. And instead of giving us that information the Government House Leader decided that he was going to transfer those questions that we were asking into motions (debatable) and the only recourse we have now, Mr. Speaker, is to make the public aware that we were asking legitimate questions and the government refused to answer.

We asked also another question, Mr. Speaker. Point number 5 was that we asked the government to provide for us the number of persons who died *en route* to the hospital in each of the last five years. Now, Mr. Speaker, I think of all of the questions that are included in this one, that is probably the one that they most desperately wanted to avoid answering.

They didn't want to answer that, because we needed that information. We wanted that information so that we could look over the last five years and have a base line, a figure, Mr. Speaker, that we could say, all right, under the existing circumstances, under the existing health delivery system, we had this many deaths, and that would provide a death . . . pardon me — a baseline upon which we could hold the government accountable under the present system. And I think, Mr. Speaker, quite frankly, they were afraid that that baseline would show a marked increase in deaths as people have to travel these further distances to their hospitals. I hope I'm wrong; I hope that it will not turn out to be that. But just simply logic and the logistics of our province indicate that that is exactly what will happen.

Now, Mr. Speaker, the other question that was included within this Return 190 is the point (6) where we asked the government and in particular the Minister of Health to provide:

The number of hospitals in the province expressed as a proportion of the number of incorporated municipalities in the province with comparative data for other provinces.

Mr. Speaker, the contention of many people in this province has always been that Saskatchewan is a unique province. Yes, we have a lot of hospitals. Perhaps per capita we do have more hospitals than any other province although I would contend, Mr. Speaker, that we do not have more hospitals than we have service stations as was indicated by one of the media.

But, Mr. Speaker, the uniqueness of Saskatchewan is that we also have many, many more roads per capita than Ontario. And I don't think anyone is suggesting that we close down a lot of roads; that is not the point. But we are unique in Saskatchewan in the delivery of the health care system; that has to be recognized. And it is not fair to say that simply because we have more hospitals than Ontario does that that is an unnatural occurrence. So I think we have to recognize the physical logistics of the province of Saskatchewan and take that into account.

Now what we were trying to do, Mr. Speaker, by this particular question was to get that information from the government during the time of the Bill 3 debate so that it could be incorporated into the discussion. And the government for whatever reasons — and I've suggested some of them already — decided no, we are not going to answer that question.

And I think that's unfortunate, Mr. Speaker, because if you have a point you should be able to discuss and you should be able to debate that point and make convincing arguments in favour of the point that you're trying to make, instead of hiding, Mr. Speaker, literally hiding from over 200 questions that the opposition has asked the government, and they've refused to answer. I think it's extremely disappointing to us, Mr. Speaker, and extremely disappointing to the government . . . to the people that elected this government who thought and legitimately expected better of them.

So I just want to reiterate and in closing just simply say that the opposition finds itself extremely disappointed with the government. They have chosen this close-chested kind of an approach where they are not willing to share the information with the people of Saskatchewan so that they can indeed follow the debate and find out the basis upon which many of the decisions that have been made by this government have actually been made.

So with those few comments, Mr. Speaker, I want to again just register my disappointment and I so move . . . (inaudible interjection) . . . Mr. Speaker, I have already indirectly read it, but I will read the motion

once more, Mr. Speaker, to go into the record and the member from Moosomin is going to be the seconder to the motion. And it reads thus:

Regarding the government's rural health care policy, provide: (1) the actual amounts of money allocated specifically to hospitals (a) outside of Regina, Saskatoon, Moose Jaw, and Prince Albert (b) within the borders of Regina, Saskatoon, Moose Jaw, and Prince Albert; (2) the average cost per patient to the provincial government of patients in hospitals (a) outside the four major cities and (b) within the four major cities; (3) the number of special care beds in the province expressed as proportion of the total number of seniors in the province and comparative data for other provinces used by the Minister of Health to justify her policy; (4) the average distance to the nearest hospital over primary all-weather highways for residents not living in a community with a hospital; (5) the number of persons who died *en route* to hospital in each of the last five years; (6) the number of hospitals in the province expressed as a proportion of the number of incorporated municipalities in the province with comparative data for other provinces.

Mr. Speaker, I so move, seconded by the member from Moosomin.

Hon. Mr. Lingenfelter: — Mr. Speaker, I just want to make a few short comments on the motion put by the member. Just to say that his rambling about the government not providing answers is simply not accurate.

An Hon. Member: — There's over 200 here.

Hon. Mr. Lingenfelter: — While he mentions that there are 200 on the order paper, that's true. But it's not whether or not the answers are coming — in fact they are coming — but the volume of questions being asked here, many would say being put on the order paper for political reasons only, are going to take hundreds, if not thousands of hours of civil servants' time to provide the answers. And we're going to do it. And the taxpayers will obviously pay for the work that goes into answering these 200 questions. But you have to realize this takes a good deal of time for the civil . . .

An Hon. Member: — We're not supposed to ask questions?

Hon. Mr. Lingenfelter: — No, I'm saying that you can ask questions, but when you ask 200 questions in this short period of time it takes a good deal of time to put those answers together. And we are going to put them together for you. Obviously the answers will come, but they are difficult to put together. There's a lot of information asked for, and obviously some civil servant somewhere has to take time out of their other schedules.

In Health department, instead of providing the

services to the public, they are supplying the information to the legislature. And that's fair enough. But for you to say they should stop everything else to answer your questions in a matter of hours is simply not proper for you to be doing. We'll answer the questions, the staff will answer the questions, and we will bring them back to the House. So for you to say that you're not getting the answers is another . . .

An Hon. Member: — After the House adjourns, right?

Hon. Mr. Lingenfelter: — No, not after the House adjourns. You will get the answers . . .

An Hon. Member: — Before the House adjourns.

Hon. Mr. Lingenfelter: — Well, many of them you have got already. You ask questions every day and we answer questions every day. Some in the public obviously suggest that the kind of questions you put each day could be strengthened, and there is other questions they would rather you were asking.

Today for example, about the flies on a certain farm, they probably would have wanted you to ask and spend the time in the House asking other questions. But that's not for me to decide. Our objective here is to provide answers for the public and for the opposition, and we intend to do that.

Mr. Speaker, on the question put by the member, I want to just indicate that I propose to move an amendment, and the amendment would be:

That part 5 be deleted and part 6 be renumbered as part 5.

And I just say to the members opposite that with that small amendment to the motion we will intend to bring back the answer to this and other questions at a very early and opportune time.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I just want to take a couple minutes to respond to some of the comments made by the minister. And as my colleague indicated earlier, certainly the government has prided itself on being an open and accountable government, and yet . . . and the minister has indicated that they have responded on a number of occasions to questions. And yet we see a lot of the questions have been returned into motions for returns (debatable).

The minister made a promise this afternoon that he would have the answers to the questions that have been put forward and specifically to this question that has been raised here. However, as my colleague indicated and one of the major concerns that we have, Mr. Speaker, is the fact that there has been significant time for the minister and for the Minister of Health, and certainly department officials, to bring forward responses to the questions that have been asked here.

And the member from Saskatoon Greystone indicates that certainly, I believe, 18 weeks or at least that amount of time in which the questions could have

been answered or responses could have been given.

Now the minister has just indicated that . . . or brought forward an amendment that deletes question number 5, indicating the number of persons who died *en route* to hospital in each of the last five years, and it just reminded me of one of the questions raised by the present Minister of Health when she was on this side of the House — opposition critic for Health — decrying the lack of available services and the fact that one, I believe it was Glenda Hall, a young girl from Assiniboia, died *en route* to hospital.

And one has to question why would you remove that question other than . . . we can see why the government would not want to respond to that question because as they close 52 hospitals around the province of Saskatchewan and we find that in many areas the closure of hospitals means significant travel time for many people in rural Saskatchewan.

Even residents of urban Saskatchewan know the problems that they can face in trying to reach a hospital in an emergency, especially in rush-hour traffic in the morning and late afternoon.

So, Mr. Speaker, I think it's very appropriate that the question has been placed. It's unfortunate that the answers weren't brought forward prior to the final passage of Bill No. 3, so that as an opposition, we would have had the ability to provide even a more effective response in getting answers from the government or inquiring of the government regarding expenditures and how they are going to explain the actual fact that they're supposedly going to save money while they're downsizing health care services in the province of Saskatchewan.

So, Mr. Speaker, I would just suggest that as an opposition we look forward to the answers that the minister and the Government House Leader has said he will provide. We trust that it won't be another 18 months down the road. We trust that in fact the answers to the questions will be on our desk before this session adjourns some time later, maybe even into the summer. It will depend on the willingness of the government to respond to the questions that have been placed before it. Thank you, sir.

(1500)

Hon. Mr. Calvert: — Thank you, Mr. Speaker. Just a few brief comments to underline remarks made by the Government House Leader in this debate — that members of the opposition can rest assured that the information will be provided. I want to say that on behalf of the department.

But also to note that, as the Government House Leader has pointed out, the volume of questions that have been presented, particularly in health care, demands a great deal of the staff of the department in terms of time and research and so on. We are working diligently to provide all of the information — accurate information — to members opposite through the question process. And that will be done.

Mr. Speaker, I want to say simply, in terms of the amendment that's before us, the information asked for by the opposition in this case is simply not available. It cannot be determined. The time of death of course is always determined by a coroner or medical doctor, and that is done in hospital, Mr. Speaker. And so as the question is put in the order, it is simply not ours to answer, simply because that kind of information is not available.

However, all the other questions will be answered and they will be answered specifically and with great detail and will be provided to members of the opposition.

Mr. Speaker, just before I take my place, it might be wise for members of the opposition to answer a question or two of their own that the people of the province are asking.

Mr. Speaker, I have here a copy of the Wednesday 28th edition of the *Nipawin Journal* with a great big headline here that says, and I'll just quote it, Mr. Speaker, it says: "Cuts will cause devastation: Swenson." A comment attributed to the Leader of the Opposition.

Now the question then I think the people of Saskatchewan are asking, Mr. Speaker: how can that be aligned with other comments that the Leader of the Opposition is making around the province? Because, Mr. Speaker, in North Battleford the Leader of the Opposition, and I assume speaking on behalf of his caucus and political party, says, and I quote from an article that appeared in the *Sunday News-Optimist* . . . the *News-Optimist*, Sunday edition, North Battleford. And I quote, Mr. Speaker:

The closure and consolidation of hospitals wouldn't necessarily stop if the Tories formed the next government in Saskatchewan . . .

The process wouldn't be stopped if the Tories formed the next government in Saskatchewan. Further quote, Mr. Speaker:

Asked directly if his government would stop the closure of 52 rural hospitals instituted by the current NDP government, Swenson said, "I'd slow it down."

"I'd slow it down" — I think the questions that people are asking, number one, he's talking about closure. Mr. Speaker, this government is talking about conversions, renewal of rural hospitals, renewal of their role to serve the people of Saskatchewan. The Leader of the Opposition is talking about closures, but he said he'd slow it down. I think the questions that need to be asked then are which hospitals would the members opposite close or destine for conversion and just when would they do this and how would they do that. That's the kind of question I think that needs to be answered in this House if we're going to have a credible debate.

Mr. Speaker, again I assure members of the opposition that the information they have requested will be provided, and it will be provided in accurate detail.

Some Hon. Members: Hear, hear!

Amendment agreed to on division.

Motion as amended agreed to on division.

GOVERNMENT MOTIONS

Referral of *Special Report of the Provincial Auditor to the Standing Committee on Crown Corporations*

Hon. Mr. Lingenfelter: — Mr. Speaker, I move, seconded by the member from Moose Jaw Wakamow:

That the *Special Report to the Legislative Assembly* by the Provincial Auditor on Bill No. 42, The Crown Corporations Act, 1993, be referred to the Standing Committee on Crown Corporations.

I so move.

Mr. Martens: — Thank you, Mr. Speaker. After due deliberations between the vice-chairman and members of the Public Accounts Committee, we have come to an agreed-upon conclusion and a solution to the impasse, and I would move, seconded by the member from Saskatoon Idylwyld, the vice-chairman of Public Accounts:

That the words "Standing Committee on Crown Corporations" be deleted and the following substituted therefor:

"Standing Committee on Public Accounts".

I so move, seconded by the member from Saskatoon Idylwyld.

Amendment agreed to.

Motion as amended agreed to.

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 42 — An Act respecting the Creation and Supervision of certain Crown Corporations

Hon. Mr. Penner: — Thank you, Mr. Speaker. Mr. Speaker, I am pleased to introduce for consideration of this House The Crown Corporations Act, 1993.

This Bill replaces The Crown Corporations Act which was passed in 1978. The new legislation will provide a structure for the operations of Saskatchewan's Crown sector for the 1990s and into the next century.

The overriding objective of The Crown Corporations Act is to ensure that these corporations are

accountable to the citizens of Saskatchewan, while at the same time leaving the management of the corporations with sufficient flexibility and autonomy to enable them to operate these businesses in an efficient manner. These are the objectives of the Bill as it is now written.

During the debate on this important legislation and through discussions in the Crown Corporations Committee, my colleagues and I will be pleased to carefully consider any suggestions as to how we can better achieve these objectives.

Mr. Speaker, this legislation was drafted in response to problems in the governance of Crown corporations that have been identified by such agencies as the Provincial Auditor and the Financial Management Review Commission. These problems include: a lack of consistency in the annual reports; annual reports that were not filed in a timely fashion; the fact that Crown corporations were not required to report the creation of subsidiaries created under the terms of The Business Corporations Act, and that these subsidiaries were not required to disclose their mandate or annual reports to the public.

The fact that it was possible for the province to make major investments or issue loan guarantees without full disclosure of the investment or the guarantee, the lack of a clear line of reporting for Crown corporations — this Bill addresses these concerns.

There will be a legislative provision that every Crown corporation file an annual report to the legislature within 90 days of the corporation's fiscal year end even if the legislature is not in session.

Mr. Speaker, the timely filing of annual reports of Crown corporations will provide the public, who are the shareholders of Crown corporations, with an annual review of the activities of a particular Crown corporation. Timely filing will allow the Crown Corporations Committee to begin its in-depth review of each corporation on a timely basis. This further ensures that the public will be made aware of the activities of a Crown corporation.

During the past decade a number of subsidiaries of Crown corporations were formed without the knowledge of the public. Mr. Speaker, with this Bill, this practice will be ended. No Crown corporation will be permitted to incorporate a subsidiary without the prior approval of the Lieutenant Governor in Council. The order in council must also clearly specify the reporting lines by defining whether the corporation reports to the Crown Investments Corporation or to the Treasury Board.

When a subsidiary is created, the minister responsible for the Crown corporation must table in the legislature a report setting out the name of the new corporation, its objects and purposes, and the location of its head office. Mr. Speaker, a similar disclosure requirement are placed on investments of taxpayers' money or the issuing of loan guarantees.

With the passage of this Bill, projects requiring provincial investment or loan guarantees by the Crown Investments Corporation will require the approval of the Lieutenant Governor in Council. This will establish for the public a record of the approval of any particular project. This forces government to be accountable for any investment decisions.

One of the most important ways to ensure accountability is to establish a clear, well-defined reporting structure. Mr. Speaker, this Bill establishes such a reporting structure.

The Crown Investments Corporation or CIC is established as the holding company for Crown corporations. As the holding company, CIC will perform supervisory and coordinating functions throughout the Crown sector. CIC may also establish guidelines for the Crown corporations to ensure that the policy objectives of the legislature and the government are being met. For example, CIC may set comprehensive standards for annual reports and ensure that the format for annual reports is consistent for all Crown corporations and that as much information as possible is provided.

Even more importantly, by clearly establishing CIC as the holding company of Crown corporations, a visible reporting structure is created. All Crown corporations will report to and through the CIC board to cabinet, to the legislature through the Crown Corporations Committee, and ultimately to the citizens of Saskatchewan in their capacity as shareholders.

Mr. Speaker, these changes will allow for better coordination of activities of Crown corporations. All Crown corporations will report to one entity, thus allowing for an overall review of services, capital budgets, and administration in order to increase efficiency and to prevent duplication.

CIC as the holding company will also be responsible for providing to the legislature an annual report that will fully and completely outline the financial picture of the Crown sector as well as a financial statement of CIC's own activities. This will enable the legislature through its Crown Corporations Committee to examine the overall performance of the Crown sector in a way that has never before been possible.

Mr. Speaker, in addition to addressing these accountability and reporting concerns, the Bill contains a number of other important provisions. The Bill sets out legislative provisions to oblige directors and officers of Crown corporations to perform their responsibilities with a duty of care, to act honestly and in good faith with a view to the best interests of the corporation and the residents of Saskatchewan. The Bill also outlines conflict of interest guidelines to govern the behaviour of directors and other officers of Crown corporations.

The Bill also contains a provision to ensure that Crown corporations are properly and efficiently audited. The Provincial Auditor has issued a special report commenting on these provisions. I want to assure the

legislature that these comments will receive careful consideration through the Public Accounts Committee and the Crown Corporations Committee.

In conclusion, Mr. Speaker, this Bill achieves several extremely important policy objectives designed to ensure that Saskatchewan's Crown corporations can continue to serve their owners, the people of Saskatchewan. It contains measures which will ensure that the Crown sector is fully accountable to the legislature and therefore to the public. It establishes a clear line of reporting and authority for our Crown corporations. It establishes provisions to ensure the directors and officers of Crown corporations act in the best public interest and avoid any conflicts of interest.

Mr. Speaker, since 1944 our Crown corporations have played a vital role in the development of our province. They have been the vehicle by which our citizens have been assured low-cost access to vital services such as electricity, natural gas, telecommunications, and insurance. They have been the vehicle through which governments of all parties have worked to develop Saskatchewan's economy and create jobs for our citizens.

(1515)

This Bill, The Crown Corporations Act, will ensure that our government corporations are able to continue playing this vital role in our province while at the same time being fully open and accountable to the legislature and to the public.

Mr. Speaker, I would ask that all members of the legislature work with us to ensure that this Bill achieves its objective in the most effective manner. I move second reading of Bill 42.

Motion agreed to, the Bill read a second time and referred to the Standing Committee on Crown Corporations.

ADJOURNED DEBATES

SECOND READINGS

Bill No. 41

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. MacKinnon that **Bill No. 41 — An Act respecting the Financial Administration of the Government of Saskatchewan** be now read a second time.

Mr. Martens: — Thank you, Mr. Speaker. And again, by discussions that we've had with the Public Accounts Committee and the Minister of Finance, I am going to move, seconded by the member from Saskatoon Idylwyld, the vice-chairman of the Public Accounts:

That Bill No. 41 be referred to the Standing Committee on Public Accounts.

Motion agreed to and the Bill read a second time.

The Speaker: — When shall this Bill be considered in committee?

Mr. Martens: — Thank you, Mr. Speaker. I would move, seconded by the member from Saskatoon Idylwyld:

That the Bill be referred to the Standing Committee on Public Accounts.

And I would also say, that sometimes you're right and sometimes we're right, and thank you for the help.

The Speaker: — Just to make a correction, for the member from Morse. Most of the times I'm right.

Motion agreed to and the Bill referred to the Standing Committee on Public Accounts.

Bill No. 51

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wiens that **Bill No. 51 — An Act to amend The Wildlife Act** be now read a second time.

Mr. Neudorf: — Thank you very much, Mr. Speaker, and if it's all right with you, I won't get into the previous debate that was almost generated by the comments being made.

Mr. Speaker, I'm only going to take a couple of minutes here to talk about Bill No. 51, which is An Act to amend The Wildlife Act. And, Mr. Speaker, according to the minister, this is to ensure Saskatchewan's unique and valuable wildlife resources are maintained and enhanced for the people of this province. And that's a laudable goal to have, Mr. Speaker, and certainly it's a goal that the opposition shares with the minister. And I guess sometimes the differences of opinion are exactly that, as to how to accomplish the goal most effectively for the people of Saskatchewan so that indeed we do for future generations ensure that the wildlife that Saskatchewan has to offer is going to be there for us all to enjoy in future generations.

There are some particular concerns that I have with this Bill, Mr. Speaker, and certainly I will be asking questions during the Committee of the Whole. But changes to the definition of wildlife so both native and exotic species can be properly distinguished and regulated, I think, Mr. Speaker, that is something that we must maintain a hold of and a handle on. Because of the changing conditions in the world, Mr. Speaker, and because of the seemingly increased international trade in wildlife, it behoves us to make sure that not only do we control the types of wildlives that are coming in from other countries that are not indigenous to Saskatchewan, but we must also ensure that those that do come in are not going to in any way reflect negatively upon the indigenous wildlife within this province. So that is something that must be regulated, and we have no problems with that.

Mr. Speaker, the one-year suspension rule of hunting rights following an infraction is something that at first blush I was not very enamoured with. But upon reflection, there is some element of truth to the fact that right now the conservation officers out in the field coming upon an infraction — let's put it this way, coming upon a minor infraction — really had no recourse but to charge the individual; and upon being charged and convicted, it automatically meant that that individual will lose all hunting rights for one year.

And on a minor infraction such as forgetting to sign your licence or leaving your licence at home or whatever, the penalty was not in tune with the infraction. And so the conservation officer basically looked the other way and tapped you on the back of the hand and said, don't do that again.

And that does not augur well because it just kind of reflected the fact that, oh, it's not significant. It's not really important. You can do that and nothing will happen to you.

Well now with the option of taking these minor offences and applying some kind of a fine to it that there is . . . and that there would actually be a penalty for that kind of an infraction, be it a monetary one, I think is probably something that we're going to be looking favourably upon. And whether or not we're going to have any say . . . and I'm assuming that this Act itself will not set that penalty but it will be pursuant to order in council through regulations; that we may have some input into that during that particular procedure.

So, Mr. Speaker, there are other areas here that are somewhat fraught with danger. Regulations regarding Indian and non-Indian people hunting together. I know that it's as a result of the federal Bill C-31 where we have a number of Indians now having Indian status and so on, and some are not. So that some of the children now are going to have status, the parents aren't status, and the problem is created when these folks go out hunting together.

And I think as long as everyone is going to be treated on equal basis, that there's not special status being conferred upon some and not on others, then I think we will also go along with that.

There are other areas here, Mr. Speaker, that I want to ask questions on about conservation officers having the right to inspect facilities that house wildlife. That is a bit of a concern for us, and also the province's ability to regulate captive wildlife.

And these are areas that I will be discussing in Committee of the Whole with the minister and his officials so that indeed we can be assured that the government's objectives in this Bill are also the objectives of the people. And if that is confirmed, then we will not have any major concerns with this particular Bill. And I would recommend that we now let this Bill 51 go to committee.

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

Bill No. 52

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Tchorzewski that **Bill No. 52 — An Act respecting Culture and Recreation** be now read a second time.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, upon review of Bill no. 52, The Culture and Recreation Act, it appears to me that what the government is doing is addressing some of the changes that have taken place in departments and bringing the Bill up to date so that I believe it comes under the culture and community affairs. The changes that are being made to the Bill then give the new minister responsible the mandate needed to administer the programs of culture and recreation in considering the changes that have taken place.

And therefore we don't really have a lot of questions with it, as it's more something that is just ordinary, standard procedure and making sure that the Bills and the proper authorities are in order. Therefore we'll allow this Bill to go to committee.

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

Bill No. 53

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wiens that **Bill No. 53 — An Act respecting Natural Resources** be now read a second time.

Mr. Neudorf: — I thank you, Mr. Speaker. As with Bill 51, The Wildlife Amendment Act, we're going to have a little bit more difficulty with some of the sections on this one — An Act respecting Natural Resources — which is going to replace The Renewable Resources, Recreation and Culture Act of the past. And I will be spending some time with the minister discussing what they call . . . the new Act incorporates new resource management philosophies. And we will be spending some time on that just to make sure that the philosophies are not inordinately different from the existing ones and that are going to be in tune with proper resource management. And the fact that you're going to have to make some changes, Mr. Minister, to make sure that this Act is going to be consistent with Bill 51 is understandable.

We want to discuss a little bit about The Natural Resources Act authorizing officers to inspect commercial premises, outfitters, guides, and business offices, and so on. There's a new section dealing there with the statute of limitations allowing prosecution to take place up to two years from the date of the violation. We'll be asking the minister why that is deemed to be necessary at this point.

Another major change in this Act, Mr. Speaker, is a new clause which enables the department to enter resource management agreements, partnerships, and joint ventures, and so on and so forth in keeping with their so-called new management philosophies. And we want to make sure again that those are going to be in tune with what is best for wildlife and for all of our natural resources that we have in this province.

Although I don't foresee too great a problem, we will have some questions to ask in committee, Mr. Speaker, and I would recommend that we go on to committee with this Bill.

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

Bill No. 54

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Shillington that **Bill No. 54 — An Act respecting the Department of Economic Development** be now read a second time.

Mr. Toth: — Mr. Speaker, here again I believe that we can accomplish a little more by allowing this Bill to move to committee as the questions that we have to raise . . . we don't have a lot of questions, but certainly we can address them a lot more clearly and a lot more easily through committee rather than taking added time in adjourned debates. And therefore I would recommend we move this Bill to committee as well.

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

(1530)

Bill No. 35

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Calvert that **Bill No. 35 — An Act to amend The Certified Nursing Assistants Act** be now read a second time.

Mr. Neudorf: — This Act here is basically, essentially doing a relatively simple thing and that is simply changing the name of the health professionals known as the certified nursing assistants so that they will be called licensed practical nurses.

And if this is going to reflect, as the Bill is intending, more adequately and more precisely the changing roles and the new roles that these professionals are accessing in the health system and to be consistent with other provinces, I don't think that we're going to have a major problem with it, Mr. Speaker.

Certainly what I'm pleased to see here is that there is acknowledgement that there will be potentially some confusion during this transitional period as the new change takes place. And the way I understand it, it's not going to be done abruptly but rather over a three-year period of time. And it's going to be a well-managed name change so that it will not create

problems, certainly not within the professional field, and also not in the eyes and in the minds of the public.

And as long as that is the case and as long as the minister in committee will be able to assure us that the change is going to be well managed and well controlled, then I don't think that the opposition is going to have a particular problem. Although with the caveat that we will be asking questions in committee.

And with that, Mr. Speaker, I would again recommend that this Bill be brought forward to committee.

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

Bill No. 36

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Calvert that **Bill No. 36 — An Act to amend The Registered Nurses Act, 1988** be now read a second time.

Mr. Neudorf: — Again, Mr. Speaker, in this one it — we have An Act to amend The Registered Nurses Act — is intended to allow registered nurses and the SRNA (Saskatchewan Registered Nurses' Association) to appeal Court of Queen's Bench decisions on disciplinary matters to the Court of Appeal on a point of law.

And as long as it is on a point of law, we believe as well that they should have that right and with the caveat to be able to ask the minister questions on exactly the implications of this change and the impact that it's going to have. And I understand that the minister has the backing of the registered nurses' association and its membership. And as long as they are fully supportive of it and with no impact on the health delivery system of Saskatchewan, again I would say, Mr. Speaker, that we should move this to committee so that we can ask some detailed questions of the minister and her officials at that time.

So I'm pleased to let this go to committee now.

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

Bill No. 38

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Mitchell that **Bill No. 38 — An Act to amend The Saskatchewan Human Rights Code** be now read a second time.

Ms. Murray: — Thank you, Mr. Speaker. I'm honoured, Mr. Speaker, and privileged to speak after my colleagues, the Minister of Justice and the Associate Minister of Finance, on the amendments to the Saskatchewan Human Rights Code. And I would like to commend them both for their very fine and thoughtful words.

As the Minister of Justice reminded us, on this issue, as on so many others, Saskatchewan has truly been the leader on the continent. Tommy Douglas, John Diefenbaker — both saw the need for making a guarantee of basic human rights as central to civilized human life. No issue in public service, Mr. Speaker, no issue in the history of our civilization has roused the human spirit more than the issue of human rights.

I am honoured, I repeat, to follow the Minister of Justice, the Associate Minister of Finance, our Premier, Prime Minister Diefenbaker, Tommy Douglas, and so many of the best and brightest in speaking on this issue. It is heart-warming and it is inspiring to find that most of the great thinkers and great orators, all those great men and women whom we most revere, have all been on the same side, the only side of this most basic of human issues. Socrates, Cicero, Ghandi, Martin Luther King — this is no mean company to keep, for us all to keep.

Mr. Speaker, let me quote a great woman on this issue. Eleanor Roosevelt said that it is essential to the development of true democracy to have no discrimination whatsoever — no discrimination whatsoever.

Who could argue with that? How would any one of us not want to live in a true democracy? Surely Saskatchewan and Canada aspire to being true democracies, and it is our responsibility as legislators to move our province and our country along the road to becoming true democracies.

Inclusion, not exclusion, is what our province and country represent to the world. Acceptance, not rejection. Welcome, not hostility. Love, not hatred.

Thus, Mr. Speaker, I support wholeheartedly these amendments to the Saskatchewan Human Rights Code. This is an issue to which I see only one side and am at a loss to understand the fear and hostility these amendments have engendered. Sexual orientation cannot be grounds for discrimination in a true democracy any more than religious belief or racial origin can be.

To deny shelter, a place to live, to a law-abiding fellow human being is discrimination and is indefensible. To deny employment to a worker competent to do the job is discrimination and is indefensible. To deny government services to anyone in our community is discrimination and is, again, totally indefensible.

Mr. Speaker, that fear and hostility that I spoke of a few moments ago seems to be based on the belief that this protection, this basic human right, will in some way lead to promotion of homosexual lifestyles. We have heard the words of the Minister of Justice on this issue and I can do no better than repeat them:

... these amendments do not create any special rights ... They do not create any extraordinary legal status. They seek only to eliminate discrimination.

Mr. Speaker, I am profoundly dismayed at how these amendments have been wilfully misrepresented by some. What is it about homosexuals that generates so much fear? These people are our brothers and sisters, sons and daughters. They are lawyers, doctors, educators, and writers — some of the most gifted people in our community. They are our neighbours. And have we not been told as Christians to love our neighbour?

They are productive members of our society and deserve the same protection under the law as you and I do, Mr. Speaker.

The Prime Minister of Canada recently assured us all that a similar amendment to the Human Rights Act would be introduced in the House of Commons before the election this year. And as our Minister of Justice said, the Hon. Pierre Blais, the federal Minister of Justice, has assured him that the federal government does indeed intend to proceed with this legislation.

If it is introduced at the federal level, let us hope it soon becomes law. Let us hope that the federal government's intention in this matter is not thwarted and diverted by those same people who would wish to see this amendment fail in Saskatchewan.

There is one point I would like to make about the opponents to this legislation, especially those who arm themselves with selective Scriptures and self-righteousness. I wish these people would put their energies and their resources to better, more positive use.

In our contemporary world there are many worthy causes to be fought — helping to educate people, helping people to find work, or encouraging those who are downtrodden and depressed to find hope and joy in life. These are positive, good things for good people to do, not negative, divisive, hateful things. What our society needs is love and compassion and generosity of mind and spirit.

We were all moved by hearing T.C. Douglas's words of 1950, that he hoped this province would become an island of tolerance and goodwill. Evidently we still have some way to go. Let us hope that the island can soon be extended to a continent, and that the continent to a world — our world.

The extreme expression of intolerance and ill will is to be seen right now in Bosnia, in Sri Lanka, in Angola, and in Cambodia. That is where bigotry and prejudice lead, and we want no part of that.

Some Hon. Members: Hear, hear!

Ms. Murray: — Seeking for others what we wish for ourselves is the guiding philosophy of this government. Discrimination of any sort must end. The issue here is solely one of discrimination. And on discrimination we have all the best and brightest people in human history pleading for its end.

Mr. Speaker, let me add my small voice to that great

majority and let me wholeheartedly support these amendments to The Saskatchewan Human Rights Code. Thank you.

Some Hon. Members: Hear, hear!

Mr. Johnson: — Mr. Speaker, I would like to rise and voice my support for Bill 38, The Saskatchewan Human Rights Code amendments. This Bill puts forth something that, I believe, if we as individuals look at our past experiences in life, we will understand and be able to point forth individual cases where we have met people who have been affected by discrimination of the kind that the amendments in this Act change.

And although one area is taking the major amount of discussion, and that is the sexual orientation, it is my opinion that the other two sections, the other two changes in the area of family status and whether you are in receipt of public assistance or not, are the two areas that have the most major significance for individuals and for the community as a whole. In those two areas, although discrimination isn't as blatant or shows up as major as in the area of sexual orientation, it nevertheless has an effect on the community and the individuals who are discriminated against.

Now, Mr. Speaker, when this was proposed and the Bill was put forth and the discussions came about that this was going to take place, there was a large number of . . . or several groups that mailed out information that I believe in essence went way beyond where the Act is in suggesting what the Act meant to do and what it was going to do. And this was deliberate, in my opinion, to bring about a negative response to what in essence is not that significant or that major a change in what we would consider human rights.

And this brought about letters to many of the members in the Assembly over a period of time, letters which if you took and read them and detailed exactly what they were commenting about, their comments would not have anything to do with the actual amendments that were being proposed in this Act.

(1545)

And because of that, Mr. Speaker, one of the things that I did as a member of this Assembly, is took and put forth and summarized what I expected the Human Rights Code to look like after the amendments that were in place. And if you do that and then read the code in its entirety, you find out that it becomes something that is rather boring rather than as exciting and demeaning as some of the people who have written letters indicate they feel that the code in its new form would be.

Mr. Speaker, the human rights amendments basically affect five sections of the Act, and those sections are to do with the right of an individual to work, the right of an individual to purchase property, the right of an individual to rent property, the right of access to public places, and the right to an education. And those to me seem to be areas that everyone should

have available to them. They are not areas that provide a great deal of spectrum for people to be involved, but simply areas that we'd anticipate everyone in this society to have access to.

Then there is two other areas. One is the right to make contracts. And from my perspective, I'd have assumed that that was something in this society that should be accepted for anyone to be involved in. The right to be employed and the right to have a membership in any organization and not be discriminated on, the reasons that are listed.

Mr. Speaker, if you look at that and say why should anyone be restricted from that area of activity in this society, it becomes very difficult to understand why someone should be restricted from these basically commercial activities in our society and the ability to make a living.

I found that when the Act is looked at and read in that particular manner, that it is not one that people are that concerned about. They start out being concerned, and then after looking at it, decide that they were not basically understanding what's taking place and decide that they're more prepared to live with what is going on.

Mr. Speaker, as I started out I said that most of us would be able to, if we thought about it in our life, indicate that we had dealt with people who had been affected by discrimination in these categories that are being added. And I have to say that my knowledge from a personal basis of people who have been discriminated against for their sexual orientation goes back right into some of the early schooling that I . . . it was the individuals that were in school with me right into about grade 6, as far back as I can remember it.

And in looking back on it, it seems to me that it was understood by everyone who was there that the individual that I'm thinking of had a problem, and it was accepted by everyone at the time. Now that's because it was probably a small school and not having the impact that a large community can have, where they can reject an individual and not feel the personal impact that occurs. I say as well that that continued on in my life, and even at a level at university, and to the same degree.

So, Mr. Speaker, it is with that in mind that I stand today and say that I support the amendments to the Human Rights Code. I believe that it is the correct direction to go and that if calm individuals respond to what is taking place with this Act, it will not create any major problems in the community at all.

Mr. Speaker, the Human Rights Code is to this year's legislation, I think, something that we can as a legislature be proud of putting forth. And with that, Mr. Speaker, I'd like to indicate that I'll be supporting the Bill when it comes to a vote. Thank you.

Some Hon. Members: Hear, hear!

Mr. Cline: — Thank you, Mr. Speaker. I'm pleased to

rise this afternoon in this debate on Bill 38. Human rights issues are issues that challenge us at times because when we are asked the question, do we believe in human rights, we all, I think, will answer the question that yes, we do. And when we're asked the question, do we agree with discrimination, we all, I think, will say, no we don't believe in discrimination.

But the test of our beliefs is not really to answer questions like that — do we believe in human rights? are we opposed to discrimination? — because we will all be able to answer those questions easily.

The test of where we stand when it comes to human rights is how we deal with issues at times of difficulty and controversy and in the face of controversy, not at times when the vast majority of people have reached a consensus as to how society should deal with particular issues.

And I think if we look back in history — American history, Canadian history — we see this, Mr. Speaker, time and again. I can think of the example of the legislation that they had in the province of British Columbia in this country in the '20s and '30s that restricted the rights of people of Asian descent to vote, and sometimes to work, and sometimes to employ people of a different race.

And the CCF of that day in British Columbia took the position — the only party to take that position — that this was wrong; that it was wrong to have laws that said that people who were from Asian countries could not employ caucasian women for example, and certainly wrong that they could not vote.

And many of those people that took that position in the face, I might say, of tremendous public opposition, were vilified not only in political circles but also in the press. They were vilified for that.

It seems strange for us today to think that anyone would be chastised for taking that position, because of course today it would be totally unacceptable to any reasonable person in our society that we would have discriminatory laws like that on the basis of race.

And I think too, Mr. Speaker, of what happened when Prime Minister Trudeau in 1970 imposed the War Measures Act. Tommy Douglas and his, I think, fairly small caucus in the House of Commons at that time and in the face of a lot of controversy because of terrorism in Quebec, the FLQ (Front de Libération du Québec), stood up in the House of Commons and asked questions about human rights and freedoms, and whether there were not some implications of the imposition of the War Measures Act in the circumstances of the day that had not been properly addressed and which, if not properly addressed, would raise questions of great concern to Canadians who believe in human rights and freedoms both in comfortable times and in times of controversy.

And at that time Tommy Douglas and his caucus were also vilified by many people in Canada and by some parts of the press for taking that position. But it was the

correct position to take. And in retrospect, many people looking back see that it was the correct position to take.

I guess my point is that when one stands up for human rights, one will be criticized in some quarters, but sometimes the time when there is the most controversy and criticism is the time when those who really do believe in human rights and do not believe in unjust discrimination have to stand up and be counted.

In the United States the battle to desegregate blacks and whites did not begin in the 20th century as sometimes we think — because much more progress has been made in the 20th century — it actually began in the 19th century, the latter part of the 19th century when the Supreme Court of the United States had to deal with the question of whether blacks and whites should be able to have access to the same railway cars.

People that took that position in the 1880s and 1890s in the United States were also vilified by conventional wisdom because it was thought that there was really nothing wrong with keeping blacks and whites separate on train cars and in washrooms and other public places. And in fact the Supreme Court of the United States of that time decided that they would not have desegregation; they would have a separate but equal, so-called, policy whereby it was fine to separate people of different races so long as you provided them with equal accommodation. And of course what happened was that the accommodation never was equal, but that was overlooked.

And the separate but equal doctrine really prevailed until the case of *Brown versus Board of Education* in 1954 when finally the Supreme Court of the United States said, after 60 years, that it had been wrong in the 19th century and conventional wisdom had been wrong and that it was wrong to have segregated schools. And at that time the Supreme Court led the way in saying that schools had to be desegregated, and that was very controversial. The military and the policy authorities in fact had to escort black students into schools, and it was in fact probably a few decades before schools were finally completely desegregated. And of course even in the 1960s Martin Luther King was leading people in the United States to desegregate buses in Montgomery and elsewhere.

But my point is, again, that we would not even question the way we do things today. Nobody would stand up on this continent, no reasonable person, and say that we should have segregated trains and segregated restaurants and segregated washrooms. But it was not that long ago before that was the conventional wisdom. And the reason that that ultimately changed was because people stood up in the face of criticism and said, listen we have to seriously examine this; we have to think about this, and we have to make a logical, rational, reasoned, and correct decision.

I know that when it comes to the amendments before

this legislature with respect to human rights, that there are people that have concerns about those amendments. There has been literature distributed that suggests the amendments do things that the amendments do not do.

(1600)

And when I am talking to people in my constituency that are concerned about this issue, I say to them: do you believe that someone should be fired from their job simply on the basis of their sexual orientation if they have done nothing wrong? And the answer is almost invariably no. Then I say to them: do you believe that somebody should be denied the opportunity to rent an apartment or access to a public place like a shopping mall simply because of their sexual orientation? And the answer is invariably no.

And I then say to them: well that is all this legislation does. So since you have no problem with what it does and I have no problem with what it does, there really shouldn't be a problem with the legislation.

Now people can go on to say it's going to lead to this, that, and the other thing, but the legislation will do what the legislation says it's going to do. This legislation is the law in the majority of Canadian jurisdictions. And one thing that nobody has pointed out to me is any particular problem that has arisen in other parts of the country because this kind of protection exists in their law. Nobody has said that, you know, Ontario or Quebec are going crazy or there are all kinds of problems in their jurisdictions because they have this kind of law, and I don't believe it to be the case.

I want to say to those who believe that affording everybody in our society the fair treatment of being able to have a job and have a place to live, to those who say that those aspects of fair treatment will lead to all kinds of other inappropriate behaviour, I would say this: the laws of employment and other laws that currently regulate the behaviour of individuals continue to exist and are unaffected by this legislation. If there is any person in the workplace, wherever they may work, whether they're homosexual or heterosexual, that engages in some kind of inappropriate behaviour such as . . . And most people would think that if you brought issues of sexuality into your workplace in an inappropriate fashion, you should be dealt with by the employment laws and perhaps even criminal laws, depending on the circumstances.

If anything inappropriate should occur, the law will deal with what occurs. There is nothing in the amendments to the Human Rights Code that would authorize someone to do something today that . . . or after it's passed that they couldn't do in the past. What the law says is, you can't fire somebody just on the basis of their sexual orientation. And I don't see how any fair-minded person can take issue with that.

I do want to say that human rights are interdependent. My right to freedom of

expression and freedom of opinion is subject to the rights of all of my neighbours not to be subjected to hate literature, for example, and to expressions of opinion on my part which would run so contrary to community values that they would be found to be obscene.

And similarly, when we enact human rights legislation, the right of a person protected by that legislation to work and to live and to go from place to place in our society is subject to the rights of other people, including, for example, religious freedom. There are provisions in the Human Rights Code that say that if my lifestyle runs counter to the creed of a religious organization or a religious school board, that organization or school board does not have to hire me. That is the law now. So that we've seen, for example, cases involving the separate school board where the separate school board has not wanted to employ teachers who are divorced or living common law and so on, although in other circumstances those would not be proper grounds for discrimination.

But we know that each religion must be free to adhere to the tenets of that religion. That will not be changed by this legislation at all because our human rights are interdependent just as, I think, our society is interdependent, and all of us are dependent on one another.

And I have to say that in that regard it seems to me that our society is stronger when we consider everybody to be a part of our society and everybody to be entitled to fair treatment and when we don't emphasize the differences between us and make those differences things that should divide us.

So I am pleased to rise in support of the Bill and I certainly will be voting in favour of it. Thank you very much.

Some Hon. Members: Hear, hear!

Mr. Martens: — Thank you, Mr. Speaker. I rise today to speak to Bill No. 38. I've had serious consideration of this Bill and have taken the views of my constituents into mind and I have thought about it significantly myself.

And in Bill 38, it deals with sexual orientation and family status and a number of other things, and I want to begin my remarks by making some observations about discrimination.

First of all, I think that the member from Saskatoon Idylwyld said that we probably all would agree that discrimination is wrong. We would also believe that intolerance is wrong. I believe that we have to think about these two words in a very careful way as it relates to the kinds of things that we're talking about in Bill 38.

I believe, Mr. Speaker, that all of us have probably in our history, in our own memory, been at a function or been involved in various ways that we have been discriminated against. And so then when we come to the basis of talking about an issue such as we have

here today, I believe that we can all identify with being discriminated against. I think we have on many times been involved in intolerable situations, not that we perpetuated them or perpetrated them, but the fact that we were involved, we were perhaps part of a group that was discriminated against.

And I want to talk a little bit about that as it relates to my family. And I am probably no different than many of the people who are in this Assembly who have had their families come from various parts of the world where discrimination is a part of an everyday lifestyle.

I think about Ireland for example — it is a serious, serious problem. And I think that there is discrimination there on both sides of that very significant religious issue. And I think it has gone beyond that. And in fact, I believe that many times people have said that they've probably forgotten what the issue really is, until it becomes other issues that burn in the emotions of people until they do things that are not correct.

I believe that in other areas . . . I believe in South Africa, we've had situations there that are in my mind intolerable. And I believe that we have . . . we all view that in that context. I believe that in Africa itself we have . . . I was in Ethiopia, and people there who were of an Arab decent were fighting against people who were of black decent.

And so we have people all over the world fighting with each other, probably because they've even forgotten what the reasons were that originated the problems in the first place. And in my mind, Mr. Speaker, I find those intolerable. And yet we talk about them because they don't necessarily impact on us on a daily basis. And we can say that for us it is basically a theory, because we don't find those situations in our own communities.

In the community that I live in, Mr. Speaker, I spent a great deal of time with people who are not the same colour that I am; they're not the same nationality. I have spent a lot of time with Norwegians. I have spent a lot of time with Swedes. But I also have neighbours, Mr. Speaker, who are Lebanese, and I find them a very, very significant group of people in my community. They're very industrious; they are intelligent; they are hard-working. They are some of the best farmers in the community. And that, Mr. Speaker, speaks for itself. They are part of the community.

In fact, Mr. Speaker, members of my family have worked together with these; my father did. My father had a drill, and my neighbour who was Lebanese had a discer, and so they seeded all their farm together, both of them, and they worked together for many, many years. As a matter of fact, Mr. Speaker, his son does the farming for me when I'm here in Regina, and he's done that since 1982.

And as a matter of fact, Mr. Speaker, we worked that agreement on the basis of a handshake. We have never had a written agreement. We have never had a

mutual misunderstanding about what that agreement entails, because, Mr. Speaker, we have a certain amount of respect for each other.

And so all of us, every one of us here, will say to the other person that they disagree with discrimination. We don't want to have that kind of an attitude develop around us, nor do we want to be connected with anyone that does. Because that, Mr. Speaker, infers that we have some bigotry within the framework of the decisions that we're making and the points of view that we have.

I also want to point out, Mr. Speaker, that all of us have come from a different country to Canada and have been a part of it, except those people who are of original ancestry here in Canada. And I say to most of you here that that would be a part of the reason why you came here in the first place, is that you felt some sort of discrimination on the part of who you were in the context of where you lived and the reasons probably why you probably came to Canada in the first place.

Those are no different in my family, Mr. Speaker, and I had the distinct privilege of visiting with those same people last year. And for me, it was a bit of an emotional experience, Mr. Speaker, to visit with members of parliament from the Ukraine, where my family is from, and stand in the Ukrainian parliament in the podium, where the president speaks from and members of the Assembly speak from, and to say to those people that were present there that if I had have stayed there, it's perceivable and conceivable that I would have been standing in one of those seats, speaking with them or for them or against them on the basis of the political situation that existed there.

And I felt it was an emotional experience for me. And one of the individuals who is a member of parliament there indicated to me that if I had continued to live there, where my grandfather had lived, that we probably would have been neighbours. And for me, that was an emotional experience, not because I'm a Ukrainian — because I'm not — but that it was a part of the country where my grandfather had lived and his grandfather had lived.

And so we all, Mr. Speaker, can speak about the involvement that we have in viewing discrimination as being intolerable. We don't want to have discrimination of any sort.

And so from that perspective, I believe, Mr. Speaker, that we have to deal with a number of items that relate to where I believe that this function of discrimination occurs or has occurred. And I believe, Mr. Speaker, that the Prime Minister of Canada in 1960 who was the Rt. Hon. John George Diefenbaker probably had some of these same feelings that he expressed and he viewed, not only because of what he had been taught, Mr. Speaker, but also by what he had learnt as a lawyer and as a counsel for many of the people who he served in the Wakaw and Prince Albert area.

(1615)

And, Mr. Speaker, I want to point out to the Assembly that because of that background and because of that influence of that background, the prime minister of the day decided to write a Bill of Rights. And I want to point out some things that are very important in relation to that Bill of Rights. And they have stood for 33 years now, Mr. Speaker, as a benchmark for the people of Canada. And I want to point some of them out to you and why I think they fit and why I don't believe that this Bill fits into the category, in the same category by definition as what has been stated by members opposite.

The Canadian Bill of Rights is:

An Act for the Recognition and Protection of Human Rights and Fundamental Freedoms.

Mr. Speaker, that is the basis for the Canadian Bill of Rights. Now it goes on to say that:

The Parliament of Canada, affirming that the Canadian Nation is founded upon principles that acknowledge the supremacy of God, the dignity and worth of the human person and the position of the family in a society of free men and free institutions;

There are some very significant items in this preamble to the context of the Bill of Rights, Mr. Speaker. One of those is the recognition of the supremacy of God. That's one of the things that I think is significant. The worth of the human person, the value of the human being as a value in relation and in a relationship one to the other.

And the member from Saskatoon Idylwyld stated this, and I quote him because I think it's an important part to consider . . . is my rights are interdependent with the rights of others. I have that right, Mr. Speaker, as it is for me. But when that right infringes itself on the rights of others, then it does not any longer become a right for me. I have to have some exclusions from that right being perpetrated on me. And that, Mr. Speaker, is what the value or the worth of the human person must be put into perspective in dealing with the value that we have, as it relates to discrimination.

. . . (the) worth of the human person and the position of the family in a society of free men and free institutions;

Men and women in Canada need to have that freedom to do and to be what they want to be. And, Mr. Speaker, there is only one institution that can curtail that, and there is only one institution in Canada that can take that and restrict that. And that is a court of law. A court can determine that that restriction is being misused. And I say to the people of the province, that we have to be allowing the court to determine that function. And we, Mr. Speaker, must always respect the dignity of others, the rights of others, and we must always respect the rights that we have for ourselves. So:

Affirming also that men and institutions remain free only when freedom is founded upon respect for moral and spiritual values and the rule of the law;

The rule of law, Mr. Speaker, is an important part of what we're talking about. So the determination of what is in a Bill, Mr. Speaker, the determination of what is in a Bill before this House today is that we can say in this Assembly what we think it means. We can say in this Assembly what we would want it to mean, but, Mr. Speaker, the courts will determine what the law really says. The courts will determine that.

Yesterday in a ruling handled down by Judge Ron Barclay of the Court of Queen's Bench . . . ruled that the law that the Minister of Labour had put forward last year, dealing with the involvement of the Labour Relations Board and the Saskatchewan council for construction . . . those people appealed that law and that ruling and said no, you can't just do it for one. You have to do it for everybody, and we want to be included in that. And Mr. Barclay said no; the law states that the minister has the authority to do exactly what he did. And the law states that, Mr. Minister.

So what we have is, even though people may agree or disagree about what the function of the law in their mind is, it is the courts that will determine what the law really is.

And being desirous of enshrining these principles and the human rights and fundamental freedoms derived from them, in a Bill of Rights which shall reflect the respect of Parliament for its constitutional authority and which shall ensure the protection of these rights and freedoms in Canada:

Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons . . . enacts as follows:

It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely,

And I will go into that, Mr. Speaker.

I believe, Mr. Speaker, that if we take the aspect of race as a belief that we have — and I pointed that out earlier — that race should not be discriminated against because we don't have a choice. I don't have a choice on which race that I belong to, whether it's black or white or whatever. I don't have a choice.

Nor do I have a choice on my national origin. Nor do I have a choice on my colour; nor . . . Well I do have a choice on my religious beliefs, and many of us follow tradition in our families, and many of us go with the religious beliefs of our parents, and many of us have — some of us have not.

The next item, Mr. Speaker . . . But before I leave that, it is a fundamental moral belief within each one of us that there is a moral value in each one of us, and that is significant. And I believe that that is a part of a religious perspective and we should never underestimate that value in each one of us. The other thing that I want to point out, Mr. Speaker, is that I have no choice about which sex I am. And that, Mr. Speaker, is significant.

The following human rights and fundamental . . .

It is hereby recognized and declared that in Canada there have existed and shall continue to exist without discrimination by reason of race, national origin, colour, religion or sex, the following human rights and fundamental freedoms, namely,

And I want to point out what some of these are.

the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;

There it is again, Mr. Speaker. Now as it relates to this issue of sexual orientation, there are items under the Criminal Code of Canada that are wrong according to the Criminal Code of Canada as it relates to certain sexual behaviours, Mr. Speaker.

And I want to point some of them out. And we have those identified I believe in criminal action that is being tried today in Martensville. I believe that the court of Canada has the right to say . . . or the laws of Canada under the Criminal Code have the right to say that there are certain things that we will not tolerate as a society. And I believe that under the rule of law, the rule of law will determine whether in fact those individuals lived within the framework of that law or whether they did not live within that framework of the law.

And, Mr. Speaker, those freedoms that we have and enjoy are based on the rights that we have as it relates to race, national origin, colour, religion, or sex. And the only way that they can be adjusted or terminated, those freedoms that we have, is that when a court of law and due process says that we no longer have that right. And that, Mr. Speaker, is the reason why I think it's important for us to consider what we are talking about today.

I do not believe, Mr. Speaker, that sexual orientation is a matter of gender. I do not believe that. I believe that it is a matter of an individual preference, and I have not got a problem with the people that practise that. But I do have a belief that it is not a gender in society. And therefore, Mr. Speaker, I say to the people of the Assembly that on the basis of the Bill of Rights of Canada that the sexual gender is male and female, and I have no problem with identifying with individuals who believe that that is all there are. So far I've never met anybody else.

And that, Mr. Speaker, is the reason why I have a difficulty and a serious, serious difficulty in saying to the people of the province that in a code of human rights that sexual orientation should be placed there in exactly the same place in which those items which I believe are inherent in me and I had no choice about, that sexual orientation should be placed as a part of that function. And I have a great deal of problems with that, Mr. Speaker.

I also believe that there is a significant difference between tolerating what some people do and what others don't do. I believe, Mr. Speaker, that we have a lot of things that I don't believe that are right that other people do. There are a lot of things that I don't believe are right. But that doesn't mean that I'm intolerant of them nor does it mean that I'm discriminating against them. There are many of those kinds of things. And, Mr. Speaker, I don't think that this is the right kind of an action but I have no problem in relating to that individual who does that.

I have no problem because I believe that the fundamental right of an individual is, as I said earlier, that that individual is a moral person and I believe that as it is acknowledged in the Bill of Rights of Canada that says that the supremacy of God is a moral right in a relationship to that creator. The dignity and the worth of the human person, I think that has moral value. That individual is just as much an individual as I am. He may not agree with what I have to say on certain issues and very likely doesn't.

But as it relates to a practice such as this, I do not believe that he or she have the right to say that this has to be put into the framework of a constitution or a Bill of Rights or the Human Rights Code of the province of Saskatchewan. I don't believe that and therefore, Mr. Speaker, I don't intend to vote for that.

And that doesn't mean, Mr. Speaker, that I am intolerant. That means that on the basis of the fundamental rights of individuals in the framework of the Constitution of Canada and the Bill of Rights of Canada, the constitution as it was brought in 1982 and the Bill of Rights in 1960, that these people do have the rights and the freedoms that they say . . . that many say that they don't have.

As a matter of fact, I want to point out to the members of the Assembly a letter that was written to the majority of the members of the Assembly. The letter comes from a group that's called the Equality for Gays and Lesbians Everywhere. And this letter is dated February 5, and it has this quote in the letter, Mr. Speaker. The sentence reads:

The courts are consistently finding that the Charter of Rights and Freedoms does indeed protect lesbians and gay men from discrimination.

And that, Mr. Speaker, is what the human rights Bill says. It says there that:

the right of the individual to life, liberty,

security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law;

That, Mr. Speaker, is the reason why I believe that they're right in their statements. I believe they're right in what they're saying because the law will determine on the basis of the Bill of Rights of Canada that they do have rights and freedoms.

(1630)

Now I will say to this Assembly also that to be intolerant of people who have this point of view is not a part of me to determine that. I don't have a problem with their point of view; I just don't want to be a part of it. I have a personal preference that I don't want to be a part of it. And that doesn't say that I'm right. I'm not infringing on anyone else's right; as it was stated earlier, my rights are interdependent with the rights of others. And I believe that, Mr. Speaker, that we have rights ourselves, but when they become interdependent and focus and take away rights of others, then we have a serious problem. I really believe that.

Now in discrimination, I don't have a . . . Most of us, and I would say a hundred per cent of every one of the members of the Assembly in the province of Saskatchewan, do not want to have discrimination against individuals. I believe that. I believe that we are tolerant of others. In fact we have references of tolerance all around us. People are tolerant; people are accommodating; people do help each other out; people do that on a regular basis.

In the province of Saskatchewan that is a significant part of our fabric. We are a young province and there are people here who are first-generation residents and probably could even think about a time when this province was begun. And therefore, Mr. Speaker, we have in the province learned to be tolerant of others. And that, Mr. Speaker, is significant.

I want to point out an issue that I was going to raise as it relates to the Canadian public in a general kind of way. And it deals with the . . . I believe the reference made to this by the member from Saskatoon Idylwyld, but I'm not sure that it was quite in this context — but the Japanese in Canada were moved from Vancouver in the 1940s because of the Second World War. And, Mr. Speaker, they were displaced in Canada in that setting.

And there are people that I know very well, who are friends of mine, who were moved from Vancouver to Winnipeg. Those people were displaced within the framework of Canada. And that was not tolerance, Mr. Speaker. We weren't tolerant of those people at that time. And so what happened just a few years ago? That restitution of that intolerance was made to these individuals. And I think that that is significant, Mr. Speaker.

And I believe that each one of us here probably agreed with the federal government when they said, we

apologize for what we did and we want to say to you that this is our demonstration of showing that we want to acknowledge that we were wrong, and we want to correct it.

I also want to go on to say, Mr. Speaker, that I followed the referendum this past fall very carefully. And I listened to the debate from the media, and I listened to the debate from the politicians, and I listened to the debate in the coffee shops. And one of the things that I believe was more prevalent in the discussion, the item that was more prevalent in that discussion more than anything else I believe was this, Mr. Speaker: people want to have equality before the law. And what they saw in the referendum, Mr. Speaker, was that in the referendum it gave preference and special privileges to certain groups of people.

And I believe that the Canadian public voted in the referendum on that issue as a part of their attitude towards the constitution and changes to the constitution. They voted against the constitution on the basis, I believe, that they did not want to have all of these people coming forward with special interests. And each one of us could mention special interest groups that had preference in the constitutional debate.

And therefore, Mr. Speaker, the people I believe spoke out soundly and resolutely that they did not want to have special privileges given to individuals. And that, Mr. Speaker, was the reason why I believe that the referendum, constitutional referendum failed, is because there were too many people getting too many preferential treatments from across Canada. And that, Mr. Speaker, is the reason I believe that it failed.

Underlying all of that, the people of Canada believe that there should be equality before the law without discrimination, without allowing any of the special interest groups to be brought forward. And I believe that, Mr. Speaker. I also believe that in spite of that, they are a tolerant group of people. I believe they're tolerant. And that, Mr. Speaker, is the reason why I raise these points as a part of my discussion and why I think that this Bill should be defeated.

I want to point out a number of other issues, Mr. Speaker, that I find interesting in comparison to this. Well before I go into that, I want to make some observations about how I view this in a moral sense.

Personally, Mr. Speaker, I believe that I tolerate a lot of different people who think different than I do. As a matter of fact, my neighbours are Muslim. They have a different attitude towards the moral values than I have. And I find that tolerable. And yet, Mr. Speaker, personally I don't have to accept them — accept that religion as a part of what I believe — because I have that freedom to accept the one I have.

I therefore, Mr. Speaker, also have to have the freedom to accept other behavioural patterns that are I believe just as fundamental. And as pointed out in Bill 38, I think that we have on the basis of sexual orientation gone beyond what the Bill of Rights of the

province of Saskatchewan or the Human Rights Code of Saskatchewan should disqualify or qualify.

I think we've gone beyond what should be said in that Bill on the basis that I believe that it's a behavioural pattern that we're talking about. And I think that we have to say to the people of Saskatchewan, I will not tolerate in any way, shape, or form, actions of individuals where they do not infringe on the rights and actions of other individuals. And I believe that as a part of the moral value that I place on other individuals and I place on myself.

Mr. Speaker, I want to point out some areas where this government has, in my view, demonstrated a lack of rights that an individual should have, and they have been taken away. Mr. Speaker, I point out to the Assembly that in dealing with rights of an individual:

the right of the individual to life, liberty, security of the person and enjoyment of property, and the right not to be deprived thereof except by due process of law.

I believe, Mr. Speaker, that we have had examples in this Assembly within the last 16 or 17 months where that has been happening. And, Mr. Speaker, I want to point out a number of them.

Now we can say on one hand that I'm going to be tolerating all of the people, and yet on the other hand this Assembly — and I voted against that — but this Assembly voted to have all of the contracts stripped from all of the people in the province of Saskatchewan who have made an agreement with a Crop Insurance Corporation that they were going to be involved in in a contract. Under law the contract, I believe, exists as part of law. And that agreement that is reached in a contract is law, Mr. Speaker.

And what was determined by the members of this Assembly, on the government side of the House, was that the interpretation they had is that they could break a contract that was made with the farmers of the province of Saskatchewan, and they could do it within the framework of the law. They said they could do it because they make the law.

Mr. Speaker, I say to the members of this Assembly, you have one rule for one group of people who come to you and ask for protection, you have another group of rules that you lay out for all of the other people to consider. And I say, Mr. Speaker, those actions are hypocritical.

You also raised, Mr. Speaker, another . . . or, Mr. Speaker, the government has also raised issues that relate to breaking the contracts with individuals. Those are items that should not be taken away. Those rights should not be taken away as based on a contract, should not be taken away from individuals except how, Mr. Speaker? Except in a court of law.

And I say to you that Bill 38 should not be amended, it should not be amended, and it should be a process of law that says that sexual orientation should be a part of

the Human Rights Code based on what, Mr. Speaker? Based on precedent that is established to the functions of a court of law to determine whether in fact they have security in that. And I want to point out again, Mr. Speaker, that the organization called Equality for Gays and Lesbians Everywhere says in a letter that we received: The courts are consistently finding that the Charter of Rights and Freedoms does indeed protect lesbians and gay men from discrimination.

And so why would we need to put this into law in Saskatchewan? I don't believe it should be, Mr. Speaker. I believe that the court should determine the freedoms because in our constitutional right, it says by the very fact that the right of the individual to life and liberty, security of the person is there except — except, Mr. Speaker, by the due process of law.

And then going on, the right of equality. Not that one should be treated better than the other, but by the right of the individual to equality before the law and protection of the law. That, Mr. Speaker, if there are rights that are being disposed of that are against individuals for certain practices that are not illegal and that have not been taken away from those individuals, those individuals have the right before the law to confront those people who are taking that freedom away.

And that, Mr. Speaker, is where we should be with this idea of sexual orientation. And I say to you and to the members of this Assembly that the approach is entirely wrong. It's entirely wrong, Mr. Speaker, and I say that not only from my perspective but also from those people who wrote to us and told us that that is what they believe in. And that was from the Equality for Gays and Lesbians Everywhere, that association.

And so I say to you, Mr. Speaker, that the rights before law, the right of an individual to be treated equally before the law, and the protection of the law is a fundamental right. And if someone is breaking the law, Mr. Speaker, he should be taken to task for that by the courts of this land. And I believe that that has to be the right.

Now why do I believe that the areas of race, national origin, colour, religion, and sex are the ones that need to be dealt with? I believe, Mr. Speaker, that they need to be dealt with on the basis that they are inalienable things that we don't have a choice with — we don't have a choice with. And, Mr. Speaker, I believe that that's the reason why we have to have . . . why this Bill should be defeated. I really believe that, Mr. Speaker.

And I believe that the law needs to be made in a way that will protect people who have these innate rights and the moral values that they have. And I believe that this law goes beyond that, Mr. Speaker, and it protects a behavioural pattern that I don't think should be there. But I also think that it's already protected under the Canadian Bill of Rights.

Mr. Speaker, going on from there I want to point out to the Assembly also that the Canadian Charter of Rights and Freedoms guarantees the rights, and this is under

The Constitution Act of 1982:

The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

The rules that we have to follow have to be a balance between my rights, which are interdependent with the rights of others, and it has to be interdependent upon the . . . and the evolvement and how we treat other people.

(1645)

The reason I say that, Mr. Speaker, is this: that the people in the province who are breaking the law should be charged with breaking the law if they do not meet the requirements of the law as it is based on the constitution. And I believe that, Mr. Speaker. And I don't believe that in any way, shape, or form anyone has convinced me in this Assembly otherwise.

And I don't believe that it is intolerant on my part to say that the law shall determine that, because the law will determine whether that individual has a right or not. And as a matter of fact, Mr. Speaker, as we come to the place to vote on this and this becomes law, it will not be the reference to the discussion in this Assembly that will determine what the law is. It will not be the discussion of the Minister of Justice in this Assembly what the law will be.

The justices of the province of Saskatchewan will not turn to *Hansard* 1993 and ask, what did the Minister of Justice say, in determining what the law was. They will not make reference to what the law is. They will interpret the law how, Mr. Speaker? They will interpret the law based on the decisions that have come prior to this. They will determine that the issue is that the determination by the justices will be on the basis of precedent, and it will be on the basis of law and constitutional rights. That's the determination that will make individuals in this Assembly responsible, but it also will make society responsible.

And therefore, Mr. Speaker, I believe, I honestly believe that the fundamental rights of individuals who practise homosexuality are today protected equally with those that don't. And that is my contention, and it has been my contention ever since I began to understand what the government was going to bring forward today.

And I believe that the protection under the law is the same regardless of sex. I believe also, Mr. Speaker, that our rights are protected under the basis of the Bill of Rights. And, Mr. Speaker, the only thing that can take them away, the only thing that can take them away is the constitutional reference as it says there by a court of law. It's the only way that that right can be taken away.

Therefore, Mr. Speaker, the practices of homosexuality are not in the framework of the

Criminal Code. They're not in the part that puts them in the same place, they're not of the same . . . in the same position as those people who are now being tried in Martensville. They are not.

And therefore, Mr. Speaker, they have every right to believe that the court and the jurisdiction of Saskatchewan should protect them as well with this Bill or without it. What I'm fearful of, Mr. Speaker, what I'm fearful of and many people have told me is that this goes beyond what that court can determine, and that, Mr. Speaker, is what people are concerned about. And I want to point out rightfully so, and I believe that I am concerned about that as well.

I also want to point out to this Assembly that when the determination is made by the court about whether this is going to be struck down and what will happen, I believe, Mr. Speaker, the court will determine at some point in time, when someone challenges this, that they don't have the right under the Canadian constitution to have special privilege any more than anyone else, and that my right is interdependent with the rights of the others.

They will determine that individuals who have assumed that they have a right under this Bill of Rights, the Saskatchewan Human Rights Code, they will determine that they have rights under that. The court will determine whether they have. And I say to this Assembly I think that they have already decided that they have rights, and that is again — I want to point out — exactly what the organization that wrote to us said. They already have the rights under the Canadian Charter of Rights and Freedoms. They already have that right. And I say to the members of this Assembly that that is what I believe, and I think they're right in saying that.

I want to point out a number of other issues that I find very, very interesting as it relates to these people wanting to defend certain rights of individuals and not the rights of others.

I mentioned about farmers being excluded from the court. They excluded people from the court, Mr. Speaker. They said no, you cannot challenge this decision by this Assembly in a court of law. And, Mr. Speaker, I find that repulsive. What they are doing, what they did to farmers in the province of Saskatchewan, is not what I'm asking this Assembly to do in sexual orientation — not at all.

I want to have those individuals have the right where they are unjustly treated, and I believe they perhaps are, just as you will find that there are people who are unjustly treated, male and female, in a sexual way. So that if people who have a sexual orientation are mistreated, they have access to the law to be treated the same as you and I do. And that is very important, Mr. Speaker.

But this Assembly, this Assembly in the case of the farmers of the province of Saskatchewan, this Assembly — and I didn't vote for this — but this Assembly took away those rights from appearing

before a court of law in this province to have the court determine whether they were right or wrong; not whether the government was right or wrong, but the court to determine whether the actions were right or wrong. And that, Mr. Speaker, is as fundamentally wrong as what these people are telling us is wrong with the present Human Rights Code.

Mr. Speaker, I have on three occasions seen advertising done, one by the Minister of Justice and two by the Minister of Labour — three instances altogether, Mr. Speaker — where they advertised for individuals in an ethnic and a gender way and in a race way. They said that it was exclusive, that it was exclusive to those races and exclusive to those individuals and exclusive to that gender.

And, Mr. Speaker, I think that that is wrong. That is the height of hypocrisy. On the one hand they say, we've got to be tolerant of these people; and yet they on their own advertising for employment say that if you're not of this race and if you're not of this gender, then you won't be hired. Now is that right? I raise that question to this Assembly: is that right?

And, Mr. Speaker, the Minister of Justice, as a part of his responsibility is the Indian and Metis Affairs, the Minister of Justice in a job application for one of his branches said that the race has to be this, the gender has to be this, and I will not hire anyone else. In fact the ad says, Mr. Speaker, the other individuals need not even apply. The other individuals need not even apply. And is that fair?

I say to the members that have spoken on this issue, is that what this thing is trying to protect? And I say you should start at square one. You haven't even fixed the things that you should be fixing before you start fixing the things that you think you should have and haven't. And, Mr. Speaker, I find that deplorable.

If I would say to this Assembly that I would put an ad in the paper and say that I wanted to hire a male, white, between 35 and 45 years of age, and nobody else need apply, Mr. Speaker, I could be taken to the Human Rights Commission because that is not right. And I believe that it's not right. But what this government has done and the Minister of Justice's department himself has done — and the Minister of Labour — on three occasions they have said, if you are this and this, all of the others need not apply.

And, Mr. Speaker, that is deplorable. And in my mind I find that disgusting. And I would say to the members opposite, it's time you went home and cleaned up your own offices and cleaned up the things that you're doing because that is more wrong than anything that you're trying to prevent in Bill 38.

And that, Mr. Speaker, is the reason why I will not be voting in favour of Bill No. 38 because I don't believe that it does any of the things that they have said it does.

And, Mr. Speaker, the reasons that I have outlined here, I believe, are fundamental to the Human Rights

Code. I think they're fundamental to the Canadian Bill of Rights, and I also think they're fundamental to the Constitution of Canada.

And, Mr. Speaker, I therefore now move adjournment of debate.

Debate adjourned.

The Assembly adjourned at 4:56 p.m.