

The Assembly met at 2 p.m.

Prayers

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

**Ms. Haverstock:** — Thank you, Mr. Speaker. This is to the Hon. Legislative Assembly. The petitioner of the University of Saskatchewan Termuende farm of Lanigan support against the closure of the Termuende farm:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to show its overwhelming support in efforts to save the Termuende Research Farm, a definite asset to the beef industry of Saskatchewan, from closure this fall.

As in duty bound, your petitioner will ever pray.

Mr. Speaker, there are people from Humboldt, Lanigan, from St. Gregor, from Fulda, from Middle Lake, Muenster; from Drake, Saskatchewan; from Lockwood, Saskatchewan; dozens and dozens of petitioners.

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, I'd like to present a petition as well this afternoon. And I'll just read the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to defeat any legislation introduced to redefine the NewGrade Energy Inc. corporate governance and financing arrangements.

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

Mr. Speaker, these petitions are from Stoughton, Saskatchewan, and from Viceroy, Saskatchewan.

**Mr. Toth:** — Mr. Speaker, I also have petitions to present to the Assembly. And I'll read the prayer:

Wherefore your petitioners humbly pray that in view of the NDP government's intention to unilaterally change legally binding agreements regarding NewGrade Energy Inc. that your Hon. Assembly may be pleased to defeat any legislation introduced to redefine the NewGrade Energy Inc. corporate governance and financing arrangements.

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

**Mr. Britton:** — Thank you, Mr. Speaker. I too have several petitions to present, Mr. Speaker, and I will read the prayer:

Wherefore your petitioners humbly pray

that your Hon. Assembly may be pleased to defeat any legislation introduced to redefine the NewGrade Energy Inc. corporate governance and financing arrangements.

Mr. Speaker, these petitions come from Regina. There are quite . . . from Admiral, Bracken, Eastend, Shaunavon, and on through down into the south part. Mr. Speaker, they represent quite a broad spectrum of the province. I would so . . .

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I too have petitions to present today. I'll read the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to defeat any legislation introduced to redefine the NewGrade Energy Inc. corporate governance and financing arrangements.

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

These petitions come from Alida, Redvers, Antler, Wauchope, Bellegarde in the south-east corner of the province, and a good number from Regina Churchill Downs, Mr. Speaker.

**Mr. Goohsen:** — Thank you, Mr. Speaker. I'm happy to present petitions today on behalf of people from the Lipton area and also from Davidson, Kenaston, Dysart, and Wynyard. The prayer reads as follows:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to defeat any legislation introduced to redefine the NewGrade Energy Inc. corporate governance and financing arrangements.

As is in duty bound, your petitioners will ever pray.

And I table them now.

**Mr. Muirhead:** — Thank you, Mr. Speaker. I too have several petitions that is a pleasure for me to table this afternoon. And as your request, Mr. Speaker, I'll just read the prayer.

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to defeat any legislation introduced to redefine the NewGrade Energy Inc. corporate governance and financing arrangements.

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

Mr. Speaker, this one page is full from Kenaston in my own constituency. And the next page is all Kenaston. And then the other three pages are all from Redvers. It looks like they're all Redvers, Mr. Speaker — Carievale, in that area; yes, the Revers, Carievale area.

With pleasure I table these now, Mr. Speaker.

**Mr. Neudorf:** — Thank you, Mr. Speaker. I also have the privilege to lay before the Assembly this afternoon, petitions based on a prayer that my colleagues have read out which I will also read.

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to defeat any legislation introduced to redefine the NewGrade Energy Inc. corporate governance and financing arrangements.

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

Mr. Speaker, the numbers of pages here that I have come from Regina, Regina, Regina, an entire page from Lipton, Mr. Speaker, and also from Saskatoon, and I notice also a number of signatures from Martensville.

Mr. Speaker, it gives me a great deal of pleasure to lay these on the Table this afternoon.

**Mr. Martens:** — Thank you, Mr. Speaker. I too want to present some petitions to the Assembly. The prayer says:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to defeat any legislation introduced to redefine the NewGrade Energy Inc. corporate governance and financing arrangements.

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

And they are generally from Regina with some from Zehner.

### INTRODUCTION OF GUESTS

**Hon. Mr. Romanow:** — Thank you very much, Mr. Speaker. Mr. Speaker, members of the Legislative Assembly, it is my great honour to introduce to you today a very, very special guest to the province of Saskatchewan who is seated in your gallery, sir. He is the ambassador of France to Canada, His Excellency Monsieur Alfred Siefer-Gaillardin. And I'd ask the ambassador please to stand and to be recognized, sir.

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

**Hon. Mr. Romanow:** — His Excellency is accompanied by Monsieur Claude Berlioz who is the consul-general of France in Edmonton. He's seated beside him. There is Mr. Berlioz. Welcome.

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

**Hon. Mr. Romanow:** — This morning the ambassador met with the ministers of Agriculture and Food, and Education, officials of the Department of Economic Development, and I believe, sir, a courtesy call with you, Mr. Speaker. The Deputy Premier had the privilege of hosting the ambassador at a luncheon

today, and it's going to be my pleasure to meet with them and discuss matters of mutual interest later this afternoon. And after that, he will meet with members of the Association culturelle franco-canadienne de la Saskatchewan.

Mr. Speaker, as you will know and all members know, France and French business people have a very special and important role to play in Canada but in the province of Saskatchewan. We have investments of French companies and people, and of course the importance of that is something which the province of Saskatchewan very much values. I want to welcome His Excellency to the province, hope that he has found his visit and will find it informative and — if I may use this term as well — somewhat entertaining in your very busy schedule. Thank you very much. Bienvenue. Thank you, Mr. Speaker.

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

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I'd like to join with the Premier in welcoming the ambassador to Canada. It's on behalf of the official opposition we welcome you here and hope that you have a good visit with Saskatchewan. And in the past few weeks we've had a good opportunity to meet with the ACFC (Association culturelle franco-canadienne de la Saskatchewan) people, and I hope you have a good visit with them also and welcome. Thank you.

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

**Mr. Roy:** — Merci, M. le président. Je voudrais présenter à vous et à la Chambre aujourd'hui, ça me donne un grand privilege et un plaisir de présenter M. Alfred Siefer-Gaillardin, l'ambassadeur du France. Il est ici aujourd'hui parmi nous. Il a rencontré ce matin avec le Ministre d'Agriculture. Il est aussi accompagné avec M. Claude Berlioz qui est le conseil général à Edmonton. M. Siefer-Gaillardin, l'Ambassadeur, est ici à la Saskatchewan pour essayer d'améliorer les relations entre le Canada et la France et en particulier avec la Saskatchewan. Puis ça nous donne un grand plaisir de l'accueillir ici dans la Saskatchewan et à la Chambre aujourd'hui. Je voudrais demander à tous mes homologues dans la Chambre de l'accueillir chaleureusement ici aujourd'hui. Merci.

(Translation: Thank you, Mr. Speaker. I would like to introduce to you and to the Assembly today, it is a privilege and a pleasure for me to introduce Mr. Alfred Siefer-Gaillardin, ambassador of France, who is here with us today. With him also is Mr. Claude Berlioz, who is the consul-general in Edmonton. Ambassador Siefer-Gaillardin is here in Saskatchewan in an attempt to improve relations between Canada and France, and particularly Saskatchewan. It gives me great pleasure to welcome him to Saskatchewan and to the House today. I would ask all members to give him a warm welcome here today. Thank you.)

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

**Ms. Stanger:** — Thank you, Mr. Speaker. I'd like to introduce to you and through you to the rest of the

Assembly, 30 students from the Cut Knife Elementary School sitting in your Speaker's gallery with their teachers, Len Dupuis and Ken Cornish; chaperons Marion Robertson and Anita Veikle; and the bus driver, Kevin Beatch.

I'm very pleased to welcome them here because this is a long drive from Cut Knife and I hope that they are enjoying their stay in Regina. I will be meeting with them for photos at 2:30. And I would like the members of the Assembly to welcome them here and I hope you enjoy your visit.

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

**Mr. Harper:** — Thank you, Mr. Speaker. Mr. Speaker, on behalf of my colleague, the member from Canora, it gives me a great deal of pleasure to introduce to you and through you to all the members of the House 22 grade 8 students from the Preeceville School who are seated in your east gallery, Mr. Speaker.

And they are down here today from Preeceville and they're accompanied by their teacher, Mr. Lorne Plaxin, as well as their chaperons, Walter Blotski, Karen Johnson, and Nick Bellous, and their bus driver, Elgin Amy.

And I will be having the pleasure of meeting with them later on for photos and refreshments. And, Mr. Speaker, I'll ask all the members of the House to offer them a warm welcome.

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

**Hon. Mr. Goulet:** — Mr. Speaker, it is my pleasure to introduce to you and through you and to other members of the House Mr. Zhonghua Tang who is the secretary of the Chinese embassy.

Mr. Speaker, Mr. Tang arrived in Canada for his post in 1992. He had been serving four years as the Bureau of International Co-operation, State Education Commission of China. Speaking English as a second language, Mr. Tang is specifically in charge of western Canada affairs at the education section of the Chinese embassy in Ottawa. Along with Mr. Tang, is Wie Wong, a student at the University of Regina.

Could you please stand up and we'll give you a warm welcome in this House.

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

**Mr. Hagel:** — Thank you very much, Mr. Speaker. Mr. Speaker, it's my pleasure to introduce to you and through you to all members of the Assembly some grade 6 and 7 students from Ecole Ross School in Moose Jaw who are seated in the west gallery today, Mr. Speaker.

I'm especially pleased to introduce these students because it's the first time in several years that we've had visitors from Ross School. These students, Mr. Speaker, are accompanied today by their instructor, Mme. Corbert, and I will be meeting with them for a

photo at 3 o'clock. At 2:30, Mr. Speaker, they will be quietly leaving the galleries to take part in a half-hour tour of the legislative buildings and I look forward to meeting them at 3 o'clock for photos.

I'll ask all members to join in welcoming these visiting students from Ross School in Moose Jaw.

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

**Ms. Murray:** — Mr. Speaker, it's my pleasure today to introduce to you and through you to my colleagues in the legislature three separate groups of people. The first is a friend very, very dear to my heart. She's seated in your gallery, Mr. Speaker. Her name is Jeanette Britton. She farms in Craven, and I taught with her for 15 years in Pilot Butte school. She is accompanied today by her friend and relation, Mary Craig, who is visiting here from Scotland. So I would ask all members to join me in welcoming them here today.

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

**Ms. Murray:** — And seated in the east gallery, Mr. Speaker, 25 grade 4 students from Pilot Butte School, where Jeanette and I taught together. They are accompanied by their teacher, Marj Gross, and their bus driver, Mrs. Ruth Betteridge. I can't see where they are but I'm looking forward to seeing them right after question period.

And also, Mr. Speaker, on behalf of my colleague, the member from Swift Current, and also seated in the east gallery, 41 grade 4 students from St. Patrick's School in Swift Current. They are accompanied by their teachers, Lenzena Zanidean, Maureen Hapke, and their chaperones, Suzie Berg and Camille Hannah. So I would ask all members to join me in welcoming these groups to the east gallery.

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

**Mr. Upshall:** — Thank you, Mr. Speaker. I'd like to introduce to the Assembly through you a constituent of mine sitting in the west gallery. Mr. Jerome Warrick is a delegate for Saskatchewan Wheat Pool and very interested in agricultural policy. I had the pleasure of meeting him this morning. I'd just like the House to welcome him today.

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

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, I'd like to introduce to you and through you to the Assembly, a number of individuals who are seated in the west gallery. Representing Pine-Park Church of the Nazarene, Jason Boyd; Ernest Budd from the Evangelical Free Church; Steve Weir from Calvary Baptist; Harold and Charlene Lutzer, Community Impact Saskatchewan; Amie Manz from Saskatchewan Natural Law Society; Mervin Cockerill, Big Sky Free Methodist; Donelda Morrison, Faith Baptist; Edna Kramer, Faith Baptist; and Cathy Wilson, Hillsdale Alliance, as well as Ron Stickel, and I believe there are a few others who have come to observe the proceedings today in relation to their

concerns regarding the Saskatchewan, their favourite province. Would you join me in welcoming them.

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

**Hon. Mr. Romanow:** — Well, Mr. Speaker, clearly the House has a lot of guests today, and I think this is the last introduction for the day. To show you not only do we have a lot of . . . many guests, we have many interesting guests and almost comprising an aspect of the United Nations, because my final introduction to you, sir, and the members of the House, are four guests in your gallery. And just a background word about these people.

Last summer, while on a concert tour of the Ukraine, the Yevshan Ukrainian Folk Ballet Ensemble concluded exchange agreements with professional Ukrainian dance companies.

Three ballet masters and choreographers from the Ukrainian cities of L'viv and Ternopil, have been in Saskatchewan, as a result, for the past three months working with the Yevshan dancers and have conducted a number of workshops with many other Ukrainian dance groups throughout the province of Saskatchewan. These have all been coordinated by Dance Saskatchewan.

It's coming to an end, and these three young Ukrainians are going to be going back home to the country of Ukraine, and I'd like them to stand as I introduce them to you. There is first of all, Mrs. Nina Pyrehova, from Ternopil; Mr. Tadei Ryfiak, and Mr. Taras Vanivsky, from L'viv. They are accompanied by Mr. George Zerebecky, multicultural consultant for the Saskatchewan Education, Training and Employment department.

I'd like to thank them for their contributions to the province of Saskatchewan, and ask all members to welcome them. Thank you very much.

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

**The Speaker:** — Before I call oral questions, I just want to remind our guests in the galleries that they are not to participate with anything that happens on the floor — either your positive response or negative.

## ORAL QUESTIONS

### Purchase of Video Lottery Terminals

**Mr. Martens:** — Thank you, Mr. Speaker. My question is to the minister responsible for gaming. Mr. Minister, throughout our questions on the gaming industry and video terminals you have insisted that the only agency involved has been the Saskatchewan Gaming Commission. And because the Gaming Commission is a quasi-judicial body you cannot answer questions of substance, questions regarding the proposals, questions regarding the security report and so on.

You have repeatedly stated that these matters were handled by the Gaming Commission and the Gaming

Commission only, Mr. Minister, and there was no involvement by the minister's office or any other political office.

Mr. Minister, let me ask you today: have you and your predecessor ministers or any other office of government ever been involved in a video lottery terminal processing in the bidding process?

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

**Hon. Mr. Lautermilch:** — The answer, Mr. Speaker, is no.

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

**Mr. Martens:** — Mr. Minister, we have received copies of letters that prove conclusively that you personally have been directly involved, a previous minister was directly involved, and the Premier himself is directly involved. I warn you we will be releasing these letters to the media immediately after question period. But before we go any further, I give you another chance to answer.

Has your office and the Premier's office been involved in evaluating the various VLT (video lottery terminal) proposals?

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

**Hon. Mr. Lautermilch:** — Mr. Speaker, I want to say to the member opposite that we have been above-board with respect to the tendering process on VLTs. I want to say that this is the 72nd question that came from the member opposite, and the answer still remains the same.

There was a panel of the Property Management Corporation, the Gaming Commission, Economic Development, and Finance, who did an analysis of the proposals put forth by the groups who wanted to be involved in selling to the Gaming Commission, video lottery terminals. They were the people the Gaming Commission were responsible for short-listing and ultimately responsible for putting the short list to cabinet.

That, I say to the member from Morse, is to the best of my knowledge the process that took place. I can tell you that I was not personally involved in the proposal calls nor do I believe any of my colleagues were. And if you have information contradictory to that — which I don't believe the member can have because it's not there — he should put it before the people of the province.

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

**Mr. Martens:** — Mr. Minister, would you provide details of that information that you have just stated to us, would you provide the details and table them in this Assembly for us all to see that that is the involvement of the people in the government. And we want to have that observation made to this Assembly. Would you provide that and table those documents

for us, please?

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

**Hon. Mr. Lautermilch:** — Well, Mr. Speaker, this is now answer 73 to the same question, so let me respond to this. If I want, the information that I have with respect to the member's question, I could pass a blank sheet of paper across to him, but I don't think that would serve the purpose of this line of questioning.

What I say to the member is, and I've said to him before, that if he has any information pertinent to this particular issue, that he should table the documents. And I look forward to him tabling the documents he says he has, after question period.

**Mr. Martens:** — Mr. Speaker, Mr. Minister, while we do not know all of the players involved in the process, we have received copies of correspondence that indicate the following, Mr. Minister. We know that you have been personally involved. We know that the previous minister, the Minister of Labour, has been personally involved. We know that Mr. Ron Clark, the deputy minister to the Premier, on the direction of Premier, has been involved in a detailed way, including meeting with proponents . . . In fact in a letter dated April 20, 1993 Mr. Clark says:

I am familiar with a proposal from Thunderbird Gaming Inc. as well as the assessment process. I can assure you that the process was rigorous and comprehensive.

He goes on to speak about "our analysis". Those are his words, Mr. Minister — "our analysis of the bids".

Mr. Minister, once again, in addition to the Premier's office, what other departments, agencies, and political offices have been involved in this process, and why have you made every effort to cover up this involvement?

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

**Hon. Mr. Lautermilch:** — Mr. Speaker, quite clearly the member has little to put before the people of this province, or he would have tabled it much sooner.

I want to say to the member opposite that the process that we outlined, the people who did the analysis with respect to the bids that were submitted by Thunderbird, by GTECH, by the other corporations, was done by an intergovernmental group of people who have worked for this government for a long time. They were people who worked for the Property Management Corporation, for the Gaming Commission, for the Department of Finance, for the Department of Economic Development. And clearly someone within government has to do an analysis of the proposals to supply the electronic gaming equipment.

Now I think, Mr. Speaker, that you will agree with me that it would be inappropriate for government to go

ahead on the purchase of electronic gaming equipment without doing an analysis. And clearly the government is going to do an analysis in order to be able to short-list the proposals that were put before this committee. And I say to you, Mr. Member, that that is the process that we used. It is a very appropriate way to handle a purchase of this kind. And I've said to you before that this is the process. I've answered this on many, many occasions. The answer today is the same as it was last week and it's the same as it was the week before that and the same as it was the week before that.

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

**Mr. Martens:** — Mr. Speaker, Mr. Minister, now that it is apparent that there has been political involvement at the highest level in this process, including the minister's office and the Premier's office, and now that the fact has been revealed, will you today do the right thing and open the entire mess up to full public scrutiny? Will you do that today, Mr. Minister?

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

**Hon. Mr. Lautermilch:** — Mr. Speaker, let me say again to the member from Morse, I have outlined in detail the process for selection of the short-listed companies. We have never hid that. We think it's a process that was appropriate and that will serve the people of Saskatchewan well.

You have to this date read nothing into the record that would indicate any inappropriate action by any member of cabinet or Executive Council or by any individual employee of the Government of Saskatchewan. I say to you, Member from Morse, you're looking in the closet for skeletons that aren't there. This government doesn't operate the way your government operated prior to '91. This government will operate in a fair and an open way.

Our analysis and our decision as to which companies we purchase from will be based on sound technology that they have to offer. And I say to you that the process is fair and you know that.

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

**Mr. Martens:** — Mr. Speaker, and Mr. Minister, all along you have given us the assurance that there has been no political involvement in the evaluation of the four proposals, and therefore you said there was no reason to release the details of the proposals or the question of the integrity of the process.

Mr. Minister, now that it has been proven that political offices have been involved in the evaluation process, will you today make public the proposals that were made, and will you make them public so that Saskatchewan taxpayers can see that they got the best possible value for their \$20 million? Will you do that, Mr. Minister?

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

**Hon. Mr. Lautermilch:** — Mr. Speaker, let me say that it is becoming more and more clear that the member's line of questioning, the member for Morse's line of questioning, appears to be not whether or not we buy sound technology, not whether or not we get a fair price, but it appears to me that he may be representing someone with a vested interest in this particular deal, perhaps one of the companies who never were short-listed and who never won the tender. I ask the member for Morse, is that what you're doing? Are you lobbying on behalf of any particular company that didn't have the technology or didn't have the ability to supply the proper equipment to the Government of Saskatchewan? Is that what you're all about, Mr. Member?

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

**Mr. Martens:** — Mr. Speaker, and Mr. Minister, if you truly believe that your government made the best choice in awarding the video lottery terminal contracts, Mr. Minister, if you are so certain that the choice you made was done for the public good and no political reasons, then why don't you simply make all the bids public and let the people of Saskatchewan decide?

The people of Saskatchewan deserve to know why you gave \$20 million of their tax money to an American company with alleged Mafia connections. They deserve to know why you picked that company over all the other companies, including one Saskatchewan company. What are you hiding, Mr. Minister? Will you provide all of the details, proposals, and the content of those detailed proposals to this Assembly.

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

**Hon. Mr. Lautermilch:** — Mr. Speaker, let me say to the member opposite, that it is becoming more and more clear that his presentations in this legislature are on behalf of one of the companies who didn't pass the grade when we were putting the short list together for the procurement of the video lottery terminals.

I want to say to the member opposite, when this deal is complete we're going to table the evaluation. We'll put that before the people of Saskatchewan and we'll allow them to have a look at it. We have nothing to hide.

I want to say to the member from Morse that we have chosen the best technology. It was done on a rating system that was fair and that was open. And I just say to the member from Morse, instead of protecting the interests of one of your friends, and one of the corporations that you appear to be representing, why don't you support the government in buying the proper technology so we could . . .

**The Speaker:** — Order, order. I think the government members should allow the minister to be heard, rather than, in chorus, yelling with him.

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

Minister, if you're going to bring gambling into this province, it must be done in a way that instils the highest possible public confidence. It must be done openly, honestly, so Saskatchewan people know they are getting the best possible value for their money. And so that they know that choices are not being made for political reasons.

Mr. Minister, you have absolutely done nothing to instil such confidence. First you cover up the security report. Then you cover up the facts that there has been no political involvement and at the highest levels — and I'll present that to the Assembly and to the media later — all the way up to the Premier's office. You say — now you are covering up the proposals — you still have nothing to hide, Mr. Minister. You aren't acting like a man that has nothing to hide. Remove the mystery. Remove the doubt and open this entire mess that you have created up to full public scrutiny. Will you do that, Mr. Minister?

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

**Hon. Mr. Lautermilch:** — Mr. Speaker, let me say to the member from Morse what I've told him in this legislature before. Gaming industry in this province will be run clean and above-board or there will be no industry in this province. And I give him that commitment.

I'm going to tell you what the gaming industry is going to be different from. It's not going to be like GigaText in the 1980s where you blew five and a half million dollars on technology that nobody thought would work, including the guy that sold it to you. We're not going to be buying computers that are overpriced and are not able to do the job. We're going to be buying, at a fair market value, solid technology. And we're going to introduce this into the video lottery terminal program in this province. And we're going to assist through that program the rural hotels who are in such desperate financial straits. That's what this government is about.

I want to say to the member for Morse, this is not a GigaText and this is not a Trinitel and this is not a Joytec, this is not a High R Doors; this is going to be based on sound, honest business practices.

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

**Mr. Martens:** — Mr. Speaker, and Mr. Minister, at the beginning of the questioning I asked you the question whether there was any political involvement, and you said no. Okay?

Mr. Minister, it is our information that the Saskatchewan proposal involved a guarantee of 300 jobs in the city of Regina. Our information is also that the Saskatchewan proposal carried a financial guarantee by a subsidiary of the world's largest computer corporation, IBM. Our information is that Saskatchewan proposal offered the identical technology as you approved in awarding the contract to American firms, so there is no technical basis for their refusal.

We know of the political involvement in the process, Mr. Minister. Since you refuse to release the competing proposals to let us see for ourselves, at least clearly explain why you turned down 300 jobs for the province of Saskatchewan. Would you do that today, Mr. Minister?

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

**Hon. Mr. Lautermilch:** — Mr. Speaker, what I will say to the member for Morse about the procurement of these video lottery terminals is this. Clearly you're representing the interests of Thunderbird Gaming who happened not to win the contract. That's very clear. That's where you've got your information from.

And if you want to know why they weren't chosen, I'll tell you, Mr. Member. It was because they had no proven technology. They demanded the purchase of every video lottery terminal from their corporation. We decided in terms of security that we would purchase from more than one company.

So I say to the member for Morse, before you come into this legislature making wild accusations based on half-truths and innuendo, put the past aside. Put the Conservative government of the 1980s beside. Because we're not doing GigaText here, we're not doing High R Doors, and we're not doing Trinitel. What we're doing is business based on sound business practices.

So I say to the member for Morse, Supercart is finished. Get yourself out of the past administration and into the 1990s where government acts like a business.

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

**Mr. Martens:** — Thank you, Mr. Speaker. I want to ask the minister responsible for gaming another question.

The word disreputable means having a bad reputation, Mr. Minister. If you want me to read news story after news story after new story about your gambling partners, I will do so. And these stories clearly establish GTECH has a bad reputation, Mr. Minister.

The Saskatchewan proposal has a brand-new, fresh . . . no scandal, no mob connections, no indictments, no investigations, Mr. Minister, and besides they're prepared to put 300 jobs into the province of Saskatchewan plus hundreds more.

If, as you claim, you want a clean gambling industry in our province, why would you not go with a firm that was totally clean and guaranteed in every way and at no risk to the taxpayer, Mr. Minister?

**The Speaker:** — Order, order. Order, order. Will the government members please just calm down the noise a bit so we can hear the question from the member. There's just too much noise on this side of the House when the question is being asked.

**Mr. Martens:** — Thank you, Mr. Speaker. If, as you claim, you want a clean gambling industry, Mr. Minister, in our province, then why don't you go with a company that has that reputation? The question I have is, what huge carrot caused you to abandon my Saskatchewan people in view . . . Mr. Speaker and Mr. Minister, abandon my Saskatchewan people in view of getting, in view of getting . . .

**The Speaker:** — Order, order. Order. I'm going to stop the clock in question period until the government members simply come to order. That's fine. I'll stop the time in question period and we'll continue. If the Premier comes to order, we can start question period again. We'll stop the clock.

**Mr. Martens:** — Mr. Speaker, Mr. Minister . . .

**The Speaker:** — Order. This is about the sixth or seventh time that I've noticed the member from Humboldt has intervened during this question period. I ask the members to please stop the clock if I'm interrupting from now on.

**Mr. Martens:** — Mr. Speaker, and Mr. Minister, the Saskatchewan proposal was brand-new, fresh, no scandal, no mob connections, no indictments, no investigations. Mr. Minister, what huge carrot caused you to abandon my Saskatchewan people under these circumstances? Would you give us the answer to that question?

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

**Hon. Mr. Lautermilch:** — Well, Mr. Speaker, let me say this to the member from Morse. He referred to a bad reputation, and he should know all about it because he sat with an Executive Council that made decisions that gave governments all across the world a bad reputation. I tell you we're changing that in this province. We're going to buy technology based on sound business practices.

I say to you this. Your friends at Thunderbird . . .

**The Speaker:** — Order. Order. No, do not stop the time. I want to say to the member from Maple Creek that I've heard him at least a dozen times during this question period interrupting. And I've just admonished other members and I ask him to abide by the same rules.

**Hon. Mr. Lautermilch:** — Mr. Speaker, I say to the member from Morse, Thunderbird Gaming's proposal commanded an absolute monopoly in terms of the purchase. And if you're not aware of that . . . I'm sure they've told you that. We determined that it was wiser — the intergovernmental committee determined it was wiser — to purchase from more than one company because of the possibility of bad technology, and we wanted to buy technology that had a proven track record. And that's what we intend to do.

And I say to the member from Morse, when we

finalize this agreement, we will be concluding a deal that will be done in the best interest of the people of Saskatchewan, and it will be technology that has a proven track record, and it will serve the people of this province well.

And I just want to say in closing . . .

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

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

### Proposed Labour Legislation

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Speaker, my question is for the Minister of Labour. Mr. Minister, once again we see you saying one thing in this House and another thing when you get outside of this House.

Mr. Minister, over the past few weeks we have raised all kinds of concerns about Bill 55 and 56, and they're not just our concerns, Mr. Minister. These concerns have been coming from both large and small employers, both the public and private sectors, the chamber of commerce, Canadian Federation of Independent Business, SUMA (Saskatchewan Urban Municipalities Association), SARM (Saskatchewan Association of Rural Municipalities), and the SSTA (Saskatchewan School Trustees Association).

But you've stood in this legislature and refused to listen to any of those concerns. Yesterday though however, Mr. Speaker, the minister when speaking with a reporter said, I'm not sure we did a proper job on those two Bills. Well, Mr. Minister, we finally agree on something, because I don't think you did a very good job either.

Mr. Minister, now that you've added your own doubts to the doubts of thousands of Saskatchewan people, will you now agree to withdraw those two Bills.

**Hon. Mr. Shillington:** — No indeed. The members opposite will have the opportunity to make their views known later on in the afternoon.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. Mr. Minister, once again your government is refusing to listen and is bull-headedly pushing forward with legislation that is going to cost employers millions of dollars and make us even less competitive with other jurisdictions like Alberta.

Mr. Minister, your government's taxation policies have already created thousands of jobs in Alberta and now it seems that the Associate Minister of Finance, who wants to be the new tourism officer and economic development officer for Medicine Hat, agrees with that.

Mr. Minister, why don't you do one thing for this Assembly and one thing for the province of Saskatchewan and try and protect jobs in this province for a change? Why don't you withdraw those

two Bills that are certain to drive thousands of jobs out of this province?

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

**Hon. Mr. Shillington:** — There is not a scintilla of evidence that the amendments to the WCB (Workers' Compensation Board) or the occupational health and safety will drive a single job out of the province. There is overwhelming evidence that if we don't do it, it's going to cost lives and it's going to cost injuries.

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

**Mr. Boyd:** — Thank you, Mr. Speaker. And there's overwhelming evidence that no one supports you in your bid, Mr. Speaker. The Saskatchewan Construction Association doesn't want these two Bills. The Prairie Implement Manufacturers Association do not want these two Bills. The Saskatchewan Chamber of Commerce, SUMA, SARM, SSTA, Saskatchewan hospitals association — those are just to name a few, Mr. Minister, of the associations and groups, business groups around this province that do not agree with you.

Mr. Minister, there's no shame in admitting that you're wrong. Mr. Minister, don't let your political agenda take precedence over the protection of jobs in this province. Withdraw those two Bills. Do your homework. Bring back two more appropriate Bills at later date, Mr. Minister. Will you do that for us today?

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

**Hon. Mr. Shillington:** — Progressive employers as well as the democratic institutions which represent them, the trade unions, all agree that if we are to succeed, we must do so in partnership. Management and labour must be working together in partnership.

That cannot happen if workers are left unprotected and are subject to needless injuries, which is the current situation. I know the party that allowed the Shand tragedy to occur cannot be accused of compassion or caring about workers. This government does, and we're going to see that this changes. And you'll get your opportunity to make your comments this afternoon.

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

**The Speaker:** — Well it sounds very much like trained seals. It's been not a very good day for question period today.

## ORDERS OF THE DAY

### GOVERNMENT ORDERS

### ADJOURNED DEBATES

### SECOND READINGS

#### 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.

**Mr. Toth:** — Thank you, Mr. Speaker. Mr. Speaker, I am again pleased to stand in my place to make a few comments and address the motion, the Bill that's before the Assembly, the piece of legislation that is going to redefine the definition of the Human Rights Code, reopen the discussion and debate. And in my opinion and the opinion of many people across this province — and a number of residents of the province have taken the time to come to the Assembly to observe the proceedings because of their concerns — it's going to open the door to a specific group in our society and giving them an avenue whereby they can make greater and greater demands and put more pressure on public bodies such as government to implement their desires.

Mr. Speaker, when we first started discussing Bill 38 and the discussion that's taken place . . . And certainly the pressure has been on governments for years. It was on our government. It's been on the provincial government of the day, the NDP (New Democratic Party) Party. In fact over the past number of years at their own provincial conventions, they have had resolutions on the floor asking that they change the Human Rights Code, demanding that they change the Human Rights Code. And as I said the other day, one has to wonder why you would really, if all we're interested in is housing and employment, why indeed we would open up the doors and open up the debate on the Human Rights Code rather than bringing in a specific piece of legislation to address those issues if indeed discrimination on that basis is taking place.

And as I indicated the other day . . . and I'm just going to read a couple comments into the record. If we go back to November 13, 1992 and the appointment of Donna Greschner as the human rights commissioner and the news release of her appointment, shortly after being appointed to the position she made this comment and I quote. She said she would ask:

. . . Justice Minister Bob Mitchell to add sexual orientation to the Saskatchewan Human Rights Code as a prohibited ground of discrimination.

And then in response on December 11, 1992, the Justice minister and — I again quote: Justice Minister Mitchell said the government wanted to introduce an amendment — that's a quote from the *Leader-Post*, Mr. Speaker — introduce an amendment outlawing discrimination generally, rather than against any specific group. And, Mr. Speaker, the quote ends with these headlines: this suggestion outraged gays. End quote.

Mr. Speaker, as we've been standing in this Assembly and debating, and as many residents of the province of Saskatchewan have brought this issue to the forefront, brought their concerns to our caucus, raised the concerns, I'm sure, with the Premier, with the Minister of Justice and with all of his colleagues — in fact I dare

say there isn't an MLA (member of the Legislative Assembly) sitting in this Legislative Assembly today that doesn't have a folder full of letters and submissions made by people who have been concerned about the piece of legislation — and one thing that has always come to the forefront, that Saskatchewan residents are fair and Saskatchewan residents are more than willing to see to it that individuals are treated fairly, and that individuals, regardless of race, religion, nationality, sex, creed, or colour, are not discriminated against.

And I'd like to . . . and they've gone so far as to suggest even individuals who would have a homosexual tendency should not be discriminated against on the basis of employment and housing. And I'd like to just read a few lines from a letter I received, basically bringing out that point.

As persons, homosexuals deserve the same care, compassion and dignity as every other human being; and I also believe that when their basic human dignity is violated the full weight of the law should be used to protect them. What I fail to see is why special legislation is needed to accomplish this, since present Canadian law fully recognizes homosexuals as citizens and persons and provides equal protection for all. Persons our present laws discriminate against are the unborn and this legal inequity does need to be changed, but no such inequity exists for homosexuals. Therefore I fail to see why special legislation is needed for homosexual persons.

And, Mr. Speaker, I think when we take a look at the Human Rights Code, the Canadian Bill of Rights — and the Minister of Justice in his second-reading speech very eloquently talked about the Human Rights Code and the implementation of the Bill of Rights, both here in the province of Saskatchewan, and by the former prime minister, Mr. Diefenbaker, a resident and native of this province, when he was the Canadian prime minister — and everyone will agree that over the years our Canadian Bill of Rights have always recognized that people have the right to freedoms — the freedom of expression, the freedom to voice their opinions, the freedom to worship freely, the freedom to employment, freedom to housing. In fact, Mr. Speaker, I just want to read a few of the rights that we as Canadian citizens enjoy:

It is hereby recognized and declared that in Canada there are 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: 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 the law; the right of the individual to equality before the law and protection of the law; freedom of religion; freedom of speech; freedom of assembly and association; and freedom of the press.

And it would seem to me, Mr. Speaker, that that statement includes everyone. It doesn't leave anyone out. I do not believe that by specifically adding the words, or the term, sexual orientation, is really necessary because I believe everyone is covered under the Charter of Rights and Freedoms and the Bill of Rights that our Canadian constitution and parliament has established.

We also have a guarantee of rights and freedoms.

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.

And again it brings out some of the freedoms that I just reiterated a minute ago.

Every citizen of Canada has a right to vote in election for the members of the House of Commons or its Legislative Assembly.

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, or mental or physical (ability) . . .

And, Mr. Speaker, the minister has argued on numerous occasions that by changing our specific charter really would not make a difference in the major scheme of things. And maybe that's true.

Because I believe it was just the other day there was a ruling came down in British Columbia and it was pointed out that the ruling was based on the charter of rights, the Canadian Bill of Rights, and really not specifically related to the British Columbia charter of rights.

Mr. Speaker, that's fair and that's fine. But I would suggest to you, as I have heard over the past number of days and number of weeks, that any time any province . . . and a number of provinces have changed their charters — what you do is just open the door for another avenue for legal argument.

And I think we have seen, even in this Legislative Assembly, the arguments that can take place. And there isn't a lawyer sitting in this room, if you give them a particular point or clause or motion to argue, will argue the same point. They'll all see something different in it. They'll all have a different interpretation.

And it would appear to me that what we have before us in this present Bill, in this piece of legislation, indeed, as has been brought to my attention, brought to the attention of my colleagues, leaves sexual orientation and family status wide open for interpretation by the courts. And by bringing this

piece of legislation forward, Mr. Speaker, we indeed give the courts the avenue, in fact we put the responsibility of the decisions that should be made by a legislative body, elected by the people to represent the people, in the hands of a few appointed by a few. And I believe, Mr. Speaker, that is wrong.

Mr. Speaker, if it is true the legislation before us today is only ensuring that all people are being protected against any discrimination regarding housing and employment, as I've said the other day, why such a rousing second-reading speech given by the Minister of Justice regarding this piece of legislation? I believe that it's very obvious that this is not the case since the members opposite gave the minister a standing ovation for his efforts.

And as the minister has indicated on a number of occasions, he gave the speech because he obviously was not sure that what he is bringing forward in the legislation is really going to stand, so he's trying to make his points very clearly. Yet at the same time I would think he would admit that anything we put down in legislation, as I indicated just a moment ago, is open to challenge, especially challenge in the court.

The minister has said, on separate occasions, that Bill 38 will in no way affect the adoption of children, the teaching of homosexuality in our schools and the like. But that is not what Bill 38 states. Instead the way in which Bill 38 is presented cannot be acceptable because there are far too many loopholes that have yet to be tightened up.

I believe what Bill 38 does, is become very loose. In fact, instead rather than tightening up and establishing what the criteria are and what the terms mean and laying out what we as Canadian citizens and residents of Saskatchewan have built our society around, instead of establishing some sound moral factors and fibre and guidelines that this nation has been built upon, I believe Bill 38, Mr. Speaker, indeed goes a little further to just opening up the doors to groups even beyond the homosexual community to demand greater what they call rights without . . . but they forget their responsibility as Canadian residents.

That is why my constituents are afraid of, Mr. Speaker . . . that is what my constituents are afraid of, Mr. Speaker, and these concerns are very valid ones.

Mr. Speaker, in fact there are states, specifically Colorado and Oregon, who have repealed similar legislation because these laws were being used to challenge much more than just discrimination against housing and employment. In fact I believe it's the state of Massachusetts is also dealing with the question.

(1500)

A number of states . . . What I'm saying, Mr. Speaker, there are a number of states who did open up their charters, who did add the word "sexual orientation," who are finding that it's created more problems for them and are now asking the people for their views on it. And what they found, Mr. Speaker, is that the views

of the residents and the voters in each and every one of these states, to a resounding degree, have said: that's not good; we don't believe in it; remove those terms, and if indeed there is discrimination in certain areas, bring in specific legislation. And that's what we're seeing happen today, and I believe it will continue to happen.

Mr. Speaker, let's iron out the details here so the same thing doesn't happen in Saskatchewan. As Bill 38 stands, the same will be true in this province if this legislation is not tightened up and revised.

Mr. Speaker, a brief concerning this very issue was given to you by a gentleman named Elwood Larson . . . pardon me, Mr. Speaker, it was given to the Premier and given to the Minister of Justice. But I'm sure many people across the province have seen that article. And it states, and I want to quote:

The third reason I oppose homosexuality in the Code is that homosexual practises violate conventional Saskatchewan morality . . . I am sure that you would agree with me that last month's vote in the state of Colorado which denied the granting of special rights to homosexuals, was not an attack on homosexuals, it was not vicious, nor negatively right-wing, rather it was an expression by the ordinary and average citizen of Colorado affirming common conventional morality in the area of sexuality. I am sure that you would also agree with me that the citizens of Saskatchewan, given a similar opportunity, would also affirm their commitment to traditional sexual morality. We often hear the old saying "you can't legislate morality". In a sense that is true. On the other hand, however, it is also true that there is no value-neutral legislation. Every piece of legislation from school-zone speed limits to corporate tax laws can be considered legislated morality. In this sense, it is necessary for the good and protection of the public, to guide society's behavior by the legal imposition of values and morality. The question for our purposes in the matter of sexuality is: whose morality will be legislated? It (will) . . . be devisive at best, and could not be considered reasonable under any circumstances, to force the vast majority of Saskatchewan citizens to affirm the chosen sexual lifestyle of a tiny minority that according to common conventional morality follows deviant and abnormal sexual practices.

This is just one of the many letters that we have received regarding the information that has been presented on Bill 38.

And, Mr. Speaker, I want to look at another letter, and this comes from a doctor in the province of Saskatchewan. And the doctor is raising a number of points that he had taken the time to review the comments made by the minister, Mr. Mitchell, in his comments and I believe even a letter that — the Minister of Justice — that he had sent in response to

his letters.

And there's three points that this individual, this doctor in the province here brings out, Mr. Speaker. Mr. Speaker, he says number one he says in referring to the Minister of Justice:

. . . "whether or not homosexuality is a matter of choice or not is an issue still to be determined (definitely) . . . in the medical or scientific community. In any case it is not a factor for the purposes of deciding whether human rights protection is appropriate."

Consider this argument. When one observes and studies demographics of homosexual individuals, one commonly comes across the fact that the majority of homosexual males had poor if not dysfunctional relationships with their fathers during their childhood development. It has therefore been suggested that homosexuality develops out of a need to replace or restore that lost father/son relationship in males. This draws us to conclude that homosexuality could be a symptom of a psychological deficit or illness. By "protecting" such individuals in our Human Rights Code, this legislation will actually contribute to the illness rather than promote healing.

On a second point and again referring to the minister, he says, regarding the minister:

You state . . . "homosexuals say that discrimination does, in fact, occur and that some of them do lose jobs for no reason other than their sexual orientation."

My response to (that) . . . point is simple. You are taking the word of the self interest group at face value and are changing legislation to accommodate them. I am no lawyer but the implications here are incredulous. Is there no questioning of the validity of these claims?

And I would ask the minister and I would ask the government, if indeed people have lost a job or been forced out of housing due to discrimination based on their sexual orientation, why doesn't he release some of the information to the Assembly. How many cases are there before the Assembly? How many cases have actually gone before the Human Rights Commission? It would seem to me, Mr. Speaker, that there are many other cases — cases regarding labour and employment — that have nothing to do with the sexual orientation of an individual and that indeed the discrimination based on sexual orientation is very minute, if at all.

Thirdly, a statement by the . . .

You state that there are grounds of discrimination included in the human rights code not based upon innate characteristics, — example marital status, religion. Therefore is

not unusual to include homosexuality in the human rights code.

This is a reasonable point. However, the main distinguishing factor with the gay community is that they not only want tolerance, they want public endorsement of their behaviour. In other words they are imposing their lifestyle and morality on our society. There is presently a strong push to see homosexuality taught in our education system, enforced in our churches through penalties for wrongful dismissal, and endorsed in our legal system through an effort to redefine the family.

This proposed legislation is one step closer to validating all of the above gay community agendas. For example, if homosexuality is included in the human rights code this is all the fire power our educators need to rationalize teaching it to our children as an acceptable (lifestyle) . . .

And, Mr. Speaker, even the chairman of the Human Rights Commission has suggested that people may need to be educated to the fact that it is not right to discriminate against homosexuals. And, Mr. Speaker, we're not arguing whether it's right to discriminate or not. We don't believe discrimination is right. But we don't also believe we should be condoning the lifestyle of individuals.

In addition I am surprised the NDP government does not want to listen to people on this issue, and I believe the minister has had phone calls, letters. Who knows how many? I am sure he has had many people across the province of Saskatchewan take the time, not only to request and maybe . . . and no doubt if he's probably visited with many individuals, and I would strongly suggest that the group that have been speaking out and representing the moral side of this issue have been far greater than the individuals who would be demanding the changes that we are presently considering.

Considering that it is highly sensitive, one would think the voice of the people should certainly be heard. Unfortunately I believe this is not the case, and the minister and the government have certainly indicated to the official opposition that it is their full intent not to pull the Bill or not to let it die, but to push it through this Assembly, through this House before the House adjourns.

It reminds me, Mr. Speaker, of the GRIP (gross revenue insurance program) debate. It reminds me, Mr. Speaker, of the debate that has taken place on health. It reminds me, Mr. Speaker, of the debate we're taking place regarding NewGrade. And I'm also reminded of the fact that, Mr. Speaker, on the plebiscite on abortion, the government also indicated that they would not heed the wishes of the people of Saskatchewan. And that just called for the defunding of abortions.

Mr. Speaker, not only has the Minister of Justice said

go ahead and get your 100,000 signatures — we're not going to listen anyway — but they have also denied a . . . Mr. Speaker, not only has he said that, he's also denied a free vote in this House. He's basically said to everyone on his side of the House . . . and I believe the minister would argue that everyone is fully supportive. And one would have to question whether they're supportive because of the fact that they've been coerced and led to believe that this is nothing at all — this piece of legislation is nothing at all — or the fact that members have just at times sat back and just wondered whether it really pays them at all to really speak out and voice their constituents' concerns because I know many constituents across this province represented by NDP members have been talking to their members. Mr. Speaker, the government is denying its members the opportunity to truly represent their constituents, and this is not acceptable.

Legislation like Bill 38 has been attempted in other places, Mr. Speaker, and direct parallels can easily be made. Mr. Speaker, I just want to make a few comments regarding the education process and a couple points brought out by the natural law society of Saskatchewan. These amendments in Bill 38 will not mean that sexual orientation will be taught in schools as an acceptable alternative lifestyle — that was a point I believe the minister raised in response to some questions that we brought forward. The responses to that comment from the minister was this:

This unfortunately is not the goal of the homosexual movement as experienced on a global scale. In Canada, Winnipeg's "Gays for Equality" coordinator, Chris Vogel says: . . .

Mr. Speaker, there have been lots of quotes in the media over the past number of years, and I believe we will see them continue. And in fact I believe that they will even come in a more steady stream than we have seen today as this group of individuals make greater demands on society to accept their lifestyle.

Another comment, it says:

Key Canadian leaders of the homosexual movement in Canada attended the 1993 "Washington March". The steering committee hammered out a platform of homosexual rights and demands, and approved it unanimously. Following a preamble, under the heading:

Education/Students: the platform called for schools to "offer culturally inclusive Lesbian, Gay bisexual programs and information on abortion, AIDS/HIV, child care and sexuality at all levels of education." Also, it said "campus offices and programs to address Lesbian, Gay, bisexual and transgender students' special needs should be established and discrimination against homosexuals should be ended in all programs.

Mr. Speaker, it's fair and it's fine and it's acceptable for

the minister to say to us and to attempt to tell us that all his legislation will do is prevent discrimination, will not allow for the educational programs, will not allow for the demands of marital status, will not allow for adoption. And, Mr. Speaker, as we've seen taking place, this group of individuals have used whatever means possible to demand greater acceptance and access of their lifestyle by the public.

Take for instance the situation in Ontario and what has happened to their education system because of similar legislation. Mr. Speaker, my constituents do not want homosexuality taught in classrooms, and I doubt many others do either. In fact, Mr. Speaker, if you looked across this province, it would be interesting to note how many parents are choosing to spend the extra dollars to send their children to private schools or to Christian education schools or even to teach them at home because they feel the public system hasn't listened to their voice.

Can the minister really assure my constituents that sexual orientation programs will not be left to determine the meaning behind a phrase such as: the commission shall develop and conduct educational programs designed to eliminate discriminatory practices related to sexual orientation? Yes, I say he can, if he changes the legislation to do so.

Mr. Speaker, families want assurance that this will not happen in Saskatchewan and they deserve to have their minds rest at ease on this issue. They want a statement in the Bill that says homosexuality is not being endorsed as a lifestyle. And restrictions preventing a gay lifestyle by being promoted in schools or extending adoption rights and spousal benefits to homosexual couples should be in the amendments proposed in Bill 38.

Mr. Speaker, also a letter all members of this Assembly received from Mr. Bernakevitch regarding Bill 38 states . . . and a couple comments he made. And I think they're very appropriate and very sound. He says:

General and specific restrictions should be placed on the extent of protection given to homosexuals. For example the homosexual lifestyle should not be promoted in any manner through school curriculums or by giving homosexual couples benefits accorded to heterosexual couples i.e., private adoption, spousal benefits.

He also goes on and says:

Consideration should be given to amending other legislation to allow them to be operative notwithstanding the Saskatchewan Human Rights Code.

And, Mr. Speaker, I wholeheartedly agree.

(1515)

If, Mr. Speaker, Bill 38 is truly before this Assembly

today only to ensure no discrimination based on housing or employment, then why is this law being enshrined inside the Human Rights Code? Why not a specific Bill dealing with these two issues?

The members opposite . . . In fact the Justice minister has stated that discrimination on these grounds — sexual orientation — is happening today to individuals in this province. They talk of studies proving this, yet nothing has been supplied to members to prove this point.

The minister says there is nothing in Bill 38 that changes the traditional definition of who can be considered as married. Yet Bill 38 is quite open to the interpreter even on this point. Mr. Speaker, even the term sexual orientation is vague, undefined, and open-ended which, as I've argued before, opens many doors for those in our society who are unfortunately pedophiles.

Presently this is being examined in the House of Commons as well on a debate that's taking place. And Mr. Tom Wappel, an MP (Member of Parliament) in the House of Commons, the Liberal MP, studying to the pedophile group said:

if we do not define what we are talking about, it may very well be for example that pedophiles will claim that is merely their natural sexual orientation with which they were born; therefore they should not be persecuted for it.

Of course we're not talking about persecuting pedophiles. We're talking about protecting innocent children. I made no bones about the fact that sexual orientation shouldn't be in the charter, but if it is going to be then let's know what the heck we're talking about and let's define it, and not the Supreme Court some 10 years from now.

And that was December 1992.

Mr. Speaker, families must have their say. Another submission made to the Minister of Justice states, and I quote:

All societies distinguish between what is tolerable behaviour and what is not. Those who fail to conform to society's expectations are disciplined or excluded. This is why Canadian society and law regularly discriminate against smokers, impaired drivers, drug abusers, criminals, illegal aliens, the visually impaired, those afflicted with highly contagious diseases, etc. Similarly, smaller groups within Canada established standards for admission and do not treat all Canadians equally. Unions won't protect non-union workers. Sororities won't accept men. Universities won't admit D students. Sports teams exclude the unskilled. Churches require their membership to affirm certain beliefs. Corporations require workers reaching 65 years to retire. In each case, (Mr. Speaker) there is some form of acceptable, even

essential, discrimination. Remove the right of a society or group to have standards of admission and to exclude some people from membership — example, to discriminate — and the group (will) . . . soon cease to exist.

And yet another comment from REAL Women (Realistic, Equal, Active, for Life Women), and this is what they state:

Historically, the courts and civil rights authorities have applied three criteria to provide special protected status to disadvantaged minority classes. This criteria consists of an established history of economic, educational, and cultural discrimination; immutable group characteristic; and political powerlessness. However, on none of these grounds can the homosexual claim discrimination.

Talking about economic, educational, and cultural criterion:

Homosexuals as a class do not suffer economic hardship. (That's one of the arguments that has been placed before this Assembly.) Marketing studies indicate that homosexuals are both highly educated and affluent. The average household income for homosexuals is \$62,000 Canadian; and the average household income for lesbians is \$41,000. Four times as many homosexuals have post secondary education than the general population; and almost three times as many lesbians have post secondary education. Homosexuals have significant influence in the arts as well as in other cultural areas.

And that study was just taken recently. I believe it was a 1991 study.

Mr. Speaker, it is clear that there are opposing points of view on Bill 38 and I believe Bill 38 as it is written does not address most of the concerns voiced by organizations and families today. Therefore I believe something needs to be done. I believe it is imperative that we take our place in this Assembly, and I would invite many members on the government side of the House who haven't spoken yet to stand up and let us know what they really believe and where they really stand on some of these issues.

Mr. Speaker, we do live in a great country. We are very fortunate individuals. We can be thankful for the heritage that has been passed on to us. We live in a nation that was built upon principles, built upon the Judaeo-Christian values that established guidelines for this country to live within, for the individuals within this country to live within.

But you know, Mr. Speaker, with those guidelines, with those principles, and with those freedoms, and with those rights, comes responsibility. We as Canadian citizens and residents of Saskatchewan not only have many rights, but we have the responsibility

to respect those rights and the rights of other individuals. That means respecting the rights of the homosexual community as well. And, Mr. Speaker, not one group has any specific extra or additional rights, or I do not believe that they do have nor should they have, over any group.

And therefore, Mr. Speaker, it is imperative that we stand up and represent . . . we stand for values in our society. Because what I see, Mr. Speaker, taking place in our society, taking place in this great nation, is we have endeavoured to assimilate every cultural identity and group within this nation and within the world to the point that we have basically watered down the principles and ideals that this country was established on. And any group and any person is welcome to come to Canada and call it their home; but I believe we should respect the values and laws of our nation, just as I would respect the values and laws of any other nation if I were to move and make it my home.

Therefore, Mr. Speaker, I find it very difficult, in fact, Mr. Speaker, it is impossible for me to support the Bill that is before this Assembly. And I therefore move at this time, seconded by the member from Maple Creek:

That the Bill not now be read a second time, but that the Bill be read a second time six months hence.

Thank you, Mr. Speaker.

**The Speaker:** — The question before the Assembly is an amendment moved by the member from Moosomin, seconded by the member from Maple Creek, that Bill . . . I assume we're referring to Bill 38. I believe that in the motion we need to have that. Because the motion doesn't indicate anything else, I would send it back to the member and make that correction.

The question before the Assembly is Bill 38 moved by the Minister of Justice and the amendment moved thereto by the member from Moosomin and seconded by the member from Maple Creek:

That Bill 38 not now be read a second time, but that Bill 38 be read a second time six months hence.

I find the amendment in order and the debate will continue.

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

**Mr. Goohsen:** — Thank you, Mr. Speaker. It has been quite a while since the introduction of this Bill to the Assembly. And as you are well aware, and the rest of the folks will be, this issue was predominant on the minds of many people for a considerable length of time before the introduction to this Assembly.

Opposition to this Bill and to Bills like it have gone on throughout society on a national and on an international basis for a long time now. So the issue is

not a new issue and no matter what happens in this Assembly, the issue won't go away. Whether it be positive or negative, we will continue to live with it because issues of morality are issues that go along with our lives for as long as there is mankind.

The fundamental question, I guess, that we have to ask of ourselves as people elected to represent the people of Saskatchewan is: how will this Bill affect our lives here in Saskatchewan? Will it affect our lives in a positive or a negative way? Or would there be some middle ground of compromise that would sufficiently suffice the needs of all?

And as always is the case, Mr. Speaker, it is very, very difficult to find middle ground on moral issues. I guess that's why our leader decided that he would say to those of us in his caucus that he felt that this was the kind of issue where he wouldn't impose his personal feelings on us in any way, shape, or form. He therefore said to us that he was releasing us from our responsibilities as a caucus and that we would have the independence to vote according to our conscience, as we saw fit.

Realizing that some of the members of the government side might also have some problems as individuals, and realistically so, because there are bigger numbers of them than there are of us, he suggested to the government some weeks back that they should also consider this approach.

I still believe that this would be a good idea for the government members, although at this point I realize, having heard all of my other colleagues speak on this issue, that it is rather unimportant for us as an opposition because it does seem very positively so that we are in fact united in our thinking to a large degree.

We have some personal differences on how the morality of the Bill will affect our society. But in general we oppose the direction that the Bill can be taken, not its intent by the minister, because obviously he is an honest man of integrity who has stated publicly inside this House and out, that he intends to only do so many things with this Bill and that all other things are not intended to be done.

Unfortunately he and his government have to admit and have done so, both inside this Assembly and outside, that other rules in our society will supersede what is written in this particular piece of legislation.

The Human Rights Code in the constitution of our country, the Human Rights Code of our province, those are kinds of pieces of law that supersede all others. And a notwithstanding clause, even though that that is the legal definition of an easy way to negate all other things that have been written or said, that cannot apply against the rules that are written in those superseding laws.

And that concerns me deeply, Mr. Speaker, because we have seen examples, direct examples of very simple civil law in our province of late, where it fact

rulings have been made by the courts stating emphatically that building codes and other regulations of our province are superseded by the Human Rights Code.

(1530)

The art gallery situation that was brought up in this Assembly that has gone through the court systems just this past week or so is a clear example. And I know that the minister will shrug his shoulders and try to shrug it off and say, that doesn't matter, you'll have to come up with more examples; one probably isn't enough. Well there will be others. There will be all kinds of others, and there are many already.

But there is no object to my presenting a whole litany of points of proof because this example makes the point quite clearly and does the job as best it needs to be done, because the reality is there. The reality, Mr. Speaker, is this: that no matter what law the provincial government writes and puts into force, no one will take it as being the final law of rule on any issue that falls under the category of control by the human rights Bills, be they federal or provincial.

So the reality is that on this moral issue, no matter what the minister writes into this law, it is a law that really has no control over restricting anything but can only increase things. And I think the minister knows clearly what I'm saying even though that that is a somewhat vague way of terming it. No matter how little he wants this law to do, he can't stop the magnitude of the effect of the law as it is applied through the Human Rights Code.

Once the law is written, even if it had a title and simply one sentence saying, we now allow this discrimination to be considered, that's all it would have to say to open the total door the minute that the title of the Bill was named as being something in the direction of homosexuals or lesbians or the gay community or any kind of generality even thereto.

And the minister will know full well, Mr. Speaker, that this is a fact of life in our legal system that has been developed through the democratic parliamentary process that we in this province and this country work beneath. So simply by opening the door with a simple, basic, fundamental statement and passing it into law, there is no limit on how far this Bill can be carried by the court system.

That is the frightening part of the Bill. The intention of the minister may be as pure as the white driven snow and yet it won't be his ideas that will restrict how the Bill will be used by others. And so I guess we have to go into this Bill in an attempt to convince the minister beyond a shadow of a doubt that even amendments could not in any way help this Bill to become what he has said he intends it to be. His best intentions cannot be served because they are overruled by the human rights Bills.

No matter how well-intended, no matter how powerful this man might be in government, he cannot

stop in our present process the ability of the courts to have the final say in our judicial system and our system of lawmaking. That's the way it's set up.

And I think it's probably safe to say that it's a good thing that we have this kind of a system, although there are days when it is very frustrating. Because I know the minister intends well. He wants to stop a form of discrimination against a particular small group of people, and that is admirable. However if in so doing he offends the needs and the freedoms and the rights of many other people, then it is not fair and it cannot be done.

We used to be told that in our democratic process we have the right to say and do anything that we please so long as it does not infringe on the freedoms of other people to say and do what they please. So you can do in society, in a free system, anything that you please because it's a democratic, free country, so long as you don't take the rights of others away by what you do.

And that's what this Bill does. This Bill helps to give the rights to a minority but takes the rights of the majority to limit the right away from the majority.

And if we're going to be called discriminatory for doing this and taking this position, we have to live with that. Because quite simply this question and this issue of moral importance cannot be solved by this Assembly. The only way that this issue could be properly addressed and properly handled would be through the constitution of the country, because it is where the superseding law is written and under which authority that law is enforced.

And so you see, Mr. Speaker, we are on what I suppose you might call an impossible mission. Because no matter how intent the minister is to write this Bill right, it would not be possible for him to do it because he can't control what he wants to do within the jurisdiction that he represents. He is not a powerful enough person in our country to be able to accomplish that because he's sitting in a provincial Legislative Assembly, and the only Assembly in this country that can pass the needed kind of rule that he wants is the federal parliament.

That can only be done through that association and through that vehicle under the terms of our constitution, which would require an agreement of almost all of our provinces. We've seen what a fiasco it was last fall when people tried to get changes to the constitution for many other reasons. So the odds of being able to do this kind of a change in society fairly and equitably is almost next to impossible at this time.

As soon as we write legislation, Mr. Speaker, that is impossible to control we are creating a nightmare for everyone around us. But I think that the minister has determined to make this legislation into law. I think that everything that I have said probably will not be listened to. After all nine of my colleagues have already spoken to the issue and so I guess the only thing left is to try to bring forward onto the record as many of the arguments from other people as we can,

to follow up with the things that I have said about my opinions about the legal perspective.

In so doing perhaps we can lay a strong-enough case in debate so that the minister will attempt some kind of moderation of the Bill with amendments even though it is an act of futility because we know full well that the law will overrule it. We have to at least I guess go that far as to try to get those amendments into place so that the superior courts who no doubt will rule on this legislation in time as time goes by . . . and I'm absolutely convinced that there will be challenges from both sides in one way or another, on this piece of legislation to the higher court systems.

So we have to I guess lay some ground work that can be taken into consideration when these things progress to a future date. As such I'm going to quote from some of the correspondences that we've had and try to lay some ground work so that people who must make decisions as time goes by will have an idea of the intensity of the debate that occurred.

I have here what is simply called, an "Opposition to Bill 38 — Human Rights Code Amendments." And it's termed, "Some Questions for the Government — Installment # 1." And it gives a footnote that it's to be used in conjunction with a binder and a summary.

I will attempt to make comment on each of the points that are brought forward in this presentation in order to apply it directly to the debate on the Bill:

1) Homosexual activist groups made presentations to you in April.

Now of course this was a presentation made, Mr. Speaker, to the government. And I will try to pick out the proper names where I find them in here and substitute them for the members' seats or their ministries and hopefully I'll catch them all without blurting them out.

They demanded . . . re-definition . . . extension of benefits . . . (see A-1) . . . (and I'll bring that up later). This legislation is but the first of their demands. This is nothing but a formal legislation of the homosexual agenda of one of your fringe special-interest groups. Will you be "open and honest" with the people of this province and admit exactly what you are doing and let them decide if they support your agenda? Will you drop the charade of "only want equal rights", "would never promote homosexuality in any way"?

Obviously, Mr. Speaker, the writer of this presentation doesn't believe that the agenda will stop at the points that the minister is presently covering, or claims to be covering in this legislation. And that is his first point, which is backed up by some of the other material that we will put forward later.

Under no. 2 it says:

You talk about "equal rights". The homosexual



activist groups pushing classify “spousal benefits” as “equal rights” (see A-2). They already HAVE “equal rights” — they want the treatment received by the traditional family, the building blocks of our society. Is your idea of “equal rights” the same as those pressuring you to pass this bill? Should homosexual “couples” be allowed the same benefits as those who are married? or those who legitimately constitute a family?

I guess that question is fairly clear and obvious, Mr. Speaker. The writer is simply asking the government to explain to the public what their position really is, on a definition of family and who should have, as a family unit, what rights in our society.

The proposition of pensions being paid to like-sex married partners is something that hasn’t been debated only in this Assembly, Mr. Speaker. It has been debated through our national Assembly and I am also aware that it has been debated in the American system of government as well.

And it is clearly a difficult question for many people to decide where the line should be drawn. And obviously because of that trouble and that confusion, some have said we should erase all lines and simply turn society loose to come up with any kind of settlement for any people whatsoever.

I don’t think that society can possibly survive if we allow that to happen. To explain myself further, to allow all of the lines of defining who represents what in our society simply cannot allow us the freedom to go on with a fair and democratic way of life in our country, much less a fair distribution of wealth or a reasonable distribution of rights or powers.

In passing, I’m presuming that the point will be brought up further in this debate, presented by these people, that the adoption of children is to many people a very, very important issue. And that’s one of the key issues that I myself have to dwell on.

Somehow having two gentlemen adopting children and raising them as a family unit doesn’t come real easy for me to accept. Somehow — I don’t know why and I have never been able to explain this either to myself or anyone else — if two ladies were to adopt a child and were going to raise that child as a family unit, somehow that seems easier to accept. And I expect it’s because ladies are more easily identified with the mother figure, and suppose therefore that it’s easier for me to accept that in my mind.

But if it’s not right for the gentlemen, then it should not also be right for the ladies. And so I philosophize in my mind that you have to draw the line excluding both from being able to adopt children in our society.

(1545)

I’m quite convinced though, Mr. Speaker, in all honesty that this not only will happen in our province . . . or that it will

happen in our province, that it will happen in our society. But I do believe that the reality of this not being a workable situation in very many circumstances will end up having become a rule that will be acceptable that won’t be used very often. And I guess maybe there is, you know, some hope that the reality of the world will come to pass irregardless of whether we make laws or not.

I should get on with this though, Mr. Speaker, so that we get these points across. It goes on:

Mr. Premier, you refused to legislate this agenda when you were Justice Minister in the 1970s. Why are you doing it now? (And it refers again to A-2 which we will present later.) Will you stand up on your feet and make a statement of principle about where you stand? Or are you going to “duck” this issue just like you did the abortion issue? Where does the Premier stand? The people of this province look to the Premier for leadership and, dare I say, moral guidance. Where do you stand?

And quite frankly I guess, Mr. Speaker, that seems fair to me that the Premier should be asked to give his position on this issue. And at the same time as I pass there, I would say I think it is probably proper for the Premier to take an initiative and to allow his members the right to a free vote.

It goes on to no. 4:

You (the NDP gov’t) have already said that you have no policy against “homosexual adoptions” (see A-5).

Now here they have the name of the independent member, and it goes on:

. . . supports your amendment. This amendment is simply another step towards homosexual “groupings/couples” being treated as if they were a family and adopting children. Will you admit that part of your intention with this Bill is to make it easier for some “couples” to adopt children in this province, something the vast majority of people would be very much against?

And I guess that’s probably an observation, Mr. Speaker, that I too would have to support as a fact because of some of the investigative work that we have done in my constituency through questionnaires and through the asking of people on the telephone and in personal conversations where they stand on this issue. The questionnaire that we put out in our constituency came back very strongly opposed to the homosexual community having the right to adopt children. So that observation I would have to concur with as result of that polling that we did.

No. 5 says that:

This Bill is very controversial within your own caucus. Our opposition to your bill — and the public’s opposition to your Bill — is not

“political” but on principle. It is reported that “many gov’t MLAs and some Cabinet Ministers are strongly opposed” to this bill.

I don’t know if that’s true or not, Mr. Speaker. This is simply a statement that’s here, and I’m sure that government members will respond to that. It says “see A-7, A-13,” which I suspect are supposed to confirm this particular proposition.

Are you going to ignore this widespread and very deep opposition to your ill-advised agenda? or listen to the very reasonable objections of the people, even those within your party, caucus and cabinet.

Well, Mr. Speaker, my personal opinion about that statement would simply be that if the Premier would turn his entire caucus loose to have the right to a free vote on this moral issue, he could quite easily answer all of these questions that are raised in this particular paragraph.

No. 6 goes on:

You, Mr. Justice Minister, were considering a “general ban on discrimination” (A-7). But then you backed off because the homosexual lobby “became outraged” (A-13). Will you admit the folly of this whole “ban discrimination” cry as it applies to the immoral sexual conduct? (see L-1, L-11, . . .). You as Justice Minister are going to “ban discrimination”, which is simply “making choices”? The very purpose of our legal system is to “discriminate” between behavior which is socially acceptable/beneficial and that which is socially destructive — between good behavior and bad behavior.

How can you “ban discrimination”? I know you in the NDP don’t like to make choices, especially the right choices, and maybe would like a law to ban “thinking, choosing . . .” in this province, but are you going to outlaw the thinking people of this province from “making decisions”?

Well that’s simply a question that the writer has posed, Mr. Speaker. And having put it on the record, I will allow the Justice minister to respond when he makes his final deliberation.

7) Your new Human Rights Commissioner — obviously a political appointee, obviously a special-interest activist (leader of “Yes” side of 1991 abortion-funding plebiscite . . .) — has called for you to amend the Code immediately without waiting for the upcoming public review process and public consultation (see A-9) . . . You admitted that this was a “very controversial” issue. Why not let this issue be reviewed with . . . the regular review process . . .? Why not let the people decide?

And I guess what isn’t written there, Mr. Speaker, is

probably a suggestion that we go to some sort of a vote, a plebiscite, with a bit of a campaign I suppose by the people who are for the issue and those against the issue, and quite frankly I would see nothing wrong with that on a moral issue if the government really has genuine concerns about whether or not the people want a particular action to be taken. And obviously with all of the correspondence on this issue, there must be some doubts that have been cast in the government’s minds.

Without a doubt this is the issue that has brought in the most mail, the most pieces of material and information of any that I’ve seen in this particular session of the Assembly. And so with that and having all of that material as evidence of the concern, I suggest that the government might have considered going more to the people in the deliberation of how to handle this Bill.

8) The papers are reporting that you are receiving “pressure from voters who believe homosexuality has no place in the Code”. Your ill-advised scheme was shelved last spring because of resistance within the NDP caucus (A-11). “Many gov’t MLAs and some Cabinet Ministers strongly opposed” this Bill (A-13). You are well aware of the public opposition to this Bill. Our office mail is at least 50: 1 AGAINST this Bill (L-P 02/20/93). Yours, I am sure, is much higher than that. Surveys (even in NDP ridings, like Swift Current) are revealing opposition in the neighbourhood of 95 to 5 (I guess it is), (E-16)! (I guess that) Many of your Members are receiving opposition in the range of 70 to 1 — and some have stated that they have not received ANY support for your bill. And you say that your gov’t “is determined to pass this bill”. That you “simply have to do this”. (A-42) Why will you not listen to this massive and overwhelming show of opposition from the people of this province? Why are you so intent on “legislating your morality” or should I say “immorality” on the unwilling people of this province.

I think, Mr. Speaker, that that paragraph is something that I couldn’t personally prove the numbers in. But I can say that the figures that I have gotten from my own questionnaires that have come back do very closely substantiate these numbers. They’re not exactly the same, but they are close to a 90 per cent opposition directly to this Bill.

And so in general, I would have to say that I concur with the findings of the surveying that these people have done. And of course I would just throw into the mix that one member has told me, from the other side of this Assembly, that he has heard no support from his constituents for this Bill.

9) The Premier has been quoted as saying “There is a monetary consideration” involved with this issue (A-11). Would the Premier kindly stand and explain what he means by that?

All I can say about that paragraph, Mr. Speaker, is that I too would await that explanation. I have absolutely no idea in my mind what the Premier could have been talking about in terms of a monetary consideration with regards to this Bill that might be described as positive or negative in any way. So I will await the Minister of Justice or whoever speaks to this issue in conclusion, and hope that they will address this and explain to us what exactly was meant by there being monetary considerations.

10) The Justice Minister has said, "If you take this issue directly to the people . . . they believe it is not fair to discriminate on ANY grounds." (A-13) If you believe that, sir, why will you not put this question to the people of this province and let them decide? If you are so confident that the public feels this way, then why not let them say it — and have solid support for your claims and your legislation?

Well, Mr. Speaker, obviously we can sort of mix things up in a paragraph like this in terms of confusing the thoughts of one group of people as compared to another.

Most people, it is true in my mind, I believe, don't want to discriminate against other folks. And this whole issue of discrimination befuddles me something awful because I have never known a person in my community to be fired or turned away from a job, not to be hired or in any way at all even singled out because of their sexual preference. I have absolutely had no experience in this area at all. I have never known a person who has been claimed by others to be of the gay community. I have never known a case of where they have been dismissed on those grounds whatsoever. There just is not any background of this in our community and throughout the area where I live.

I suspect that some of the people I know are probably gay. And if they are, it doesn't seem to make any difference because I don't particularly know who they are. I would say by their lifestyle that it would appear that way. It has made absolutely no difference to me or to anyone in our community how these people are treated within the structure of our society. They come and go as they please. They work in our community. If they have problems, they are certainly never ever identified to me as problems relating to sexuality.

I want to go on, Mr. Speaker, with the next paragraph here.

The Justice Minister has said that "there is no middle ground" on this issue (A-13). We believe that to be accurate. The public obviously believes that. However your MLAs continue to hold to the line, "We would never promote homosexuality in any way." . . . "We would never oppose traditional family values or the traditional family" . . . but support this legislation that directly undermines those values. Will you inform this House and the

public which side your gov't has come down on — the homosexual activists' side or on the side of the majority of Sask. residents, who hold traditional values? It can't be both ways — which way is it going to be? You said during the abortion debate that you "personally opposed abortion", but then voted to vote this horrifying procedure with taxpayers' money. Now you are up to the same tactic with this issue.

And I don't think I'll respond to that paragraph very much, Mr. Speaker, because obviously the decision by the government to fund abortions is a fact of life that was made legal in the last year's Assembly. And those people who are against it probably are still against it, and those who are for it are probably still for it. And I don't know though that issue really has a whole lot to do with homosexuality. Some people I think probably run the two issues together, but in my mind they shouldn't really be mixed, although again I will admit that a lot of folks seem to think that the two go together.

(1600)

No. 12 here:

Many, many people and groups concerned that this amendment "legitimizes an immoral lifestyle". Even a number of your MLAs and Cabinet Ministers apparently are concerned about this.

And it's got:

(A-18). Your homosexual lobbyists EGALÉ say that this amendment will "legitimize our lifestyle" (A-38). To amend the Code to create a new "protected minority" class for homosexuals is to say their behavior is no more morally objectionable than being a black person or being of East Indian descent . . . To amend the Code like this is to publicly declare that the homosexual lifestyle is normal, is not morally objectionable, is not to be regretted, . . . (Why would you amend the Code to prevent clearly immoral, socially destructive behavior?) Is that not, Mr. Minister, protecting an immoral lifestyle? Is that not gov't sanctioning homosexuality? This is a very real concern that people have. Many people are concerned about this. You cannot just "brush it off" and treat it as unreasonable.

Well, Mr. Speaker, the writer makes a point with several questions. And here again, I would challenge the minister to make note of these questions and to clarify his position and the position of his government in answer to those questions.

13) I have a newspaper clipping here from the North Battleford Telegraph here that says when "Your MLA . . ." leaflet was dropped in North Battleford, the people were not upset at those who produced the flyer, but at the gov't! (A-20). They were "outraged to believe that their gov't

would introduce special rights for homosexuals". As people phone in to this province's open-line talk shows, they are OUTRAGED, Mr. Minister, not at those who oppose this amendment, but at your GOV'T who would dare to legislate the agenda of fringe special-interest groups over the opposition of the public. (Insight No. 10, p. 1) Sir, the people of this province are outraged at YOUR GOV'T. How will you respond to that? or does the will of the people not count under NDP Rule?

Again, Mr. Speaker, the paragraph in question raises questions that I can't answer for the government and so I will again refer them to the minister and hope that as he takes notes here today that he will respond to these questions and explain the government's position on these issues.

(14) Mr. Justice Minister, you have repeatedly said that this amendment only affects the 3 areas of "employment, accommodation, and receipt of public services" (A-20). This amendment will entitle homosexuals ALL the protections offered in the Code to all the other legitimate minority groups protected in the Code. This amendment applies to many more areas than just those three — publications, public statements . . . Look at the categories in Code. Even the L-P noted that it will "outlaw publications affronting the 'dignity' of homosexuals" (A-42). Will you admit that? And will you apologize to the people of this province for misleading them as to the effect of this amendment?

Now this gets to the legality of the question, Mr. Deputy Speaker, the legalities of whether or not this legislation can in fact, once it's passed, limit the things that will result from the writing of this legislation. Can this legislation in fact, once it is put into law, have any chance of limiting the activities that the Human Rights Code would make an enforcement on?

And this is the real challenge of this Bill, because obviously the writer of this document is sharing the view that I have that the Supreme Court and the constitution of our country, the rights of individuals under the Human Rights Code, those things will supersede any legislation in our province and will in fact give more to people than the legislation is originally written to give. Once that legislation opens the door, it allows decisions to be made.

(15) Mr. Minister, you said as late as mid Feb. that this bill was "just being discussed in cabinet and caucus." One of your Cabinet Minister's assistants said in Feb./93, "No such bill has even been written up yet" (A-20). However, some of your MLAs have admitted that the issue for this Leg. session had been fully discussed, settled and voted on in January! Is that not telling the people of this province something that is contrary to what really was going on? You had this Bill all ready to foist

upon the people last year at this time. How could you make these claims?

Well, Mr. Deputy Speaker, I can't comment to that paragraph either, other than to say to the minister that I guess the question has been raised and asked. Dates have been supplied to you that seem to contradict one another, I guess, is probably the way to put it. And so I'll challenge the minister to explain that to the people of Saskatchewan in his follow-up report later probably today.

16) A spokesman for the homosexual activist group EGALÉ said that this amendment will be a "statement publicly in the Human Rights Code that validates 'sexual orientation' — homosexuality — as being a natural and normal behaviour in society . . . a positive starting point . . ." That this will be "a step leading to wider acceptance of homosexuality" (A-22).

They say that your amendment will "legitimize their lifestyle" (A-38). Your activists have admitted, and have been very open about, the effective message sent by this amendment. Those who oppose the amendment have recognized the same message being sent (and oppose the amendment for that reason). You say that your Gov't "isn't promoting homosexuality or redefining family" (A-38). Are you afraid to admit to the public the message that this amendment will send? Are you ashamed to admit what the homosexual activists freely admit and desire? That is exactly the message this amendment sends. You said, yourself, that "there is no MIDDLE GROUND" (A-13). Will you take your stand in this House? And reveal to the public which side you have chosen? And admit the message that this amendment will send?

Well, Mr. Deputy Speaker, in this paragraph the writer explains his feelings about the message that the Bill sends, not so much in the words of the legislation but in the perception that the public will have of the legislation. And here again perception is a very important part of life.

And I have to concur with the writer that perception will be developed from this legislation, and I do believe that that perception will be to promote homosexuality not only as existing in our society but as being a more acceptable way of life in our society. And there is no need for me to go on further with my personal views here, Mr. Speaker, because it is fairly self-explanatory, I think, to the general public.

Number (17) goes on:

Mr. Minister, the Human Rights Commission and the CBC tried to create a large controversy over the leaflet "Your MLA . . ." Your MLAs are calling this "hate literature" etc., etc. . . . Is the Minister aware that there was only three complaints out of a total distribution of over

200,000 leaflets (A-424, 26)!!?

And here again, Mr. Deputy Speaker, the question is that of the writer and I will not make further comment other than to ask the minister to respond to those numbers which appear to be three complaints out of 200,000. And when he makes his comments perhaps he will refute that number or confirm it.

(18) Your special interest groups have written a letter (A-32) to all MLAs that talks at great length about “the concentration camps of Nazi Germany . . . the resurgence of Neo-fascism . . . hysterical and vulgar tone . . . outright lies” and your MLAs appear to agree with the claims of these people. Will you admit that your gov’t, your MLAs subscribe . . .

**The Deputy Speaker:** — Order, order. I understand the member to be quoting from a document. The member in his quotes has used a word that we do not use in this Chamber, and by virtue of the fact that it is a quote makes it no more acceptable. So therefore I want to caution the member in the use of words even if they are quotes, in this Chamber.

**Mr. Goohsen:** — Thank you, Mr. Chairman. My apologies to the Assembly. I read through it so quickly I didn’t delete it as I should have.

I won’t go back. I’ll just start where I was, as I am quoting from number 18:

. . . these who are forcing this amendment, have BEFORE this amendment passes, is it not likely that they could use this amendment to silence those who disagree or publicly disagree with their sexual behaviour? What happens to freedom of speech . . . or freedom of religion . . . in this province?

I say again, Mr. Deputy Speaker, that in this paragraph the writer makes certain accusations, and asks certain questions that only the government members can answer for themselves. I certainly could not in my capacity attempt to answer the questions that have been asked in this paragraph, and so I will again challenge the minister to answer to those accusations when he makes his deliberation on this Bill in his conclusion.

Under no. 19:

Mr. Minister, your gov’t says, and said in the press release announcing introduction of Bill No. 38, that The Charter REQUIRES that you amend the Code (A-36). Are you aware that The Charter does not mention sodomy, homosexuality, as a “fundamental right and freedom” anywhere? It does not mention such practices anywhere . . . See INSIGHT No. 10, p 1; (E-22). Are you aware that when the Charter was being debated in the Special Joint Committee on the Constitution in 1981 . . . see Insight No. 10, p 1 . . . the Committee actually VOTED AGAINST including a resolution by

your friend Svend Robinson to include protection of “sexual orientation” in S-15 of the Charter?

Here again, Mr. Deputy Speaker, I can only refer this to the Minister of Justice for his interpretation and comments, and allow him an opportunity to respond. Because having read the paragraph, the statements have been made from this point of view and it requires now that he defend the actions of his government and of his allies.

Under no. 20:

You have repeatedly said that because the Federal gov’t was making this change, that somehow this compelled you to make this change provincially (A-36; E-5). Are you aware, sir, first of all that the Federal gov’t can NOT make you amend our provincial Code, have not called upon you to change the Code . . . and most importantly, will NOT amend the Canadian Human Rights Act to “protect ‘sexual orientation’” (see A-44) as you say? There will be no such amendment federally! And you are not in any way required to make one provincially!

And, Mr. Speaker, I have to agree with that paragraph and that point made under that paragraph. I can’t for the life of me see how the federal government is in any way responsible for the legislation that is before this Assembly. In fact I don’t think that it is, and I don’t think that it has ever tried to be.

Now we have seen an example of pressure through the constitution having pressured governments in provincial jurisdictions to pass legislation with regards to French school boards, and so there is precedence for federal governments making that kind of pressure on provinces. However when that has happened, it has been very public, very easily identified and without question, known by all. There is absolutely no record that I am able to find of any federal pressure in this area on this particular issue. So I leave that again to the minister to respond to.

(1615)

21) The Member from Riversdale said on (I guess it’s the third month, the 22nd day, 1993) that your gov’t “welcomes genuine dissent and contrary opinions . . . We don’t know whether all the solutions that we advance are the correct ones, and need the input of everybody involved” — *Hansard*, 03/22/93. Do you stand by that rather bold statement? Do you really “welcome genuine dissent and contrary opinions . . .”? Do you welcome the concerns of the Official Opposition in this province and, even more importantly, the “genuine dissent and contrary opinions” expressed by the people of this province? Will you listen to these concerns, these objections, these contrary opinions, . . .? or will you just “blast through” this Bill in the face of such?

Now, Mr. Deputy Speaker, I too would be interested in hearing some of the back-benchers of the government side in a context of being free to express their opinions without party constraints or restraints. I believe that in order for any back-bencher to speak on this issue with any kind of relevancy or any kind of credibility, first the Premier would have to stand in his place and declare publicly on *Hansard* that he was releasing the members of his caucus from his powerful political grip, and that there would be no political repercussions or any kind of reprimand whatsoever if any individual in his back benches were to say something contrary or dissentive with regards to the Bill and the way it's being handled.

Obviously if a back-bencher were to speak on this issue without that assurance from the Premier, everyone in this province would know very well that that member weren't expressing his true, free opinions and might in fact feel pressured to say something very much opposite to what he personally believes or what he holds true and near and dear to his own moral convictions.

And so I do challenge the Premier to allow the members of the back benches the freedom to speak openly and to show dissent to the Bill if in fact there is some, and we have every reason of course to believe so. And we believe that there is even some evidence having been presented by the individuals who have presented these documents that have been shown in the past few months to record that such dissension does in fact exist among the back-benchers and doesn't allow them of course the opportunity to speak out.

22) You have often boldly stated that your Gov't is "honest, open, accessible and truly accountable gov't" — *Hansard* 12/06/91. What better time than now to prove that? Listen to the opposition of the people of this province. Let the people decide. Will you not call a province-wide referendum vote on this question and let the people decide? At the VERY LEAST, will you not let your MLAs vote the will of their constituencies on this issue, without party discipline . . . ?

And that, Mr. Speaker, I guess is more or less a repeat to the last paragraph and a reaffirmation of this necessity to break away from party discipline.

23) When this same question was raised when you were in Opposition, you, the NDP, said that "a more comprehensive updating of the rights code is needed", that "a process of reviewing the code and current operation of the commission should be developed, and THE PUBLIC should be involved." You said, "LET THE PUBLIC DECIDE after the process what rights should be entrenched and what shouldn't." (L-P 07/06/89) Why have you changed your position? Is it because your gov't is now in the hands of special interest groups that are dictating your agenda? "Let the people decide"!

And that, Mr. Speaker, is simply a challenge to the Premier and his government to again go to the vote, to the people, or to do some kind of a referendum to in fact, I guess, simply rule the province on the basis of what the majority wants, rather than minorities. And we do, I would remind the government, Mr. Deputy Speaker, live in this province where supposedly the majority rules. After all most of the members of this government sit in their seats because they claim that right as a result of a democratic vote where the majority of voters expressed a wish to have them in that seat. If that were not true, obviously we would not want to have them there. And of course we abide by that rule of democracy where the majority rules, and this paragraph again challenges the government to allow the majority of the people of this province to express their view and to have their view the one that is listened to, rather than the view of the minorities.

24) During the 1991 election campaign, the Member from Riverside said that "he was in favour of expanding human rights, but ONLY at a speed with which THE PUBLIC FEELS COMFORTABLE" — L-P 09/28/91.

And L-P I think refers to the *Leader-Post*.

Are you firmly convinced that "the public feels comfortable" with your Bill No. 38? How would/do you do that? Or have you decided that, now in gov't, you don't have to listen to the people of this province any more?

I don't think I will respond to that in my personal words, Mr. Deputy Speaker, but that paragraph of course should be left to the government members to respond to, and I'm sure that the Minister of Justice will do that.

25) During the 1991 election, a candidate stated his personal views on the homosexual issue, views that the media and the now-gov't members found controversial . . . even, objectionable. A spokesman for homosexual lobbyists EGALÉ said then that "If he (I won't say the name, even though this person is not in the Assembly) had made his remarks in any province that 'prohibits discrimination on the basis of sexual orientation', he'd be arrested" — S-P 09/28/91. Is that the intent of the gov't with this Bill? To "arrest" those who have personal objections to the homosexual lifestyle? Do you subscribe to such statements by the spokesman of EGALÉ? Is it possible that this amendment could be used by certain groups or individuals to silence, or "arrest" certain other groups or individuals that have honest, personal objections to the homosexual lifestyle? Can you guarantee us that this amendment will NOT be used in such a way? To . . . (in pursuit, rather of) those who do not accept the "gov't's morality"? Is that not a very serious concern that those who oppose this amendment have?

Well, Mr. Deputy Speaker, I was not really aware of those circumstances having happened, but obviously they are documented and can be checked by those who take an interest in this sort of thing, and I'm sure that they will be. I hope that the Justice minister will respond and give the government's position on that very important point. And I think it's extremely important to know just how far this Bill is going to allow people to go in determining what kind of penalties there will be for offences or accusations of offences.

Under no. 26:

Even though then-Federal Justice Minister Kim Campbell introduced the "outlawing discrimination on the basis of sexual orientation" amendment that the homosexual lobby had demanded, your friend Svend Robinson (NDP MP Burnaby-Kingsway) was angered because it included a heterosexual definition of marriage. He and the rest of his activist friends wanted MORE — they called the legislation that was introduced (that basically assured them what they wanted) "a significant step BACKWARDS" (A-44). That, Mr. Minister, is a classic example of how those pushing the homosexual agenda are never satisfied. This amendment you are preparing to force in provincial law is but the FIRST demand of Sask.'s homosexual lobby (A-1). Just like your friend Svend, they will want MORE. They will not be satisfied. Will you acknowledge that this particular issue ("sexual orientation" legislation) is part of a broader and much more encompassing agenda? That this Bill could "open the door" to the rest of the homosexual lobby's demands?

Well, Mr. Deputy Speaker, here I guess in this final paragraph of this particular document, the writer has indicated that he feels that this legislation is simply a process of opening the door to many more things to come. And I think if you recall in my opening remarks I indicated that I felt that there was a very strong possibility that in fact that's what this Bill would be doing — that it would be opening the door to many more things that will be out of our control and out of the scope of the Saskatchewan legislature to handle or to bring back into the realm of their jurisdiction and to be able to have a chance to control or put some kind of a limit on how far these things go.

And I think it's very important, Mr. Deputy Speaker, that all laws have a starting point and an ending point. We must not simply have laws that clearly open the door to allow whatever should flow through happen. There has to be limits on how far things can go, especially in a Bill that opens the door to so many moral issues. And again I will refer you back to things like adoption of children or the teaching of homosexuality in the school system.

I think for people with children it is extremely important that they know what the educational system will allow and what it will not. If this particular Bill

were to allow the teaching of homosexual as a normal and even preferred, perhaps, lifestyle, even a promoted lifestyle in our school system, I'm sure that there would be many more people who would be very much perturbed with this Bill.

Many say that they don't feel that that's going to happen because they've had the assurances of the Minister of Justice and from the Premier that in fact the Bill is not going to do that; it's not written in there. However if it turns out that the Human Rights Code takes precedence and rulings that we have heard rumoured about things that are happening in other jurisdictions turn out to be in fact true, then we have a very serious, serious problem on our hands. And in fact these things will happen whether the minister likes it or not, once he passes his Bill.

And I think quite honestly, in very simple terms, that this is wrong. I don't believe that this lifestyle should be taught in our schools as a part of our curriculum, and I will stand there on my personal morality of what we should do or not do in our school systems.

I think there's one more point that needs to be clarified in this Assembly, and that of course is the stand of some of our church groups. I received a call some time back now from a person who claimed to be a member of the Roman Catholic Church and who said that he felt that the Church, having made some statements about the Act in question and about the gay agenda, he felt that they had been taken out of context and that they'd been misinterpreted. And because of that, he supplied me with a statement from his Church, and he encouraged me to read to the Assembly the letter and to make comment on it as we go through it.

And that way, of course, the whole wordage will be here. And for those people who feel that the media may not have interpreted things right, they can simply read it for themselves and make their own interpretation.

(1630)

This is dated on March 22, 1993. It's the "Saskatchewan hierarchy statement regarding proposed amendments to the Human Rights Code of the province of Saskatchewan concerning sexual orientation." (And it says:)

Dear Catholic People of Saskatchewan,

The Provincial Government has introduced legislation to amend the Human Rights Code of Saskatchewan, to prohibit discrimination on the basis of sexual orientation. This is causing some discussion and concern among our people and citizens of the Province. We, your Roman Catholic Bishops and Abbot, wish to contribute to this debate by restating some of the traditional teachings of the Catholic Church on human sexuality, for the benefit of our own people and, we believe, for the good of all citizens.

Now, Mr. Deputy Speaker, I want to point out just for those who might be curious, I am personally not a member of this Church, so I'm not espousing something of my personal faith and getting into that area. So let that be known. It goes on:

We believe that human sexuality is a God-given gift. The Roman Catholic Church teaches that sexual activity finds its lawful and laudable physical expression in the marriage state open to giving life. All sexual activity outside marriage therefore is immoral. We encourage and promote the understanding and practice of chastity for all persons, whether they be of heterosexual or homosexual orientation.

The Roman Catholic Church teaches that all human beings are created equal and therefore that, in justice, all individuals should be treated equally. The new Universal Catholic Catechism states: "A significant number of men and women exhibit basic homosexual tendencies. They do not choose their homosexual condition, which is a trial for most of them. They must be accepted with respect, compassion and sensitivity. Every mark of unjust discrimination towards them is to be avoided."

Our traditional Catholic moral teaching continues to distinguish between sexual orientation and sexual behaviour. When we speak of sexual orientation we mean a preference or an inclination towards either heterosexual or homosexual relations. Sexual activity between homosexuals remains morally unacceptable, since it is an activity which goes against the principle given earlier in this letter, namely, that sexual activity is to take place within a marriage open to giving life.

We hope this statement will remind people of the Church's teaching regarding human sexuality and responsible sexual activity. Further, we hope this statement and your discussions will contribute to our society having the best possible laws that will not only protect the individual rights of all citizens, but also promote the common good.

With prayerful good wishes.

And it was signed by several archbishops, bishops, and people from around the province of Saskatchewan within the structure of the Catholic Church.

Having read that, Mr. Speaker, I want to summarize that in all fairness to the Roman Catholic Church, some people who wrote and spoke of what this letter had said, did in fact take it out of context and they did in fact misinterpret what was in the letter. And I think that in fairness to them, those who did that should apologize to the Roman Catholic Church.

Even though I'm not a member of that organization, I feel that they should not have been treated as having taken one side or the other. They should have had their letter written in its entirety and shown to the public in complete context and not having it split and divided and broken up into small segments.

With that I'll simply say that in general I think I agree with their position. They're saying they don't want to discriminate against folks, and I think that's commendable and a reasonable approach to life. They say that they don't promote it and I say that I have to agree with that position.

And for the most part, whether people want to misconstrue this letter as being for or against . . . And I've heard both sides of that argument already from people in our society. Some say this letter promotes the homosexual Bill. Others say that it does not do that; in fact that it warns against it.

I say that it has taken a position of explaining both sides of the issue, of taking a position against discrimination and of hating the sin but loving the sinner. And no matter what everybody else's interpretation is, I will go so far as to say that I personally support what the letter says in my own personal philosophy and in the philosophy that I believe that the Bill should be intended and written to bring out.

Having said all of those things on behalf of some of the people who have written to me, Mr. Speaker, I obviously can say in all truth to you that I've only touched the surface of the material that I have with me and that has been presented to me that people have asked me to deliver to this Assembly and to put on the record.

Again, obviously if I were to do that, we would be here for many, many hours. It might even take days. And quite frankly I don't think my voice will last that long. And while I'm feeling a little weary at the moment, I have to assure you that being weary is worth the effort in order to bring this message to *Hansard* and to the people of Saskatchewan through this vehicle on behalf of those who have presented the material to me.

But again, here I think is coming the time when I should conclude my remarks and say to you that I hope the government and the Minister of Justice will take this debate and these arguments seriously. I hope that he will realize that his Bill is one that cannot win. No matter which direction he hopes that it will go, it's going to go the opposite way.

It cannot possibly happen, with the things that have happened in our judicial system with regards to the Human Rights Code, it cannot happen that this piece of legislation can serve the purpose that the minister has outlined so very clearly that he wants to serve. Simply helping to take away discrimination is not where this Bill can end. It is absolutely impossible for this Bill to work as the government wants it to work.



I hope they'll take that seriously, take it to heart. Perhaps they have to withdraw this Bill altogether if they want to serve the true needs of the province. I know that would offend some people in the gay community, but I don't think that we are serving their purpose by irritating all of the rest of the people in society to the point where they in fact might be tempted to discriminate even more in a revengeful kind of a mood.

And having said that, Mr. Speaker, I say I have to oppose this legislation. I have to vote against it, and I have to ask the minister to strongly, strongly consider removing this piece of legislation from the Table altogether. Take it off the Table. Tear it up. Try some other direction. Work on the human rights end of law at the provincial level and at the federal level. Go to where you can actually help people, and take discrimination away without opening the door to making a moral issue into something that can't be controlled.

With that I thank you, Mr. Speaker.

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

**Mr. Keeping:** — Thank you, Mr. Speaker. Mr. Speaker, I rise in my place today to enter this debate and to speak briefly on Bill No. 38. I have looked forward for some time now to speaking on this Bill and making my position clear.

I'm not opposed to the intent of the Bill. I believe in the intent of the Bill, which is in part to protect all individuals in our society from discrimination, regardless of their race, their gender, their marital status, or their sexual orientation. I do not think that anyone could find fault with that, with the intent of the Bill. However, the addition of sexual orientation as a protected ground is not one that I can consider without holding it up against my own personal religious values. I have done that, Mr. Speaker, and I want to take a few minutes to tell you where my concerns are.

On the one hand, it is clear that this legislation is intended to protect people from being fired or denied housing or denied access to public services. These are not special rights but are equal; they're equal for all. And surely they are basic, reasonable freedoms that are fundamental to any democratic society.

However, despite my support for our government's aim for the elimination of discrimination, I find myself unable to vote in support of this legislation. I have spent considerable time addressing this issue and examining the foundations for my religious beliefs and I have come to the conclusion, Mr. Speaker, that for me the Scriptures contain within them the guidelines for any of us who wish to follow an acceptable lifestyle in the eyes of God.

And certain choices in our lives fall within those guidelines and others do not. I believe that homosexuality is a choice that is not acceptable in the light of what the Bible has to say. And I think it very

unwise and improper for anyone to be involved in any homosexual activity of any kind.

I know, Mr. Speaker, there are many studies on the causes of homosexuality. And I haven't read them all but I have read some of them. And one study will say that the individuals are born that way and have no choice in the matter at all. And other studies, Mr. Speaker, show to me just as convincingly that homosexuality is a learned behaviour. I take the position that, for now at least, the studies have been inconclusive.

And let me say once again that I believe personally that homosexuality is a choice that's wrong according to the Scriptures. I know, Mr. Speaker, that some individuals do not believe in or care what the Scriptures say. But, Mr. Speaker, we as a nation and as a province, and as individuals especially, would be wise to read and obey what's written in them.

I also realize that we don't all interpret the Scriptures the same way. I realize that. But as a member of this legislature I feel bound to uphold the principles of my religious beliefs, and I can only give my full support to legislation which does not interfere with those principles.

In this case, I have concerns. My fear is that we will be sending the wrong signal out to society, that we think homosexuality is as an acceptable alternative as heterosexuality. This is where my religious beliefs come into a conflict with this legislation. I know that we cannot legislate true morality. I know that. But at least we could encourage it.

Mr. Speaker, I don't think either that this legislation is going to satisfy the homosexual community. I know this legislation has been passed and in place for several years in other provinces. And I would like to point out that it has not satisfied the homosexual community in those provinces. It hasn't been enough and it hasn't gone far enough.

And I predict, Mr. Speaker, that this legislation will not be enough. And they will lobby and continue to ask for more, so that even the perceived good that we would do would with intent . . . or that we would intend to do with this legislation will in fact be minimal at best.

So, Mr. Speaker, I come to the conclusion that I cannot support this Bill. My lack of support is not for what is in the Bill, but it's for what is not in the Bill. I could and I would support legislation that with the kind of protection that we have now only if it was crystal clear in the Bill that we as legislators do not consider homosexual conduct to be equally acceptable as heterosexual conduct is. Without that statement I think that we convey a perceived acceptance of homosexuality. And I believe it will be or at least could be, perhaps I should say, used as a stepping stone to acknowledging marriages of the same sex and spousal benefits, etc.

Now the different sides of this debate have to be

carefully weighed by individuals. The Bible clearly states that discrimination, harassment, verbal abuse, and of course physical abuse is also wrong. So actually I support the intent of the Bill.

And I would like to have provided this protection, but I have had to weigh the good that we intend to do with the Bill against what it will be interpreted as doing. And I believe the message that it will be interpreted as is the wrong message that we should be sending out and a message that I can't be part of.

(1645)

As I have said earlier, I haven't made this decision easily or lightly but I find now today that I cannot support this Bill. I don't want to vote against my colleagues and vote against my government, so I will be abstaining. And I believe I have made my reasons clear. Thank you very much.

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

**The Speaker:** — The member from Arm River wishes to speak. I would want to remind him that he must address his remarks clearly to the amendment and only to the amendment, since he has already spoken to the main motion.

**Mr. Muirhead:** — Thank you, Mr. Speaker. Firstly, Mr. Speaker, I would like to comment on the member from Nipawin making a stand in this legislature. I just wonder how the Premier is going to handle this. The member has to say that he's going to . . .

**The Speaker:** — Order, order. The member is out of order already. The member has already spoken to the main motion. This amendment . . . Beauchesne is very, very clear. Beauchesne is very clear on this that an amendment of a six-month hoist, the member must only speak to the amendment, as to why the Bill should not be read now but should be read six months from here.

I know the member from Rosthern wants to get up and say why could the member from Nipawin speak? Because the member from Nipawin has not spoken to the motion before us. Why is the member on his feet?

**Mr. Neudorf:** — To say to Mr. Speaker, that's not what I was going to say, precisely not.

**Mr. Muirhead:** — Thank you, Mr. Speaker. Yes, perhaps I should have started out a little differently. The reason why I want to comment on the member of Nipawin's remarks is because we want to give this here government just exactly what our amendment says: six months to think about this. And that's exactly what all my remarks are going to be talking about, but no matter what I'm saying — whether it's a repeat of anybody's been saying, no matter what I'm talking about — but it's going to be as the amendment says, Mr. Speaker. That's why we want time for the people to get their senses, to think clearly like the member from Nipawin has.

He's thought clearly, and I'm saying that the Premier should pull this Bill and give six months thinking as the amendment says, and then we would let people like the member from Nipawin be able to stand to his . . . and maybe he'll think over the next six months that a free vote is best. Maybe that's what he'll think. The Premier may say to himself, six months is the right thing to do, and then the people don't have to abstain because there's many members, Mr. Speaker, I'm sure on that side that feel the same as the member from Nipawin.

There's these things that we must think about, Mr. Speaker, over the next . . . if we could have this Bill pulled for six months, not introduced, or go into committee, or brought back into second reading for another six months, is this reason: we've done everything we possibly could, Mr. Speaker, to bring to the attention of this government and to the Minister of Justice of the reasons why this Bill should be pulled.

We've brought in the voices of . . . I guess speaking on behalf of thousands of people of this province. We're saying to the minister, Mr. Speaker, that if he would just listen to these people and listen to what we've brought forth, listen to the mistakes that the government members have been saying, that perhaps they would have a different outlook on this.

There's only a small percentage of people in Saskatchewan that have been asking for this here Bill 38, very small. And we don't understand, Mr. Speaker, why the minister couldn't pull it for six months and think this over and wonder why he's discriminating against over 90 per cent of the people of the province of Saskatchewan. There's probably only, Mr. Speaker, approximately 3 to 5 per cent at the very most in North America that belong to the gay society, or are gay people. And in Saskatchewan we feel that it's approximately 3 per cent or less.

So what the minister's doing . . . and maybe he could think it over. And he's not been doing much thinking in the last couple or three months about it, but maybe when all this pressure's come on from different church groups, different individuals . . . there's been many groups other than church groups have brought their request to the Minister of Justice to pull this Bill and sincerely pull it, and they are sincere about this.

And if he would think about it, maybe he should be listening to the 97 per cent of the people in the province of Saskatchewan. Why discriminate against them? Mr. Speaker, to the minister, why would he want to discriminate against the other 90 per cent-plus? That's what's going on — discriminating to them.

And he could maybe look over in the next six months, Mr. Speaker, and look the Bill over very carefully. Because I haven't showed it to a lawyer. I haven't had any comment from any lawyers other than it's the poorest-drafted Bill they've ever seen. So if it's a poorly drafted Bill, poorly put together, then why shouldn't he be looking at it and bringing it back in in a different manner.

The Minister of Justice has even made the motion . . . or made the statement — sorry, Mr. Speaker — has made the statement that perhaps the Bill could have been brought in differently like some of the states in the United States have where it looks after people, the gay society, the people that are homosexuals or lesbians . . . that he says the main part of this Bill is only to talk about giving them a place to live and ensure their place of a job in the workplace. So maybe that's the legislation he should have brought in and he wouldn't have had all this problem in Saskatchewan. He wouldn't have had this uproar.

There's now close to 50,000 signatures on a petition for a plebiscite, Mr. Speaker. And they'll soon be over the 100,000 mark and we'll have to bring it to a vote. So why wouldn't, Mr. Speaker, why wouldn't the minister want to pull this Bill to see what the people say when they get a chance to vote.

Because I'm sure that this government, even though they've been pretty high-handed in their legislation and their government Bills they've brought down, but something as serious as this . . . This is not money. This is not talking about the GRIP (gross revenue insurance program) Bill and the money that it cost the farmers. It's not talking about the upgrader Bill that could cost millions of dollars for people. This is not that. This is talking about people's lives, and it's very important, Mr. Speaker, when we're talking about lives. This, Mr. Minister, is not a money Bill. It's talking about the lives of the people of Saskatchewan, and 90 to 97 per cent of the people are not in favour of what you're doing.

The now Premier used to be the Attorney General, and I can remember, Mr. Speaker, when he listened to the people back in the early '80s when . . . and I'm sure he will again, I'm sure he will again. He'll think about this over the next six months if he listened to our amendment.

There was a Bill in this here House to change the age of consent, from 16 down to 12, and the government of the day then laughed at us. But the Premier, the then Attorney General, stood to his place in this House and said: the people of Saskatchewan have spoken. There has been too many letters, too many requests, I therefore pull that Bill.

And that is why it's very important the amendment that the member from Moosomin brought in today, that we pull this Bill for six months. No more readings on it so heads can think and think clearly, think it out, listen to the people, have the vote. If they get their hundred-and-some-thousand signatures, that's what important, is to listen to the people. Surely, when it's not money matters . . . We're not talking, Mr. Speaker, on a six-month delay affecting the budget or affecting their deficit. It's not affecting them at all. We're talking about a Bill for the lives . . . affecting everybody in the province of Saskatchewan.

I want you to think very carefully, Mr. Speaker. I want the minister and the Premier to think very carefully what they are doing. I do not want to have lesbian or

homosexual teachers teaching my children in school, and I want you to think about that over the next few months if you listen to our amendment. I do not want, I do not want them, under any circumstances if . . . we may now, in this province, have teachers teaching our children but we do not know, the children don't know, whether they are homosexual or lesbians or heterosexual. They don't know.

But when this Bill comes forward they'll be making themselves known and I absolutely will never allow . . . I'll leave the province before I would ever have any of my children or my grandchildren ever be taught by a homosexual or lesbian teacher.

Now they may not even push their thinking onto those children, but what would happen and what I want you think about — the members opposite are grinning from your seats — is to sincerely think about what it is going to do to our young people in this province. Think very carefully instead of grinning from your seats, that what you're going to do when your child . . . you all got children or grandchildren, everybody, pretty near everybody over there.

Think carefully that if they have a lesbian or homosexual teacher that the lifestyle you're going to have your child grow up in. They're going to grow up in a new era in Saskatchewan where, even if they're taught at home that that is not the belief that we believe in, they will say: oh, mom or dad or grandpa or grandma, you are wrong. My teacher is a homo or a lesbian and so therefore it must be all right.

That's the most important thing that we're doing wrong, is having teachers . . . that is the most . . . you know, the adult world, if they have lesbians in the workplace, they can take care of themselves. But you people are not thinking about our little children in this province of Saskatchewan and the future of their lives and their families.

And I ask very sincerely, Mr. Speaker, to the Minister of Justice and to the Premier, and I see that they're very serious about . . . I'm talking about and some of the front row are grinning and laughing as if I don't know what I'm talking about. And I'm only speaking because I have the same right, Mr. Speaker, to speak about this here Bill being delayed six months as the sincerity of the member from Nipawin, and I have that right. And if you'd only listen to us and listen to the other 90 per cent of the people in the province, you'd find out that there's what people think. They are completely going against the lifestyle of the people of the province of Saskatchewan.

They made promises in the election, Mr. Speaker, many promises, and they've broke nearly every one of them. And I don't know why this is the . . . and that's all pertaining to money. I don't know why this has to be the one that they want to keep.

They promised the gay society that they would bring this Bill forward; nothing can stop them. But they also made other promises and they broke every one of them; every last promise you made was broke. You've

raised the taxes, you've done everything . . .

**The Speaker:** — Order, order. The member is getting way off-base. Order, order. The member must get back to the amendment as to why the Bill should be not read now but six months hence.

**Mr. Muirhead:** — Mr. Speaker, it's very easy to say what I was saying and I knew that probably somebody would want to set me down. But it's very easy for me to say, Mr. Speaker — if you'd just give me a moment to connect it — it's very easy that they should be thinking about all the promises that they broke and how it affected people and why they should be thinking about this Bill for the next six months . . . of what they did in the last year and a half — what . . . they broke every promise.

They broke every last promise, and they should be thinking about that. They broke promise after promise, and they should be thinking . . . (inaudible interjection) . . . It's got a lot to do with it because maybe the member from Moose Jaw, Mr. Speaker, could use his head and think it out for six months and talk to other members of your caucus, talk to other members of your caucus that agrees with the member from Nipawin. Think it out very carefully. You need six months but maybe some of the members need longer than six months.

I think that if the now Premier, Mr. Speaker, would just give the people a chance for a free vote, it . . .

**The Speaker:** — The member from Moose Jaw Palliser, just tone down a bit and let the member from Arm River have his say. You're louder than what he is. If you want the floor, then get up and speak.

**Mr. Muirhead:** — Thank you, Mr. Speaker. As I just was saying, if the members opposite . . . I think, Mr. Speaker, that it would take maybe some members longer than six months, but I'm sure if the Premier and the Minister of Justice would give a free vote and say you're on your own, that they would probably have this Bill defeated now or it would be pulled. And that's why they need six months, or maybe even more for some, and less for some.

But six months would let their heads think it out, and you would have the vote and be able to think this out and do the right thing for the people of the province of Saskatchewan.

You are doing the wrong thing. You are hurting many people. You are hurting me. Why should I, Mr. Speaker, why should I be discriminated upon, and hundreds of thousands of more people like me? Why should you discriminate upon my rights? Why should I have to have the homosexual and gay society have special rights?

**The Speaker:** — Order. It now being 5 o'clock, this House stands recessed until 7 p.m. this evening.

The Assembly recessed until 7 p.m.