

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Fourth Session — Seventeenth Legislature**  
**14th Day**

**Tuesday, December 18, 1973.**

The Assembly met at 2:30 o'clock p.m.

On the Orders of the Day.

**RULING BY MR. SPEAKER**

**AMENDMENT TO RETURN NO. 44 and RESOLUTION NO. 6**

He said: Before I call Orders of the Day, on Friday, last, an amendment to a Motion for Return No. 44 was moved by the Minister of Northern Saskatchewan and I deferred my ruling at that time. I have considered the amendment very closely and I have also examined Motions for Returns No. 45 and 46, which are presently standing on the Order Paper. The amendment moved by the Minister is the same, as sections of Motions for Returns No. 45 and 46. I refer all Hon. Members to Beauchesne's Rules and Forms, Fourth Edition, Citation 131, page 116:

The Anticipation rule which forbids discussion of a matter standing on the Paper being forestalled is dependent on the same principle as that which forbids the same question being raised twice in the same session. In applying the Anticipation rule, preference is given to the discussion which leads to the most effective result and this has established a descending scale of values for discussion, Bills, Motions, Amendments etc.

On the grounds of the Anticipation rule I rule the said amendment out of order.

Further, several sections of Resolution No. 6, a Private Member's Motion, are very similar to Bill No. 42, an Act respecting the Conservation, Stabilization and Development of Oil and Gas in Saskatchewan. Also the principle of Bill No. 42 is basically the same as Resolution No. 6. Consequently, the debate would be of much the same substance. I, therefore, rule Resolution No. 6 out of order because of the Anticipation rule and I refer all Hon. Members to Beauchesne's Parliamentary Rules, Fourth Edition of 1958, page 116, Citation 131. For that reason I rule Private Member's Motion No. 6 out of order.

**MR. J.G. RICHARDS: (Saskatoon University)** — Mr. Speaker, I don't want to interrupt at this time if you have further rulings to make in respect to motions and Orders for Returns, but I should like to make an enquiry to elaborate on your ruling. I am sure that some of the Members opposite will be most surprised by your ruling that a Resolution for nationalizing the oil industry is the same matter as involved in Bill 42. The motion I think is fairly explicit, Resolution No. 6 in referring to nationalization of the provincial oil industry.

**MR. SPEAKER:** — I think my reason for ruling your resolution out of order is that Bill 42 being now before the House, any amendments to the Bill could be made by Members and that topic is before the House

and the House has made the decision that we can't have the same debate twice under two different headings so I have ruled it out of order.

**MR. RICHARDS:** — But surely, Mr. Speaker, the principle of Bill 42 pertains to the imposition of certain types of taxes, transfer of certain freehold lands etc., and is not my privilege or the privilege of any other Member in the course of a debate dealing with that particular motion to argue the general case about nationalization of the provincial oil industry. Surely, we have on many occasions dealt with certain aspects of the livestock industry and we have had bills dealing with that, and that surely would not rule out more general motions dealing with the livestock industry. Obviously this is a subject for interpretation but I would call upon other Members in the House and I think I am stating a fairly general and widespread opinion among Members, that there is a fair difference between the specifics of Bill 42 and the general subject of the nationalization of the provincial oil industry. I would call upon other Members to comment on whether they agree or disagree with my interpretation.

**MR. SPEAKER:** — The interpretation of the Resolution is not before the House, it is the Speaker's Ruling that it, is out of order. If the House wishes to change the ruling that is up to the House.

**MR. RICHARDS:** — Mr. Speaker, I am not fully aware of the procedures to be followed but I should like to challenge your ruling on this particular motion.

**MR. SPEAKER:** — The Hon. Member would like to challenge the Speaker's Ruling. I have ruled, as the Members have heard, I have ruled Resolution No. 6 out of order on the Anticipation rule. If the Member wishes to challenge the Speaker's Ruling the question now is, shall the ruling of the Chair be sustained?

Ruling of the Chair sustained.

## QUESTIONS

### CHIEF JUSTICE HALL REPORT ON UNIVERSITY

**MR. C.P. MacDONALD: (Milestone)** — Mr. Speaker, before the Orders of the Day, just a brief question for the Minister of Education. Could the Minister of Education (Mr. MacMurchy) indicate when the Chief Justice Hall Commission Report on the reorganization on the structure of the University will be tabled in the House or will be made public, or what is the status of that particular report?

**HON. G. MacMURCHY: (Minister of Education)** — In response to the question, Mr. Speaker, we understand the Report is nearly ready for presentation. The former Chief Justice Hall will be returning to Saskatchewan from his duties in eastern Canada on the 21st and hopefully we can receive the Report over the holiday season and make it public as early as we possibly can in the new year.

**MR. MacDONALD:** — Would the Minister give the

assurance to the Members of the House that the same unfortunate set of circumstances that occurred last year, without any public notice, without the universities being informed or consulted, that this Report will be made available long before the session is recalled in January or February whenever it is so that there will be that opportunity for public discussion and the Members of the Legislature will have an opportunity to study that Report.

**MR. MacMURCHY:** — In response to your question I think when I replied to your first question that we hoped to make the Report public and available to everyone in Saskatchewan early in the new year.

### **WHITE PAPER — NEW POLICE ACT**

**HON. R. ROMANOW: (Attorney General)** — Mr. Speaker, before the Orders of the Day I should like to lay on the table another White Paper. This is a proposal for a new Police Act in the Province of Saskatchewan. This is a White Paper which is merely the thinking of myself and some officials in my department and does not represent in any way Cabinet or Government policy. It is for the consideration of the Legislature. As you know, Mr. Speaker, at the present time other than the Department of the Attorney General, there is no supervisory or advisory body with respect to such matters as the standard of policing service, the quality and training of police personnel, the standard of law enforcement, the development of programs aimed at the prevention of crime and programs aimed at better understanding between the police and community and each others' role in society. This White Paper proposes the establishment of such an advisory body and other proposals with respect to a new Police Act in the Province of Saskatchewan. Members will know that there is similar legislation in place in the Province of Alberta and the Province of Ontario. This White Paper represents the composite thinking of the department officials after some considerable input from SUMA and the various individual municipalities like the cities of Regina and Saskatoon,, those directly involved which run their own municipal police forces.

Again, Mr. Speaker, I should like to table this. We invite criticisms and whether or not this Bill is needed, we invite suggestions as to potential changes. We generally invite any comments that the public or Members of the Legislature will have with respect to this Bill to determine whether or not we should proceed further with it at some later date. So I table a White Paper, a proposal for a new Police Act.

**MR. D.G. STEUART: (Leader of the Opposition)** — Mr. Speaker, I should just like to comment if I may on the statement made by the Attorney General. Certainly we welcome the idea of a White Paper to open discussion on the whole question of municipal police forces. This has been a serious problem in Saskatchewan for all municipal forces and a very serious problem for cities the size of Prince Albert and Moose Jaw, for example. We have had good co-operation from the larger centres like Regina and Saskatoon, but any move that will bring about an upgrading of policing in our municipal police forces, more uniformity, and hopefully lead towards some kind of common training that would be made available to all police forces, especially small ones is welcome. It would be a step that would be very welcome, not just by municipal authorities but by the police forces as well because I think their own organizations have been very involved in pushing

for this sort of a movement. So we welcome this White Paper and I'm sure we'll study it and make some contribution towards the development of the new Act.

## QUESTIONS

### OPENING OF PLAINS HOSPITAL

**MR. G.B. GRANT: (Regina Whitmore Park)** — Mr. Speaker, before the Orders of the Day I should like to direct a question to the Minister of Health (Mr. Smishek). There has been a considerable delay in getting around to opening the Plains Hospital and one of the reasons I recall was that certain equipment couldn't be ordered until the services had been allocated to the hospital. The question is, have the services now been allocated and have all necessary pieces of equipment been ordered so the hospital can be opened? I should like the Minister to give us a rough idea when such an opening might occur.

**HON. W.E. SMISHEK: (Minister of Health)** — Mr. Speaker, the matter of bed allocation is very much involved with the opening of the hospital. Several weeks ago, the department and myself, made a proposal to all the hospitals in Regina on bed allocations. We have had a number of meetings and substantially agreement has been reached between the General Hospital Board, the South Saskatchewan Hospital Board and the medical profession on bed allocation. As a result we are now able to determine what services will be provided in the Plains Hospital Centre. I can't answer the Member whether all the equipment has been ordered for the Plains Hospital because the matter of bed allocation was just reached last week, but I would hope that all the equipment, if it is not ordered, will be ordered very soon. The anticipated date of opening the Plains Hospital Centre is May or June of 1974.

## THIRD READINGS

**HON. K. THORSON (Minister of Mineral Resources)** moved third reading of Bill No. 42 — *An Act respecting the Conservation Stabilization and Development of Oil and Gas in Saskatchewan*, be now read a third time.

**MR. D.G. STEUART: (Leader of the Opposition)** — Mr. Speaker, I regret that this Bill is being passed tonight. I regret that the Government has seen fit to refuse to give proper consultation to many people who will be, and are vitally concerned about the passage and the effect of this Bill. As I pointed out earlier, the oil industry has been ridiculed and attacked and vilified in this House, many times by people who have not earned the right to vilify or attack anyone by their record as citizens in this province. Some of it may be justified, a great deal of it was not justified. But whether it was justified or not, whether the oil industry has done a good job or a bad job, whether we should lump everyone in the oil industry into the same bag with the giants in the oil industry, we have failed to recognize that the oil industry is made up of many people. Large corporations like Imperial Oil and Gulf Oil, small people, who have invested their money and who have taken little or no profit out of this province out of the oil industry, have all been treated the same shabby way by this Bill and this Government.

There are people who came in here in the early days, were invited in by the predecessors of this Government, were invited in by a government, counted among its Members, the Speaker (Mr. Dewhurst) himself. And the Member for Touchwood (Mr. Meakes) It also counted among its senior civil servants, the present Premier (Mr. Blakeney) who gave certain commitments, public commitments, strong commitments to the oil industry. We have seen those commitments as we have seen other commitments trampled in the dust. We have seen this Government confiscate, we have seen this Government in this Bill and as they have done in previous Bills and in previous actions since they became the Government, say to the public, "Our word means nothing, our written contracts mean nothing, our leases mean nothing". We have seen this happen again.

On top of that they mounted this action and brought this Bill in exactly one week ago.

I talked today to some people from eastern Canada who said we understand you are in the middle of a Bill, a Bill being considered that will seriously affect not only the future of the oil industry in Saskatchewan, but the future of the investment in every aspect of resource development in Saskatchewan. I said we are not in the middle of it, we have almost completed it. They said how could this happen, has it been in committee? Have people been given the opportunity to talk to this Bill, to make their case, to be heard, to have the Bill explained? I said, no. The NDP don't do things that way.

I talked to the Saskatchewan Association of Rural Municipalities, their vice-president, Mr. Mitchell, not an enemy of the Government opposite, philosophically, today in this Legislative Assembly, in this building. He expressed surprise and amazement and I think even shock that this Bill that will seriously affect, or could seriously affect 80 or 90 rural municipalities. These people are not even given the opportunity for their feelings or their wishes about this Bill to be seriously taken into consideration. The Bill should be sent to committee and they could be invited to come down and listen to the Minister explain what this Bill might do to them, what it might do to their tax base. As it develops a total tax of millions of dollars.

It is not necessary to arm the Premier of Saskatchewan with the weight of the Legislative Assembly or the weight of the Government to go down to Ottawa to negotiate with the Federal Government about the tax, the export tax that the Federal Government has placed on oil. This tax, we say, and I said when I spoke on second reading, and we recognize as do the Members opposite, basically belongs to the people of Saskatchewan. It is a clear case of government revenue from a mineral resource. Whether the revenue is too high or too low is not the point when you consider where the revenue should end up. It should end up in the coffers of the Government of Saskatchewan, there is no argument about that.

Did they need this Bill to go down to negotiate? No, I don't think they did. I know they didn't. They didn't need to rush this Bill through. The Premier had the minute he laid this Bill on the Table, the minute the Bill was tabled in the House for first reading, everyone knows with a majority of 44 against 15 or 16 . . .

**MR. KRAMER:** — Stop whining.

**MR. STEUART:** — Stop whining. I would like to point out to the Minister of Highways that speaking out for the rights of people, speaking up against a government that tears up contracts, that tramples on the rights of people, when the Minister stands up and he says there are only three people involved here, what difference do three people make, what difference does 60 people make or 100 people make, the Minister of Highways (Mr. Kramer) says this is whining. Well if this is whining then I will keep on whining. If talking about the rights of people, if talking about breaking the word of a government is whining, then of course, I am whining. But I call it fighting for the rights of the people.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. STEUART:** — Mr. Speaker, we have seen in this Bill, again, an example where the Premier of Saskatchewan, Mr. Blakeney and the Blakeney Government have blatantly said to everyone who wants to listen, and people are listening, people are listening across this country and outside of this country: “Our word means nothing. We will trample on the rights of anyone. We will tear up contracts. We will seize, we will grab, we will take over businesses. We will ignore the rights of anyone large or small, as long as we can point and say, oh, it is Imperial Oil, it is the CPR, it is some big company”. In the meantime there are a lot of little people being trampled on as well. But that is not what is important. If a government can trample on the rights of Imperial Oil, then they can trample on the rights of little Joe Blow, anywhere in this province.

If the Government of Saskatchewan can take away and break a lease with a timber company, large or small, or an oil company or a right that was given to someone ten years ago or 50 or 75 years ago, then I say again to the farmers who are signing leases for example under the Land Bank, how can they sleep content and safe in their beds tonight or any other night, thinking they have got a lease that will protect themselves or their families on this farm with a government that boasts, with a Premier that boasts, “Of course we break contracts. Any time it suits our purpose we break contracts”. That is what they have done in this Bill, that’s what they did to the timber industry and that is what they have done time and time again, Mr. Speaker, when it suits their purpose.

I regret this Bill. This Bill has dragged the reputation of Saskatchewan into the mud. This Bill has said to all who want to listen, and they are listening, don’t invest in Saskatchewan, don’t come and invest your money or your brains or your skill or your life or your future in this province, because if the Blakeney administration decides if they want to grab your money or that maybe if your business is paid off, if you made enough money by their standards, then they say anything else you make is some kind of an immoral or a windfall or an unnecessary profit. And they will take it.

We heard Mr. Boldt the Member for Rosthern, a farmer, suggest that there are many farmers in this province, thousands of farmers who have paid for their land are enjoying \$5 wheat and \$10 flax and \$7 rape. These are windfall profits. They didn’t earn these, they just came and I am glad they came. Most people in the province are happy they got this payday.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. STEUART:** — But if you can do this to Imperial Oil or to a little oil company, we had people come and talk to us today who tried to talk to the Minister, but they couldn't get next to him, they couldn't get near him. They said, look we just came to Saskatchewan in the last two or three years, we invested money, we haven't ripped anybody off, we haven't taken any profits. But now our oil rights are gone. Now our right to do business and to expect a reasonable profit has been taken away from us.

If you can do that, Mr. Speaker, to somebody this small you can do it to anybody. Once you decide that you can break your word, once you decide as a government, that your lease, your contract, your signature on a piece of paper means nothing, then you can do it to anybody and make no mistake, you can laugh, you can giggle, you can think of all the gorgeous \$200 million a year or \$150 million a year that you are going to take in. You will be able to spread it around and buy your way back into power, maybe, and that makes you happy.

I say to you what you have done here today, you have done a serious disservice to the reputation of the people of Saskatchewan. And you have no right to do it. You happen to be the temporary Government of this province. Just as we were the Government and we were defeated, and you will be defeated eventually. You may last for a year or five years, or eight years, I don't know how long you will last. But let me tell you this, what you did here today, since last Monday, is a disgrace in a democratic country where people hold up their heads and say, you can trust a government.

You talk and you sneer about, Watergate, and I sneer about it myself. You say these people were caught doing things that no self-respecting person would do who was trusted by anybody.

What have you done? You haven't fattened your own pocket I don't imply that for one minute. I don't imply that you have anything that is gain for yourselves, it certainly hasn't gained any credit for you. But what you have done, make no mistake is taking the law into your own hands. We don't live any more by the rule of law in this province. We live by the rule of a Government that says you're so big, we will get you. If you make so much profit, we will take it away from you. If you have been here so long, then that is wrong. And because we are going to catch some big fellows, if we happen to get some little people in our net as well, as the Minister; said: "What's three people?" What do three people mean? I guess they don't mean anything.

Well, I say to the people of this province they had better beware. I say to them who is next? You didn't need this rush. You didn't need to use this power. You didn't need to go this far in this matter.

Sure you will make speeches and you will say we are lackeys of the oil companies, paid off by Imperial Oil. You're doing this for some other people. I say to you, you can say all you want, Mr. Member from the Battlefords. I will stand up here and say this in this House. I am not speaking for Imperial Oil, CPR or anything else. They can look after themselves. Sure they have helped this country and they have hurt this country. That is their business. But I say when you do what you did to anyone, you would do it to everyone. And you have disgraced the word, 'democratic' government in this last week, and you should hang

your heads in shame.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. STEUART:** — We will oppose this Bill.

**HON. A.E. BLAKENEY: (Premier)** — Mr. Speaker, I don't propose to detain the House long on this third reading. I simply want to reply to a few of the comments of the Leader of the Opposition, the Member for Prince Albert West.

I am sure that in listening to the Member for Prince Albert West you are as mystified as I am with respect to where he stands on the portion of this Bill that deals with the matter of windfall profits.

He started out by saying that he was quite in favor of the Government of Saskatchewan's taking unto itself the windfall profits from the oil companies. He said that these belonged to the people of Saskatchewan. He also said, and the Member for Meadow Lake (Mr. Coupland) is now saying, that to take those windfall profits from the oil companies is confiscation. It is a little bit difficult to understand what the position of the Liberal Party is on this aspect of the Bill.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — Time after time, speaker after speaker has said that he feels it appropriate for the Government of Saskatchewan to take the future windfall profits arising out of rapid increases in the price of oil, while others are saying, and I instance now the Member for Prince Albert West and the Member for Meadow Lake, that this amounts to confiscation. Well, let them state where they stand.

We believe them when they say that in their judgment it amounts to confiscation. We believe them when they say that they do not believe that this money should come to the people of Saskatchewan.

**AN HON. MEMBER:** — You did so.

**MR. BLAKENEY:** — It is simply not credible for one Member of the Opposition to say that the money should come to the people of Saskatchewan and for the other Member to say that if it does, it is confiscation.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — The Liberal Party wants to ride both sides of the fence on this one.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. SPEAKER:** — Order, order! Please.

**MR. BLAKENEY:** — Mr. Speaker, I know that the Member for Prince Albert West always likes to have two chances to make his speech. But I do



want to point out, referring to the windfall profits only, that the Members opposite are saying that it is improper for us to take these from Imperial Oil.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. COUPLAND:** — Confiscation!

**MR. BLAKENEY:** — The Member for Meadow Lake just interrupted me to say that it was confiscation.

**MR. STEUART:** — You . . .

**MR. SPEAKER:** — Order, order!

**MR. BLAKENEY:** — I say this to you, Mr. Speaker, and to this House look at the schedule in the Bill. Find Imperial Oil's name there. Find out where we have taken any acreage from Imperial Oil. The only thing we have taken from Imperial Oil is the windfall profits and you people are saying we shouldn't.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — Now let's move on to the next point. The point which deals with the acquisition of title to producing mineral rights. People are calling that confiscation. I hope no one denies the right of a government compulsorily to acquire property. I hope no one denies that. Because if you do, you are denying the right to build roads.

**MR. STEUART:** — Take the . . .

**MR. SPEAKER:** — Order, order! I think the Hon. Leader of the Opposition made his speech. I think we should try and keep this in order, in order to let the Premier continue his speech without interruptions. There will be more time for others to speak.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — I hope that no one denies the right of any government compulsorily to acquire property. It only amounts to confiscation if the compensation is wrong and too low. So if it is confiscation, Members opposite are saying that the compensation is too low. All right, we will next then ask ourselves whether or not the compensation for the rights acquired is too low. We are saying that to give the owners of the mineral interests the right to get exactly the same number of barrels of oil as they would if they had title, that to give them the right to acquire the oil only at today's prices and not at those of some future date is not inappropriate. We say that that does not amount to confiscation but is under all the circumstances fair and reasonable compensation.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — I admit that there is a difference of opinion on the adequacy of compensation, but that is the only issue on which

there can be a difference of opinion. If you believe that governments have the right to acquire property for legitimate public purposes and if you believe that the right of the citizen under those circumstances to get fair compensation, the only argument then is the measure of compensation. We say it is appropriate and you say it isn't. All right.

Now let's go on to the other point made by the Member for Prince Albert West and I hearken back to what I said on second reading. He said, we've torn up leases. I say, he cannot, and I challenged him to do so at that time, show me one lease bearing the signature of the Government of Saskatchewan which is not totally valid in its terms. Not one!

**MR. STEUART:** — . . . every lease . . .

**MR. BLAKENEY:** — The Member from Prince Albert West obviously wants to debate the timber issue and I don't blame him . . .

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — . . . because certainly there is not a shred of justification for saying that one single oil lease has been varied by one comma, one word, one paragraph. There is not a shred of truth in that, Mr. Speaker. I asked the Member opposite on second reading to give us one example. He has given another speech in which he reiterates this again and he still doesn't give us one example.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — I now deal with the matter of contracts. He has once again said we have ripped up contracts. On second reading I challenged him to name one contract that was even varied let alone ripped up. He has come to this House again on third reading and he has said that we are now debating timber. Well I am not aware of any single contract that is covered by this Bill which is varied by one comma. If he were able to name one, I know he would but he has been totally unable to name one contract because none have been varied, none have been changed. He talks about people breaking their signed obligation. He has said time and time again during the course of this debate as other Members opposite have said, that they have had many contacts from oil companies; that they have heard from all sorts of companies large and small. Why didn't one of those companies bring along one of their leases that was broken. The answer is that they couldn't bring one along that was broken because none were broken.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — He then tells us that this has been rushed through. I look at the clock; I know it is an hour past sitting time. I know that we are here with the unanimous consent of everybody, and yet I am asked to believe that this Government is somehow ramming this Bill through. I am somehow asked to believe that we are proceeding at a rapid pace . . .

**MR. STEUART:** Mr. Speaker, I call it 9:30, I call it 9:30!

Debate adjourned.

The Assembly adjourned at 10:30 o'clock p.m.