

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**December 16, 1977**

The Assembly met at 10:00 a.m.

On the Orders of the Day

**QUESTIONS**

**Loss of Money - CIGOL decision**

**MR. E.C. MALONE (Leader of the Liberal Opposition):** — I should like to direct a question to the Premier. The Premier indicated to this House some time ago that in his view the government of Saskatchewan was not losing any money, any tax money, as a result of the CIGOL decision by the Supreme Court of Canada. Yesterday in this House the Premier indicated that the government was in some danger and some jeopardy of losing about 22 per cent of the tax that it had been collecting under Bill 42 for various reasons. My question to the Premier now is, what percentage of that 22 per cent has not been paid since CIGOL was rendered and, furthermore, what companies are not paying the taxes that you say are owing to the government of Saskatchewan?

**HON. A.E. BLAKENEY (Premier):** — Mr. Speaker, I think it's important and I now appreciate that it is clearly more important to choose one's words with care. I did not say and specifically deny that we're not collecting 22 per cent of the tax. We must be precise; 22 per cent of the revenue. I have been tripped up on some of these before so I will make these statements with some care and precision. As I tried to say, of the revenue collected under Bill 42, approximately 78 per cent is coming in through the composite royalty and 22 per cent coming in through the mineral income tax. With respect to the composite royalty, we believe that sum, while it may be open to attack, is not in immediate jeopardy. It is collected pursuant to a statute which has not been attacked. With respect to the mineral income tax, it is in jeopardy since it's being collected pursuant to a bill, Bill 42 which has been attacked and indeed successfully attacked. A number of the companies are paying notwithstanding the provisions of Bill 42, a number of them are not. I do not have the figures as to which - I think some are not paying the composite royalty fully, notwithstanding the fact that in our judgment it is sound. I cannot give the member either the names of the companies or the percentages. I say to him that the bulk of the revenue is coming in and some revenue pursuant to the composite royalty is not coming in; some revenue pursuant to the mineral income tax is not coming in; I do not know the figures now.

**MR. MALONE:** — Supplementary question, Mr. Speaker. Is it not a fact, Mr. Premier, that Bill 47 has been designed to collect all of the taxes or the bulk of the taxes that would have been paid under Bill 42 and that because of the retroactive provisions of Bill 47, that no matter when that particular bill is passed be it today, next week, a month from today, if the bill is applied retroactively and that indeed the government of Saskatchewan will not lose one red cent because of the retroactive provisions of that bill and the money that is owing under Bill 47 or would have been owing under Bill 42, will be collected in due course by the government of Saskatchewan?

**MR. BLAKENEY:** — Mr. Speaker, clearly the member is assuming as I assume (a) that Bill 47 will be passed and (b) that Bill 47 will be fully constitutional and accordingly that all of the sums will be collected pursuant to it. As I said, he is making the same

assumptions that I am and I agreed with the implicit statements of fact in this question. If we are totally successful with Bill 47, then we will make collections retroactively. Clearly, the least measure of retroactivity, the better. All of us I think would agree to that. It is, therefore, possible as the member suggests, that if this Bill 47 were passed five years from now, we could collect and retroactive to 1974 we would collect all of the sums under it that we would if we passed it one week from now. I think that few could argue that it would be as effective, as desirable, to delay the passage of the bill as it would be to pass it expeditiously. Clearly, the oil companies are entitled to know where they stand and just as clearly they will not know where they stand if the bill is long delayed, particularly if amendments are put forward by members opposite, which may or may not be considered by this House. We have an obligation to advise the oil industry where they stand and an obligation to advise them where they stand as rapidly as reasonably possible.

**MR. MALONE:** — A further supplementary, Mr. Speaker. So I take it from the Premier's answer then that the people of Saskatchewan are not losing one red cent by this bill being delayed one day, two days or two years so would the Premier not agree with me that he is very much misleading the people of Saskatchewan when he rises in this House or he goes on and radio television and says that every day that this bill is delayed that the government of Saskatchewan is losing money.

**MR. SPEAKER:** — Order, order.

#### **News Report re Ambulance Service**

**MR. R.H. BAILEY (Rosetown-Elrose):** — I should like to direct a question to the, Minister of Health. The news reports, Mr. Minister, out of the NDP convention that was held last fall with regard to the ambulance service of Saskatchewan had some contradictory amount of discussion up there and at that particular time the new minister indicated that consideration would be given to taking a look at the ambulance services in Saskatchewan, particularly as they relate to rural Saskatchewan. Have you conducted a study or have you anything to offer this Assembly at this time?

**HON. E. TCHORZEWSKI (Minister of Health):** — Yes, Mr. Speaker. I thought it was well known that we have been negotiating with the Saskatchewan Ambulance Association for several months. The negotiations are going very well. They are geared towards establishing a provincial ambulance service across the province with the Ambulance Association, and discussions are also being held with the municipalities and will continue to be held with municipalities. It is our hope and intention to introduce the program in the new year some time.

**MR. BAILEY:** — A supplementary question, Mr. Speaker. Would the minister tell this House at this particular time if special attention has been given to rural Saskatchewan in the possibility of joining three or four local hospital boards together or local hospital regions together so that one ambulance service can be provided in the rural areas without the rural areas having to rely on the ambulances out of the city which often causes a very long, long delay?

**MR. TCHORZEWSKI:** — I am aware of the difficulty that the member speaks of. I can't speak specifically on what the program will be because the negotiations have not been completed and the program has not been established, but indeed, it would be of interest to me and the government to continue to have what now exists. There is nothing that prevents several hospitals or several municipalities from joining together,

and if they should wish to do that, I certainly think that would be a very positive thing and we would help them.

**MR. BAILEY:** — A final supplementary, Mr. Minister, in rural Saskatchewan the needs of ambulances are rather unique. I can assure you that one of the things which rural Saskatchewan requires from your department is some guidance or some assistance in a financial way to establish an ambulance route. I am going to ask you at this particular time, are you considering either initial costs or operational cost subsidies to the operation of the rural ambulances themselves?

**MR. TCHORZEWSKI:** — Mr. Speaker, we are considering all of the needs that exist in the area of ambulance services throughout Saskatchewan. Until we have all of it nailed down, I cannot specifically speak about it but the announcement will be made in due course.

### **Provisions of Bill 47 - Saskoil**

**MR. C.P. MacDONALD (Indian Head-Wolseley):** — Mr. Speaker, I would like to direct a question to the minister in charge of Saskoil. As the Premier has just indicated, oil companies would like to know where they stand under Bill 47. Could the minister indicate to me and to the House whether provisions of Bill 47, as they are written in the legislation, apply to Saskoil or will Saskoil be treated differently than other oil companies in the province?

**HON. J.R. MESSER (Minister of Mineral Resources):** — Now, Mr. Speaker, the member knows full well that Saskoil will abide by the rules and regulations that are in the province of Saskatchewan where it operates.

**MR. MacDONALD:** — Well, Mr. Speaker, it is rather interesting because if the normal provisions of Bill 47 are applied to the financial statement of Saskoil, Saskoil will be 13 million in deficit in this year. Depreciation allowances, depreciation and amortization, Mr. Minister, all of the things that are not allowed to be deducted under Bill 47 are the only things that make you balance your budget for Saskoil. Pick up your balance sheet and have a look. If Bill 47 does not apply, if the minister does not authorize these deductions in Bill 47, you'll be \$13 million in the hole. Do you agree?

**MR. MESSER:** — No, Mr. Speaker, I do not agree.

### **Motor license - driver testing**

**MR. D.M. HAM (Swift Current):** — Mr. Speaker, a question to the minister in charge of the motor license office. Mr. Minister, I am informed that there are still severe delays and problems in our system for motor drivers' testings; that the government is in the process of changing this system by requiring all applicants to meet at 8:30 a.m., be assigned their time for examination and thus be required in most cases to make a second trip to the office. Does the minister not feel that the proposed changes will, in fact, cause greater inconvenience to the public?

**HON. E.C. WHELAN (Minister of Consumer Affairs):** — Mr. Speaker, this Highway Traffic Board item comes under the hon. Gordon MacMurchy. I'll take notice of the question and I'll get you an answer.

### **Reclaiming Poplar River Land**

**MR. R.E. NELSON (Assiniboia-Gravelbourg):** — Mr. Speaker, I have a question of the Minister of Environment. Most of the land being stripped for mining at the Poplar River Plant is rich productive farm land. Will the minister assure us at this time that it is the intention of the government to reclaim this land that is disturbed to a standard suitable for producing grain?

**HON. N E. BYERS (Minister of the Environment):** — Mr. Speaker, I am somewhat amazed that when the decision was made to proceed with Poplar River No. 1 that the government of this province made a commitment that we would spend a minimum of \$1,600 per acre on land reclamation and we would put that in writing. Secondly, I am surprised that this relates to a project in the hon. member's constituency, that he is not aware - oh, I have said it a dozen times if I've said it once in public and in here - that the government set up a group to determine what the level of land reclamation would be when the plant comes onstream and coal mining is undertaken. The report of the task force that has developed the land reclamation has now filed their report and one of the terms of reference that was given to the Board of Inquiry established yesterday was to recommend what the level of land reclamation should be when coal mining starts at Coronach.

**MR. NELSON:** — Supplementary, Mr. Speaker. I am pleased the minister is finally thinking about what is going to happen with that plan but up to this particular time the government of Saskatchewan has said they will reclaim it to a standard where grazing or recreation can be had but not where farming can be continued. Will the minister guarantee at this time that the reclaimed land if it is brought back to farming standards can be sold, firstly, to the families that have lost their land and secondly, to the families of those people?

**MR. BYERS:** — Mr. Speaker, I am not competent to make such decisions and I am sure that the hon. member for Assiniboia—Gravelbourg isn't either. The whole purpose of the task force assigned to determine what the level of reclamation ought to be at Coronach is to determine what land can be restored for agricultural purposes what land can be restored or reclaimed for recreational purposes, what land can be restored or set aside for wild life purposes. I don't know whether they will recommend that any of it be set aside as a burial ground for the Liberal Party or not.

### **Proposed Trip to Cuba**

**MR. G.N. WIPF (Prince Albert-Duck Lake):** — Mr. Speaker, a question with some substance and some mileage in it for the Minister of DNS. Mr. Minister, my information has it that many of the NDP caucus and Cabinet will be meeting in Cuba in the very near future and also that six or seven senior members of the DNS staff from La Ronge are to accompany this caucus and Cabinet on this trip. Can the minister tell this Assembly if part of this group will be holding special meetings with the leaders of the Cuban government and will this government . . .

**MR. SPEAKER:** — Order.

### **School Act re Teacher Tenure**

**MR. W.H. STODALKA (Maple Creek):** — A question to the Minister of Education. Yesterday on the program 'Insight', the Minister of Education made some comments and one of them particularly interested me after having talked to Mr. Sterling McDowell

from the Saskatchewan Teachers Federation. The minister indicated that the whole matter of teacher tenure was under review. He indicated that certainly he was listening with an open ear to the arguments that were presented about teacher tenure and anybody involved in education knows that this tenure argument has been around for about 10 or 15 years and certainly all arguments should have been presented at the present time. At the end of his remarks he indicated that possibly there was going to be some motion or some amendments, I should say, to the existing legislation. Is this in fact true? Is the minister indicating or is he feeling that he might be introducing changes to the section of the School Act regarding teacher tenure?

**HON. D.L. FARIS (Minister of Continuing Education):** — We are still listening to submissions from all groups and individuals in the community. The entire act is still open to any section of it; open to amendment and that's why we didn't proceed past first reading; that's a commitment we made many times.

**MR. STODALKA:** — Supplementary, Mr. Speaker. Certainly that is a very evasive answer. In listening to your comments yesterday and talking to others that have, certainly you gave the impression that there are going to be some changes introduced. My worry is that when you come into this Legislature are you just going to drop them in here in committee hoping that you are going to ram them through or when you bring in some of these amendments are you going to give us at least a couple or three days in advance?

**MR. FARIS:** — I think it's quite obvious there will be amendments. I've stated that this process of consultation is ongoing. There has been no change in those announcements; its always been very clear but I can also make a commitment that these changes will be announced, proposed changes will be announced, in second reading, so that the full implications of them in regard to the principles of the bill and so on can be discussed.

### Upgrading Project of M & S Mines

**MR. R.A. LARTER (Estevan):** — Mr. Speaker, a question to the Minister of the Environment and the Minister of SPC. I was very pleased to see announced in yesterday's paper an upgrading project of \$25 million for M & S Mines and an announcement of a long-time coal contract approved by the Department of Mineral Resources. I wonder would the government assure us that the Department of the Environment will in conjunction with SPC assist in moving this approval along completely so that M & S can truly double their work for us at Estevan.

**MR. BYERS:** — Mr. Speaker, I want to assure the hon. member that we will endeavor to deal with this request in any way that we're involved in the expeditious manner that we usually do.

**MR. LARTER:** — Mr. Speaker, supplementary. Could the gentleman tell us when this 90 yard dragline comes onstream, is it the intention of SPC or the government to get in competition with the private coal companies in the exporting of coal?

**HON. J.R. MESSER (Minister of Mineral Resources):** — Our intentions as far as Saskatchewan Power Corporation is concerned is to make certain that we have adequate capacity in the coal mining industry to meet the thermal demands of the province. not to get into the export business. It's the Power Corporation that we are concerned about.

### **Proposed Standing Committee on Education**

**MR. PENNER:** — A question to the Minister of Education. When Bill 43 was placed before this Assembly, the minister indicated when asked whether or not he would consider having the bill referred to the Standing Committee on Education, that there was no need to because there had been two and one half years for people to provide input. Would the minister not now agree with the kind of interaction and the kind of concerns that have been expressed that in fact it would be well to call the committee that has not met for 50 - 55 years with this extremely important piece of legislation related to education and give those who have concerns an opportunity to come and make their case before that committee?

**MR. FARIS:** — No.

**MR. BAILEY:** — Supplementary question to the Minister of Education. You indicated, Sir, in this House that over the past 18 months that probably more briefs had been received from across Saskatchewan and your department had listened to more groups in relationship to the new proposed act. My question to the minister is this. You now have indicated in this question period that a change has been made in the School Act. I want to ask the question, what has prompted you to state that there will be changes in the School Act as it now exists? Have you received some bad press; some condemnation, and why do you change now?

**MR. FARIS:** — I'm sorry that the hon. member has not been paying attention to this process but at all times, consistently, this position has been stated. That's not new. That was stated many, many times and certainly, directly to groups involved. They were very concerned, the SSTA, the teachers' groups, were very concerned that once the bill was presented, they should have some chance to respond to it and that we would express ourselves as being open at that time to changes. That's why we announced to those groups — we made a commitment to all of those groups, including the trustees and teachers of the province, that we would be open right to the last to respond to their legitimate concerns. And I find it incredible that you should be implying, from the opposition side, that the process should be shut down with first reading.

### **Operation of department respecting Bill No. 48**

**MR. R. KATZMAN (Rosthern):** — A question to the Attorney General. Last year in the House, we passed a bill called No. 48, an Act Respecting Private Investigators and Security Guards. Due to the fact that this bill is now in force, and Mr. Logan who supposed to be supervising this, has been so busy doing other government business, would you be able to indicate when you will get this department working?

**HON. R.J. ROMANOW (Attorney General):** — Mr. Speaker, there are no ma problems with respect to that aspect of the Department of the Attorney General. There has been adequate legislation now for years, not as adequate as the bill that was pass last year. We are in the process of finalizing our administrative and other arrangement to make the bill fully operative.

**MR. KATZMAN:** — A supplementary. When will you be appointing whoever will handling this so the industry, which does not know where to turn, has some direction?

**MR. ROMANOW:** — Mr. Speaker, I have received no submissions from any of the

private detective agencies in this area. We will be making announcements in due course.

### Committee on Education

**MR. W.H. STODALKA (Maple Creek):** — The minister has indicated that he is really concerned with public input into this bill on education, and yet, on the other hand he seems to be blocking the members of the Legislative Assembly from being properly informed. Will the minister give some reason as to why he will not convene or ask the committee on education to be convened? All I'm asking for is a reason.

**MR. FARIS:** — The hon. member knows that for 54 years that committee has never been called. It's incredible . . . that goes back far enough that even the Conservative government from 1929 to 1934 didn't bother calling the education committee. It's that far back. Now, obviously, it has not been found to be a very useful mechanism. I'm really surprised when the opposition, time and time again, stands up and says, 'local autonomy, why don't you people listen to people'. Then comes this particular instance of the education bill where we've made commitments to public groups of this province that we're going to continue to consult right through, certainly to second reading at least, and you want us to shut down the operation! That's what I hear; that's what I hear you saying. We made that sort of commitment that the government would be open to these people and we intend to keep that commitment despite your opposition.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MacDONALD:** — Mr. Speaker, I appreciate the minister's comments about giving input and tabling the bill until after Christmas, and doing this kind of thing. Would the minister not agree that this is the kind of thing that the government should take to follow your leadership and do this with Bill 47?

**MR. FARIS:** — No.

**MR. G.N. WIPF (Prince Albert-Duck Lake):** — Thank you, Mr. Speaker. A question to the Premier. Can the Premier assure us that this government will not be paying any part of the proposed trip to Cuba by your party?

**MR. G.H. PENNER (Saskatoon Eastview):** — In response to a question a moment ago, the Minister of Education indicated that there was no reason to call the Education Standing Committee because it hasn't been called for 50 years. Yet, this Legislature, recently, Mr. Speaker, called the Elections and Procedures Committee which hasn't met for 60 years. Would the minister not agree that there has been nothing as significant in the field of education in the last 50 years any more than the amalgamation of 15 acts and is it not also a fact, Mr. Speaker, that what the minister's procedure is doing now is allowing his department to lead to information and ideas from various groups when in fact it is those who are making the laws who should have the opportunity to hear the remarks and the attitudes of the various groups in the province.

**MR. FARIS:** — Mr. Speaker, I think that this Legislative Assembly has the right to call this Procedures Committee when various members opposite bring themselves in this

parliament into contempt and I think that the majority of this Assembly agree to that. Certainly I don't think we should be bound not to call that committee. In regard to the submissions in the area of education, groups such as the trustees in the province, the teachers of the province, the parents of the province, have a perfect right, in fact a right that I surely intend to use to send whatever material and opinions that they have to the opposition groups as well as to the government and we don't intend to take that right away from them.

**MR. SPEAKER:** — I think we will wind up this debate and move on to the next one.

### **Point of Order**

**MR. H.W. LANE (Saskatoon-Sutherland):** — Mr. Speaker, being a human being we understand that you will make errors from time to time but it seems to appear to me that you've made a lot of them lately and one of them is that . . .

**MR. SPEAKER:** — Order, order. I will ask the member to immediately retract that statement he made.

**MR. LANE:** — Mr. Speaker, I would ask why you cut off the member for Prince Albert-Duck Lake today in the questions. There should be some reason for it. Was it merely because . . .

**MR. SPEAKER:** — Order, order. I would ask the member for Qu'Appelle to restrain himself until an opportunity arises for him to rise in the Chamber if he's got a point of order. I might say that the member for Saskatoon-Sutherland withdrew the remark. I'm sorry the member didn't hear it and the member's point of order was with regard to the member for Prince Albert-Duck Lake and why did I cut off his questions. No, I didn't cut the member off twice. I cut the member off once. The member asked a question about the Department of Northern Saskatchewan and it was directed to the Minister of Northern Saskatchewan and I found the question to be of questionable urgency and questionable public concern so, therefore, I didn't allow the member to proceed. Later on the member asked a further question which was about Cuba and I wasn't impressed with the importance of that question - maybe the member should review the way in which he phrases his questions so that I would be impressed with the urgency and importance of it and could let him proceed. I certainly would allow him to on any important matter that should be brought before the Chambers.

### **ADJOURNED DEBATES**

#### **SECOND READINGS**

The Assembly resumed the adjourned debate on the proposed motion of the Hon. R. Romanow that Bill No. 47 - **An Act to provide for the Taxation of Income from Oil Wells and the amendment thereto** be now read a second time.

**MISS L.B. CLIFFORD (Wilkie):** — Mr. Speaker, since the Supreme Court ruling of November 23, the focus in this Legislature in this province and in Canada has been on a dilemma of the CIGOL case. In the course of this debate, Mr. Speaker, the Liberal Party has given sound responsible solutions to our collective problems. It is a time for care and reasonable alternatives, not blind reaction for political gain.

As usual the government has ignored Liberal solutions. It would serve them well to take



time to listen. In this Christmas season, Mr. Speaker, I think it would be well to remember the story of the Christmas Carol and Ebenezer Scrooge. Their stubborn and greedy attitude reminds me of this fellow. The Premier, the Attorney General, and the government members had better sit down and remember why we are in this dilemma and who created it. Let us for a minute look at the Ghost of Christmas Past, so to speak in this case. The Assembly was faced with the original Bill 42 in 1973. At that time the minister of Industry and Commerce, Mr. Thorson, stated that there were three fundamental issues to consider. The first was financial, the second was federal provincial relations and confederation, and the third he stated as the most important one, that being political philosophy. As you know, Mr. Speaker, 1973 was a time when crude oil prices were exploding. The bill was supposedly to ensure that the people of Saskatchewan received their fair share from resource development. A fair share is a great statement and a great principle — it's a sound principle that all Saskatchewanians should support. But let's look at what a fair share is. This is what, really, the argument should be about — that Saskatchewan citizens should enjoy a fair share of resource development is a motherhood issue. What constitutes a share is a debatable political point that we have been arguing for a number of days.

The legislation was brought in because it represented the philosophy of the Blakeney government. In that respect the provincial government was honest. It came at a time when the OPEC oil cartel was pushing crude prices around the entire world. It came when multinational became a dirty word, and oil companies were also not our friends. They pushed on in spite of strong Liberal opposition at the time, and in spite of advice to, the effect that the legislation was on shaky ground. It was interesting to note, Mr. Speaker, that yesterday, the Premier stood up and gave some examples of members in our party who spoke in 1973. He also conveniently forgot to mention how a number of them, and one in particular mentioned that there was a constitutional problem. And I would just like to read into the record for the Premier's benefit, in case he would like to read it, that there were people who were concerned about the constitutionality of the bill. And it was a Mr. McCall who stated this, and he said, "What is really happening is this. The Minister of Mineral Resources says that they are putting on a 100 per cent tax." He is not pretending that he is entitled to do this because of the British North America Act. He has rightly said that the federal government has the right to deal with trade and commerce. He has rightly said that the province of Saskatchewan has the right to deal with mineral resources, all of its natural resources. But what the province of Saskatchewan is attempting to do is to take away from the Dominion of Canada, its rightful powers in trade and commerce by means of a trick. The province of Saskatchewan is saying that although the federal government does help for the benefit of all of Canada, the right to regulate trade and commerce under the pretence of regulating natural resources, the province of Saskatchewan will take away any federal rights which the Dominion of Canada has. I can assure you, and this is a point which the Premier neglected to make, I can assure him that in my opinion, the courts will look very carefully at this, and I suggest that they might declare this ultra vires because it is simply defective for the province of Saskatchewan to do what it ought not to do, and what in federation it can't do if we are to have a confederation.

Now, Mr. Speaker, the Premier knew that this was in the record but neglected to mention that he had been warned very adequately by the opposition that this might not hold up in court.

I would just like to take a couple of minutes to review a couple of other things that they I said that were also not listened to at the time but perhaps in retrospect, you might now wish that you had listened. The fact of the matter is that the federal government is

protecting its marketing position under the British North America Act, and does not at any time attempt to attack the position of the provincial government on conservation boards and in fact that is a matter accepted by us, by the government of Alberta, all the provinces in Canada and by the federal government of Canada, the right of the province to regulate production is not under attack. It is not under attack by the federal government and it is not under attack by the opposition. He goes on to say that: "Mr. Speaker, I must confess that the hon. Minister of Mineral Resources, who is Mr. Thorson, in presenting the bill to the House today in moving second reading, did touch very firmly upon the kind of problem we face. He talked about the question of federal and provincial relations." And in conclusion of Mr. McLeod's remarks, he says: "The government says that this bill will increase the development of Saskatchewan." I say it will not. That is a matter of fair and reasonable debate.

I say that the government of Saskatchewan will find that the Milk River reserves of natural gas, for example, will not be developed unless the price rises. The minister himself said so one year ago. This is a matter of fair and reasonable debate but I can assure the House what the government is probably doing is killing the goose that laid the golden egg. They are going to try to hold prices down. They will thereby make I further developments particularly as such as there are the Milk River gas reserves and I give that only as an example. They will continue to have them uneconomic and as long as they are not economic, they will not be developed. I would say that that was sort of an indication of what has been happening and will continue to happen under such legislation.

Now, Mr. Speaker, today the government and the citizens of Saskatchewan are faced with the problem because of the ineptitude and greed displayed by the NDP government. They have not enough intestinal fortitude, however, at the moment to admit they are wrong. They have tried to blame everyone, including the federal government, Otto Lang, anybody that they can think of except themselves. They are blinded by dogma and propaganda and they cannot see their own mistakes. As mentioned by our previous speakers, Mr. Speaker, Bill 42 has negatively affected this province in every way possible, whether it be financially in the lack of oil expansion or whether it be the latest means of collection of taxes, that they've got every man, woman and child into in this province. Let there be no mistake, Mr. Speaker, that we are in this mess because of the NDP policies in resource development and resource taxation.

Mr. Speaker, that is the history of the mess that we are in and what I would call 'our ghost of Christmas past'. But what about the 'ghost of Christmas present' for instance. We are presently in a situation because of government legislation and we find ourselves owing \$500 million to the oil companies. Mr. Speaker, since being a member of the Legislative Assembly, I have seen some of the momentous legislation that was ever presented in this House. Every year we have had an increased loss of freedom for government control whether it's your programs or the Land Bank or nationalization of the potash industry. We are now again at a very serious point in time where our decision is how to proceed with this problem. The present is a time to rationalize and look at this dilemma with common sense. It is a time to introduce legislation that will ensure protection for the people of Saskatchewan, not only provide a stop gap for leading up to a compounded dilemma.

Mr. Speaker, the Liberal caucus had proposed an amendment that offers the government a realistic alternative. A decision must be made that will benefit the people of Saskatchewan now and in the future. What will the 'ghost of Christmas future' bring? it will clearly depend on what we decide in this Chamber. This bill is on a shaky ground

as the previous one was. Our Liberal caucus has suggested that we divide the bill into two parts; one to cover a period between 1974 to the present and one to cover future revenue collected. It is time for such realistic proposals and negotiations to ensure that this bill will not put the province into irreversible debt and disaster. As previously stated, we feel that this amendment will provide a reasonable way out for the government. Our decision has not been an easy one but has been one that is right for the people of Saskatchewan, not simply one for political gain. The time has come now, Mr. Speaker, for members to stand up for the people of Saskatchewan.

Much has been said about principle and morals of the members when voting on this bill. The government challenges the members to stand up to their principles when deciding how to vote. The members opposite are controlled by their blind political philosophy but at least we know where they stand and why they're there. As for members on my left, voting for honest and right principles won't bother them, as they are clearly voting for political gain and solely on their greed for power. Integrity and principle do not come into their decision. We asked them to reconsider, the members on my left and vote with us and for the people of Saskatchewan, remove the shades of pink that we see hanging there and grab some shred of decency and stand up and fight for what they believe in, not simply because they believe and do everything that the Attorney General tells them to.

Again, Mr. Speaker, the time has come to vote on this serious bill. I ask the members to look towards the future and support the amendment. It is a solution to the dilemma that we are in and it is your duty and your obligation to choose the best alternative and vote with us. Mr. Speaker, I will obviously be proudly supporting the amendment.

**MR. R.N. NELSON (Yorkton):** — Mr. Speaker, I rise again in this debate and I'm very pleased again to represent my constituents in this debate on behalf of the people of Saskatchewan.

I notice that the member for Wilkie talked glibly about the greed of the government, and I say that the members opposite are the ones who are defending greed. They are defending the greed of the oil companies and let me give one example of that. Imperial Oil has paid \$44 million in royalties in the past and have now sued for \$39 million. If they were to win that case, Imperial Oil would be paying roughly 1.25 per cent of royalty. That, Mr. Speaker, is the greed that the members opposite are defending and that the members of the Conservative ranks will be defending when they rise in third reading to oppose this bill.

Mr. Speaker, I really find myself somewhat amused at the stance taken by both of those opposition parties in this debate. We have the newly reformed, non-heckling Tory member for Qu'Appelle who now rises and professes that he defends and supports Bill 47 in order to keep the 4580 million for the people of Saskatchewan. He now professes a desire to keep the money that he said in the first place the people didn't really need back in 1973. The member for Regina South changed his one-time support for the member for Qu'Appelle to one of attack — one of attack for this member's stand on CIGOL. He very able pointed out to the former Liberal what we on this side of the House have said all along, namely that the member for Qu'Appelle loves to engage in double talk. That love of double talk is most clearly illustrated in the member's stand on Bill 47.

It is just strange to us why the member for Regina South never noticed that fault in the member for Qu'Appelle a couple of years ago.

When dealing with this debate on Bill 47, I quite differ with many of my colleagues though, when it comes to judging the quality of the Progressive Conservative speeches here. I've noticed a really marked improvement, Mr. Speaker, in some of their recent speeches, that is, when compared with what they gave when they were here earlier and were known as the 'silent seven'. Mr. Speaker, let me quote from those rather repetitive speeches that we have heard in this debate that illustrates that fantastic improvement in quality. We constantly hear the speech that goes 'No'. That's the whole speech, Mr. Speaker — 'No'. Sometimes they change it to 'Oh no', and another speech that we hear quite constantly. Mr. Speaker, is 'point of order, Mr. Speaker', or 'point of privilege, Mr. Speaker, point of privilege', when neither one applies.

Another strong speech that they have been making recently goes, 'Question, Mr. Speaker, question'. In fact they have repeated the word question so often lately that I've almost felt that the member for Nipawin is verging on heckling. Far be it from him to do that but that's what it seems. But then, watching them I've really had to come to the conclusion that the PC's are paranoid to even think of taking part in this debate. They are paranoid to even think of this debate continuing, and they are certainly paranoid about taking part in it. But you know, the greatest improvement of all, talking about improvement in speeches, the greatest improvement of all in the PC speeches has been lately, in the strong and continued silence that has emanated from those PC benches during this debate. But then, what else could the PC's do in this debate? Let's look at the sequence of events. The PC's learned that Bill 42, our legislation that was used to collect revenues from the oil companies, was declared ultra vires by the Supreme Court. Immediately they tried to come to the rescue of the oil companies who contribute so royally to their coffers, they declared that the federal government should pay back one half of the \$580 million to the oil companies. The PC Leader came on saying that we should use Alberta's legislation to tax the oil companies. That would mean, as the Premier mentioned yesterday, that would have cost the province \$490 million. In other words, the PC's are really saying return the whole \$580 million to the companies.

But the PC's have had their feelers out and like me, they have undoubtedly done a survey and they have found that only 13 per cent of the population favored returning the money to their corporate friends. Moreover, both the Liberals and PC's have said in effect, 'refer the legislation to the courts before you collect the taxes'. That would have resulted in a \$500,000 a day tax holiday for their corporate friends — a tax holiday for heaven only knows how long.

Now, many of my constituents have let me know their feelings about referring any new legislation to the courts. Let me read a few typical comments my constituents have made to me on survey forms that were returned and I take full responsibility for all statements. I quote: "Since the Saskatchewan taxpayers cannot expect a tax exemption, none should be given the oil companies." Here's another, Mr. Speaker, "Ordinary people never get a tax holiday," and another, "That other gave them enough when he was in power." I assume that when this person says, 'that other' he means that other Thatcher, that other so-called free enterpriser who also used to be a Liberal. I quote again: "The oil companies don't need the money, the people of Saskatchewan need it more." They, that is the oil companies, may have to give up a Rolls Royce or a Cadillac, so it really doesn't hurt them. The ideas of both the PC's and the Liberals to refer the new oil tax bill to the courts. I would like the members opposite to hear part of a

letter I received from one of my constituents. He is a man that I am very proud to call a friend. And although the Liberals should hear the words of this man I think the PC's should pay particular attention to this man's words. You see, his name is John A. Rubashewsky. He is one of those people that the hon. member for Nipawin said has trouble speaking English, let alone learning a second language. I would like the PC members to decide on the quality of Mr. Rubashewsky's English. I would like the people of Saskatchewan and all members of this Assembly to judge the quality of his ideas, and I would be quite willing to table the letter if I were required to do so. Let me quote: The idea that a law must be tested in the courts, the highest courts, is preposterous. If this premise is to be condoned, by inference it means that any law that has not been so tested is invalid, or at least, questionable.

Again, would the hon. members then expect all further new laws to be so tested before becoming law? Or probably in their generosity of good will, they might consent to let this apply to tax laws only. But then, someone might question, "Why not all money laws?" Furthermore, can any of the opposition honorable members point to any such exemplary precedent set by past governments headed by their own party in any Canadian province or in the dominion government? Would they pledge themselves unequivocally to adhere to this principle, which they so vehemently uphold now when in some future time smiles upon their party so as to bring them into power? I'd dare them to make such a pledge public. How would they finance the government expenditures, etc. during the year, two or even three years, it might take to test our taxation laws in court? I suppose they'd use credit cards and for supplementary funds they'd pass the plate around the province.

And that ends the quote from the letter, Mr. Speaker. Once the PCs got feedback like that from their constituents they naturally drew in their horns. Far be it from them to say what they would really do, Mr. Speaker, the three members of the PC caucus who have spoken have tried to tell us that they want the people of Saskatchewan to keep the \$580 million. But as I said before, when you say at the start pay the money back, how then do you say keep it. You're in a real dilemma. How do you talk in favor of keeping the \$580 million when you've strongly expressed the desire to return the money? That type of schizophrenia is even beyond the double talking Tories and so they are silent. Any PC members who might speak just might put the foot of his corporate friend right square into his mouth. It is small wonder that we hear the PCs so loudly calling 'question' on Bill 47. The schizophrenic pull is just too strong for any of those members to do or say anything else. The member for Rosetown-Elrose loudly complained that we are asking him not to support Bill 47 - again a gross misrepresentation for which they are very able to carry on. We say support the bill on second reading and if your amendments are defeated I challenge the PC members to support the bill on third and final reading. If you really favor keeping the \$580 for the people of Saskatchewan you will vote in favor of the bill in the final vote, even if you do find some parts objectionable. The final decision is this. Do you really want the people of Saskatchewan to have the money or do you want it for the oil companies? That is what the vote will tell the people of Saskatchewan, it will tell them where you stand. You expressed a certainty that you will be the next government. If you feel that the act is so unfair, make the minor adjustments then; support the bill now and make the minor then. I say that you do not have the courage to do so because it would not show up well with your big supporters.

The Liberal and PC members opposite have shown clearly by their words that they would return the money. Those members opposite are doing all that they can to protect the pocketbooks of their corporate friends. The Liberal members have come out and

said in no uncertain terms that our government is greedy to take a fair tax from our resources for the people of Saskatchewan. They say return the money to the oil companies and refer any tax bills to the court. The PCs simply use double talk. They consistently say to the public that they wouldn't return the money collected under Bill 42. They would use Alberta tax laws that would, in effect, return \$590 million. As the Premier said yesterday a \$590 million Christmas present for the oil companies.

Now, Mr. Speaker, let us examine briefly the amendment to Bill 47 that has been placed before this House. Section (a) of the amendment says: "To provide for the retention of moneys collected under Bill 42 to the extent reasonably possible." Mr. Speaker, Bill 47 does just exactly that. Just as any legislation that could be brought forward this bill will retroactively collect the taxes. Moreover, the taxes levied under Bill 42 collected a reasonable amount of taxes from the oil companies. Our government has declared its readiness to negotiate the size of the payment of the money collected but our government has refused to give away the resources of this province as the parties opposite seem so willing to do. As the Premier has said, "The Liberal cum Conservative member for Qu'Appelle loudly proclaimed that there was no problem with the windfall profits in 1973." He is talking differently now. We assume that he talked to the Liberal caucus then. He has said nothing to deny that now as a Conservative. Hence, we say, both Liberals and Conservatives say that the only negotiations they would support would be the return of all of the \$580 million to their oil company friends.

The only other offer that they would support would be that there would be a very long tax free holiday for the oil companies in order that the people of this province could keep their \$580 million that has already been collected. We'll work on it. But we in this party see no need of making a \$580 million Christmas gift to the oil companies with the Liberal and Conservative friends, the friends of the Liberal and Conservative Party. We say that we want Bill 47 to be passed intact so that the people of Saskatchewan may have a Christmas gift of \$580 million.

Point (b) of the amendment asks for another bill to provide for taxing of revenue from the production of oil in the future at such explicit rates as will insure a fair return to the province while maintaining a healthy and productive atmosphere, increasing production, explorations and reserves in Saskatchewan.

The Premier, yesterday, clearly outlined how the new bill would do exactly that, hence that section of the amendment is just as redundant, as the Liberal caucus opposite is. I need not deal further with this section on referring of any new legislation. The amendments are clearly redundant and designed to help out the oil companies. I am most interested in seeing how the PC's vote on this amendment. A vote in favor of it is clearly a vote against holding the \$580 million for the people of Saskatchewan. A vote against the amendment is clearly a vote against the interests of their corporate friends, the oil companies. I am most interested in seeing the amendments that both parties opposite will propose during the Committee of the Whole. Again, I say, those amendments will be there to support their corporate friends.

Mr. Speaker, I say, let us pass Bill 47 forthwith. I call on both parties opposite to show a solid front in support of the people in Saskatchewan in their struggle against the oil companies. I challenge members opposite to help us on this side of the House to bring the people of Saskatchewan a Christmas gift of \$580 million. It is obvious that I will oppose the amendment and I will proudly support a bill that supports the people of Saskatchewan.

**HON. W.A. ROBBINS (Minister of Revenue):** — Mr. Speaker, I rise to briefly participate in the debate on Bill 47. Mr. Speaker, the government of this province believes that if a province has the right under the British North America Act and the constitution of this country to control its own resources, then it has the right to control production and set the level of taxes on that production. That's what this entire debate is all about.

In 1973 the average price of crude oil at the well head in Saskatchewan was \$2.43 a barrel. Mr. Speaker, over one-half of that was income to the producer, after paying all expenses and all royalties. Suddenly the price rose \$4 a barrel and has been continuing to rise continuously ever since. In fact, Mr. Speaker, it is the express policy of the federal authority in this country that the price of crude oil will rise to the world price. The world price is somewhere in the vicinity of \$14 a barrel.

For decades, Mr. Speaker, the majors, the multinationals, what Anthony Sampson terms, 'the seven sisters', and I recommend it for reading to every person in this House. Exxon, Gulf, Texaco, Mobile Oil, Standard of California, Shell and British Petroleum, set the price throughout the world. For decades, Mr. Speaker, they removed oil from the Middle East at ten cents a barrel and accumulated enormous returns on that production. In 1972, Mr. Speaker, Exxon, Esso in Canada, had net profits of \$3,700,000,000. They are, Mr. Speaker, merely recovering or recouping to some degree . . . Finally the Arabs, Mr. Speaker, and others caught up with them. They formed OPEC and have had a major impact on price since the Arab-Israeli war in the fall of 1973.

I suggest, Mr. Speaker, that the Arabian countries are merely recovering or recouping to some degree, from the exploration and the plundering, and there is no other appropriate terminology for it than that, Mr. Speaker, of their non-renewable resources which occurred in earlier decades. From the earliest days of the international oil companies, the days of Marcus Samuel of Shell, or Sir Henry Detering of Royal Dutch and John D. Rockefeller of Standard Oil of New Jersey, the international oil companies have been noted for their immense power. They controlled the black gold from wellhead production throughout its transportation, its distribution and its marketing. To whom were they really responsible, Mr. Speaker? In fact, no one but themselves.

In reality, there are super governments. Their income is much greater than those of most countries in which they operated, and virtually invulnerable to the laws of supply and demand. Mr. Speaker, Exxon, which is the biggest company in the world, was in fact, a multinational corporation for at least 50 years before that term was even used. These companies were and are, Mr. Speaker, autocratic organizations controlled by completely autocratic men which clandestinely shared out the immense oil reserves of the Middle East and other parts of the world. They, in effect, Mr. Speaker, reduce courts, legislatures, yes and even sovereign states to their will. If you doubt that, I quote from the book, *The Seven Sisters*:

When it was discovered in World War II that Exxon had secret agreements with the I. G. Farben Company of Germany, that they were blocking synthetic rubber research, with respect to crucial industrial secrets which they had passed on to Germany, a senate committee investigating national defense, under then Senator Harry Truman who later became President Truman of the United States, testified to the senators that Exxon's failure to pursue artificial rubber at the time that the Japanese had overrun the Malayan rubber Plantations, a Mr. Farish, who was the legal counsel for Exxon,

a legal counsel like the hon. member for Wascana, was tense and angry and tried to explain Exxon's dilemma while Teagle listened in silence to the charges against him. Teagle was the Chairman of Exxon at that time. After the hearing the reporter asked Truman whether he regarded Exxon's agreement with I. G. Farben as treasonable. He replied, "Yes, of course. What else was it?"

Mr. Speaker, opposition members who refuse to face up to the reality of those facts have minds as opaque as an oyster shell. The congressional record in Washington described them as invisible governments, and Franklin Delano Roosevelt, when he was president of the United States, described their power in this manner. He said the trouble with this country is that you cannot win an election without the support of the oil bloc and you cannot govern with it". In fact, Mr. Speaker, The Seven Sisters through the Achnacarry Agreement, commonly referred to as the "As Is" Agreement, gave to this handful of oil barons, the right to allocate the world oil trade and to fix prices, and they are still at it, Mr. Speaker. For example, Shell, one of the seven sisters, would transport cheap oil from Abadan on the Persian Gulf to Italy and charge freighter costs as if the oil had been transported from Mexico to Italy. "Phantom Freight" was commonly used by these organizations and still is. It protected expensive American oil and ensured high profits when dealing in cheaper oil on a global scale.

Mr. Speaker, throughout history, oil embargoes have never been successful. They failed to prevent oil from reaching Franco, Spain in 1937, and they failed to prevent oil from reaching Rhodesia in 1977. One might well ask, why? The fact of the matter is, because the oil companies, acting as brigands, (that's really what they are in that respect) extend their greedy international trade across the barriers of war.

The Brewster Committee, in the United States in 1948, made a devastating attack on Standard Oil of California and Texaco, which are two of the Seven Sisters, by asserting that these companies show an avaricious desire for enormous profits while seeking the cloak of government protection, and financial assistance to preserve their vast concession. They concluded their remarks with this gem, "The world petroleum cartel is an authoritarian, dominating power over the world's most vital industry."

Somehow these oil men appear to assume because they are fortunate enough to be sitting on oil that their wealth was the special result of wisdom and genius. Further evidence of their power and influence was evident in the growth of the City of Los Angeles in California. The sprawling suburbs were initially served by an electric railway. Who do you think bought up the railway? Standard Oil of California in conjunction with General Motors and Firestone and they immediately closed it down. (Interjection) Yes they do, there is a connection to CPR and Burma Oil. If you would read about it you'd find out that it actually occurs throughout the world. This, Mr. Speaker, led the Brewster Committee to conclude that oil was too important to be left to the oilmen.

All the Seven Sisters have interlocking directorships with international banking and international investment houses. I ask the opposition members to take particular note of this. As tax avoidance is the critical element in the oil organization's financial power, the role of accountancy becomes particularly appropriate. The firm of Price, Waterhouse has long been a special favorite of the majors of the oil consortium. In fact,



Mr. Speaker, tax avoidance of the companies was and is their most common achievement.

In 1972, Gulf Oil with profits exceeding \$1 billion, paid 1.2 per cent in taxes I ask the opposition to take note of this. One of the closest friends of the oil companies was one Richard Nixon and the companies contributed generously to the Republican Party and Nixon's fund raisers. Maurice Stans and Herbert Kalmbach, officials of Exxon, contributed \$217,747 to Republican Party coffers led by their chief executive officer, Mr. Kenneth Jamieson, who incidentally is a Canadian and comes from Medicine Hat, Alberta. This gentleman admitted in May, 1975, that his company made clandestine political contributions in Canada. Gulf Oil of Pittsburgh admitted to the US Securities and Exchange Commission that it had contributed \$10,300,000 in political contributions, some of which were classified as unlawful between 1960 and 1975.

Mr. Speaker, should any member of this Assembly be surprised at these facts? Of course they should not. We said in 1973, it is unconscionable that these interlocking operating organizations, and their roots are here through subsidiaries and holding companies, were not entitled to windfall profits on a depleting non-renewable resource. We say so again in 1977, Mr. Speaker, I shall, therefore, support the bill and vote against the amendment.

**MR. E.C. MALONE (Leader of the Liberal Opposition):** — Mr. Speaker, out of the corner of my eye I thought I saw someone rising to my left here to speak. If they wish to get into the debate I'd be prepared to sit down. Mr. Speaker, I would just like to say a few words before requesting the vote on the amendment that's being put to this House by the member for Regina South. On doing so, Mr. Speaker, I think it would be appropriate for me to reply to some of the remarks that the Premier yesterday when he was speaking on the amendment and on the main motion. I think some of his remarks, Mr. Speaker, were best described as ludicrous. He started off by saying, Mr. Speaker, that yesterday the government of Saskatchewan apparently was starting to lose some money as a result of the delay in the passage of Bill 47. A certainly different tune, Mr. Speaker, than he played two or three or four days ago in this House when he said that the government was not losing any money. Certainly, a different tune Mr. Speaker, than he played today when in question period he acknowledged once again, that if Bill 47 is passed and stands up to constitutional attacks, that the government will not lose one red cent. So I suggest, Mr. Speaker, that the Premier was very badly misleading this House, misleading the people of Saskatchewan and the only reason that he was doing so, was for straight political purposes, Mr. Speaker.

Some other remarks of interest too, Mr. Speaker. You already recall when the Attorney General introduced Bill 47, the little time that he did put on the subject matter of that bill, he told us it was about an income tax and how Bill 47 was separate and distinct from Bill 42 because under Bill 47, what was being proposed by the government of Saskatchewan, was an income tax. A tax that would not be open to attack, a tax that was purely pertinent, was constitutional for this province to pass under this legislation.

Now what did we find yesterday from the Premier when he rose to speak? He started dealing with the question of taxes being levied in secrecy in the secrecy of the Cabinet Chamber. But he said, well, this is a little different in Bill 47 because Bill 47 isn't referring to an income tax, Bill 47 is talking about a royalty. Then he went on and on about how this wasn't really an income tax at all or a tax, it was a royalty, because it was dealing with minerals. What seems to happen, Mr. Speaker, is when it serves their purpose to call a tax under Bill 47, an income tax on one day, they call it an income tax

but when it serves their purpose on another day to call it something else, to call it a royalty, they call it a royalty on the other day. I suggest, Mr. Speaker, it's time the government opposite made up its mind whether this is an income tax or a royalty tax so that the least we could know in this Legislature what we are debating on this particular bill.

As well, Mr. Speaker, the Premier took a long time to quote from Hansard. He quotes from speeches that I made, speeches that the member for Indian Head-Wolseley made, speeches that the member for Qu'Appelle made and other speeches that were made. He very carefully, Mr. Speaker, avoided holding from the speech, that came from our critic for the Attorney General's department in 1973, which set out succinctly, clearly and in a very words, our position at that time that Bill 42 was unconstitutional because it interfered with Trade and Commerce and because it was an indirect tax. I suggest again, Mr. Speaker, that the Premier of this province should not mislead the people of Saskatchewan in such a way as he did yesterday. I say to you as well, Mr. Speaker, that those words by our critic at the time, Mr. McLeod, are going to be repeated again and again, in this Legislature and outside of it, that the people of Saskatchewan are going to have an opportunity to review those remarks at an early date to determine how we stood in 1973, just as they are going to know how we stand in 1976.

Mr. Speaker, as well, the Premier indicated in closing his remarks that those who didn't vote for Bill 47 would be displaying an attitude that was craven, irresponsible and wrong. I suggest to you, Mr. Speaker, that some members opposite are displaying that attitude because Bill 47 is nothing more than a swindle, a fraud and a hoax. Mr. Speaker, anybody who looks at that bill will realize, will realize quite clearly, that it's not going to serve as a device to clear up the mess that was created by Bill 42. It's going to create a worse mess and one or two or three or four years down the road, Mr. Speaker, we're not going to be facing a tax bill of \$500 million, it's going to be a billion or a billion and a half dollars and that's why that bill is a swindle, Mr. Speaker. It makes a serious situation even a worse situation and the members opposite know it, Mr. Speaker. The members who sit to my left know it, Mr. Speaker, but they don't care, Mr. Speaker. All they want is something to get them to the next election; all they want is that the people will forget about this mess and they think that they can clean it up after 1979. I say, Mr. Speaker, that the people of Saskatchewan are not going to forget. The people of Saskatchewan are going to realize that this bill is a ruse, a swindle and a hoax, and that the government of Saskatchewan, aided and abetted by their Tory friends, are playing politics with the future of the people of this province.

We must ask ourselves, Mr. Speaker, who is supporting this bill? Well, the members opposite of course are supporting the bill for political purposes as I have indicated. They have been able to gain support from the members who sit to my left because they are playing political games as well, Mr. Speaker.

It is very interesting, Mr. Speaker, of the members to my left who entered this debate, three of them sit in the front row here. Their leader got up, he spoke on it and he said, "We're going to support the government." And he said it very clearly. They are going to support the government because they support the principle of this bill. Then the member for Qu'Appelle got up and he said that they are going to support it unequivocally; that the Attorney General has asked for their support and because the Attorney General has asked for their support, they are going to give it to them. And then the member for Rosetown-Elrose got up and he wasn't quite so definite. He left a couple of little tiny openings for himself but he also indicated that he is going to support the bill. So we have these three members, Mr. Speaker, who are acting as nothing more

than stooges for the NDP government across the way.

Now, Mr. Speaker, my children used to watch a TV program on Saturdays. It was called the Three Stooges — Manny, Moe, and Larry, and they used to go out and pull the most ridiculous tricks which appeal to children of the ages of three, four, five and six years of age. Now we see Manny, Moe and Larry sitting over to our left here. Maybe Manny, Moe and Garry would be a better description, Mr. Speaker, because the way these members are acting is nothing more than stooges for the NDP; they are acting nothing more than what they think are their political interests and I say, shame on them! I say, shame, to the member for Thunder Creek. I wonder what the people of Thunder Creek are going to say when they find out, as they are going to find out, Mr. Speaker, that a Thatcher got up, voted with the government, supported the government, supports them all the way down the line.

Mr. Speaker, we say that a vote for this amendment, as proposed by the member for Regina South, is a vote for the interests of the people of Saskatchewan. We say that this amendment that is being proposed will do two things — it will clear away any uncertainty about the future; it will allow this bill to be passed. We can then debate at a later time the rates of taxes that are set out in the bill. It will clear away all uncertainty about the future. Furthermore, Mr. Speaker, if the bill is split, we believe that the second part of the bill will allow the mess that has been created since 1973 to be cleared away as well. In doing that, Mr. Speaker, we suggest that it is in the interests of the people of Saskatchewan to solve those two problems. What we say, Mr. Speaker, is that those members who sit opposite or those members who sit to my left who don't vote for this amendment, Mr. Speaker, are very clearly demonstrating that they are not concerned with the interests of the people of this province. They are only concerned with politics and that's all.

Mr. Speaker, there is one other party that is not represented here, that also wants this bill to be passed and wants it to be passed very quickly, and that's the oil industry. The reason they want it to be passed, Mr. Speaker, is that they know very well that the uncertainty will remain. They know very well that the bill can be subject to attack on a constitutional basis and they want to get to the bargaining tables with the government, with that uncertainty still there, so that they can use that as a weapon in negotiating future royalties with the government of Saskatchewan. So there are three people — three organizations, Mr. Speaker, who want this bill passed in its present form — the NDP and the Tories because they can play politics with it and the oil industry because they see that they can use it to their advantage in negotiating future royalties. None of these three parties has the interests of the people of Saskatchewan at heart, in the steps that they have taken.

So we ask, Mr. Speaker, that all members the members who sit to my left, the thinking backbenchers over there, if there are any, and I doubt whether there are any, Mr. Speaker, to look at the amendment as proposed; to look at the amendment and they will see that it will take us into a new era in resource development in this province as it affects the oil industry. It will also, Mr. Speaker, avoid the economic catastrophe that can occur in this province in the years ahead, if Bill 47 is passed under its present form.

I say to all members, Mr. Speaker, to consider the amendments in that light and to consider the amendments in such a way that it will protect the interests of the people of Saskatchewan from a further mess being created — a further mess that will result from Bill 47. And I ask all members, Mr. Speaker, to give their support to the amendments because if they do so they will be showing that they have Saskatchewan's people in

mind and that they will be protecting the interests of the people of this province.

Resolution as amended negatived on the following recorded division:

**YEAS — 11**

Malone	Penner	McMillan
Wiebe	Cameron	Nelson(As-Gr)
Merchant	Anderson	Clifford
MacDonald	Stodalka	

**NAYS — 37**

Blakeney	Banda	Koskie
Pepper	Whelan	Johnson
Thibault	Kaeding	Thompson
Bowerman	McNeill	
Feschuk	Lusney	
Smishek	Faris	Larter
Romanow	Rolfes	Bailey
Messer	Tchorzewski	Lane (Qu'Ap)
Snyder	Shillington	Birkbeck
Byers	Skoberg	Ham
Lange	Nelson (Yktn)	Katzman
Matalla	Allen	Wipf
Robbins	Lane (Sa-Su)	
Mostoway		
Bowerman		

**MR. SPEAKER:** — I may say at this time to draw members' attention to the rules of the House with regard to decorum, Rule 18 sub (2) - When Mr. Speaker is putting a question, no member shall enter, walk out of or cross the Assembly or make any noise or disturbance. Now I say that for a specific reason. I don't mind members exchanging a few comments but the clerk has to take the vote and it is impossible to conduct a vote with accuracy and with decorum if members are making a lot of noise. I just ask members to keep that in mind.

**MR. C.P. MacDONALD (Indian Head-Wolseley):** — Mr. Speaker, I would like to begin my remarks by asking a question. I cannot understand why, that every time people of Saskatchewan need the Conservative Party, the Conservative Party has let them down. Mr. Speaker, I would like to know why the Conservative Party is frightened to take on the NDP? I would like to know why (if the member for Qu'Appelle would sit down) Mr. Speaker, . . . one of the very interesting things about this debate is that all of a sudden the Conservative Party has lost its decorum - they're so edgy they are yelling, they're screaming, they're up and down like a dumb bunch of chickens. Mr. Speaker, first they are on this foot, then they're on that foot; they don't know where they're going; they

don't know what they're doing. Mr. Speaker, for some strange reason, the NDP has a strange hold on the Conservative Party. The two biggest and most important bills that have ever come before this Assembly in the last 10 years, the potash debate — they sat strangely silent. Bill 47, another bill of immense magnitude and they have remained strangely silent. Mr. Speaker, I want to ask their motives but before I do that, I want to say how disappointed I am that the amendment of the member for Regina South was not accepted, the amendment on constitutionality. I'm going to move one more amendment, Mr. Speaker, and it is on a different vein. It will be to try and attempt to establish the rate of taxation before third reading of this bill is passed and I would try to outline my reasons for my amendment as I proceed with my remarks.

First of all I have a question to ask, another question. Who will be the winners if Bill 47 is passed under its present legislation, present form, and who will be the losers? Well, Mr. Speaker, let us be realistic. Everyone that has commented on Bill 47, recognizes that it is in jeopardy of being attacked by the oil industry or by any citizen and that it could be declared illegal or unconstitutional in the future. If that happens, let me ask you, Mr. Speaker, who are the winners? Well first of all the winners must be the NDP Party to get this bill through politically and get by the next election because everyone knows that if the economic catastrophe or economic suicide that has the potential lies in Bill 47 ever comes about, that that political party will be destroyed not only today but forever. Bill 47 has one objective and that is to bide time, bide time until 1979, because under no way through a normal process of the courts will this constitutionality ever be determined before 1979. Mr. Speaker, it has become very obvious because any question — even the Conservative Party said it was an emergency — referred to the Constitutional Questions Act. The Tories refused the amendment of the member for Regina South and yet today the Premier stood on his feet and said that every penny would be collected retroactively, that the people of Saskatchewan will not lose a five cent piece. Mr. Speaker, it is irresponsible for that government to risk the economic future of this province on a bill that will not cost the people anything if they wait until that constitutionality is determined or at least an effort is made to find the constitutionality.

Now the second people that will win, Mr. Speaker, and this is the real question. Who are the beneficiaries if Bill 47 is declared unconstitutional? Who are the real winners? Who will receive the benefits of Bill 47 unconstitutionality if it is so declared? Mr. Speaker, there is only one group of people who will reap the benefits if Bill 47 is illegal and that is the oil industry in western Canada. And make no mistake, the benefits will not be \$500,000,000, but the benefits will be \$1.5 billion, if you include interest, in four or five years. If this bill is unconstitutional, the only people who will gain will be the oil industry, and the people who will lose, of course, Mr. Speaker, is the next question. And maybe that also makes me wonder — is that the motive for the Conservatives siding with the NDP to vote in favor of Bill 47, because if it is, I think that the most irresponsible thing that any member of this Assembly could do is to vote for a bill that would jeopardize the entire economic future of this province.

**MR. H.W. LANE (Saskatoon-Sutherland):** — That's pretty thin . . .

**MR. MacDONALD:** — And he says it's pretty thin — I'll tell you it is pretty thin and you will have a hard time convincing the people in this province why you supported that bill and jeopardized the very future of this province.

Now, Mr. Speaker, let me ask you another question. Who will be the losers, who will be the losers if this bill is illegal? Who will be the losers if the oil industry decides to attack?

And, Mr. Speaker, let's not kid ourselves, it doesn't have to be Imperial Oil that attacks this bill. It can be John Doe on the street — it can be John Doe. It can be the smallest little oil company, no matter what negotiations or deals the NDP try to strike. They have no guarantee that this bill will not be attacked in the courts, and if it is attacked, and if it is unconstitutional, who are the losers? Who are the losers? And that is the question that each member over there must ask when he comes for the final vote on Bill 47.

Who are the losers? The member for Bengough-Milestone got up and gave a stirring address and got clapped from all his members. Who will be the losers? Mr. Speaker, the losers in this bill if this bill is attacked in the courts and declared unconstitutional — there is only one group of people and that is the people, the citizens and the voters and the constituents of the province of Saskatchewan. That is the tragedy of Bill 47, because it isn't the NDP that will lose. It isn't the Conservatives who will lose; it isn't the oil industry who will lose, it's the people of Saskatchewan, and all of a sudden we will have economic suicide of dimensions unheard of in this province. As the member for Regina South says, 'the financial funeral', and what will happen to Saskatchewan? All of our programs — education will suffer, health will suffer, everything will suffer. Is that a scare tactic, Mr. Attorney General? Then why are you not voting for the amendment of the member for Regina South, to provide some kind of guarantee . . .

**HON. R. ROMANOW (Attorney General):** — . . . stampede the people . . .

**MR. MacDONALD:** — Mr. Speaker, stampede the people? You're trying to stampede the people and you're trying to stampede this vote right through. Mr. Speaker, that's another issue, and I want to talk to the Conservative Party about it. Mr. Speaker, what in heavens name is wrong or why cannot we wait a couple of weeks to pass this bill? Why is the Conservative Party yelling, "Question, question, vote, vote?" Mr. Speaker, and the most amazing thing is that the man who led this is the member for Qu'Appelle. And you know the tragedy of it, Mr. Speaker, is that he was here in 1973. And do you know what he said in 1973? "We members of the Assembly were given the word of the Premier of Saskatchewan that this session was to see the introduction of controversial legislation, and then put aside. The people of Saskatchewan would then have the opportunity to study and comment on the bill on controversial legislation, and the final decision would be given next spring." And he made a speech and he urged the Premier to set aside the bill, and now, Mr. Speaker, he has watched the result of Bill 42. He himself sat here and watched the NDP ram this bill through the House before Christmas in 1973, and we are now reaping the benefits, or the results of that hasty decision. The member for Qu'Appelle got up on his feet in 1973 and he said, "Please, Mr. Premier, put off the passing of the bill until spring. Give the oil industry an opportunity to discuss it, let the legal minds have an opportunity to discuss it, get some input from the people of Saskatchewan." And the Premier of the province said, "No, we'll ram this bill right through right now before Christmas." And the member for Qu'Appelle objected to that and fought against it. And now, Mr. Speaker, he has seen the results. The reason we're here is because the NDP did ram that bill through. They refused to take the time to discuss and find out if it was constitutional. They refused to get the input of the people of Saskatchewan and the people of Canada, and now we have the results here today that we are now here trying to pass Bill 47 because of that decision in 1973, and here

we have the member for Qu'Appelle who was here and witnessed that decision urging us to go ahead and pass that bill as quickly as possible. Mr. Speaker, I say that is irresponsible.

Mr. Speaker, the real part that I think is really humorous is the reason he gives. And you know, Mr. Speaker, I would like to write to my constituents and I'm taking that paragraph out of Hansard and I'm sending it to all of my constituents. And I'm also sending it . . . I have a lot of friends in Qu'Appelle because I used to come from . . . part of Qu'Appelle used to be Milestone and I know most of the voters there, and I'm going to send this excerpt:

Why are we taking the time of the people of this province when the Attorney General himself has said in this debate that this is one of the most crucial issues ever to face the people of this province? The Attorney General has said in debate that without this bill, and I think this is crucial, Mr. Speaker, I think the Attorney General has hit the issue right on, and we agree with the Attorney General. The Attorney General . . .

. . . he just kind of emulates the Attorney General

. . . has said that this bill is designed to prevent paying back to the oil companies a potential loss of \$500 million. He asserts speedy passage. The Attorney General asked all parties in this House to support the bill, and I think all the members of the press know it.

Mr. Speaker, it is the most ridiculous passage I have ever read in Hansard and I think the people of Qu'Appelle will be very interested in it. And you know, Mr. Speaker, I want to tell the member for Qu'Appelle that the very reason and one of the major reasons I'm voting against the bill is because of the Attorney General. Mr. Speaker, what a record he's got! What a record he's got! He has taken on the federal government how many times? — in pro rationing, in the reserve tax, in the trucking, in Bill 42; Mr. Speaker, he has never yet come up with a win. He has lost every single battle, and the member for Qu'Appelle says, "Let's please vote for that bill because the Attorney General asks us to vote for that bill." Mr. Speaker, that's the major reason that I'm voting against it, because I don't have any confidence in the Attorney General. And that bungling, Mr. Speaker, has cost us millions, and I'm going to show where it has cost us millions already. That's why my amendment is here and it's going to cost us millions.

You know the Premier and the Attorney General have been using weasel words — weasel words to discuss the amount of money that will be returned under Bill 47 compared to Bill 42, and what was it . . . the Premier used the words 'reasonably' comparable and he asserted it two or three times and the Attorney General said we'll get almost that much money. (Interjection). Now, Mr. Speaker, I want to repeat and then I am going to go into the purpose of my amendment and sum up the position of the Liberal Party so far and the reason for moving an amendment.

First of all I want to say that there is absolutely no rush to pass this bill. The question of the Leader of the Opposition this morning to the Premier was rather interesting and I hope the press will give the same headlines to the Premier's comments this morning as they did to his comments yesterday afternoon where they've got the province losing all this money because they're not going to lose one cent. Just the same as in CIGOL, he said they're going to pay back CIGOL and then they are going to charge them back, so that they are not going to lose any money. Mr. Speaker, there is no reason, no reason whatsoever to rush through Bill 47 for two weeks or three weeks and I'm going to tell you something — the experience I had in 1973 with Bill 42 is the reason we're here today and that's because we did rush it through. I'm going to ask the people in this House and every member over there to not push this bill. They have some input from the oil

industry and I'm going to give you the opportunity to vote for it. I want to ask the Conservative Party right now to let Malone lead them in third reading - let Malone lead them, Mr. Speaker. Mr. Speaker, I want to tell you that the responsibility of good government is mainly determined by good opposition. Now that's a fact and any one will say it, Mr. Speaker. Any time an opposition party is elected on an important issue and remains strangely silent we are, in fact, having a one party system where a government gets up, proposes legislation that's going to affect all of the people of Saskatchewan and the opposition remains silent. The people of Saskatchewan don't know what the issue is, they don't know what's happening and we have in reality no opposition and a one party state.

Mr. Speaker, I am going to tell you something. You have not had any leadership in this House since you've been here and I know it's difficult to reverse streams. I know you have said unequivocally you are going to vote for this bill but I'm going to ask you. You will have an opportunity to follow Malone in the third reading. I want you to turn around and think carefully. When you don't vote (I know that you can't vote for a second reading because you've made so many statements of principle). You know something - just read the paper - when your own leader goes to Saskatoon he says Mr. Party I'm going to resign because I'm hurting the party and you turn around and say we're going down. Mr. Member for Rosetown-Elrose, let me tell you, come with Malone in third reading, follow him. Screw up your courage, have enough guts to follow Malone and then, Mr. Speaker, what you will be doing is you'll be standing up and carrying on your responsibilities on behalf of the people of Saskatchewan. Follow Malone - let that be the rallying cry for the Conservative Party - make that the rallying cry. Mr. Speaker, because unfortunately I'm not sure when that legislation or that letter of resignation will be into your party but it looks now your leader isn't here today. He's embarrassed - he's embarrassed with his position, he's embarrassed with his party and you don't have any leadership. Mr. Speaker, I do hope sincerely that the Conservative Party will come and follow Malone in the third reading, screw up their courage, carry out their responsibilities. You know something, I betcha, Mr. Speaker, that they will not have the guts to follow Malone. I betcha in the third reading, Mr. Speaker, that they will have no more courage than they had in the second reading, that they will vote for the bill again. But, Mr. Speaker, I don't know because I think that the reason they're so excited and so nervous, they're getting a lot of heat, getting a lot of heat from the outside, Mr. Speaker, that's why they call for question, question. They want to get out of this debate as quickly as possible because boy, Mr. Speaker, I've talked to a lot of people in the street and they are getting a lot of heat. They're getting heat from their own people, they're getting heat from people that don't carry their party memberships, they are saying why? Why would the opposition party jeopardize the future of Saskatchewan and never even raise an objection. And you know the funny part of it, Mr. Speaker, is that they thought it was important and dangerous enough to have an emergency debate. Oh, this bill was a terrible thing. They had another thing they made a request for the federal government to bail out the province, that's how terrible it was. Then they don't even have enough courage to make one single little speech. The members from the oil seats are sitting strangely silent. The only thing the lawyers did - one lawyer got up and said please don't filibuster the bill - pass it because the Attorney General begged us to and I want to do what the Attorney General said. Mr. Speaker, all I can tell you, Mr. Speaker, (interjection) oh! we are. Why don't I let you stew in your position because we have a responsibility to Saskatchewan and so do you people, you know. Now, Mr. Speaker, I hope - I'm going to ask the members of the Conservative Party to think very carefully about my request to them to follow Malone in third reading and stand up and oppose this bill because my God there are some terrible, terrible sections to the Act. Mr. Speaker, I am going to bring a few of them out and some of the weaknesses particularly



the fact that there is no rate of taxation and the deal that is possible and the deal that might be in the making and the millions of dollars that we are going to lose - I'm going to point that out to the Attorney General in a minute. But, Mr. Speaker, I want to make another comment about some of the things that the Premier said yesterday. The Premier made a very, very strange statement yesterday. I asked him in the House about two weeks ago whether he's collecting taxes illegally and he said. No and I got the quote. He said: "Both the mineral income tax and the royalty surcharge will all be collected under the Mineral Resources Act." It's in Hansard, both of them he said. But yesterday in defense of his position to get the bill through, he said, oh no the mineral income tax wasn't being collected under the mineral resources - still being paid under Bill 42 and some of the people were not paying it but some were and it's illegal. Now first of all he knows, Mr. Speaker, that this bill retroactively will reclaim that but what in tarnation right has the Premier of this province and the government of Saskatchewan to break the law and accept that money? Why are you any different than anybody else in this province? Why according to the Premier this morning you're collecting taxes illegally. And I say that is wrong. I don't care if it's the government or the Attorney General or the Premier, you're collecting taxes illegally, I'm saying, Mr. Speaker, that is wrong. Mr. Speaker, then he turned around and the Leader of the Opposition kind of cleared up that one this morning about the people of Saskatchewan losing money every day if this bill is delayed when he knows very well that the whole function and the design of Bill 47 is to reclaim retroactively any taxes that might be lost.

Now, Mr. Speaker, let me refer to the Liberal position. Mr. Speaker, we have taken three official stances and I would like to repeat them very briefly for the Attorney General because I know he will want to comment on them when he winds up debate.

(1) We believe that Bill 47 will be attacked in the courts and is unconstitutional or could be declared unconstitutional by the Supreme Court of Canada and could jeopardize the very economic future of Saskatchewan. That's our first position.

(2) We believe that the rate of taxation should be included in the bill and I will elaborate and expand on that in a few moments, Mr. Speaker.

(3) We believe that this bill will result in the nationalization of the oil industry as the only way to salvage whatever may be salvaged if this bill is declared unconstitutional down the line, and I'm not talking about the nationalization of the marketing of things, I'm talking about the wells, the productive capacity.

Now, Mr. Speaker, I'm not going to go on too long about the unconstitutionality. I think the member for Regina South, the Leader of the Party, the member for Wascana, are legal beagles and the caucus has done a very good job. I just want to repeat the arguments very briefly.

The danger of the constitutionality of this bill is the closeness to which we tract. In other words, the closer we are to collecting all the money, that is the most danger of this bill being declared unconstitutional, and is part of the second of my amendment, and that is why I want to repeat that we must not track in this bill. And the Attorney General will admit it and the Premier has admitted it. The closer we come to collecting the same amount of taxes in Bill 47 as we did in Bill 42, the bigger the danger of its being declared unconstitutional, and the Attorney General will agree. So that, Mr. Speaker, brings up this business of how much, how much? How much is the difference?

Mr. Speaker, the other one, and of course the Liberal Opposition has provided

amendments to assist the government in trying to solve this very difficult problem. But I'm not going to go on about the colorability issue or the tracking issue or the CIGOL payment back, that's been covered very adequately. I want to talk about the second one. We predicted, Mr. Speaker, at the beginning, that this particular Bill 42 has cost the people of Saskatchewan millions. And that it was a colossal blunder, that it was generated by the mismanagement of the NDP, Mr. Speaker. And the Premier has used some weasel words — I hope that Bill 47 will collect the same revenue as is reasonably comparable — whatever that means. He told us there was \$620,000,000 collected in revenue under Bill 42. Mr. Speaker, now what does reasonably comparable mean? Five million, ten million, twenty million, fifty million or a hundred million out of 620? Because the closer it is together, the more danger of its being unconstitutional. And, Mr. Speaker, I say that the reason that the income tax rate is not included in the bill is because the final rate or the final formula will cost the people of Saskatchewan millions of dollars. Millions. And, Mr. Speaker, don't tell me that the NDP hasn't got the income tax formula figured out. Don't tell me that the NDP doesn't have the rate of taxation already determined. And, Mr. Speaker, it could be included in this bill. What kind of a deal is the NDP trying to make? Is the rate of taxation to be the same for the past as it is for the future? Or will there be a deal? You pay the back, we'll give you a break in the future. That's why we as responsible legislators are demanding that that formula be put in the legislation itself. The Premier says, all the royalties of the other provinces aren't in. Mr. Speaker, this tax is not a royalty, it is an income tax designed as such and is the only income tax bill in the Dominion of Canada that I know of, that the formula is not in the bill. And I'm asking the Attorney General, what is he trying to hide? What is the deal with the oil companies they are trying to make? Why will they not come out and put the formula in the bill? Will he give us the assurance in third reading that the tax in the past and the tax in the future is identical? Why will he not tell us now or if we give him an opportunity to adjourn the House 'til after Christmas, let him proceed with the negotiations with the oil companies, why then can he not come back and give us that formula? So that we in the opposition and the people of Saskatchewan know whether we're going to collect the moneys from Bill 42 or not, and I say, Mr. Speaker, they are strangely silent. The Minister of Mineral Resources knows they are not going to get it all. The Minister of Finance knows they are not going to get it all. The Premier has told us we're not going to get it all. How much are we not going to get? How much is this blunder? And you know, Mr. Speaker, the funny part of it is, they knew it was a blunder themselves. Because a year ago they tried to get out of Bill 42, remember the Premier stood up in the House and he said, "The Liberals promised to repeal Bill 42 in the election of '75." It must have been an awfully good plank in our program because you adopted it. You adopted it. Oh, the Minister chuckles. You have not been using Bill 42, you've been using the Mineral Resources Act, to collect these taxes. Because you knew it was unconstitutional, you knew it was a bad bill.

**SOME HON. MEMBERS:** Hear, hear!

**MR. MacDONALD:** — Explain that. Mr. Speaker, I am asking you to stand up and be open in this Assembly, be open with the people of Saskatchewan. They're the losers as I've indicated. They're the losers. Tell us how much they're going to lose, how much this blunder that you've made has cost the people of Saskatchewan. What does it cost in programs? What does it cost in future investments? Be honest and frank, put that rate of taxation in the bill, so we can calculate if it's \$620,000,000, as the Premier told us yesterday. That's why it's not in the bill. That's why you're not putting it there. That's why you're trying to ram this legislation down our throats and get it through as quickly as possible. That's the only reason. There's no reason because you're going to protect if the money is protected in the bill, my God, there's no reason to take five days or ten days

or two weeks. The Christmas Yuletide season, go home and have a little Christmas spirit. Come back with a little generosity and then put the information in the bill. So the people of Saskatchewan can be convinced that you're not making a deal. That that blunder that the Attorney General and his legal advisors created and generated in 1973, has not cost this province millions of dollars. And I say, Mr. Speaker, we'll be trying to find out, to the very penny . . . exactly what this blunder did cost. That's why I can't understand the Conservative Party; the Leader of the Conservative Party stood on his feet, and in his press conference, and said it's in the secret of the Cabinet Room. Do we want to give the Premier that power? He can set the tax rate at whatever he wants. He can make whatever deal he wants. And then, the next thing they do, they turn around and say they're going to vote for the bill. How inconsistent and irresponsible can you be? Mr. Speaker, how are going to propose an amendment? You know they're not going to propose an amendment. Let me assure you if they don't vote for the amendment, will you support us in third reading?

**SOME HON. MEMBERS:** Hear, hear!

**MR. MacDONALD:** Will you have enough gumption? I think I've given them an out, fellows, I think I've given them an out. My, oh, my, Mr. Speaker, I want to say how important it is, for the rate of taxation, and I will also agree as everyone will agree, that resource revenues change and fluctuate the prices and that you should within the power within the act, perhaps adjust by regulation, throughout the year, and then bring it back to the Assembly in the spring. But on this first occasion, on this first occasion, during the controversy of Bill 42 and Bill 47, you have the responsibility to bring that rate of taxation to this Assembly and to tell the people of Saskatchewan. You have a responsibility to tell the people of Saskatchewan there's no deal. You have a responsibility to tell the people of Saskatchewan they're not going to lose millions of dollars. Mr. Speaker, my amendment will give you that opportunity. And I want to know why you won't vote for it. Mr. Speaker, I want to tell you that my amendment, I moved this identical amendment, in 1973. And it was rejected by the government then. And I hope it won't be rejected again. Because that blunder, and that mismanagement, is what has generated the problem that it here today. Mr. Speaker, I want to talk a little bit about the third thing and then I'm going to talk about my amendment.

Mr. Speaker, the third thing that really bothers me, is that this threat, this threat of nationalization, and I'm not talking about the service station, I'm not talking about the distribution system. I'm merely talking about the wells and the production and I remember you set up Sask Pot or the Potash Corporation. You put into place the vehicle, then you got into a constitutional question. Do you remember what you said? The reason we've got to confiscate or the reason we've got to expropriate the potash industry is because they are not paying their taxes because of the terrible legal hassle. Because of the challenge in the courts, and all of a sudden I find the same scenario. Same scenario. You know what's going to happen. You're four years down the road. This bill is declared unconstitutional. The only way that the people of Saskatchewan can be saved is to expropriate the assets. Nationalize them. There's no other alternative. Not one single alternative that my legal people and our legal advisors can find. Is this a genuine threat? Is this the motivation behind it? And not only that, the Attorney General made a few statements on TV too, on this nationalization business. I think it's kind of close to their heart.

Mr. Speaker, I'm going to tell you that this is a bad bill. And it can be approved very simple. It can be approved very simply by laying on the table, the facts by being honest with the Assembly, by being honest with the people of Saskatchewan, by proving to

them, that there is no deal, by proving to them that there's no lost millions of dollars, because of your blunder. If you do that you'll have the support of the Liberal caucus. If you'll do that, if you'll be frank and honest and genuine, you will have us. But you know you won't do that. And that's why I can't vote for this bill, because of the threat to the future and also, because of the threat of the loss of millions of dollars that's contained in the secret negotiations behind the Cabinet door. Mr. Speaker, I want to sum up, number one, the winners in this battle, if this bill is unconstitutional is the NDP Party and the chief beneficiary is the oil industry, no one else. The chief losers, and there's only one group of losers, not the Liberal Party, and you can walk around and say you're on the side of the multinationals, an over-simplification. And I'm going to tell you, you're going to have a hard time proving that the only losers in this particular bill, if this is unconstitutional, the only losers are the people of Saskatchewan and the whole economic structure that we've built up. And, Mr. Speaker, for that reason, I don't believe that any sincere, honest man can vote for this bill. I'm going to ask all of you to reconsider and I'm going to ask all of you to vote for my amendment. I'm going to read it, Mr. Speaker, that all the words after the word "that" be deleted and the following substituted therefor:

This House declines to proceed with this bill, until the subject matter thereof has been investigated by the Select Standing Committee on Law Amendments with a view to obtaining the specific levels of taxation that will apply both to the retroactive period and into the future.

Now, Mr. Speaker, I'm going to move that in a minute. I just want to make one plea to the Attorney General and to the government opposite. I think I've tried to point out that there's a danger to this bill. A danger that your silence has been nothing but agreement. Your silence has been nothing but agreement and very rarely do I stand in this House and make a speech that you don't all jibber and jabber and holler back and forth. But today, you're strangely quiet. Because you know what I say is true. And the truth hurts, Mr. Speaker. I'm going to ask the backbenchers in the back, I can't ask the Cabinet, the Cabinet and the Treasury Bench are down the road. They're down the road to destruction. And you know, Mr. Speaker, the funny part of it, as you go around the country, people are beginning to say two things. Beginning to say two things. Number one, the NDP in Canada is finished and in Saskatchewan particularly. Oh no! They use some statistics, some figures. Manitoba, BC and so forth. The word a few months ago was well, maybe the Conservatives will be the alternative but I'm going to tell you in the last three weeks . . . And I would invite the press to take a poll. I'd invite them. Because I'm going to tell you something, there's a dramatic change in the political atmosphere in this province and the Conservatives have stopped their ascendancy and are on the decline. And I'm going to tell you it's a year and a half to that election. And, you, Mr. Speaker, who also gets elected knows, that a year and a half is a lifetime in politics. And you can't continually make the kind of blunders and act irresponsibly the way the Conservatives do, without affecting their future and the opinion, of the voters in this province. That is what's happening.

Mr. Speaker, people are beginning to recognize that there is a group and there is a leader carrying out that responsibility and carrying it out very well. And I refer, of course, to Ted Malone. Therefore, Mr. Speaker, it gives me a great deal of pleasure . . . oh, one more thing I want to say before I move my amendment. I'm going to ask all the politicians in the Assembly, for the first time since I've been here, to put the people of Saskatchewan first, and their own crass political interest second. Mr. Speaker, put the people of Saskatchewan first. And if you do, Mr. Speaker, I guarantee that this amendment will have unanimous support in this Assembly.

Mr. Speaker, it is with great pleasure that I move, seconded by the Member for Maple Creek (Mr. Stodalka) that all the words after "that" be deleted and the following substituted therefore:

This House declines to proceed with this bill until the subject matter thereof has been investigated by the Select Standing Committee on Amendments with a view to obtaining the specific levels of taxation that will apply both to the retroactive period and into the future.

Mr. Speaker, I so move.

**MR. W.H. STODALKA (Maple Creek):** — Mr. Speaker, during the last two weeks I have listened a lot to the various participants in this debate, and recognizing being the last of our group to speak, it is maybe a little bit difficult to find anything that is new, but I still think there are a number of things that should be said.

Mr. Speaker, I found a little clipping in one of the Financial Times and I think it maybe outlines as to why we are here and what has happened in Saskatchewan, and I would just like to take a minute to read a couple of paragraphs from this clipping from the Financial Times, dated December 4. It says:

Needless to say there is much exuberance about the court action at Norcen, and in Calgary, Donald Barkwell, Norcen vice-president in charge of natural resources, attempted to put the four-year long court battle action into perspective. He says, "I think you should know why this case was initiated in the first place. Saskatchewan tried to obtain for itself, all of the benefits of the price increase. It was taking too much. There certainly was no room for sharing."

Mr. Speaker, no doubt this is what precipitated the many months, in fact the many years of battle that we have had, and now of course, this very disastrous decision by the Supreme Court of Canada.

As I listened to the speakers and their presentations there seemed to be one area of agreement, or possibly there were two areas of agreement, and the first area of agreement was that indeed, this created what we might classify as a grave situation. And secondly, Mr. Speaker, was the area of money. All parties in the Legislative Assembly seem to agree that the vast majority of money should be retained for the people of Saskatchewan. After those statements were made of course, we have heard many arguments since that time in which other parties have denied, and the government people particularly have tried to indicate that such was not the case of our party or the case of the Conservative Party. But after those two points, the fact that we recognize that this was indeed a grave situation and the fact that we recognize that it was primarily essential that the province retain most of the money. It is here, Mr. Speaker, that the similarity ends.

If we take a look at the Conservatives, and really think all you have to do is . . . last week I had occasion to be absent from this Assembly for two days and came back and I noted such a remarkable change in the attitude of the Conservative Party. It was really absolutely amazing. They used to be such a — at one time such a quiet, orderly and

controlled group. After I got back here last week, my goodness, they were jumpy, edgy, and catcalls and the whole works — they sort of almost looked like a normal group within the Assembly. It scared me a little bit. I wonder why, Mr. Speaker, what was it? It seemed to me that the Conservatives, of course had used the political expediency approach in most of the decisions that they have made, and this action scared the daylights out of the Conservative Party. I think they thought that possibly the government had found some issue on which they might be calling a general election and they were scared stiff. They began to decide that . . . Gee, how are we going to handle ourselves on this one, and as I said going back to that usually politically expedient method of handling the problems, they decided they've got to be on the side of the people as they so-called it, and had to make sure that the money stayed here in Saskatchewan.

I remember the day that the Leader of the Conservative Party addressed the Legislature, and I don't know how many times he kept emphasizing the fact that the money must stay in Saskatchewan, must remain in Saskatchewan, and during the course of the last two weeks, certainly there has been a great deal of nervousness within that party.

Now as far as the Conservative Party, we have this one particular point of political expediency. They don't seem to worry too much about the principle. I hope that after I serve a term in this Legislature that I will be able to go home and say to myself that at least any decision that I voted on was judged by what I would think is right and wrong, and not what I think is going to win me a couple of pilots. As far as I'm concerned if we go here and you go up, that's fine with you. If I go down that's fine, but I'm going to go down not selling myself out, I'll tell you that much. There is no way that I come to this Legislature to sit and sell myself for a few votes and a place in this here Legislature.

Now the government action — they continued with the usual approach that if something seems to go down that isn't the way they would like it to go. they begin their crying, and of course complaining, and I have noticed the lack of that familiar slogan so far. For some reason we haven't had it but I presume that somebody outside must be dreaming up one. But of course at this particular time it might be a little bit of a problem seeing that they are fooling around with the Supreme Court of Canada, and any slogan here of course would probably end up putting them into a good deal of trouble.

The amazing thing about the members opposite is that no matter how many times you tell them something, if they don't want to believe it, they just keep coming back with a great deal of repetition. They want to the oil companies to have the money, they want the oil companies to have the money, they want the oil companies to have the money, they want to the oil companies to have the money, when in fact our particular party has indicated very clearly that the vast majority of the money should remain here for the people of Saskatchewan. There is a feeling over on that side that if you repeat something often enough you will get somebody to believe it. It doesn't matter how true the argument is as long as you repeat it — keep repeating it and repeating it and eventually you will have somebody believing it. Personally, this type of politics is not appealing to me.

**MR. P.P. MOSTOWAY (Saskatoon Centre):** — You repeated yourself.

**MR. STODALKA:** — Yes, that's right. Mr. Mostoway over on the other side. You're probably the one individual in this area who can distort things better than anyone of the other 61 members in this Legislative Assembly. All respects.

Now, we must give the credit to the government though in fact they were caught and they were in a bit of a bind. They had to produce some legislation and they have presented legislation to this Assembly, and of course the Assembly is dealing with the legislation. I would like to contrast that with our Liberal approach and I might say that this is one of the times, as I was in the potash debate, happy and proud to be a part of this particular caucus.

I might say that when we sat down we saw that easy, political expedient way that the Tories had. There is no doubt about it; it was an easy way to handle it. But within our group we decided that rather than taking the easy, political approach what we were going to do was to offer the people of Saskatchewan an alternative. We were going to present positive legislation to this Assembly, hoping that in the end, with a positive approach that we can be proud of, that the people of Saskatchewan will recognize it as such. We are willing to put our political future on the line with that type of an approach, and of course we will be judged for it, and we will be willing to accept the judgment. But the one thing that we will not do is sell our principles. That's the one thing, Mr. Minister for Prince Albert-Duck Lake, we will not sell our principles for a few votes.

Now the Liberal approach of course as we sat down in our caucus there was a great deal of debate. I heard one sort of nauseating argument that came from some of the members on the opposite side and said, "Well, it came from Otto or came from Ottawa." And I can assure the members opposite who used to sit within our caucus that at any time. I challenged them to indicate, while they were in that caucus, when anyone of one of our decisions was ever made by any decision that came from Ottawa. And there will not be. We sit here, we're interested in the people of Saskatchewan and any decisions that will be made in our caucus are made by our caucus, Mr. Member for Estevan. Now, we said we'd spend a good deal of time deliberating what our position would be, and as the members opposite are aware when we finally decided on what position we were going to take, it was a position, I suppose you might outline into three points: that we were interested in the people, in the province of Saskatchewan and we're interested in retaining as much of this money as possible. And I'm repeating, I know, but I think it needs repeating, particularly for the Member for Cutknife, who isn't here today, but didn't seem to understand it yesterday, that our approach was twofold. We thought that we should try to protect any revenue that was going to be collected in the future by having one bill for that and also, of course, having a second bill to cover the retroactive part, thus assuring, and the advice we had, that at least the future would be secure for the people of Saskatchewan. But, of course, we found out now, since then, that approach has been rejected.

Our second step in our procedure, of course, is that we felt that there should be some negotiations, and we still feel that there should be negotiations with the oil industry. And finally, we also felt of that there should be an early testing this legislation to try to resolve the situation as soon as is possible. I was very sorry to hear yesterday, while I wasn't in the Assembly, that the Premier has decided to reject the proposition that was put forward by our party. All I would like to say is that it was put forth in sincerity and we were truly looking for a way in which we thought we might be able to come up with a solution that would be advantageous to the people of Saskatchewan, and we indeed are very sorry to see that it has been rejected.

A second item or a second topic that I would like to speak about this afternoon, is this business of the court system, and the extreme criticism that has been levied at the court system by some of the members opposite. I spent a considerable portion of my life teaching school. and one of the areas in which I did some teaching was the area of

civics. And some of the members opposite have had some experience and I was really amazed to hear those members who had that experience come forth and say some of the things that they said about our democratic institutions. I found it particularly alarming. What have we taught our children? What do we try to teach them in schools? We try to teach them respect, respect for the various institutions we have. We try to teach them the responsibilities of citizenship. We also try to teach them that when a court has ruled, the decision of that court is final and whether one agrees with it or whether one does not agree with it, you must accept it. We try to show them also, that of course in government, there are three bodies, there's this legislative group, the people in this Assembly who make the laws. We also teach them that the second body is the administrative group, the Cabinet, the civil service who works with them to try to administer the laws, the laws as they are formed; and then thirdly, we have the Judiciary and we try to tell people that the judiciary and the responsibility of them is to interpret the laws. And this is their responsibility and we must respect it; if we do not respect the judiciary and their interpretations there is only one result in the end and that's anarchy. And I was absolutely flabbergasted to hear some of the members opposite come up and say some of the things they said about our judicial system and our judges. Really amazing. There's a saying, and I can't quite remember it but it comes from Shakespeare that one who goes out and teaches bloody instructions can expect that the final result will be that when they have taught that, their inventions will come back to plague them, and I presume that this probably is what is going to eventually happen if you adopt this type of attitude. Now, we also recognize, Mr. Speaker, that when we have two levels of government, that if we are going to have conflicts between these levels of government, that there must be somebody who is going to act as the judge. Mr. Speaker, of course, the Supreme Judge in this case is the Supreme Court of Canada. Mr. Speaker, when the Supreme Court of Canada rules on a situation, certainly it is the responsibility of all of us as Canadians to accept that particular ruling. It isn't too many months ago, that we had a minister of the Crown in Ottawa who criticized what a judge had said; or questioned the decision of a judge. What happened to that minister, Mr. Speaker? It wasn't too long before he resigned, he was out of the Cabinet, he had to make an apology for his statements but what do we have here, the way it's handled here in Saskatchewan? We have this cowardly way of doing it, Mr. Speaker, coming to the Legislative Assembly here, making statements that they know, that they know, are in contempt, hoping that they will have these statements and these criticisms stated in the press and therefore not be subjected to the pressure of the court system afterwards.

Mr. Speaker, it alarms me extremely to think that we are abusing the privileges of this Legislature. The privilege, just to come in here to make some wild, erratic, irresponsible statement, to sit down, have it challenged, stand up on your feet and then say I withdraw it, I never meant to say it at all and all the time they do it, they're doing it with a smirk on their faces. Mr. Speaker, it seems to me that this whole question of parliamentary privilege if it's going to be used in this fashion is highly questionable and certainly it would seem that there should be some way and some method of handling people who use the protection of this Assembly in order to do some politicking, some politicking that they don't have to worry about the consequences of whatever they say here in the Legislative Assembly.

**SOME HON. MEMBERS:** Hear, hear!

**MR. STODALKA:** — Mr. Speaker, these actions almost border on being acts of treason. I also was very interested in the argument about the, what is the 8 to 7 argument, or whatever it is, the number of judges who ruled in the Supreme Court of Canada 7 to 6, was that what the number was? And there was a great deal of time then



spent in which they went through the backgrounds of these various judges: trying to indicate that their backgrounds would prejudice the decision that the judges were going to make. I was particularly impressed with one argument that indicated that one of the judges had a Liberal as a law partner. And because he had a Liberal as a law partner, that this would discredit his findings on that Supreme Court. I always had felt that in the case of law firms that these law firms were adept enough that they usually had representatives from most political parties in that firm. So that it sort of gives them a degree of protection. But really, somebody has a partner that's a Liberal and therefore, the person himself is condemned for his assessment of what a case might be because of who he associated with as a business partner. Absolutely amazing. Then a great deal of time was spent, Mr. Speaker, in which they discredited many of the appointments because they were appointed by the Liberal government. And because they were appointed by the Liberal government therefore, their assessment, of course, would have to be wrong.

Mr. Speaker, who in the dickens appointed the judges in the Appeal Court? Who appointed them in the other courts? The one's that ruled in favor of the province? Where these also not appointed by the same government? Or the previous federal government? Amazing. The one group comes up with a decision, of course, which the people opposite aren't willing to accept and so what do they do? Try discredit it and yet here the other group of people, fine bunch of fellows . . . they ruled in favor of the province so there was no mention of their appointments and the way that they were appointed. Mr. Speaker, with those remarks, I would like to move that we adjourn the debate.

Debate adjourned.

### ADJOURNED DEBATES

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. MacMurchy that Bill No. 50 - **an Act to provide for the Postponement of the Tabling of Certain Documents** be now read a second time.

**MR. C.P. MacDONALD (Indian Head-Wolseley):** — Mr. Speaker, I did speak on this bill and I expressed the reasoning behind my objections to passing this bill. I'll just repeat that very briefly. What has happened on this bill is that it requests permission of the Assembly to postpone the tabling of documents until whenever it is convenient until the end of the Session. That means, for example, the comments that we made on Saskoil on the financial statement, the comments on the potash corporation annual report or any of the documents that would be tabled might not have to be tabled if there is anything controversial, anything that would be embarrassing to the government, anything that the government didn't want to provide for the people of Saskatchewan — the information, to limit the debate. They could extend it to the very end of the session and to me that is a very, very bad precedent. And not only that, it happens time and again. Occasionally we have had to ask for reports when they have even been delayed.

What I would like to urge the Attorney General and I know why he is doing it — because the fall session sometimes is introduced early and so forth and it is convenient for the ministers, but I don't think that this Assembly should be asked to vote for anything for convenience. And that's all we are doing here — asking for the convenience of the government that documents can be tabled at their leisure just prior to the end of the session. I think we in this Assembly should be concerned about information being provided to the members who in fact then provide it to the people of Saskatchewan.

And for that reason I will not support this bill. I ask the government to reconsider it. It just means that they have to tell their civil servants that they have to get their jobs done and they have got to prepare the annual reports earlier or whatever documents that they are responsible for. And for that reason I just can't support the bill. I think it is a bad bill; I think it is a bad precedent in this House and I think in all honesty that if the government considers it, the legislative process in Saskatchewan will not be advanced by this bill but it will be hindered.

**HON. R. ROMANOW (Attorney General):** — Mr. Speaker, I want to just say a word or two in response to the member . . .

**AN HON. MEMBER:** — I didn't move the bill.

**MR. ROMANOW:** — Relax boys, relax.

Mr. Speaker, I want to say this. First of all the hon. member for Indian Head-Wolseley indicates that somehow this bill is a precedent. It is not a precedent. We have had this bill tabled I think in two previous sessions, one in 1975 when there was an extended fall session on the potash and I believe one in 1973 when there was an extended debate on Bill 42 as there is this year, an extended debate on Bill 47 by the Liberals. So from the legal point of view, Mr. Speaker, there is no precedent. Secondly, the hon. member would have the Assembly believe that all it takes is just to hire more civil servants and provide these financial statements and reports. I want to say to the hon. member that the accounting, the bookkeeping and the practices of Crown corporations and many departments have been set for years, through his administration, during our administration and before that, and to be able to simply scramble all of that and rearrange into something new is surely impractical and unfeasible.

And finally, Mr. Speaker, I would make this point. This bill has been passed in the sessions that have gone by. I invite the members to give me one instance of an example that the member for Indian Head-Wolseley hypothesizes can take place, namely where a report is tabled on the last date or that a Crown corporation report is tabled so close to Crown Corporations Committee that the committee can't do its job. The simple fact of the matter is, Mr. Speaker, that he can't instance such a case because the reports are indeed tabled as they are prepared.

I want to remind the members of the House that if this had been a usual or normal fall session, we would have been finished on day 14 of the Legislative Assembly in all likelihood. The reports aren't required until 15 days after the opening of the session. The 15th day would have been when we came back to the House in February or March and there probably would have been no reports on the Assembly or very few. But all members will know that a lot of the reports are already down if not the majority of them. I think of Saskoil and the Potash Corporation — there are a few whose calendar years, and others of course, that need some time in order to legitimize the situation.

So I simply say, Mr. Speaker, that I am somewhat concerned that the Liberals are making an issue out of a thing that they have made no issue of now for at least two sessions. They have voted for it in two sessions gone by; they have supported this position in two sessions gone by; they've not been handicapped in two sessions gone by. They have had their full kicks in Public Accounts and their full kicks in the Crown Corporations Committee with these precedents and practices in the past. Look fellows, we have lots of important things to debate. I don't think that either on legal precedent or practice terms that this is really one of them. I really would invite the members of the House to pass this bill and let's proceed the way it has worked in the past.

**MR. A.N. McMILLAN (Kindersley):** — Mr. Speaker, the Attorney General might well appreciate our reluctance to simply accept his words of trust as trust, is completely offhand. I think you will find that . . . I think that members opposite will agree that there is a legitimate concern in our minds that the situation exists where reports, annual reports such as those that the member for Indian Head-Wolseley has pointed out, could be tabled at such a late date as to prevent the opposition party from doing an adequate job of putting the facts in those reports before the people of Saskatchewan — that's a legitimate concern of ours.

Your comments about there being some serious difficulties within a department or a Crown corporation with respect to tabling or preparing an annual statement, I find difficult to believe. I would expect however, that if the member who has introduced this bill, the Minister of Municipal Affairs, I believe, is prepared to stand when he closes his remarks and give this caucus his word and the word on behalf of the Cabinet opposite, that the passage of this bill will not be used by your government or abused in such a way as to prevent the opposition from doing their job. I suspect that you might find our caucus more than reasonable in acceptance of the bill. But until, or if that assurance is not forthcoming I can assure you that we don't trust some slightly alluded to assurance that the position will not be abused.

**HON. J.R. MESSER (Kelsey-Tisdale):** — What was the basis . . .

**MR. McMILLAN:** — Well, we didn't trust the Attorney General in 1973 when he told us that his oil legislation was constitutional, and we were right.

**MR. MESSER:** — You are talking . . .

**MR. McMILLAN:** — No one concerns me more than you do about the possible abuse from a bill like this in view of the fact that your Saskoil statement that was tabled, and the comments that the minister for Indian Head-Wolseley has brought up about it, and I can see . . . I have a great deal of respect for the intelligence of the member for Kelsey-Tisdale and the minister responsible for Sask Forest Products and Saskoil, etc., and I know the temptation for you to avoid the kind of political hassle you may get into as the result of an annual report like the one that was tabled by Saskoil, will be . . . I'm sure in your mind you wish it wasn't. I'm only saying I don't want you to be in a position where you can't overcome the temptation to have that tabled late.

Mr. Speaker, I would like to give this some further consideration and speak to it at a later date, and I beg leave to adjourn debate.

**Motion to adjourn debate negatived**

**The Assembly resumed debate on Bill No. 50**

**MR. McMILLAN:** — I have no desire to bring the honor of the Minister of Saskoil into jeopardy in this House and I'm sure other members have something to state on it at this time and I'll certainly give them the opportunity.

**MR. J.G. LANE (Qu'Appelle):** — Mr. Speaker, the member for Indian Head-Wolseley has indicated that there is a fundamental principle. We sympathize to some extent with the position of the government because the government opposite has grown so big and it is so out of control, that I don't expect the Cabinet would have the ability to get records out of departments. They wouldn't know where to start, and I suspect that the government is going to have a great deal of difficulty of having the documents in at the time of the early requirement, but it is the fundamental principle of this Assembly that this Assembly have the right to review public expenditures. That's the fundamental basis for parliament in the first place. And we are going to propose a compromise which I suspect the government will find more than fair, and we intend to do it in Committee of the Whole.

We are against the principle of the bill which extends the tabling of the documents right through to the end of the session, because what it means of course, is that the documents would not be there if the government wanted to, during Public Accounts, Crown Corporations, or some of the fundamental committees giving us the parliamentary right of review of public expenditures. Our amendment therefore, will put the time limit for the tabling of the documents at the commencement of the budget debate. That now is extended to a reasonable time for the government to get the documents in, but it also gives the opposition the assurance that all the documents required and all of the annual reports will be in in time for the Public Accounts, Committee and the Crown Corporations Committee, and I just think that is fundamental. I think it absolutely imperative that the Crown Corporations and the Public Accounts Committees have all documents required to be tabled. I think it would be an abuse of the process of the House if it so happened for good reason or otherwise, that those two committees didn't have the necessary financial reports.

I think that our proposal is a fair compromise. It gives the government the added time it feels is necessary, and still gives the opposition and the committees the assurance that they will have the documents in time for the Public Accounts and Crown Corporations Committees. That is an amendment we will be making in committee, Mr. Speaker, but we have to oppose them principally because I don't think it's fair that the government ask the opposition for an unlimited extension of the time, so we're going to propose a constructive amendment that I'm sure the Attorney General will agree with.

**HON. J.R. MESSER (Minister of Mineral Resources):** — Mr. Speaker, I would ask the members to your left to reconsider again, the position that they appear to be pursuing. This motion was passed — this bill was passed in 1973, it was passed in 1975, and my recollection is that there was no opposition to it, and my recollection is, Mr. Speaker, and if the members would have taken the time to look, that when the session reconvened in the spring, those few documents which were not able to have been tabled in the fall were there early in the beginning of that session in the spring and that's what they should keep in mind. There are some areas that the government is having some

. . . and I think it can be understood, extreme difficulties in putting together annual reports when the system has always demanded that those reports are available in February or March of the year rather than in November and December of the year.

Now, Mr. Speaker, the member for Kindersley tries to use some of the annual reports that have already been tabled in this Legislative Assembly as evidence of some Machiavellian dealings that the government has in mind in regard to depriving members opposite from information and he relates to two Crown corporations, Saskoil and Sask Forest Products. Those annual reports have already been tabled. There is no endeavor on behalf of the government in those instances to try and deprive members from looking at the information contained therein so that they can properly advise themselves of their attitudes when the Crown Corporations Committee meets next spring. If the members would also take the time to review the numbers of annual reports and documents that have already been tabled they will know that by and large most of them have already been made available. Most of them have already been made available and my colleague, Mr. Robbins, indicates that none have probably been read by members and this is just a farce put on by the members opposite to try to convey to the people of Saskatchewan that we don't make available the information that we are required to. We have in the past and we will continue to in the future. We've got some of the best systems for reviewing the Crown corporations and the undertakings of the government of any provincial government in Canada and we are not embarrassed with that. We are prepared to live up to our obligations but surely the members opposite must realize that the fall session is supposedly and in most instances a short session. It is to introduce to the members opposite, legislation and other matters, so that they may have an opportunity to better acquaint themselves with it so they can deal with it hopefully in a more realistic manner when the session reconvenes in the spring of the year. In some instances there are matters that the government has to conclude in that fall session and there is nothing unusual about that. That is the situation with this fall session but surely because of that it should not scrap or force the government to bring forward documents that they were not able to feel confident about bringing forward and that's the reason that we asked them to agree with Bill No 50 allowing a postponement for only some of that information that the government has the full intentions of bringing forward but at some later date. Not to jeopardize the members opposite, not to deprive the citizens of Saskatchewan from that information but to make sure it is the best information the government can deliver and I ask the members of the House to reconsider their position and vote in favor of Bill 50, an Act to provide for the Postponement of the Tabling of Certain Documents.

**MR. E.F.A. MERCHANT (Regina Wascana):** — Mr. Speaker, what does the government really say? First they say we have come up with two temporary solutions in the past for . . .

**MR. ROMANOW:** — What did you . . .

**MR. MERCHANT:** — Well they were temporary solutions and because they were temporary solutions to a new proposition that the government had brought in, namely a fall session, we went along with those temporary solutions. Now by practise, the government asks us to lose that right, to receive this documentation. Now, Mr. Speaker, how did the whole problem arise? A problem such as it is arises as a result of having a fall session so clearly the government would say if we were working in the old system of a spring session this wouldn't be necessary. The government would say we can be ready for a spring session. Well then why wouldn't the government bring in a proposal that requires the tabling of the documents early in the spring session? Why wouldn't

you give us the same kind of protection that the members of the opposition had always had rather than taking this rather greater power to yourself and then saying trust us. That's what the minister says.

**MR. ROMANOW:** — Show us where.

**MR. MERCHANT:** — Well it's not a question of what has happened. It's a question of whether we should be asked to just trust you indefinitely. You know, Mr. Speaker, it's the same kind of smug self-satisfied thing that we see all the time from this government. The government is really saying trust us, we've always been fair; you don't need the protection of law; you have the protection of our good graces that we'll look after you. We say, Mr. Speaker, that if the government . . . Mr. Speaker, I really don't know why, I must say I don't know why the Attorney General is so touchy about this matter.

**MR. ROMANOW:** — No credibility . . .

**MR. MERCHANT:** — Why would the member say there is no credibility. What you propose is that you take a right to information from us and from the people of Saskatchewan and you say trust us in the Cabinet and we'll give you the information. Well sure that's what you're saying — that you're saying anything else. If you were saying anything else you'd be coming before this House and enshrining perhaps in legislation that the documents would come up at the opening of the spring session or 15 days afterwards.

**MR. ROMANOW:** — What did you say in '75?

**MR. MERCHANT:** — In '75 we looked at what appeared to be again a temporary proposition. Now by practice, Mr. Speaker, the government decides to make this a permanent practice, something that will go on from year to year and I can well imagine, Mr. Speaker, in 1979, a decision that perhaps a report or two that isn't quite as palatable as members might like it to be, not being delivered to this House. Now, Mr. Speaker, if the government really found themselves only in a problem because they keep calling a fall session, then . . .

**AN HON. MEMBER:** — Members opposite are just fortifying, members opposite . . .

**MR. SPEAKER:** — Order, order. It wasn't 1:00 o'clock. I wasn't aware that the member was actually suggesting to me that it was 1:00 o'clock.

**MR. MALONE:** — I don't know how it could be more clearly put to you by the member. He got up, spoke and said it's 1:00 o'clock, Mr. Speaker. It was 1:00 o'clock and he sat down. Now what more can he do, Mr. Speaker? Well I can — I bring your attention, Mr. Speaker, to the clock up there and would you agree with me now, Mr. Speaker, that it's after 1:00 o'clock — it's one minute after 1:00 o'clock and a minute ago it was 1:00 o'clock when the member . . .

**MR. SPEAKER:** — Order, order. I find the remarks of the member for Lakeview to be irrelevant to the point of order. Now it is a very delicate situation. The member is spending some time discussing an issue and I want to be sure that I won't be called into account for the fact that I might call it 1:00 o'clock before 1:00 o'clock if there doesn't seem to be a feeling in the House for calling it 1:00 o'clock and I detected there was no feeling for calling it 1:00 o'clock, just a feeling I have and I have to judge it as it occurs. Now the member for Moose Jaw has the floor and it is now 1:00 o'clock and I will adjourn the House until 2:00 o'clock Monday.

The Assembly adjourned at 1:00 p.m.