

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 6, 1981

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

WELCOME TO STUDENTS

MR. PREBBLE: — Mr. Speaker, it's my pleasure to introduce to you, and members of the House, a group of 64 students from Roland Michener School in my constituency. They are accompanied by their teachers, Mrs. Kerr and Mr. Pierce. I'm delighted that they've been able to attend the House today. I hope they have a pleasant stay in Regina and a safe journey home. I know all members of the House will want to join with me in greeting them.

HON. MEMBERS: Hear, hear!

HON. MR. SMISHEK: — Mr. Speaker, I'd like to introduce to you and to the members of the legislature a group of 20 students from St. Paul School. They are grade 7 and 8 students. They are accompanied by their teachers, Al Jurzyniec and Miss Cathy Muscoby. On behalf of all the members of the legislature I extend a warm welcome to the students, who are seated in the Speaker's gallery. I hope to meet with them at 2:30 in the members' dining room for some refreshments. I do hope their visit to the legislature is a pleasant experience. On behalf of all of us, I extend a warm welcome to you.

HON. MEMBERS: Hear, hear!

MR. NELSON: — Mr. Speaker, it is a great pleasure for me to introduce 13 students from grades 3 and 4 at White Spruce School, which is at the Canadian Forces Base near Yorkton. They are accompanied by three of their teachers, Mrs. Petar, Mrs. Schultz, and Mrs. Hollinger. It was a great pleasure for me to visit them in their school and to talk to them. I'm very pleased that they have accepted my invitation to visit the legislature and to see how it works. I hope all of the students find their stay in the legislature and in our capital city interesting and informative. I know all members will join with me in wishing them a good stay in Regina and a safe trip home.

HON. MEMBERS: Hear, hear!

MR. DYCK: — Mr. Speaker, I'm delighted to introduce to you, and to this legislature, 20 students from the Henry Kelsey School in Saskatoon in the constituency of Saskatoon Mayfair. They are 20 grade 8 students, and they are located in the Speaker's gallery. They are accompanied by two teachers, Mr. Panasiuk and Mr. Labastard. I want to welcome you to the Assembly, and I hope that you have an educational stay here and in Regina. I trust that you will have a safe journey home.

HON. MEMBERS: Hear, hear!

MR. BIRKBECK: — I'd like to join briefly with the member in welcoming the students on the basis that I have a nephew among those 20 students from Henry Kelsey school. I

would ask to join the member for a few moments in the rotunda area to meet with the students. Thank you.

HON. MEMBERS: Hear, hear!

QUESTIONS

Problems of Kamsack

MR. MUIRHEAD: — Mr. Speaker, a question to the urban affairs minister. Mr. Minister, there was a meeting held last night in Kamsack, called by Councillor McDonald. I'm wondering if representatives from your department attended this meeting, Mr. Minister?

HON. MR. SMISHEK: — Yes, Mr. Speaker.

MR. MUIRHEAD: — Would you enlighten this Assembly as to their interpretation of the meeting?

HON. MR. SMISHEK: — Mr. Speaker, I have asked my officials who attended the meeting to give me a report. They are preparing a report and until I receive it, I am not in a position to give any kind of report to the legislature.

MR. MUIRHEAD: — New question, Mr. Speaker. It seems funny it takes so long for you to get that report. I had the complete report from our people at 1 o'clock this morning. Mr. Speaker, I understand it was a complete stonewall, on behalf of the chairman, to keep the true facts from coming forth. This, I understand, turned off the crowd which was signing the petition for an inquiry.

Will you, Mr. Minister, call a judicial inquiry into the wrongdoings at Kamsack, especially under consideration of the facts that we have tabled in this House? If the facts tabled are not enough, I will table a lot more in estimates. Nevertheless, will you call a judicial inquiry under The Urban Municipal Act, 422 of the new act which, in short form, states that one-third of the members of council or one-fourth of the voters of the municipality may petition for an inquiry. Will you or will you not, under these circumstances, call a judicial inquiry?

HON. MR. SMISHEK: — Mr. Speaker, I am first of all going to receive the report from my officials who attended the meeting. After examining the report, I will consider the report. We have never ruled out the possibility of a third-party investigation or the possibilities (for that matter) of a judicial inquiry. The hon. member makes reference to section. 422. He has informed himself that to have an inquiry, it requires one-third of the support of the council. Certainly there is no evidence, at this stage, that one-third of the council supports an inquiry or 25 per cent of the electors support an inquiry. Certainly I am not in possession of that kind of a request or evidence, Mr. Speaker.

MR. BERNTSON: — Mr. Speaker, a question to the Premier. I see in your press conference this morning (I guess they call them news conferences these days), you said you were very reluctant to move on a public inquiry because it would make it seem as though there had been a wrongdoing. He says, "Council isn't asking for an inquiry." Mr. Premier, you will recall last February the Mayor of Kamsack, the MLA for Pelly and at least two citizens from Kamsack, met with you in your office for an hour, setting out in some detail the allegations that we have been talking about in this House for a few days.

I think it was you who said, so you're looking for an inquiry (and those aren't your precise words), but it was your suggestion that perhaps an inquiry was the way to go.

I also have here a letter to the Premier, dated April 8, 1981, spelling out in some detail the allegations made, signed by Mayor Mydonick of Kamsack. I also have here a copy of a Telex signed by Mayor Mydonick, Councillor Ann Cherwenuk and Councillor Marge Martynuik, addressed to the Premier, dated March 27 of '81, asking for an investigation. What's it going to take for you to call for an investigation to remove this black cloud of suspicion and doubt and confusion and bitterness from the town of Kamsack?

SOME HON. MEMBERS: Hear, hear!

HON. MR. BLAKENEY: — The member has correctly reported that I met with Mayor Mydonick. He has correctly reported that others were there too. I don't recall all who were there, but certainly the member was there. The member was bringing his constituents to meet with me and he was neither (as I took it) accepting or rejecting the submissions made by the mayor or the others present. That is a very proper role for a member to perform. He does not need to associate himself with the statements made by his constituents, nor does he need to deny their validity. He came with the mayor so they might have an opportunity to speak with me.

It was the first time I had the problems related to me. I suggested that they be raised with the Minister of Urban Affairs and the Department of Urban Affairs and I believe they were. That seemed to me an entirely appropriate course of action.

Subsequently, the Telex was received by the government, and subsequent to the Telex, one of the councillors was in written communication with the Minister of Urban Affairs withdrawing her request for an inquiry. That is the situation as we have it. We are still waiting for someone to allege a particular wrongdoing which could be investigated in an appropriate way.

We certainly feel, as the members opposite do, that this is a difficult position which the town of Kamsack finds itself in. We are reluctant, as a government, to interject ourselves into the administration of the town of Kamsack. The member for Arm River has properly pointed out that if 25 per cent of the ratepayers or one-third of the council feel that there ought to be an investigation, there is a procedure open to them. That, so far as I am aware, has not been followed.

This is not to suggest that is the only reason for having an inquiry, but I think the minister is acting properly in satisfying himself that there are firm grounds for a judicial inquiry before injecting himself in what is very clearly a quarrel between some members of council and other members of council in the town of Kamsack.

MR. BERNTSON: — Mr. Premier, you said the member had brought members of his constituency to meet with you but that, in no way, tied him to the view of those constituents he brought in to visit. I want to tell you why, perhaps, he wouldn't want to be tied to those views.

With the indulgence of Mr. Speaker, I would like to take an excerpt from a letter here which I will send over to the Premier. This is a letter dated April 14, 1981, and it was sent to a group of people. It is addressed to "Gentlemen," and signed by one Chester Olson, who happens to be a close personal friend of the member for Pelly. He says:

I said that something has to be done, and done soon before they put the airport in town limits. Norman told me there was very little he could do, saying that those guys (referring to Councillors Koturbash and Zabinsky) cover their tracks very well. He also said that he was scared of those guys. Again, in conversation two weeks ago with Norm, I asked Norm to help us get the facts out in the open. He said that the information he had seen wouldn't be proof enough that they couldn't lie their way around it.

Now, what kind of a government do we have sitting here that would allow this situation to deteriorate to such an extent that the member is afraid of the people whom he is dealing with in the town of Kamsack?

SOME HON. MEMBERS: Hear, hear!

HON. MR. BLAKENEY: — Mr. Speaker, I note that the Leader of the Opposition is very careful not to quote anything from the member. He is now giving us second, third and fourth-hand evidence of what somebody says that somebody else said that somebody else said on a given occasion. I, for my part, would want some stronger evidence than that before I reached the conclusion that the member for Pelly or the councillors referred to (whatever their names are) were acting improperly.

I am not suggesting that they have not acted improperly; I don't know the facts. All I am saying is that I would need a good deal more evidence than that. If anybody in the House wishes to make specific allegations about any specific person that could be specifically investigated, I would invite them to do so. If members opposite continue to make allegations which are based upon second-hand and third-hand information which they have not investigated, then I think we will have to reach the conclusion that we must seek evidence elsewhere. This is not to suggest that it doesn't exist; I am just saying it does not exist based upon the letters read at second- and third-hand by the Leader of the Opposition.

MR. BERNTSON: — I can tell the Premier that we have tabled a truck load of documents. I don't suppose he's taken time to look at them, nor has the Attorney General. I can tell the Premier that in all likelihood, in his estimates later today we will table another truck load. Now, will you, with your minister and with the Attorney General, take the time to look at those documents and then call a judicial inquiry as the people in Kamsack are asking for? Mr. Premier, if you don't, the only conclusion we can draw and the only conclusion the people in Kamsack can draw . . .

MR. SPEAKER: — Order, order.

HON. MR. BLAKENEY: — Mr. Speaker, I will ask the appropriate person: The Minister of Urban Affairs. If in his judgment anything requires the attention of the Attorney General, I'll ask the Attorney General, as well, to look at the material filed to see whether it gives any grounds for having a judicial inquiry. That seems to me, to be the appropriate way to act.

Department of Education Tests

MR. TAYLOR: — A question to the Minister of Education. Sometime in February the director of the special education branch, without any consultation with the regional co-ordinators of the special education people in the field, issued a directive changing the

rules concerning testing of children who are suffering from severe learning disabilities. The changes are mainly that the scores of the Woodcock reading mastery test and the Stanford-Binet diagnostic test would not be used. Could you tell me the reason for that change? And why did that directive come down without any consultation with the people in the field?

HON. MR. McARTHUR: — Mr. Speaker, I cannot answer for the specific tests which are used by the department; I can certainly check into the matter. I would say that, clearly, because of the fact that the department provides very generous special funding (as the hon. member knows) to assist school boards in providing the services which are required by the handicapped and disabled young people in our school system, there is a need to have certain kinds of means of identifying children who would be eligible for that special funding.

I have full confidence that the director of the special education branch, in the duties which he fulfills, does indeed consult with all appropriate people in any changes he makes to the tests and standards which are used in judging which children shall be taken into those programs. But, certainly, I can find the specific reasons for the hon. member, and I will provide those answers to him.

MR. TAYLOR: — Supplementary. It would seem the reasoning of the director is that they are discovering too many students out there with learning disabilities. Mr. Minister, would you not agree that the end result is that many of the children, who have previously met all the criteria of having learning disabilities, who have been designated to receive special programs, and who have legitimate learning disabilities, will no longer qualify to receive the special programs which they need? Is that not what is going to happen by changing this criteria?

HON. MR. McARTHUR: — No, that is definitely not what is going to happen. I would point out to the hon. member that it is a responsibility of each and every school board to provide programming appropriate to the needs of those children. The special assistance grants that go to boards are there to help in some way with the costs the board might incur as the result of the necessity for enriching standard programs. It is the responsibility of a school board to provide appropriate programming.

It should not change in any way (the changes the hon. member is talking about, about which I know very little) the judgement of the school board with respect to the programs to be provided. This is one of the difficulties with using special grants, of course; they appear to influence the nature of the programming provided. That is not the intent. The grants are there to provide some assistance to school boards and it's a very generous form of assistance. But the responsibility rests with the school board to provide the programming appropriate to the needs of the child.

MR. TAYLOR: — Final supplementary. Mr. Minister, surely you must realize that this could affect an estimated one-third or one-quarter of the students being funded at this point in time. Now if the criteria were changed, the boards will not receive funding for these students. Therefore, what will happen to the program? The program will be reduced; the teachers will be let go; and children in Saskatchewan who are receiving this type of education at this time, and need it, will be deprived of it. Many of the other children, who would be diagnosed this way under the existing criteria, are going to be missed. I say that must be nothing but a . . .

MR. SPEAKER: — Order, order! The member is debating the issue.

HON. MR. McARTHUR: — Mr. Speaker, any of the changes which take place with regard to the tests used are made on the basis of good educational requirements. If there are changes being made by the director of the special education branch, I am sure he has satisfied himself that those changes are consistent with the identified needs and educational requirements of those children. There certainly is no intent to make any changes that would take away from children the programming which they should have within their schools. Indeed, if any programming is being taken away, I would be the first to be concerned about it, and I would not tolerate such a move.

Gasoline Prices

MR. THATCHER: — A question to the Premier, Mr. Speaker. Metric has done all sorts of wonderful things, mostly to governments. Since we have gone to litres, it has certainly made it much easier for governments everywhere to raise the price of gasoline. Yesterday, a check with the Premier's favourite gasoline company, Petro-Canada, indicated a couple of interesting numbers. One is that the price disparity between Regina and Toronto is 2 cents per litre. Now transcribed into gallons, Mr. Premier, that's 9 cents per gallon.

My question is: since Toronto and eastern Canada are receiving a great deal of Venezuelan and OPEC oil, and we in Saskatchewan are receiving all western Canadian oil, does the Premier think Saskatchewan consumers are being properly dealt with and receiving adequate benefit for their proximity to our oil, when they are paying 9 cents more per gallon than their counterparts in Ontario?

HON. MR. BLAKENEY: — Mr. Speaker, I was not aware that the purpose of question period was to ask questions about what the Premier thought. I have no views on this so far as the Government of Saskatchewan is concerned. If the member wants to know what I think, I'll tell him out in the corridor. If he wants to know what the Government of Saskatchewan's view on the matter are, we have no views for public presentation.

MR. THATCHER: — A supplementary question to the Premier. I certainly don't blame the Premier for taking that attitude. I don't know how I would defend it either. Checking with the same company, Petro-Canada, and relating it to Edmonton, one comes up with an even more astonishing little figure. Basing it on a per gallon figure, our counterparts in Edmonton are receiving a gallon of gasoline from Petro-Canada for the amazing figure of 40.5 cents less than they are in Regina. My supplementary question to the Premier is this: in light of this disparity, which is just far too much, will the Premier consider altering or reducing in any fashion the sliding scale provincial sales tax which Saskatchewan has imposed?

HON. MR. BLAKENEY: — Mr. Speaker, the member asks what our tax policy is with respect to petroleum fuels. The policy is that which is set out in the act passed in this House, which calls for the imposition of a sliding scale of approximately 20 per cent. That is the policy this House has endorsed and that we intend to continue to apply.

MR. THATCHER: — A supplementary to the Premier. From the Premier's answers today, is it fair for the people of Saskatchewan to assume that the rip-off perpetrated by his government on every litre of gasoline is going to continue?

HON. MR. BLAKENEY: — Mr. Speaker, it is fair to assume that, as in every other province

except Alberta, a tax will be levied on the basis of gallons or litres. Almost all provinces levy a tax per litre. I believe the majority of provinces have a tax based on the value of the gas sold (the so-called sliding scale), and I believe that almost every province (particularly the provinces with Conservative governments) has higher gas taxes than Saskatchewan does.

Cost Allocation for Dental Plan in Schools

MR. KATZMAN: — A question to the Minister of Health. On Monday, it was indicated that your new dental plan will be started this coming year for people up to the age of 18 years in September. Mr. Minister, could you inform this House who will pay for the dental facilities which will be required in the schools? As indicated under your plan, you will allot each dentist and technician so many students around the province. Could you indicate who is going to pay for the improvements in the schools to put these dental labs in?

HON. MR. ROLFES: — I am not absolutely certain, Mr. Speaker, but I believe the upgrading of facilities is being paid for by the Department of Education. I think I am correct in that.

MR. KATZMAN: — Mr. Minister, could you tell this House why the people of rural Saskatchewan are not going to be getting the same qualified services as is going to be available to the people in the cities?

HON. MR. ROLFES: — Mr. Speaker, I don't know to what the member is referring. As far as I'm concerned the people in rural Saskatchewan will be getting equal service as those in the urban centres.

Agreement on Western Power Grid

MR. ANDREW: — My question, Mr. Speaker, is to the minister responsible for the Saskatchewan Power Corporation. Mr. Minister, last week in Winnipeg, Don Craik, minister responsible for the utility in Manitoba, indicated that the provinces of Manitoba and Alberta would proceed (probably by July) with an agreement on the western power grid. Where does the province of Saskatchewan stand with regard to that, in the sense that if you do not participate in the agreement, you will be holding them up or simply charging them a fee to run the lines across Saskatchewan?

HON. MR. McARTHUR: — Mr. Speaker, Saskatchewan has been participating, as the hon. member well knows, in discussions about the possibility of participating as a partner in the so-called western power grid. Those discussions have been centred on a number of important points, none of which has been resolved to the point of agreement. Certainly, it is Saskatchewan's intent to look at this project from the point of view of Saskatchewan as well as from the point of view of the western region, and on the basis of adequate proposals and arrangements to pursue discussions. But I can report to the hon. member at this time that there was a discussion at the western premiers' conference about the western power grid. A report was made to the premiers about the progress of discussions and I am not aware that anyone expressed dissatisfaction with the progress of discussions to that point.

MR. ANDREW: — A supplementary. The new report would indicate that the provinces of Manitoba and Alberta would not see this as a preferred alternative. Obviously, you were discussing it, according to press statements made by both the Government of

Manitoba and the Government of Alberta. You must have discussed the concept that in the event Saskatchewan does not go along with the purchase of power by the western power grid, whether you would look at the second alternative, and how you would approach that question of getting the power from Manitoba to Alberta without Saskatchewan participating?

HON. MR. McARTHUR: — Well, Mr. Speaker, I think it would be quite a feat to have the power shipped from Manitoba to Alberta without Saskatchewan participating. Any suggestions the hon. member might have of how that would take place would certainly be interesting to me. That is not a subject which has been discussed, for obvious reasons.

What has been discussed is the proposed western power grid, with all of the complications and considerations which must be taken into account. It has been my practice to carry out those discussions in private and not through the media or through the opposition parties in the legislatures. I believe we can, following that practice, continue to discuss this most important project. It is a very high-cost project and one which, if I have to take into account the needs and interests of Saskatchewan, I must give very careful attention to before I state any position on the questions the hon. member raises.

MR. ANDREW: — Can we take from your answer, Mr. Minister, that if the province of Saskatchewan does not enter into an agreement to purchase some of the Manitoba Hydro power, the whole program, from your point of view, would be scrapped and the whole question would come to an end?

HON. MR. McARTHUR: — I don't know why the hon. member would want to speculate on that kind of possibility. I assume that if a point was reached where there was no possible agreement that could be reached with Saskatchewan, that yes, it would be true, the project could not proceed. There was a previous project in which there was a proposition for Saskatchewan to sell power to Ontario. Because we could not reach agreement with Manitoba, it was not possible for the project to proceed. That is certainly something that could be an outcome of the discussions. I'm not suggesting it will be; I'm not suggesting it will not be. It is simply something which has not been addressed at this point because we are dealing with the proposition. The discussion centres on the proposition and all the outstanding questions centring on the proposition.

INTRODUCTION OF BILLS

Bill No. 97 — First Reading of a Bill to amend The Queen's Bench Act

HON. MR. ROMANOW: — Mr. Speaker, I move that a bill to amend The Queen's Bench Act be now introduced and read a first time.

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

Bill No. 98 — First Reading of a Bill to amend The Hospital Standards Act

HON. MR. ROLFES: — Mr. Speaker, I move first reading of a bill to amend The Hospital Standards Act.

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

Bill No. 99 — First Reading of a Bill to amend The Saskatchewan Hospitalization Act.

HON. MR. ROLFES: — Mr. Speaker, I move first reading of a bill to amend The Saskatchewan Hospitalization Act.

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

Bill No. 100 — First Reading of a Bill to amend The Cattle Marketing Voluntary Deductions Act

HON. MR. MacMURCHY: — Mr. Speaker, I move First Reading of a bill to amend The Cattle Marketing Voluntary Deductions Act.

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

ORDERS OF THE DAY

COMMITTEE OF FINANCE

CONSOLIDATED FUND BUDGETARY CASH OUTFLOW

EXECUTIVE COUNCIL

Ordinary Expenditure — Vote 10

Item 1

HON. MR. BLAKENEY: — Mr. Chairman, I wonder if I might first introduce the staff who are here with me. On my left is John Sinclair, the deputy minister of the Executive Council; on my right is Valorie Preston, executive director of Premier's secretariat; behind me is Becky Taylor, the director of administration. We have some others if other matters arise, and will have them here at that time.

MR. TAYLOR: — Mr. Premier, we have some rather serious things we want to discuss with you, and of course, one of them would be the situation in the town of Kamsack. My two colleagues are out seeing the press and the public, who are very interested in the cloud hanging over Kamsack, but I will allow them to discuss that.

There is another matter I would like to discuss with you, Mr. Premier, and this hinges on some questioning and discussion I had with the Minister of Youth and Culture in his estimates. I think if we could recall our host last night, and your remarks, we could tie this all together. I heard you say that the office of the Lieutenant-Governor was one of the unifying forces in this country. This was the general gist of your remarks.

In discussion with the Minister of Culture and Youth, we came to the subvote on the restoration of Saskatchewan House on which, I understand, there has been approximately \$5 million poured in (and I'm not opposed to that). I did point out that it was probably too bad that your government (perhaps it was before your day) found it necessary to dispose of the furniture, and then had to buy it back at a much inflated price to restore it.

I think everyone is glad to see Saskatchewan House restored; however, I would suggest that the treatment given to the Lieutenant-Governor regarding accommodations in Saskatchewan is somewhat shoddy compared to the other provinces of Canada. I've had the good fortune, since coming into the House, to travel to many of these and visit the accommodations in Newfoundland, Ontario and Alberta, where their lieutenant-governors are housed in, what I would say are, very adequate surroundings. Unfortunately, the situation in this province is that our Lieutenant-Governor, for some years has been cooped up in the Saskatchewan Hotel. I had the opportunity to visit the suite. In my mind, the suite is totally inadequate for this man to perform the official functions which we expect him and his gracious wife to do.

Therefore, Mr. Premier, what I would like your viewpoint on is this: could the ballroom in the new Saskatchewan House be used for the Lieutenant-Governor and, of course, perhaps by yourself, Mr. Premier, when we have ambassadors and visiting dignitaries from other provinces and states and other countries come in? I think it would only be fitting; I think the people of Saskatchewan would be very proud to have these visitors to our province entertained and hosted in, say, the ballroom of Saskatchewan House.

With regard to the Lieutenant-Governor, I understand that the government owns the property which was formerly St. Chad's Anglican Diocese on College Avenue. I happen to live close to there when I am in Regina. I have looked around the grounds and I think that is a very suitable place, and the bishop's residence could be fixed up as a permanent residence for the Lieutenant-Governor. I think, without too much expenditure, perhaps the upper stories could be his living quarters and the downstairs could be the type of entertaining area that may be required.

I think one of the areas we want to look at is adequate grounds and lawns. Certainly there is space there for beautiful gardens; we have the facilities for planting trees. I think it is a part of the Wascana Centre. (I may stand to be corrected on that, but I believe it is.) We have the staff; I see them out here planting trees and keeping our grounds in, I must say, a most immaculate and beautiful condition. I am sure you receive many, many congratulations from visitors on the beauty of the Wascana Centre.

So I would like to hear your response and see if you think it would be a feasible idea for the government opposite to look into two things: (1) using Saskatchewan House as the official area for receptions for dignitaries visiting this province, and (I think this is the more glaring need) (2) coming to grips with the totally inadequate housing which we are providing for the Lieutenant-Governor. Could we look at the possibility of using the bishop's residence (or what was the bishop's residence) on the St. Chad's grounds as the new residence for the Lieutenant-Governor of Saskatchewan?

HON. MR. BLAKENEY: — Mr. Chairman, the member for Indian Head-Wolseley raises some good points. Certainly the accommodation provided in this province and until recently (and it may still be true) in Alberta for the Lieutenant-Governor was very much less elaborate than is provided in, let us say, Newfoundland or British Columbia. British Columbia's is perhaps the most palatial, but some of the others with older government houses — the one in Nova Scotia, which I know well; the one in Newfoundland, where I have been visiting with Lieutenant-Governor Winter; the one in B.C., which I've been in on numerous occasions over many years; and the one near the Legislative Building in Manitoba — are fine, gracious and stately homes.

Without attempting to quote anybody, I don't get any impressions that the lieutenant-governors are looking for a residence of that size at this time. I think it's fair to note that

the last couple of lieutenant-governors have not been residents of Regina and (again, I think it's fair to say) did not wish to become residents of Regina since they were going to be involved in the office perhaps for five or six years, which has become the custom. In the case of the current Lieutenant-Governor, he has a younger family and, again, without stating that I am quoting him, I think he exhibits a disposition to keep his permanent residence in his home in North Battleford.

Having said all that, we have indeed looked at Bishop's Court on St. Chad's grounds. It is, of course, still the residence of the Anglican bishop; they have the right to occupy it for a few years. I can't recall how many. We have been considering what disposition might be made of it, and a permanent home for the Lieutenant-Governor has been one of the options.

Turning now to the question of a place where entertainment could be carried on. I think of Saskatchewan House, the old lieutenant-governor's residence, which has been restored — at a very considerable cost I may say. We find that in restoring things you cannot call for tenders effectively, since nobody knows what they are bidding on, and it becomes costly. But having said that, that's all over. We are advised that the ballroom and the dining room, and certain other rooms on the first level — the ground floor rooms — would be available for limited entertaining. They would not wish any large numbers over any large number of occasions, because it has been restored somewhat as a period piece and will not stand a great deal of wear and tear. But I know the hon. member is not suggesting that. He is suggesting occasional availability for entertaining, perhaps out-of-province visitors or the like. I know that has been under some consideration.

Also under consideration has been the adequacy, or lack of adequacy, of the current facilities in the Hotel Saskatchewan which, no doubt, were thought to be adequate in another day when, generally speaking, all offices were a good deal less elaborate than they are now. But I think I have to agree with the hon. member that they are less adequate now in comparative terms than they once were. The question of whether or not they should continue to be the Regina offices of the Lieutenant-Governor is under review.

MR. TAYLOR: — Thank you, Mr. Premier. I don't want to dwell on this too much longer. I think in the case of the present Lieutenant-Governor, that his family does finish school in the next year. I think it might be an apropos time for him and his good lady to take up residence in Regina and he, I think, perhaps would be willing to do so. I think the fact of having a nice home like that would certainly be a credit to our province. I agree with you, relatively speaking, that things might have been okay a few years ago but as we progress (looking around at offices I see in certain buildings; I won't mention any by name) I do think that probably we are at that point in time. I would just finish by saying I would hope you would take my concerns, my suggestions, as serious and heartfelt for the improvement of the facilities for this office. On that, I'd like to now let my other colleagues into the questioning of your estimates.

MR. MUIRHEAD: — Mr. Chairman, Mr. Premier, I am sorry that I have to bring up this Kamsack problem in your estimates. I'm sorry that it could not have been settled before it got to your department. We have had something happen in this House that's never happened in the three years I've been here — we had to have two estimates pulled. We had to pull the estimates of the Department of Industry and Commerce the other night, and now . . . Perhaps it's a misunderstanding, but we were told that we could ask questions under vote 48 regarding Sedco problems. When we got to that we were told

that we couldn't, so we got into an argument here which is, perhaps, a misunderstanding but, nevertheless, it happened Mr. Premier.

So there are a few questions there that I must ask your department, but mostly it's the Kamsack problem. The Minister of Urban Affairs has been made aware of these problems for a good many years — ever since he's been the minister. He has done absolutely nothing whatsoever to see that the law has been kept in the town of Kamsack, and that is what the trouble is there.

I am going to try to go through it in your estimates as quickly as possible to see if we can't get you to understand it. Because it looks to me, Mr. Premier, in talking to the Attorney General this morning, that you have not seen the material that we have tabled before and with what we have tabled to the Minister of Urban Affairs, we get no results.

I'll just start out, Mr. Premier, to try to acquaint you with what has been going on as quickly as I can without holding it up too long.

This started, Mr. Premier, back in 1978 when a parcel of land was purchased by a group of people called Eagle Developments. No one was aware of any irregularities, Mr. Premier, on this transaction until someone went to the town after they knew that it had been surveyed. I'll just run through the articles that I have written down here to bring you up to date.

On April 10, 1978, town administrator reports above-mentioned property can be zoned commercial but assessed agriculture. No place, Mr. Premier, in the law books can we find an urban municipality where this is correct. October 25, 1978, community planning branch approves a subdivision. I have letters already tabled on this, Mr. Premier, so I just bring it to your attention. January 5, 1979, a plan of subdivision was registered and a new certificate was given to Eagle Developments. April 3, 1979 is the actual date of traction. The property was sold to Eagle Developments Ltd. and the directors of Eagle Developments are Larry Koturbash, councillor, Al Zabinsky, councillor.

Now, the concern here is that people asked why these people weren't assessed for taxes. Mr. Premier, this is what has happened: they said that April 3 was too late, that the act says that it's April 3. If you read the act, it definitely states May 31. Also, we talked to the assessors and they said that they can get it assessed in that year, up until December 1, go back and charge these people taxes.

This was all done; they were new owners. The acts were very plain, Mr. Premier. The acts were there, and section 3(10) of The Urban Municipality Act states:

Assessors shall assess in respect to every parcel of land the registered owner, definition of parcel, a lot or block in a registered subdivision.

Section 3(14): Land cannot be assessed agriculture if it is subdivided under subsection 2.

Section 10: Department of Municipal Affairs Act states: Ministers responsible for corrective assessments.

Now, the minister was told in a letter on September 10 about the irregularities of the assessment. Now, I have tabled this letter before in the House so I won't do it again, but you look at that letter yourself, Mr. Premier. In it, a Mr. Sasyniuk definitely tells of the six irregularities in council, and so this was made available to the minister — all the wrongdoings of the tax assessment, and nothing was done. Nothing was done until the fall of 1980 when quite a few concerned citizens insisted that this not be agriculture assessed land.

So, Mr. Premier, the assessor came out and assessed the land. They were assessed \$9,000-plus for taxes; they appealed it and paid last year's taxes of approximately one-half of the \$9,000 which is approximately \$4,500. We have checked with the assessor and no appeal was ever made, so until someone can prove otherwise, the councillors themselves have assessed their own land and their own appeal.

The main items that they are worried about in Kamsack is that councillors Koturbash and Zabinsky and whoever else owns Eagle Developments, owe the taxpayers of Kamsack approximately \$9,000 for 1979. We want to know, Mr. Premier, what your interpretation of this is. Why would your minister not act when it comes to this very, very important item? He never even answered or gave any reasons to these people. All he would do, Mr. Premier, is reply to the people saying, "Thank you for the letter, we are looking into it." They are still waiting as nothing has been done. Could I get you to comment on that please?

HON. MR. BLAKENEY: — Mr. Chairman, I think that we had better sort out what I think my obligations are at this time, and what members opposite think my obligations are. I am here to answer for the expenditures of the Executive Council. I am here to answer for the general policy of the government — the particular policy of the government as it relates to the Executive Council. I cannot be expected to answer detailed questions from other departments. I do not have the officials here, nor has it ever been the custom; nor should I have them here, because obviously I would have to have all the deputies. Accordingly, I will answer the hon. member's question; answer it as best I can, but will not answer as to the details of the issues which he raises.

He asks in effect whether I am satisfied with the performance of the minister. I have no reasons to be dissatisfied with the performance of the minister. The member suggests that taxes were owing for the year 1979 on property owned by a company of which councillors were shareholders. I am not in a position to dispute his facts. I am not in a position to agree with his facts. Nor am I under an obligation to know the facts at this time. This is not my role here in answering for Executive Council. I will tell you what the policy is. My policy is when a matter of this kind arises which suggests that a council has not been performing its duties in accordance with the provisions of The Urban Municipalities Act, I refer the matter to the minister and ask him to examine into it.

So far as I am aware, the first time I became apprized of this (and I frankly cannot state this with precision since I do not recall all of the letters which come into my office — there are hundreds) is when I had the newly elected Mayor of Kamsack call at my office and outline some of these facts. The material put forward to me was verbal. It was complicated, as I think all the hon. members will agree. Therefore, I do not trust my memory, but I do recall something of the item which is raised by the hon. member for Arm River.

All I can say is that it has been referred to the minister with the request that he look into it to see whether or not there have been improprieties and whether or not, in

the first instance, it is the normal or not the normal thing for taxes to be reassessed during the course of a year when land is subdivided but not developed. Those are matters which the minister and his staff will be familiar with. My information is that he has in fact looked into it. In any case, subvote 1 of the Department of Urban Affairs has been stood and the member will be able to ask the minister as detailed questions as he wishes. He may elicit from the minister detailed answers which he will be able to gather from his staff, those officials which are, of course, with him when he is here and not with me.

MR. MUIRHEAD: — Yes, Mr. Premier, I partially agree with you. But when you cannot get answers from your ministers and we come to the Premier (who is responsible for the ministers), what else can we do? We have to come to you.

I am not going to dwell on this, but I want to tell you something very, very important which came out in today's paper, so you will be knowledgeable yourself of the scandal in Kamsack. In the paper it says: "Kamsack Council Denies Wrongdoing". It's in today's paper. I am going to read to you about one absolute falsehood; it's completely false and I can prove it to you. Then you will know what is going on and you will have an idea yourself, Mr. Premier.

Councillor Larry Koturbash told 500 persons who filled all available seats at Kamsack Junior High School that Kamsack Manufacturing Ltd. paid \$7,500 for the property.

Now, that is an absolute falsehood. I hold in my hand minutes of the council meeting of January 22, 1979, and it says:

Zabinsky-Boyd: That we agree to sell to Kamsack Manufacturing Inc. . . . (I won't read the parcels of land) for the sum of \$1 . . .

Now, they can't get around that, Mr. Premier. The minister has also been saying \$7,000. They were asked at the meeting last night to prove it was \$7,000. When the people stood up to show these kinds of things to the people, they were pushed off the stage. It's even on camera. I am sure you know Mr. Konkin quite well. He stood up with a whole parcel of goodies at this meeting last night, and he was actually pushed off the stage and told that this is not relevant to the meeting.

I tell you, Mr. Premier, it's mighty serious when an old gentleman stands up at a meeting in Kamsack and says, "I come here to this meeting tonight to support Larry Koturbash." Then when I hear that my people who were born and raised in the Kamsack community cannot be heard and are pushed off the stage, I am going to sign the petition for a judicial inquiry. This is why your minister has failed. The people have brought this to him, and they have gone back and talked to the people on council. I have said before that to be going back to this old council, not the new council, is like going to ask the fox if he ate the chickens. This is a fact, Mr. Premier.

Three months later there were another three acres sold (this has all been tabled before, if you will look at it) for \$2,000. I have the bill of sale here in my hand — The Land Titles Act for the province of Saskatchewan, which shows it was sold for \$2,001 for the 13 acres on October 4.

Now if you are wondering what caused all the commotion in this House, and why two estimates had to get pulled, it was for reasons like this. One month prior to that date, a

man working for the Department of Industry and Commerce evaluated the property at \$220,000 and then one month later Sedco throws in a loan of approximately \$0.5 million. By December 1 that year, the man, Mr. Litowitz, who was working for industry and commerce, quit his job and went to work for Kamsack Manufacturing. The heat comes on this last month; he gets frightened and goes back to work for industry and commerce. This is the kind of stuff that you know nothing about, but the minister does. But he is doing nothing about it. We have to have the man who is the Premier of this province know this kind of stuff so he can help him make up his mind about what he has to do: he can't make it up for himself.

MR. CHAIRMAN: — Order! I always hesitate, as your Chairman, to inflict myself into the debate but the Premier, I think, is raising a point of order that, after consideration, I think is probably well-taken. All ministers, including the Premier answer for the government. It has been the practice of this House to have ministers answer for those areas of specific responsibility for which they are responsible. All the members, of course, have the opportunity to ask those ministers responsible direct questions in whatever area they wish at that time in which the minister's estimates are being considered.

Questions to the Premier and indeed all ministers, therefore, should deal with the areas over which they have direct responsibility. I refer hon. members to a ruling made in the House on March 20, 1978 in the committee of finance.

During consideration of the main estimates of the Department of Telephones, a point of order was raised that questions regarding cable television should not be asked under the vote of the Department of Telephones. The Chairman ruled that questions on this topic should more properly be asked under subvote of communications secretariat in the estimates for the Department of the Attorney General, or under vote 53 for Sask Tel, where questions were related to Sask Tel's involvement with cable television from the standing committee on Crown corporations.

I rule, therefore, that this is a similar instance, and that questions dealing with the controversy over the Kamsack council should more properly be directed to the Minister of Urban Affairs.

MR. MUIRHEAD: — Thank you, Mr. Chairman. Yes, I will abide by your ruling. With your permission, I would like to bring up something which goes back to question period today, of course.

I don't agree with the Premier when he says that we shouldn't be discussing this in his estimates, because if he isn't the head man here, who in the world is? He is the head of all the departments. No matter what department we come to, I am told in four different estimates that they don't answer for that. I asked a question in environment and they said that it belonged in urban affairs. I asked the question in industry and commerce and they said that it belonged someplace else.

The member for Thunder Creek came in and wanted to ask some Sedco questions. He was told that they belonged in Crown corporations. Well, we had the precedent set here in 1979. It was read but nobody would listen. The House went wild here the other day; it got completely out of control when the Attorney General himself said that in 1979 it

was ruled by the Chairman that questions can be asked under vote 48 for Sedco. So we were only going by that. If it was wrong, then someone should have told the member for Thunder Creek that he was wrong instead of just pulling the estimates.

I want to bring to your attention just one more very important thing, Mr. Minister, and that is with respect to this petition which we talked about in The Urban Municipality Act, 422. I will just sum this up here with a very short point.

There is one more company in Kamsack called Arrow Petroleum. On February 27, 1980, the Minister of Urban Affairs wrote a letter to the Mayor of Kamsack stating all the irregularities which took place at that time. He, more or less, told him in this letter to clean up their act. I agree with what he did.

MR. CHAIRMAN: — Order, order! I really appreciate the member saying that he was going to abide by my ruling. You are breaking my heart. I think I have made my ruling and it wouldn't be good for me to let you go on in that vein and let you break it all over again. Could we get back to the estimates of the Executive Council?

MR. MUIRHEAD: — I will just ask this one question. Mr. Premier, if 25 per cent or more of the people of Kamsack and one-third of the council members sign this petition asking for a judicial inquiry (I understand they have even more than a fourth now) will you agree to advise your minister to go ahead with a judicial inquiry? What is your feeling on that?

HON. MR. BLAKENEY: — Mr. Chairman, I wouldn't want to prejudge until I saw just what the proposition was, but in all likelihood the answer is yes. I want to make it as clear as I can that the Government of Saskatchewan has no stake in the situation at Kamsack on one side or the other. Our position is that we have wished to defend (if I may put it that way) or stand by the duly elected council of Kamsack. Until someone comes forward with either some pretty solid allegations, which they will put down in writing to say, "There is what I think is wrong," or alternately, that there would be a request from the council or the ratepayers pursuant to the provisions of The Urban Municipal Act.

Please understand, I think a number of the allegations that have been made have been inaccurate. This doesn't mean they are all inaccurate. My guess was that it was land bought on agreement for sale for X dollars; a building was built on it; then all of a sudden it became much more valuable land. That's hardly a surprise. But these may not be the facts in this case. I know, in the city of Regina, any number of times one can . . .

AN HON. MEMBER: — Have you ever known the *Leader-Post* to be wrong?

HON. MR. BLAKENEY: — Well, I will not be drawn into that. Let me say this: we have no stake one side or the other. We don't have any capital of any kind tied up with the mayor and his group or with councillors Koturbash and Zabinsky and their group (if, in fact, there are only two groups). We simply want to allow the council to run the town. If it appears they are acting improperly and some fairly specific allegations can be identified to justify an inquiry or, alternatively, if one-third of the council or the ratepayers wish it, pursuant to the provisions of the act, then certainly we will take a very long, hard look at it.

We obviously share the views of the members opposite that we would like the air cleared. We find ourselves, naturally, in the position of attempting first to let the town run its own affairs, and not to have the minister run the town's affairs. But if there is a

suggestion that the normal process is no longer appropriate, we certainly have no objection to having further inquiries.

MR. MUIRHEAD: — Will you, Mr. Premier, have a talk with your minister and discuss the same things which you have just said, because that's more than we ever got from him in three days.

HON. MR. BLAKENEY: — Perhaps he would have phrased it differently. I think ministers of urban affairs tend to be properly defensive of duly elected councils. After all, they are the folks the voters chose. Unless it is proven that they are acting in a manner in which they should not be, then I think we owe it, in a general way, to the councils to support them. They will always be criticized.

Those of us who are in elected office know there are always criticisms directed at us. Sometimes there are allegations of impropriety directed at us and we wouldn't welcome it if people were launching judicial inquiries every time someone made allegations of impropriety concerning ourselves. This is not to be interpreted to mean that if the situation requires it we would have any hesitation, because we would not.

MR. THATCHER: — In many respects I guess we are at the crossroads in this country, as far as the constitutional debate is concerned. A great deal of it is up to the supreme court and what their ultimate decision may be.

Mr. Premier, I would briefly like to discuss your role, and why we are where we are. Last fall you basically supported the federal government, or let's say you leaned toward the position of the federal government as you sat on the fence. I don't think that is a particularly unkind assessment. You were attempting to cover yourself both ways, as is politically fair. At the same time, you leaned toward the position of the federal government memoranda were leaked that your government was the weak link in the western front. Those leaked memoranda were not an accident; they were done deliberately.

I believe recent events have counted very heavily on your being the mechanism or the excuse on which he could proceed on a unilateral basis. I guess Mr. Trudeau rationalized: "If I have the largest and most populous province on my side and one western province, I can probably go ahead if it comes to that unilaterally."

In exchange for your help, Mr. Premier, it is very reliably reported that the Attorney General came to see you in a distant, far-off spot (and I don't criticize you for that; don't misunderstand me) and brought you a very generous offer on behalf of the federal government. Granted, we have only heard one side of what this offer was, but it has been very clearly stated by officials of the Liberal Party that it was everything that you wanted — virtually everything — with the exception of a couple of minor points.

Mr. Premier, I think it's fair for us to surmise that between last fall and the juncture in time when that offer was communicated to you, you had an opportunity to do what most politicians would do in your position. You checked the political winds to see which direction they were blowing from. Maybe you took a poll. Maybe you took a survey. I don't know. Anyway, out of that you concluded that you were on shaky political grounds in Saskatchewan. Then, after assessing all the ramifications of getting everything that you wanted, you decided that there was not much point in getting everything you wanted if you were going to be in opposition (which is what you concluded you were going to be if you went along with the Trudeau package).

Things did change very dramatically. Do you recall that Estevan by-election? Let me compliment you on calling that one at a very skillful time. If there were a crest of Liberal popularity, it was at about that time. There was some support for the Prime Minister's package back at that juncture in time. In fact, there was significant support. I say respectfully to the member for Estevan that I think the member for Estevan will live to be 1,000 before he will ever see the Liberal vote that high in Estevan again. I compliment the Premier on his talent for knowing the proper time to call that by-election.

It was about that time, Mr. Premier, that you were sort of on stream with the federal government. That's when you thought that perhaps you could get what you wanted and play the game with Pierre Elliott. But then things changed. They changed rather dramatically. Then you had everything that you wanted except that you were going to be in opposition. Then you changed courses in midstream.

I can remember that a number of times the member for Qu'Appelle asked you for specifics on your constitutional position in this Assembly. I can remember, time after time, your saying words which amounted to: why would you show your cards until you're called? Repeatedly you refused to announce your constitutional position.

Finally, after you had come to the conclusion that you were going to be in opposition if you supported the Trudeau package, you took almost the identical position which had been put forward by members on this side of the House from square one. You proceeded to put forward the illusion that it was all your idea and your position from square one. Time will tell whether you did it very well. After all, remember Gerry Brown, on proposition 13, was categorically against it? Then he did a flip-flip and even got away with it. Time will tell whether you got away with it or not.

The tragedy of this position, Mr. Premier, is that history is going to be a little tough on you if Pierre Elliott Trudeau moved unilaterally to bring this constitution back. Because if you had joined the western front from square one, had you joined your fellow western premiers right at the start in the opposition, I really doubt that we would be this far down the road to unilateral patriation.

Granted, the supreme court may have something to say about that. I note one constitutional expert, at one of the leading universities in the States, predicted a 5-4 vote in favour of the provinces. Maybe I'm too cynical. I note that the chief justice is retiring fairly soon, and there will be a replacement. I just wonder who is going to be on that five if they are interested in being the chief justice. Pardon that little touch of cynicism, but I don't think there is a hope in blazes that they are going to come down on your side (I don't suppose you do either; you know the system better than I do). Anyway, Mr. Premier, I don't think it would be that far along. I don't think we would be to this point if you had joined the western premiers from square one.

Having gone that far, I'll give you an opportunity to respond, and I have to give you a very stern indictment from this side of the House. I genuinely believe this. I genuinely believe that had there been a united western front from square one that Pierre Elliott Trudeau would not have dared to proceed with only the support of Ontario and New Brunswick. I don't think he would dare to do it, particularly with the representation he has in the House of Commons, and for that we in the Conservative Party place the blame foursquare at your feet.

HON. MR. BLAKENEY: — Mr. Chairman, I think that we are proceeding really on the basis of different perceptions of what would have happened “if”. I believe the Prime Minister had decided to proceed unilaterally with or without the support of the province of Saskatchewan and with or without the support of any province. I think it is reasonable to presume (and I put it no higher than that) some arrangement with the province of Ontario, which involved section 133 and a number of changes in the charter of rights dealing with legal rights. In exchange for certain items along those lines, the province of Ontario would support. I think it is reasonable to presume that arrangement was in place. With that in place, I believe the Prime Minister proposed to proceed.

He may well have had qualifications with respect to the number of members of parliament in various regions that would support him, but that was not an item within the control of either the Premier of this province or the premiers of other provinces, for that matter. I therefore believe that the Prime Minister intended to proceed unilaterally but that he would very much have preferred to proceed with the support of a range of provinces.

I felt that offered the opportunity to improve the resolution, and in the course of improving the resolution to get a body of support from all regions of Canada — in effect, to get a support from a consensus of the provinces, thereby not only changing the content of the resolution but changing the process, making it no longer unilateral but proceeding with a consensus of provincial support. I invite the hon. members to see whether or not that is not the fair interpretation of what I said on October 9 at my press conference. What I said at my press conference in Toronto on October 14 wasn't all spelled out, but basically it was along that line. In my speech to the Dalhousie Law Alumni Association in Halifax about November 1 I was not implicit (and I suspect, not explicit as well), or in our submission to the constitutional committee in December.

During that period of some months, I indicated that I would decide our final position after the resolution was reported from the committee to the House of Commons and the Senate. The idea was to see whether it might be possible to put together a coalition of provinces which would support a much revised resolution in a way which would allow the Prime Minister to go ahead with patriation, which I felt he was going to do come what may, and have a much improved resolution with a consensus of provincial support.

It may have been an idea that could not succeed. In fact, it did not succeed, but I make no apology for the try. I very much believe that we would be better off in Canada now if we had a different resolution before the supreme court, and perhaps not before the supreme court at all. We would be better off if we had a resolution which had acceptance by a consensus of the provinces spread across Canada, as well as by the federal government. We are not there; that was our effort; it failed, it was predicated on my belief (obviously not shared by the member for Thunder Creek) that the Prime Minister intended to proceed unilaterally, with or without provincial support, other than the support of Ontario which I believe was in place. It may well be that the support of the province of New Brunswick was in place. I don't know that.

The member suggests that there was a generous offer in January, offering us “everything we wanted.” I think the simple answer is that in December we outlined before the constitutional committee in writing, complete with drafts, what we were looking for. No offer we received in January met with those conditions, or was very close to them. The provisions with respect to provincial control of resources, even

though those resources might ultimately enter international trade, was very much weaker than the federal government had agreed to in 1979, and did not come up to the proposals we had put forward in our submission to the constitutional committee.

So on this resource control item (sometimes called international trade, but having nothing to do with international trade) we were offered by no means what we were asking for in December.

With respect to the referendum, our proposal was that the referendum have a two-way trigger. First we wanted no referendums at all and if there was going to be a referendum, there ought also to be a way in which the provinces could trigger the referendum; that was not offered. The whole was coupled with a very much different provision with respect to the role of the Senate, which was totally at variance with our previous position and, indeed, the previous positions of all of the amending formulas which had been dealt with during the 1970s.

The package, therefore, far from being a “generous offer,” or everything we had asked for or giving us all, was a very, very far cry from that.

The member is right in saying that conditions were changing. It appeared less and less likely that we could pull together any coalition of the provinces. This was particularly so when six provinces had had a reasonably satisfactory result from the Manitoba court. I’m not sure in what sequence they came, but it seems to me that it was then speculated at least, that the provinces were going to have some support in the Manitoba court.

Under those circumstances it became less and less likely that we could pull together a consensus and if we couldn’t pull together a consensus, then our objection to the process remained. That is what happened, in effect, when the committee reported out on about February 9; we did what we said we were going to do. We announced our position and that was that we were unwilling to accept the resolution. I guess it was February 13 (my staff is handing me that note). So shortly thereafter (within a day or so) I gave our position (I guess the 19th — four or five days later), announcing opposition to the constitutional resolution.

You may, with hindsight, suggest that other tactics might have been used. I tell you why we took the position we did: because we believe the Prime Minister was going ahead with or without provincial support (save Ontario); because we believe that it would be far better if we, in Canada, could have an amending formula which had, at least, a broad provincial consensus; and because we thought that might be possible under given circumstances and it might be worked out while the resolution was before the parliamentary committee.

I believed at the outset that once the parliamentary committee had reported to the parliament, it was effectively all over. As a matter of fact, there was more movement in parliament than I thought there would be. But the possibility of building a consensus, I felt, effectively ended when the parliamentary committee reported. That was my estimate in October and it continued to be my estimate throughout the period.

I regret to say that we did not succeed in arriving at anything that could attract a provincial consensus; none the less I thought it worth a try.

I thank the hon. member for the compliments with respect to the timing of the Estevan by-election, but advise him that it was not I who procured (if I may use that word) the

resignation of the former member for Estevan.

MR. THATCHER: — In response to the last comment from the Premier, when the courts, in their infinite wisdom, decide that there should be a rerun, I sincerely hope the Premier will see fit to call it with the same speed, etc. Again I suggest to the member for Estevan he'll live to be 2,000 before he sees a Liberal vote that high again in the constituency.

Mr. Premier, I think it's interesting to listen to your comments about the federal position now versus last fall. Certainly some time has elapsed and anybody alters their position in regard to a very crucial issue.

I don't mean to nitpick at the point the Premier made. We assume he is making the best deal he can for the province of Saskatchewan.

On the question of provincial control over natural resources there is no debate in this Assembly, because we, in this party, have always supported provincial control and jurisdiction over natural resources. You will get no debate from us on that. We differ rather sharply on how you exercise that control. As to who has it, there is no debate in this Assembly.

Mr. Premier, I don't think it was with a minute offer that the Attorney General took on that very onerous, difficult, distasteful task of getting on that airplane to fly to Honolulu. As I said in this Assembly before, it was a dirty job. I certainly compliment him on the way he met the challenge head-on. Incidentally, I make none of those comments critically.

He didn't go over there to communicate something of minute importance. He took something pretty heavy over there. This is confirmed by members of the Liberal Party, Senator Dave Steuart and Senator Lloyd Axworthy . . . (inaudible interjection) . . . Well, now, you say what you want about Dave Steuart. Dave Steuart is a pretty good, solid politician. I had the pleasure of working with him. I really don't like to hear scoffs about Senator Steuart. Let me tell you, this Assembly would be a heck of a lot better off with some of Senator Steuart's one-liners, on either side of the House.

The Attorney General didn't carry over anything minute. He carried over something pretty heavy.

Mr. Premier, when you changed horses and decided to alter your position, with all due respect, your reasoning at the time wasn't very heavy. You didn't dispute the Liberal position that you had been given what you wanted in the field of natural resources. And that was the big one. The Liberals say publicly and privately that they gave you exactly what your government wanted. When I say you I mean your government. I mean nothing personal if I slipped there.

The Liberals say very clearly that they gave you exactly, precisely, what you wanted in the field of natural resources. When one of your reasons was that you couldn't accept the package because of the position on the Senate, you'll really have to excuse me if I didn't take that one as a heavy argument. You'll have to excuse me if, on the charter of rights (which certainly is a point but not a heavy one compared to natural resources), I didn't take that one as being a real, strong argument.

I think it is fair to say, Mr. Premier, that you did what most politicians would do. You

checked the polls; you checked the winds; you knew you were going to lose an election on it.

They gave you exactly what you wanted as far as provincial control of natural resources was concerned. If they were prepared to do that as the Liberals say very clearly that they were prepared to do so, obviously they felt they needed you; they felt they had to have you because they are not conceding that one now. Mr. Premier, you held up the Senate as one of the reasons you couldn't go along with that package. I pose the question to you: what is the Senate? What function does the Senate have in this country? The only function that I can see is that if you can't elect anybody in western Canada, pull one out of the Senate. That's the only function it has. If you can't elect in a region, appoint somebody and pull them into the cabinet. That's the only function it has. Surely to goodness there must have been somebody better than Hazen Argue. That in itself is another speech as to the value of the Senate, I suppose. If that's the best they could pull out of western Canada to run the wheat board . . .

But hanging your hat on the Senate, Mr. Premier, is a pretty weak one. What does the Senate mean to you? What does it mean to anyone in western Canada? We all know what the function of the Senate is — absolutely nothing. It's a reward in heaven. It's second only to another institution which I'd better not name. It's the next closest thing to heaven. Mr. Premier, on the Senate, hanging your hat as the reason you couldn't accept the federal proposal is a little shallow.

The charter of rights is a little heavier, but not that serious. No, Mr. Premier, I think you became a crass politician. You simply decided you were going to lose an election and you had to alter your position. All right, so we're now down to the position where Mr. Trudeau has had to sort of sit back and wait for the supreme court to rule.

Mr. Premier, I think we're all a little bit disappointed that Saskatchewan did not join the court challenges to the courts of appeal. I note that Saskatchewan made a representation to the supreme court and they made a very, very strange presentation. They used, I believe, a very, very strange person to make that presentation. I'm not disputing his qualifications, but it was a funny, funny presentation.

Here we are. You've finally come around, for whatever reason you chose, to the position that Pierre's bringing back the constitution under the present proposal was going to be bad for western Canada. Then you send somebody down there that, granted, used to be here. Academically, he was very distinguished; nobody is going to argue with that. And then he puts forward the position that Ottawa doesn't really need unanimous approval or it doesn't need a consensus. I wonder what the individual was trying to accomplish. It was the strangest presentation when you read the presentations of the other provinces opposed. The proposals by their attorneys were so different from ours that you would think obviously our positions must be diametrically opposed to Alberta or British Columbia or Manitoba. Strangely enough, in that proposal by Mr. Lysyk, or the presentation of the supreme court as the press reported it, you would swear that Mr. Lysyk was agreeing with Roy McMurtry. You would swear he was on stream with him.

Mr. Premier, our entire approach in this constitutional battle has been bizarre. It has been bizarre, since last fall when you sat on the fence. Did you flipflop? You refused to join in the court challenges. Now we find ourselves dependent on nine people.

The Prime Minister is now in a corner, politically; if the supreme court comes down on the side of the federal government he will do it. He is definitely going to do it. If they come down on the side of the provinces, it is highly unlikely that he can proceed. In a way, Mr. Premier, I can't help but think that it is really unfortunate that nine people are going to make that decision. Realistically, and historically, we know these nine people do not come down on the side opposed to the federal government. I say that historically and, to some extent, I say it currently. I say it currently. I apologize for maybe being a little bit cynical, but we all know of the internal politics which must go on there.

Consequently, Mr. Premier, it comes back to what I believe was the position of some months ago; you had the power to stop him. You had the power to stop him. I recall many years ago listening to a conversation when my father sat where you do and he was having a conversation with John Robarts. I believe the issue was the Carter report on taxation. I remember his comments to Mr. Robarts. "John, if you come down on the side with the rest of the provinces, they can't go ahead with it. Without the support of Ontario, they can't do it. Without your support, they won't dare do it." He made another comment. He said, "It is not very often that one premier holds many of the marbles in his lap, but you hold them on this issue." You know, Mr. Premier, about 15 years later, you held the marbles last fall at that constitutional conference. At that time, had you joined all western premiers and given that united front, I don't believe that Pierre Trudeau would have gone this far. All right, we are not debating what you think Mr. Trudeau would do and what I think he would do. That's like religion and politics, and we can go around forever on it. I guess we would never agree on it.

It is my view, Mr. Premier, and the view of the people on this side of the House, and I believe as well the view of the people of Saskatchewan, that at one time (not now) you had it in your hands to block it. I believe that, and I believe the people of Saskatchewan will believe it, when an appropriate exercise is called. You had (something that doesn't come around very often) the power to stop Pierre Elliott Trudeau and you chose not to. I think we may all pay the price for that, right through into successive generations.

HON. MR. BLAKENEY: — Mr. Chairman, obviously I do not agree with the hon. member. He makes a number of suppositions of fact, which I think are incorrect, including one which suggested that I was not agreeing with the provinces at the time of the September conference. A simple check of the record would indicate that I was, in fact, agreeing with the provinces; that I agreed with respect to the provincial 10-province amending formula; that I agreed with the other provinces in opposition to unilateral action. I didn't agree, of course, with each province on each issue. We didn't purport to do that. But on the fundamentals of whether or not there could be unilateral patriation, I agreed with the other provinces in opposition to it.

The member refers to court challenges, and why the Government of Saskatchewan did not join in the court challenges. Understand I believed then and believe now that the federal government proposed to proceed unilaterally with or without any provincial support other than that of Ontario. The member may think that was not the case. He is entitled to that belief. But I don't know what evidence there is to support that belief.

We have heard a good deal about the leaked document, but any perusal of the leaked document would indicate that there was no suggestion there that opposition from the four western provinces united would necessarily stop the initiative.

We therefore believed it was important to see if we could keep this initiative from going

forward on a unilateral basis. And we were out there trying to see whether there was a political compromise. Six provinces decided they wanted to take the legal route and to get us on what I call the legal treadmill, which we now see coming to its conclusion. They may have been right; time will tell. But it struck me that there ought to be at least two arrows in our quiver — the legal route, and the political route. In any case, we did not adopt the view that the unanimous consent of all 11 governments was necessary in order to patriate the Canadian constitution.

I know there are very respectable legal scholars who believe that view to be correct. But there are also some very respectable legal scholars who believe that view is not correct. I'll come to that in a moment when I talk about the Supreme Court of Canada and the references made by the hon. member.

May I say again that it is simply not true, and I categorically deny any stories (from whatever Liberal they may come or what whatever quasi-Liberal or would-be Liberal they may come) saying that we were given all that we wanted with respect to resources.

Our position with respect to resources is well-known. It is that to which we agreed in February of 1979, and nobody — Senator Steuart or anyone else — will say we were offered that. We agreed to something a good deal less in December 1980 when we made a submission to the parliamentary committee. I know that nobody — Senator Steuart or anyone else — is saying that we were offered that. If he does, he has been misinformed. The proposal that was made to us in January 1981 was very significantly less than what we had called our minimum position a month before in December, and very significantly less than we and the federal government had agreed to in February 1979. So those statements about it being all that we wanted are quite without foundation.

The hon. member for Saskatoon Riversdale, the Attorney General, did come to visit with me and he did bring an offer. The offer was not fully analysed when he arrived. I think we all agreed upon that; the time frame was very tight, and the ramifications of the Senate had not been made fully clear to us. It was not set down in writing, and it was going to come by Telex. It came by Telex and it was a different story. But I will leave that.

I say that the Senate provisions are a major change in the Canadian constitution. The change that was made in the provisions for the Senate by the federal government in January, and reported out in February, represents a major change from that put forward to the Canadian people on October 2, and a change for the worse. Right now the Senate does not have, in fact or in law, the ability to hold up amendment to the Canadian constitution. Right now I entertain no doubt that the parliament at Westminster would act on resolutions from the House of Commons and the 10 legislatures, and if the Senate didn't send its resolution it wouldn't matter. That's my view. I don't have the slightest doubt in my mind that right now the Senate could not hold up constitutional amendments. And that was the position I wanted. And the resolution, when it came down on October 2, gave the Senate a formal right to hold it up for 90 days. And I wasn't worrying about that, nor were our people. And somewhere along the line the 90 days got changed to 180 days, and we didn't complain about that. So they want to have a role and they can hold it up for 180 days. But in January it became not 90 days, not 180 days, but a perpetual veto. And I think that's a major change, because all of the constitutional amendments which we've talked about and the schemes for constitutional revision and rebuilding have involved a very different second chamber. That's been the thread running through any number of them.

I knew that there wasn't a shadow of a chance of getting provincial support from two or three of the provinces if the present set-up was going to be entrenched. B.C. has always made it the very cornerstone of their proposals — that the set-up be reformed . . . (inaudible interjection) . . . Not at all, I invite any hon. member to look at the B.C. presentations over the last ten years, if they haven't already. If they can reach any other conclusion than that they were hanging it all on a second chamber which was going to have a role with respect to the appointment of supreme court judges and was going to have a role with respect to the appointment of members to the National Energy Board, and on and on — you draw your own conclusion. I say it was the cornerstone of their presentation.

Other provinces were very much concerned about this as well. Look at the beige paper; it's a key part of the beige paper that there be a very different second chamber, and everyone else has had a proposal. Pierre Trudeau has had a house of the federation and the Conservative Party has had a house of the provinces — all of them presupposing a new and very different Senate.

Consider also that I was still thinking that to whatever we agreed had to be something that would attract some more provincial support. We didn't want to be the third province of three. We wanted to be the third province of six or seven. And there was no prospect, in my opinion, of making that fly with the new Senate arrangements. Members opposite can say that this wasn't very significant. It was certainly significant to me; both because I objected in the strongest possible terms to the entrenching of a perpetual Senate veto and because I believe that the mere suggestion of that would make it impossible to line up any provincial support, even though at that point it may have been rather difficult to think that we might well line up some more. So that made a large impact on my mind. Members opposite think it ought not to have. I think it ought to have had and it did.

I come now to the supreme court. Our position before the supreme court is to argue the same thing we have argued since September. In September I said that to change the constitution of a federal state in a way which affects the constitutional jurisdiction of the provinces must involve the federal government representing the people as a whole and the provincial governments, and a consensus of those representing the regions. It's what I called the double majority as a way of designating that particular idea. And I have said that over and over and over again.

We do not believe that the constitution can be changed unilaterally. We do not believe it requires the unanimous consent of 11 governments, but unilateral action by one government and unanimous consent of 11 governments are not the only options. What it requires is what every other federal state in the world requires — a majority of the people as represented by the popular assembly of the central government, and a majority of the regions as represented by various configurations of states and occasionally by referendums. That's what they all call for. We believe that Canada is a federal state. We believe you can't change the constitution without some sort of a configuration along that line. That is the argument we made before the supreme court, and my reports indicate that the argument was very well received. Whether or not it will prevail, or course, time will tell.

I note that the hon. member has a certain cynicism about the courts. I am not now trying

to disabuse him of that level of cynicism. I'm just saying that we can certainly make an excellent case for saying that provincial interests were forwarded, by the fact that the supreme court has two essentially different arguments to choose from, if it wishes to follow the general provincial thrust that the federal government cannot change the constitution unilaterally. There is the proposal that it must be unanimous, basing it upon a compact theory of confederation or a particular theory of provincial sovereignty, and there is our proposal based upon a concept of the minimal elements of federalism. Both are pretty respectable arguments. I don't know whether the supreme court will accept either of them but we, as provinces, are better off because it had two basically different arguments to choose from.

MR. THATCHER: — Mr. Premier, I'd like to just dwell for a second on your argument to the supreme court. I'm not a lawyer, as you know. I don't understand (like most of us) the complexities of the legal arguments which are going forward to the supreme court. I think the Premier was discussing two very wide divergences. He talked about the concept of complete unanimity between the provinces and the federal government. Then he talked about the federal government and one or two provinces.

Mr. Premier, what I found surprising about Mr. Lysyk's presentation was that, as I read the press reports, I wondered why you had him make it. Not all the provinces presented arguments saying that there had to be unanimity among the provinces before there could be repatriation. It was my interpretation, rightly or wrongly, that the argument from the bulk of the provinces — from Manitoba — was not for unanimity but for a consensus. There is a difference. Mr. Lysyk's argument, as I understood it, was that the federal government needed neither unanimity nor a consensus but merely some support from the provinces. I found it a rather puzzling one because that is basically, using a little different language, what Roy McMurty proposed. Even though it took you a while, it is now my understanding that you are not in agreement with the position of Roy McMurty.

Again, I am putting the question to you: why would you have Mr. Lysyk's view, which obviously you don't support as a government, put forward in the supreme court when it was undercutting the very position which you enunciated today?

HON. MR. BLAKENEY: — My understanding of what the arguments were in the supreme court differs from that of the hon. member. My understanding is that the six provinces put forward the argument that unanimous consent was necessary. They based that on the concept of confederation as an agreement between provinces and that the BNA Act is, in effect, the terms of a contract or compact between (as they then were) the provinces of Canada, New Brunswick and Nova Scotia, and subsequently, by the already existing provinces of Prince Edward Island, Newfoundland, Manitoba (not in that order). That is known as the compact theory of confederation.

Another argument used by the provinces arguing for unanimity was the theory which says that the provinces are sovereign in their own right. It's an argument known as provincial sovereignty, outlined in some detail in the judgement of Mr. Justice O'Sullivan in the Manitoba Court of Appeal. We, in Saskatchewan, were arguing not for unanimity, but for a clear consensus.

In its brief, the province of Ontario talked about some provincial involvement. No one knew what they meant by it. I know that Mr. Lysyk, in the court of his presentation, speculated on whether or not this meant an appropriate measure of provincial

involvement. If it did, then perhaps Ontario was arguing that an appropriate measure of provincial involvement involved Ontario and New Brunswick, or perhaps just Ontario.

That particular remark in the supreme court engendered a little bit of amusement from the bench, and to that extent, Mr. Lysyk's presentation was funny, as referred to by the hon. member. I think there is no question that Mr. Lysyk got a good hearing. I invite hon. members to look at a report on Friday, May 1, from the *Montreal Gazette*, which indicates that the points put forward were well-taken, and that the argument is certainly not that there needed only to be some provincial involvement, but rather that there needed to be a provincial consensus.

I can't find an appropriate quote quickly, but there is no question that that was our position. In any case, the hon. member for Kindersley has a copy of the factum, as does the hon. member for Qu'Appelle. It puts out the argument pretty clearly that we were not talking about some provincial involvement; we were talking about a consensus, the sort of thing which would be the case if the legislative provisions of the Victoria Charter were law; that is, had we consent of the legislatures of Ontario and Quebec, two Atlantic and two western provinces. That would, in our judgement, represent a consensus.

That is the argument we put forward. I think, far from undercutting the provincial case, it allows for those judges in the supreme court who wish to say that the federal government cannot act unilaterally, but who do not wish to adopt the compact theory of confederation, or do not wish to adopt the provincial sovereignty theory. Each of these has some pretty heavy, legal sledding. Our argument allows them to have another way of adopting the essential provincial position, and that is a way of adopting some view of the minimum level involved in a federal state, and holding the view that Canada is a federal state. So, I think, far from undercutting the provincial governments' case, it has significantly strengthened the provincial case.

MR. ANDREW: — Mr. Premier, I believe it was yesterday, the member for Indian Head-Wolseley raised the question advanced by the provincial ombudsman with regard to his investigatory powers, in particular as they relate to deputy ministers and to ministers of the Crown. You indicated to the member that you would seriously consider that and perhaps look at legislation.

I want to bring you to another area, and that is the jurisdiction and the power of the provincial auditor. Both in reality and in the perceived way (and I think you would agree with me) to make the function of the auditor work properly, there must be a degree of independence, just as the ombudsman has to be independent and just as a court of law must be independent. The matter of independence has been raised a few times in the past with regard to the auditor in his provincial auditor's report.

I would like to read (and I will send this to you so I cannot be accused of pulling it out of context) a statement made by the provincial auditor for the province of Saskatchewan. At a Winnipeg meeting last year of all the auditors across Canada (and this is a public record, a verbatim of that particular conference), he was not too kind to our side, as he was not kind to your side with regard to the 1979 amendment to his act dealing with how is salary is structured and that type of thing.

The two statements he made, which I think are very important and significant, read as follows: "I would question very seriously now, from my own position, whether I have a hell of a lot of independence at all." He goes on a little later: "But the independence, I don't believe, in my jurisdiction, is there any more."

I can send this over to you. I think that this is a very critical statement by the auditor. It is important, I think, to the parliamentary system that the provincial auditor should be independent, be seen to be independent or perceived to be independent.

I wonder if the Premier would comment on that and on whether he would use his good offices to look at that question with a view to coming in with changes to bringing in a provincial auditor's act, like many other jurisdictions have, rather than simply have it under The Department of Finance Act. By so doing, it would clear up any concern that can be alleged to the fact that the auditor is not independent or doesn't have the full degree of independence sufficient to do his job.

HON. MR. BLAKENEY: — Mr. Chairman, I don't think we have a lot of difficulty with that concept at all. I remember when we changed that. Each year we used to bring in an act to change the auditor's salary. We decided that this was something of a needless amount of red tape. I think it is now done by order in council. I think that at the time we questioned it as to whether or not, in terms of strict parliamentary propriety, that was a good idea. It may well be that we should attempt to either go back to the old system or, alternatively, to tie it to some automatic escalator that is not, at least in theory, within the jurisdiction of the Lieutenant-Governor in Council to change.

Quite frankly, I don't think that the provincial auditor has much to fear. I suppose perceptions are important as well. There is simply no prospect of any government reducing the provincial auditor's salary to \$1 or anything of that kind simply because the consequences would be so difficult and horrendous.

However, the perceptions are also important. Therefore, I have no objection to the point raised by the hon. member. We certainly can consider some way to get the provincial auditor's salary set by the legislature — moving back to that again, or, whatever may be the right way to handle it.

As to a special provincial auditor's act, I must say I have not considered that in any detail. Once again, we have no objection in principle to that. I don't know what the consequences of its consideration would be. No doubt there will be arguments about the role of the auditor. On this, we may well have arguments as to whether or not the auditor should be primarily an auditor dealing with finances and the sort of thing which a commercial auditor ordinarily does — the proper management of money, legislative authority, and the like — or whether the auditor should be expressing opinion on the merits of the expenditures.

We might be expressing a view which suggests that whether or not it is wise to spend money on grid roads as opposed to four-lane highways is something on which the politicians would not particularly welcome the views of the auditor. I, frankly, question whether or not the auditor's venturing into these judgement calls on policy is fundamentally wise, since I think that it calls into question the role of the auditor and therefore makes it less credible when he assaults some financial malpractice. Those are some considerations which clearly might arise at some future time.

From the point of view of guaranteeing the independence of the auditor by having his salary set in a way which the government can't tamper, and pursuant to legislation which is clear and unambiguous, making it superabundantly clear that the auditor is the servant of the legislature and not the government, I have no objections whatever.

MR. ANDREW: — If I can make a suggestion to you, Mr. Premier, the auditor general of Canada (as you perhaps are aware) just this year was tied to a justice of the Supreme Court of Canada. Prior to that he was tied to the salary of the top three or four deputy ministers of the department. That is exactly what the present provincial auditor is asking for — that he be tied either to the deputy minister (which I think is a poor one to tie to), or perhaps be tied to the position of the chief justice of the court of appeal or chief justice of the Court of Queen's Bench. In that way it's automatically fixed and nothing can be done. The situation exists now where the deputy to the provincial auditor (I think) makes more money than the auditor himself.

It seems to me, if you were in favour of that, that's a very minor adjustment that can be made to that act without (I take it you're not prepared to move) an amendment to the act itself, or bringing in an act itself. I think that's a very simple one to proceed with in this session.

I would like to move now, Mr. Premier, to your comments with regard to the whole question of freedom of information. As you are perhaps aware, the present Bill 43 before the House of Commons deals with freedom of information and individual privacy. You might be aware the Government of Ontario did a very in-depth study over a period of a year and one-half to two years and brought down a report, I believe, last summer, on the question of freedom of information.

The Attorney General has always indicated to the House that you are in support of the principle of freedom of information and individual privacy. Would you be prepared to go on record and go a little further than that, either by way of a proposal that legislation could be forthcoming or a proposal that a white paper or green paper could be brought out by your government with regard to that question? It seems to me quite one thing to say, "I'm in favour of the principle," and yet sit and do nothing on it.

The province of Nova Scotia (as perhaps you are aware) and the province of New Brunswick have freedom of information, be it not as perhaps many would like to see. But at least they have made a start and are doing something with it. I think it is important legislation. So I would simply ask the Premier if he is prepared to move at all on that question.

HON. MR. BLAKENEY: — Mr. Speaker, we have done some preliminary studies. Our people have perused the Ontario material which, as the hon. member suggests, is very extensive. The Department of the Attorney General is looking at the options available as to how we would move along that line. The member is correct in saying that the bills in Nova Scotia and New Brunswick are quite limited in scope, at least in their application (whatever they say). The Ontario one is somewhat more extensive in scope, if it works. The federal one has not, at least up until now, had a great deal of impact. I think all I can say is that the Department of the Attorney General is looking at it. They have had a particular look at some of the material in Ontario, and I am not able to commit ourselves to anything other than the statements of principle which we have given in the past and statements of approval in principle.

MR. THATCHER: — Mr. Premier, moving a little further in the area of freedom of information, I would like to discuss briefly one aspect which has probably been the greatest annoyance to me since I have been a member of the Assembly. It's associated with freedom of information.

We differ very sharply from you in philosophy as it pertains to some Crown corporations. We have a Crown corporations committee in this legislature that is, theoretically, to review the Crown corporations, to go through them and evaluate them and receive information. Mr. Premier, I think we are now up to 29 or 30 Crown corporations (it doesn't matter). Under your government, Crown corporations have moved to be the predominating influence in this province, even more so than this legislature itself. The largest item, as far as the government is concerned, is with our Crown corporations.

You know, we are going through this committee of finance, and we are talking about a couple of billion dollars, which is a lot of money. But who is evaluating and accounting for the billions of dollars that our Crown corporations are going to take in and disburse? Sure, there is an annual report that gives out all the favourable information. All right, we all know that everything about a Crown corporation isn't favourable. Nothing about anything is all favourable. Take anything you want — nothing is all good about anything.

So often the answer we get in Crown corporations committee or in the Assembly is that it is not in the public interest. I guess this is where we part company. We happen to believe, on this side of the House, that the Crown corporations, if they are owned by the people (as your party tells us), controlled by the people, and using public funds, should be accountable. That has to be the concept. If it's public money, and if we cannot get information about how that money is spent, or what it is used for (regardless of what the triviality of the purpose may be) then what function are we fulfilling here?

As I indicated, we are spending about 55 or 60 days arguing about a couple of billion dollars. Put that into perspective by looking at what Crown corporations are playing with this year — it's peanuts! Mr. Premier, I would like to put forward this premise to you, for your comments (and I'm sure we are having a philosophical debate that we are not going to resolve). If a Crown corporation is in competition with a private company, that's its choice, and that's your choice as a government. But if they are truly owned by the people and controlled by the people, through this Assembly, in some fashion every nickel and dime they take in or disburse should be accounted for to the people. There should be no such answer that it is not in the public interest for the Crown corporations not to divulge this information. I'll sit down and let you respond to that before I go any further.

HON. MR. BLAKENEY: — Well, let me just make a couple of general remarks. The Crown corporations are a significant part of the governmental activity. This budget is, say, \$2.3 billion. The gross amount that Crown corporations handle in a year might be a little over one-half that . . . (inaudible interjection) . . . Well, where the revenues are \$1.4 billion I suppose one could add some capital expenditures which aren't reflected in revenues. The member makes his point that they are a significant part. Yes, indeed, they are sometimes competitive. Yes indeed, they are responsible.

We believe that the Crown corporations in Saskatchewan are, firstly, accountable and, secondly, more accountable than they are in any other jurisdiction of which we are aware, certainly any other jurisdiction in Canada. I see talk about the committee in B.C. but I don't see how it works. I just see how people say it's going to work but not how, in fact, it works. Certainly, this is true with respect to Alberta, whose Crown corporations are very much more extensive than ours, or Manitoba, whose Crown corporations, certainly in investment, are very much more extensive than ours. Similarly, those in Ontario and Quebec are much more extensive than ours.

We think that the reporting is here, and that the accountability here is at a much higher and more formal level. We regard them as corporations. We know what information is normally given to a shareholder at an annual meeting. We have been scrupulous, I think, in giving the members of the legislature information — a good deal more information than is ordinarily given to shareholders at an annual meeting of any company which is formed and operated under the ordinary corporations acts.

Disclosure is not as total and full as it may be with respect to all government departments, because of the competitive nature of the operation, and the difficulties which might surround its successful operation if competitors could use the legislature to find out all manner of information. Governments are rarely in a competitive situation. Crown corporations frequently are.

We have traditionally given a good deal more information with respect to power and telephones than we have with respect to some of the more competitive companies, because their competition is a good deal less, primarily to do with the recruitment and retention of staff. I think, over the years, we have built a fairly good method of balancing the desirability of operating a successful enterprise with providing the public with the greatest possible measure of information.

I may say that the public knows more about the operation of those Crown corporations than it does about any other operator out there in the commercial field, whether it be a private company, a co-operative or a public corporation. I just suggest that there is more information around on what Saskatchewan Crown corporations do with their money and how they carry on their operations than there is with respect to corporations — private, public or co-operative — anywhere in Canada. You may question that, but I would be interested to know what other corporate entity carrying on a commercial enterprise there is of which you would say that is not true.

MR. THATCHER: — Mr. Premier, when you made the comment about Alberta Crown corporations, for some reason, it came to my mind that the main thing that Alberta has proven in the field of Crown corporations is that when the Conservatives buy an airline, they don't want it to be very much more successful than the Liberals do. No, Mr. Premier, I disagree very sharply with you. I don't accept that argument at all that because it may be this way in another province, it should be in a similar fashion in Saskatchewan.

Mr. Premier, if I owned a share in Exxon and if I chose to pay the expense of going to their annual meeting in New York, I could find out more information from Exxon by owning one share than I can as an MLA sitting in the Crown corporations committee.

I will give you an extreme example; mind you, there was an extreme minister involved. In Crown corporations this year when the sodium sulphate plants were under review (I think the gross figures on a certain category of sales was \$12 million or \$18 million), the minister in charge was asked to break that figure down by plant to gross sales of the product. Do you know what the minister's answer was when he was asked to break that figure down as to what came from each plant? "That's not in the public interest." Now, that is an extreme example. His officials were there. It wasn't that he couldn't get the information. His people were there. They could have told him in 10 second (probably two seconds). That is the sort of nonsense we have to put up with in the Crown corporations committee. Granted I am using an extreme example, but tell me what harm it was going to do to Chaplin's competitive position if it were divulged what percentage of that \$16 million or \$17 million came from there? That is the typical sort

of answer which we get time after time after time in Crown corporations.

It drives me absolutely to distraction, to the point that it becomes ludicrous. But what continues to amaze me more and more is that you get away with it. I guess what really hurts is that you get away with it. I don't know whether it is our fault for not getting it out. I don't know whether it is the press gallery's fault for not reporting it adequately. I don't know, but the fact that you get away with it is an indictment on somebody — probably us. But you do get away with it.

Mr. Premier, I guess I am old-fashioned. If you are going to use my money and my neighbor's money and I want to ask you what you are doing with it, I think you should tell me. I think that is the price you pay for using public funds in a Crown corporation. Conversely, if I am going to use your money, I think you have to right to ask me what I did with it.

Mr. Premier, you have suggested that there are more Crown corporations in Alberta or Manitoba, etc. I am not going to nitpick that argument with you. I think it is fair to say that nowhere in Canada do the Crown corporations play the dominating role that they do in Saskatchewan. Let's not talk about dollar volume. I know you don't own an air line. Frankly, I don't know why Alberta does either. Our Crown corporations play a larger role in our life.

You obviously agree with that assessment because we are all familiar with that advertising campaign of the family of Crown corporations. Dunsky is a pretty good advertising agency. They execute very well and they have done a good job for you with that program. But you present it in a way that it plays the dominating role in our lives. You put that forward. Dunsky takes their instructions from you and then they package it, and they package it very well. Mr. Premier, I am old-fashioned enough to think that I have the right to know why Sask Power has to raise its rates. I am not content for somebody in Crown corporations to say, "Well, our costs went up." Then you start getting into specifics of why the costs went up, and you start getting into specifics of why they did, it's not in the public interest. I recall a couple of years ago in Sask Housing Corporation, and we were onto a good one there, we just couldn't get a couple of things tied together. And frankly, I believe that Sask Housing Corporation is one Crown corporation in which there has been some real hanky-panky. I believe that. I don't think there is any question about it. I think someday it will be proven. I think there have been pay-offs; I think there has been bribery, but I can't get at it. I've asked for a public inquiry years ago involving Sask Housing Corporation, when we received the answer "not in the public interest" I don't know how many times. Another example is SGI, where all morning long the minister in charge had no comment, no comment, no comment.

I think it's ironic. It depends whose legal case is to be commented on. I recall when the former leader of this party was having his court difficulties and, to a lesser extent, when I've had mine, there was never any reluctance on the part of members opposite and some cabinet ministers to freely comment on those court cases. But when it involves something of theirs, "Oh, no, it's before the courts." The minister of SGI uses that defence now but I recall that a couple of years ago he had no hesitancy in commenting on the court difficulties of the member for Nipawin. It's all a question of whose ox is being gored.

Getting back to this, Mr. Premier (and I'm taking too long on it), I think it is a fair

comment — I'll always believe this and if I'm ever in any position in government and you are over here you'll receive this opportunity — as an MLA in the Crown corporations committee, if you are afraid to make any aspect of that Crown corporation open to the public under the guise of freedom of information you do a disservice because we hear so much about the public's right to know. Doesn't the public have the right to know, through the medium of its elected representatives, what you are doing with its money? Whatever disadvantages there may be in revealing something about the use of funds, why are those not outweighed by the public's right to know? I guess that's the point that I've taken too long to get to, and I'll allow you to respond to that.

HON. MR. BLAKENEY: — Well, Mr. Chairman, I follow the line of argument that is put forward by the member for Thunder Creek — I simply don't agree with it. There are two public interests to be served: firstly, that the public be aware of as many facts as they possibly can about the operation of public business, and by Crown corporations of public business; and secondly, that the operations that are a public business be carried on in a businesslike way in order to maximize the public benefit. Those are clearly the objectives. They are not always totally compatible, and sometimes there have to be occasions when information is not made available because it will make the business less successful in its operations and the public will thereby be damaged. Every business corporation recognized this.

The member for Thunder Creek will say that he can go to Exxon and obtain all of this information with one share. I invite him to try it sometime. And many people have. People, who represent churches and others, have attended mining corporation meetings and oil corporation meetings, trying to find out what the operations are of those companies, whether it be in South Africa or in El Salvador or in Chile or whatever. I invite you to find out how much they find out.

In the course of doing that, you might want to particularly look at the chartered banks. The chartered banks, when they put out annual reports, publish the minutes of the annual meeting. If you want to read what happens at the annual meeting of the Canadian Imperial Bank of Commerce, or some other bank, you can find out. They publish the minutes. You will find out with what great success shareholders find out about the operations of those corporations, and with what conspicuous lack of success the management disclose information with respect to the operations of those companies. This is simply not very often done.

You may say, "Those are private corporations." They are private corporations in only the broadest sense of the world. What the banks do affects our lives probably more than what the telephone company does. And you can buy shares until you are blue in the face and you're not going to find out why interest rates are at the level they are, other than by way of generalizations. What made it necessary for interest rates to go up or down? You will get generalizations about increases in costs, or the like. You will not get details. You will not, in any way, get anything resembling the details which are now available before the Crown corporation committee of this legislature. You may say that there is no parallel. I suggest that there is, in part, a parallel.

I well know what the restrictions are. I was in opposition for seven years and knew how the Crown corporations committee worked, knew what information I could get and what information I couldn't get. It was not overly forthcoming in those years. None the less, I think we made a useful contribution, having done a good deal of work on the material available, having made careful records one year and then going in next year and asking questions to see whether the answers were consistent. There were good

ideas and great ideas coming along .So be it.

I am saying that these are the public concerns which must be balanced off. The member for Thunder Creek believes that all questions ought to be disposed of on the grounds that all the information ought to be public. I believe that the questions will frequently require some judgment as to whether or not the operation of the potash corporation, for example, would be hampered by a disclosure of information which, let us say, IMC (International Minerals and Chemical Corporation) will not give to its shareholders.

Members opposite may believe that the Potash Corporation of Saskatchewan ought to operate under a very substantial handicap when it is competing with IMC. I would want to minimize the handicap.

It may well be that members opposite feel, and I don't wrongly state their view, that there is only a very small role for the public corporation in any case, and that it ought to be by and large a non-competitive area — like utility areas — and accordingly, a major disclosure is not going to hurt.

We take a different view. We take the view that there is a role for the Petro-Canadas. This is something the members opposite, or at least the member for Thunder Creek is somewhat skeptical of as being of benefit to Canadians. We take a similar view that the Potash Corporation of Saskatchewan can do a job. The second-hand holes in the ground — we know all your views on them. I won't let you have a polemic. I will say that I think they have a useful role, and a useful role on the competitive field. This will, on occasions, involve less than a complete disclosure of information.

I think that in every case it is a very much more substantial disclosure of information than our competitors give.

MR. ANDREW: — Mr. Premier, on the one hand you are saying that you endorse the concept of freedom of information. You endorse the concept, I take it, at least of Bill 43, presently before parliament — the whole idea of access, the right of the public to know.

On the one hand you're saying, "Yes, we have to have that; we support that in principle. It's just a matter of time until the Attorney General puts a package together. It may be another two years or another five years." Then on the other hand, you go out and try to justify why you shouldn't have to disclose information, saying, "Because the private sector people don't have to do it, we shouldn't have to do any more than the private sector does." Then you take that private sector argument and say, "Well, that rule applies to Crown corporations, therefore it's going to apply right through the government."

So really, you are playing the game both ways, Mr. Premier. How can you support the concept of the right of the public to know in theory and in principle, and still do nothing about it?

HON. MR. BLAKENEY: — I regret that I didn't make myself clear. I believe that the right of the public to know is much more clear and obvious with respect to most government activities where there is no countervailing argument based upon competitive conditions, than it is where there is a countervailing argument based upon competitive positions. I think that is true, as between the government and Crown corporations, as a

group, and I think it is true as between one Crown corporation and another because, obviously, some of the Crown corporations are a great deal less competitive than others.

One can put up an argument with respect to the potash corporation which one simply can't mount with respect to Sask Tel. Sask Tel doesn't have a lot of trouble selling its products. It is occasionally in competition with CNCP, or some other people, on a particular narrow range of its product. But, by and large, its products occupy a monopoly or quasi-monopoly position and, accordingly, questions about its sale prices and the rest are, I think, uniformly answered. I would think that if someone wanted to know what was charged to the phone bill of the member from Rosthern, subject to his right to privacy, one would say, "Well, the member for Rosthern has a private number, and the cost for all private numbers is X." But if you want to ask me what price we sell potash to CP Industries in Chicago, I would say, "Thank you very much; I don't think I'll tell you what the last contract was. I will tell you what our published prices are." That, I think, is a perfectly legitimate distinction between the role of different corporations, and I don't think there is anything that is contradictory in that.

The right to know is not an absolute right any more than the right to privacy is an absolute right. The essence of government in almost every phase is the balancing off of rights, and we in this area just have to balance off what will be difficult if it is disclosed versus the general public right to know. I don't think anyone can speak in sweeping generalizations. The public has a right to know, but it doesn't have the right to know what my MCIC (medical care insurance commission) records are . . . (inaudible interjection) . . . No. I know you don't. I'm just saying there is no point in talking about sweeping generalizations. There is always line drawing, and what we need to talk about is the line drawing, and not the generalizations.

MR. THATCHER: — Mr. Premier, I suggest you are trying to take it both ways. But moving off the Crown corporations into the statutory vote, let me just read you some of the statutory votes that are going to be taken (many of them have been taken already); Crown investments corporation, \$25.5 million; FarmStart \$33 million; Saskatchewan Economic Development Corporation, \$37 million; Sask Housing Corporation, \$29 million; land bank, \$35 million; SPC, \$268 million; Sask Tel, \$72 million. Now I didn't total those up, but that's a lot of money. Do you know what happens in those matters? The vote comes into the House and is listed in the estimates book as statutory. The minister presents it and we start to ask some questions such as, "What are you going to do with the Sedco money?" "What are you going to do with the \$37 million? What plans do you have for it."

Well, aside from the fact that the minister in charge of Sedco hasn't the faintest idea what they are going to do with . . . We asked the same question in Sask Housing and up gets your House Leader, the Attorney General. He says (in so many words), "It's statutory. You have no right to ask that question. It's none of your business." The argument comes forward: who are you guys to ask questions about what we're going to do with the money?

That's where, I say, the public's right to know is being infringed upon by your government. I see nothing wrong with us having the opportunity to take the minister in charge of telephones apart, and trying to find out what he needs \$72 million for. I see nothing wrong with his having his officials here to tell us why he needs \$72 million. In SPC, you know, that's \$269 million; it's an easy thing to say \$269 million. That is just a blazes of a lot of money — and the public hasn't the right to know what SPC is going to

do with that money. Do you know what the answer is? If it's not, "No comment," they say, "The member can get his answer in Crown corporations."

Well, do you know when it can even be raised in Crown corporations? A year after it has been spent. Do you think the public does not have the right to know what these Crown corporations are going to do with that money? If you think they do have the right to know, then you're at total variance with your House Leader and Deputy Premier.

AN HON. MEMBER: — Oh, no.

MR. THATCHER: — He says, "Oh, no.". Well, I can only go by his actions. We've had some rather bitter debates in here over whether or not we can ask questions on those statutory votes.

The other day he pulled the estimates. We had Sedco up front (granted we have an extreme case with that particular minister), but the moment a question went to that minister the Attorney General pulled the estimates. "How dare you people ask questions about Sedco? How dare you ask questions about \$37 million." I suggest to you, Mr. Premier, that is totally inconsistent. You are trying to take it both ways. On the one hand you're suggesting that the public has the right to know, and, "We're wonderful because we'll tell you a year later." And yet this kind of money goes unnoticed and the public doesn't have the right to know what you are going to do with it.

HON. MR. BLAKENEY: — Well, I think the member raises a point which is not without merit; namely, in what forum should one debate the capital moneys, which are raised for ongoing exercises of government, where we have provided statutory votes? We provide for this legislature and your salary and mine at least as MLAs it is statutory. But the power corporation borrows money pursuant to the provisions of either its act or The Saskatchewan Loans Act, and is permitted to borrow money pursuant to that statute, and it doesn't need to be appropriated.

They are always capital moneys; you will find hardly any moneys in the blue book (which provides for a statutory vote) that are not capital moneys except under the Legislative Assembly. There may be the odd one. You can understand why the Legislative Assembly money is put beyond the control of the government of the day and Her Majesty's ministers, and so it ought to be. Grants to the Leader of the Opposition and those things are frequently statutory, and they ought to be. They ought not to be in the hands of Her Majesty's ministers.

All governments face the same question of how you deal with providing a forum for debate for how capital moneys are going to be spent. If the questions asked under those statutory votes (as they're called here) are genuinely about how the money is going to be spent, then I think there is no difficulty in structuring a method for debate. The prospective expenditure of those moneys, the policies of Sedco, the policies of power and telephones (their capital policies), strikes me as an appropriate forum.

If you're asking the minister to come and explain how he spent the last batch of money and how the power corporation or Sedco has conducted its affairs, this legislature has generally said, "For retrospective spending we have another forum for that — the Crown corporations committee — when we can have accountants and all the rest there. That's a better way to get at retrospective expenditure." If we're talking about prospective expenditure, how Sedco is going to spend that money and not what it did in

making a loan to Shore Acres or whatever motel is today's target, then fair enough. If we're talking about the lending policy (although frankly I think most of those are better dealt with in Crown corporations committee), then let us acknowledge their rules as currently structured — provided that "it's not under the year in review."

From my recollection (and I haven't been a good attender of the Crown corporations committee lately, notwithstanding the fact that I am a member), the Saskatchewan Power Corporation never hesitated, when we were in government and when we were in opposition, to talk in general terms about what their generating plans would be and whether they were going to build something at Poplar River and what the options were as between Nipawin and Courval or the like. That's where the big money goes.

But if you feel that's not the satisfactory forum, I have no doubt that the prospective expenditures of the money could well be debated in this forum. If you want, however, to duplicate the type of questioning that you would not ordinarily get in Crown corporations committee about how you had used the money retrospectively, then I think people are going to object, because that is simply not what the money is for and there is another appropriate forum for it.

If members are saying that they can't get at the policy of the corporation in the Crown corporations committee and they don't know how money is going to be spent because that is in there on the statutory votes (all for capital, as I say), I think that an occasion can be found, certainly, for debating the capital expenditures policy of the corporation . . . (inaudible interjection) . . . SGI's losses are . . . (inaudible) . . . You can't have losses prospectively, but only retrospectively and therefore they are retrospective expenditures and you debate those in the Crown corporations committee . . . (inaudible) . . . Providing the member knows the rules and doesn't want to debate the progress of lawsuits but deals with matters of profit and loss I know that every accommodation will be given to the member.

MR. CHAIRMAN: — Order, order! I wonder if the minister would direct his answers through the Chair and questions through the Chair, as well.

HON. MR. BLAKENEY: — Mr. Chairman, I think that I have dealt with the questions raised by the hon. member with respect to statutory capital votes, which he was rhyming off in his questions.

MR. THATCHER: — Mr. Premier, you have made reference to the Crown corporations committee being the appropriate medium. Mr. Premier, if you are interested, I invite you to look at the verbatim report of the Crown corporations committee on May 5. Your minister in charge of SGI said, "No comment" 42 times. Forty-two times. Now, SGI is a big corporation, and I suspect that somewhere it always has a lawsuit on it. Every corporation has a lawsuit. I don't mean that derogatorily; I'm sure somebody is suing SPC about something, or Sask Tel, just like I'm sure somebody is suing Exxon or Texaco. There's always a lawsuit. As long as we have lawyers we are going to have lawsuits, regrettably. Maybe someday we can get an anti-lawyer coalition there. However, I'll withdraw that remark.

Anyway, you are always going to be sued. For a minister to be taking the position, "No comment, no comment," is stonewalling, pure and simple. It is stonewalling the

public's right to know. That's something that supersedes — the public's right to know. It is the public's money. It's their dollars. I part company with you categorically, because I say to you that the public's right to know overrides the interest of SGI. I believe that man out there driving that Volkswagen has a right to know why he's paying that rate, or why his company is losing money, or anything he wants to know about that company. That supersedes your minister saying, "No comment," because the answer may be embarrassing to SGI. Maybe that's naïve. But that's the way it should be. Mr. Premier, under a Conservative government that's the way it will be.

HON. MR. BLAKENEY: — Mr. Chairman, let me agree with the hon. member when he says that at any one time SGI will be in probably dozens of lawsuits. I would be surprised if there weren't dozens around at any one time. Most of them don't get to court. I'm sure it will come as no secret that many lawyers (and I was one of them), when having an argument with an adjuster which doesn't go very well, tend to issue a statement of claim to see whether or not this won't facilitate the argument somewhat. It frequently does.

Therefore, SGI may be the defendant or maybe the other driver is the nominal defendant. But if one argues with the adjuster, and when in due course he argues with the legal department of SGI, I think one can perhaps believe that SGI is the real defendant. Nobody has ever questioned those, or ever used those as a shelter from answering questions about rates and rates of losses and the rest.

The question, however, arises when we are beginning to ask questions about the specific provisions of a statement of claim or statement of defence. Those rules are there when we are being sued about a building purchase, or about a reinsurance contract, or whatever. Those rules are there, not primarily to protect SGI, but to protect the public. The public has a right to have its case tried fairly, and if it sues SGI it ought to have a right to have its case tried more or less fairly. SGI ought not to have the opportunity to stand up in a privileged place and say an awful lot of bad things about a plaintiff who sues SGI. If Joe Shmuck sues SGI, and I stand up and say a very large number of uncomplimentary things about that plaintiff, he is put at a real disadvantage since he can't get at me — not in this Chamber. It doesn't matter whether they are true or not; he can't get at me.

Because that's true, and because the statements in this Chamber are privileged, this House has decided that they will not discuss the internal details of particular lawsuits. They will not comment on statement of claim, statement of defence, reply, examinations for discovery, or the other steps in a legal action — not specifically. That is not primarily for the protection of the government, but primarily for the protection of the citizen. That has been the prevailing view. That is the one under which our government has operated. Accordingly, when the questions are not directed to the policy but to the legal strategy, then I think that we have to respect the rules of the House which say we will not comment on existing lawsuits. That covers all except those which are terminated. With respect to one lawsuit . . .

AN HON. MEMBER: — It was not terminated. It was settled out of court. That is not a termination of a lawsuit.

HON. MR. BLAKENEY: — Mr. Chairman, would you protect me from these interjections of a legal nature which suggest that a settlement out of court by letters of settlement does not terminate a lawsuit? It is a shade surprising to me to hear that. I tell you that if the lawsuit is terminated, then other considerations may arise. I can see that out of hand.

AN HON. MEMBER: — We are protecting this.

HON. MR. BLAKENEY: — Mr. Chairman, I think I will discontinue this comment, because I am having a little difficulty competing with the interjections from the member. I will not attempt to take it through any more. I think we all know what I am saying. I can see it out of hand before someone says it. There may well be instances where lawsuits are terminated by minutes of settlement and where the parties agree that some things ought not to be disclosed to the public. This may put the public at a disadvantage, but it may be a necessary step which the corporation has to take in order to get the best possible settlement.

MR. KATZMAN: — Mr. Minister, I assume that you are chief counsel of the government. Obviously, you would be the person I would have to go to The Tabling of Documents Act, chapter T-1, which indicates that all documents by the government must be tabled in this House. Would you check and read it between now and tomorrow? I will inform you that the Minister of Agriculture violated this act yesterday. I would like to know what the . . . (inaudible interjection) . . . No, it isn't the Speaker, Mr. Romanow, if you would check the rules. Could you check into it tomorrow and give me an answer on what the ramifications are of breaking this act?

HON. MR. BLAKENEY: — Mr. Chairman, I am not here to give legal opinions on the ramifications of a breach of statutes. If there are a few things which are clear in this House they are these. We do not have questions on existing legal actions. We do not ask questions which require legal answers, and so on and so on. However, I will look into the matter which you raise. I haven't the slightest idea what you are talking about. I may not be the only one in the House about whom that can be said, but I will say no more.

The committee reported progress.

The Assembly adjourned at 5:02 p.m.