

May 29, 1989

The Assembly met at 2 p.m.

Prayers

## ROUTINE PROCEEDINGS

### INTRODUCTION OF GUESTS

**Mr. Trew:** — Thank you, Mr. Speaker. It gives me a great deal of pleasure to introduce to you, and through you to members of the Legislative Assembly, 55 grade 12 students from Robert Usher. These students, Mr. Speaker, are seated in your gallery. The teacher is Mr. Fred Steininger. Accompanying these students there is a Mai Salmenkangas, who is an exchange student from Finland who has been spending this entire year attending school at Robert Usher.

I will be meeting with Mr. Steininger and the students following question period and will have pictures and a visit. I very much look forward to that, and I ask all hon. members to join me in welcoming this fine group of students.

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

**Hon. Mr. Andrew:** — Thank you, Mr. Speaker. I would like to take this opportunity to introduce to the Assembly, Hon. Timothy Eggar, who is sitting in the Speaker's gallery. He is the British member of parliament and the Parliamentary Under-Secretary of State in British, Foreign, and Commonwealth Affairs. He is visiting in our province and has been discussing many issues with various people in the province, including the whole question of Europe, 1992, and Europe's position at the current Uruguay round of the GATT (General Agreement on Tariffs and Trade) negotiation. Accompanying Mr. Eggar is his private secretary, Martin Hatfull, and the British Consul-General from Edmonton, Mr. John Doble.

Perhaps the gentlemen could stand and introduce themselves to the legislature of the province.

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

**Mr. Wolfe:** — Thank you, Mr. Speaker. I'd like to introduce to you, and through you to all members of the Legislative Assembly, 32 students from Mossbank. They are seated in the west gallery. Accompanying them are teachers Garth Ward and Dev Tauh, and a bus driver, Marlyn McKee. The students will be listening to question period. I'll meet with them later for a photograph and a short visit.

I ask all members of the Legislative Assembly to welcome them.

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

**Hon. Mr. Schmidt:** — Thank you, Mr. Speaker. I'd like to introduce to you, and through you to this Assembly, 21 grades 3 and 4 students seated in the west gallery, from Millar School in Melville, Saskatchewan. They are here with their principal, Mr. Ted Starchuck; their bus driver, Perry Yelle. Chaperons Gordon Padar and Ron Niebergall are scheduled to be with them as well.

These students are familiar to myself, as some of them play hockey with my son during the winter, and I can vouch that they are good students and are becoming good citizens. So I ask the members to welcome them to the Assembly here.

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

**Mr. Lyons:** — Thank you very much, Mr. Speaker. Mr. Speaker, I'd like to introduce to you today, and to the other members of the Assembly, 58 grade 8 students who are attending Ruth M. Buck School in Regina. They are seated in the east gallery and are accompanied today by their teachers, Fred Chriest and Rena Flett.

I'd ask all members of the Assembly to please welcome the students here today.

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

**Mr. Solomon:** — Thank you, Mr. Speaker. I'd like to join with my colleague, the member from Rosemont, in welcoming the guests from Ruth M. Buck School. Some of the students reside in Rosemont constituency and some in the constituency of Regina North West. I know the vice-principal, Mr. Chriest, quite well, and my daughter is in grade 3 in that school — we live down the street from Ruth M. Buck — and I enjoy going to that school very, very much the oftentimes I am there. So I bid you welcome on behalf of the people of Regina North West. Thank you.

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

## ORAL QUESTIONS

### Proposed Fertilizer Plant at Belle Plaine

**Mr. Mitchell:** — Thank you, Mr. Speaker. My question is for the Minister of Trade and Investment and it concerns the fertilizer plant that has been announced for construction at Belle Plaine in which the government plans to invest \$175 million to help Cargill build a fertilizer plant. Cargill happens to be one of the largest corporations in North America.

Now I want to make it clear, Minister, as I launch on this series of questions, that we believe that Saskatchewan needs all the industry it can possibly get, particularly to help us overcome the unacceptably high levels of unemployment that have grown up during the term of your government.

My question is this, Mr. Minister: in the face of your government's \$4 billion deficit, how is it that you can find the money to help finance a plant to be built by one of the largest corporations in North America when private interests in Saskatchewan had planned to proceed with other plants with almost no government assistance?

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

**Hon. Mr. Andrew:** — Well, Mr. Speaker, with regards to the Cargill project, I think when that particular project

was announced, the hon. Deputy Premier and the Premier indicated that the Government of Saskatchewan and Cargill would involve and become involved in a joint venture operation.

Now I assume from the philosophical rhetoric coming from the members opposite that they have no problem with a joint venture involving government and the private sector. And further stated was the government's view that it wished to have this project commenced, and that any of its position hopefully would be able to be sold out to the various private sectors.

With regards to your second point, that there is a private sector firm looking to develop a fertilizer plant without government involvement, I can advise the hon. member that the proposal by energy "88" required substantial amounts of money from WDO (western diversification office) and proposed substantial amounts of money from the provincial government, not by way of equity participation but by way of outright grants.

**Mr. Mitchell:** — Mr. Minister, in the most recent edition of *The Rosetown Eagle*, Mr. Noval, Greg Noval, who is the president of Canadian "88", which I think is the company that you referred to, is quoted as saying the following. He says:

Knowledge of the Cargill project was no surprise to our group; however, with all our dealings with the provincial government it was represented to us that there would be no government funding of any kind to Cargill.

That's what Mr. Noval told *The Rosetown Eagle*. Now could you tell us who in your government was dealing with Mr. Noval, and can you explain why that person made such a gross misrepresentation to Mr. Noval?

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

**Hon. Mr. Andrew:** — I can advise the Assembly, Mr. Speaker, that the energy "88" people were dealing primarily with the Deputy Premier. I was also involved in that particular negotiation and I can tell this Assembly, and I can tell the hon. member, that energy "88" came to the provincial government requesting sizeable amounts of provincial dollars to go into that project, not to go in by way of joint venture operation but to go in by way of contributions, grants if you like, from the Government of Saskatchewan.

Now the proposal and the project that is going forward by Cargill is a joint venture operation. It's a joint venture operation that the members opposite, when they talk about their economic theories, seem to have no problem with joint ventures between the private sector and government. That's exactly what it is, Mr. Speaker. It is not money forwarded to Cargill by way of grants or by way of non-payable loans or anything else; it's a joint venture operation.

The proposal of energy "88" involved a sizeable amount of money coming from the provincial government along with a sizeable amount of money coming from the federal government.

**Mr. Mitchell:** — A new question, Mr. Speaker. That's an extraordinary thing for you to say, Minister, that the government taking on the obligation to build half of the plant is not any kind of a financial contribution to Cargill. You'll have to explain that very, very carefully to Mr. Noval because I'm afraid he doesn't understand it.

Now if all of this is true, Minister, then why can't the two groups, the two companies, go into business in Saskatchewan on an equal footing? Why can't they be on your famous level playing-field? If our local Saskatchewan business, so far as you're concerned, practically had to finance themselves, how does it make sense not to require Cargill, one of the largest companies in North America, to finance itself? And further, Minister, did you make the kind of offer to the Canadian "88" group about government participation that you obviously made to Cargill?

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

**Hon. Mr. Andrew:** — Mr. Speaker, I will explain to the hon. member the difference between becoming a joint venture partner, which is taking half of the project, or roughly half of the project, with our intention being as once the project is up and running, or once it is completed, that we simply then through public participation sell off our given share.

And, Mr. Speaker, in doing so, what you end up with is a world-scale fertilizer plant in the province of Saskatchewan that can supply both Saskatchewan, Manitoba, and three or four states in the United States; at the same time use Saskatchewan natural gas, which we have plenty of.

Now that's the proposal. The proposal by energy "88", Mr. Speaker, was that we would not participate in their project but that we would give a sizeable grant to that particular company; that we would supply certain expensive infrastructure costs to that proposal, along with the WDO advancing sizeable amounts of money to them. We indicated to them that we were not prepared to do that, and there is quite a difference between the two.

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

### Fertilizer Plant at Pincher Creek

**Mr. Solomon:** — Thank you, Mr. Speaker. My question is to the Minister of Trade and Investment. Minister, the Premier talks about the proven track record of Cargill, but Cargill's size has not always guaranteed success.

Are you aware that the last new fertilizer plant project Cargill was involved in was Pincher Creek Nitrogen Inc., which was started in 1985 in Alberta and today is in receivership? And can you tell us, Mr. Minister, how much money the Government of Alberta and other Alberta creditors lost as a result of this Cargill project?

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

**Hon. Mr. Andrew:** — Well I think that the hon. member, if he is suggesting somehow that Cargill owned the plant

in Alberta, I believe the hon. member is not correct in his facts. Now that's what the hon. indicated, that Cargill had built a plant in Alberta, and that that plant is now in receivership. Now I would suggest to the hon. member that he gets his facts straight on that particular question.

Now the hon. member would somehow suggest that if Cargill is to be involved in any project in the province of Saskatchewan, that there is no way that we as a government should have any truck or trade with Cargill because they're so large and because they are a multinational corporation, Mr. Speaker.

Now, Mr. Speaker, I suggest to you that the hon. member, when they were in government, entered into a joint venture operation with Uranerz, which is a large international corporation, large-sized international corporation, to build, by way of joint venture, a uranium mine in northern Saskatchewan.

Now it seems to me, Mr. Speaker, if the private investors are prepared to come to this province, if they're prepared to spearhead a major economic development project in our province, creating numbers and numbers of jobs, Mr. Speaker, using our resources, that being natural gas to convert it into urea fertilizer to be used by our farmers in Saskatchewan, thereby reducing the price of fertilizer to the farmers of Saskatchewan, it seems to me that is a reasonable project to do, Mr. Speaker.

Now the members opposite would have us believe that we should not do that because Cargill somehow has too big of a balance sheet, Mr. Speaker. And I think that is a foolish approach to take, to be against Cargill because of Cargill.

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

**Mr. Solomon:** — Mr. Speaker, a supplementary question to the minister. Can you provide to this Assembly today, Minister, the guarantees to the farmers that they will have lower fertilizer prices as a result of this project proceeding?

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

**Hon. Mr. Andrew:** — Mr. Speaker, to the hon. members, if you look at the cost of fertilizer, a significant price in the cost of fertilizer, Mr. Speaker, is the transportation component of that price. The price . . . (inaudible interjection) . . . Well, the members say that is not the case, Mr. Speaker. Farmers understand, Mr. Speaker, if they have to go to Moose Jaw to get their fertilizer from, let's say, Weyburn, as opposed to going to Medicine Hat . . .

**An Hon. Member:** — There's no difference.

**Hon. Mr. Andrew:** — The hon. member says there's no difference. Well there is difference, Mr. Speaker.

Number two thing, Mr. Speaker, is this fact: that when this project is built and is in production, Mr. Speaker, what you're going to do is add a significant amount of product into the market. Now Economics 101 also says when you have more product in the market, Mr. Speaker, that

means the price goes down. That is simple theory of supply-demand, Mr. Speaker, and that brings the price down.

Now the members opposite would have us believe that when you go into any project that you should sign some document that says we guarantee the price will be like this for the next 25 years. They don't understand how the private sector works, Mr. Speaker, and it doesn't work that way.

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

**Mr. Solomon:** — Mr. Speaker, a new question to the same minister. Mr. Minister, the last thing that people of Saskatchewan want to see at this time is another Pincher Creek. Reinie Janke, the president of the Rosetown and district chamber of commerce, told *The Rosetown Eagle* just recently, and I quote:

If Cargill couldn't find private sector people in the outset, where is the government going to find participants later?

Will you table this afternoon the feasibility studies that prove this plant is a good deal, showing how it will return the taxpayers' investment of \$175 million, and how it will create the best possible long-term jobs? And if it's such a good deal, Minister, can you explain why Cargill can't go it on its own rather than with taxpayers' backing of \$175 million?

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

**Hon. Mr. Andrew:** — Mr. Speaker, this government has a stated position for some time now that what we should be attempting to do in diversifying the province of Saskatchewan and the economy of the province of Saskatchewan, is to produce product that is being used here in the province of Saskatchewan.

The hon. member would have us continue: (a) buying our fertilizer that is manufactured in Alberta and using, Mr. Speaker, natural gas that is produced in Alberta, not using natural gas that is produced in Saskatchewan, converting it into fertilizer in Saskatchewan, Mr. Speaker. And they're doing . . . creating economic diversification for the province using a source of natural gas that we have, and creating jobs and tax revenues here in the province of Saskatchewan. We've indicated many times that that is the intention and the strategy of this government, and we believe this one substantiates that particular policy, Mr. Speaker.

Now the members opposite, the members opposite, when we announced that we were going to sell PAPCO (Prince Albert Pulp Company), or the pulp mill in Prince Albert, to Weyerhaeuser, they said, oh, Weyerhaeuser, one, will never pay you; number two, they will never build a paper plant, Mr. Speaker, and that they have taken you to the cleaners.

Mr. Speaker, Weyerhaeuser built a paper plant. It employs many, many more people in the city of Prince Albert. It manufactures paper, not simply kraft pulp. And that's a higher value-added product, Mr. Speaker, sold

around the world.

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

### Concerns of Rosetown Developers

**Mr. Lautermilch:** — Mr. Speaker, I too have a question to the Minister of Trade and Investment. And you may, Mr. Minister, have sold this to your caucus colleagues, but you haven't sold it to some folks.

And I want to quote from Mr. Janke, president of the Rosetown and district chamber of commerce when he told *The Rosetown Eagle*: your decision to finance the Belle Plain plant is at odds with your government stated goals to diversify the rural economy, and I quote, "It flies in the face of their stated policies at election time".

I want to know, Mr. Minister, how you explain this betrayal to Mr. Janke and all of the other rural business operators who see that they can no longer trust you or your government.

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

**Hon. Mr. Andrew:** — Mr. Speaker, let's look at the recent history of economic diversification. The Government of Saskatchewan participated in a joint venture with the co-op, with Federated Co-op and the refinery out here to build the heavy oil upgrader in the city of Regina. We did that, what? — three, four years ago, Mr. Speaker, a joint venture to create an additional process, Mr. Speaker, that can process our natural products here.

The Government of Saskatchewan participated in a joint venture with Husky Oil to build, and in the process now of building a heavy oil upgrader in the city of Lloydminster, Mr. Speaker. We participated in that.

The proposal with regards to Cargill, Mr. Speaker, is perfectly consistent with those other two projects. We believe it diversifies our economy, creates jobs, creates tax revenue, Mr. Speaker, and is a source for our natural resources to further upgrade it before it is sold to other products, other markets in the world.

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

**Mr. Lautermilch:** — A new question to the same minister. Mr. Minister, I'm sure you've betrayed all of . . . you've really made all of the folks in the small towns that were expecting some kind of an operation to be in their communities, you've really reassured them with this answer. And I want to know, Mr. Minister, if you've met with the mayors of Rosetown and Melfort and of Tisdale and of Yorkton and of Melville. And have they sought a meeting with you? And have you agreed to meet with them regarding their concerns for their communities, Mr. Minister?

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

**Hon. Mr. Andrew:** — Mr. Speaker, I, or a member of our cabinet, is certainly prepared to meet with all of those various mayors in the province of Saskatchewan, in the towns around the cities around the province of

Saskatchewan. I intend, Mr. Speaker, to meet with them, as I'm sure others do, to explore new ways that they can diversify the economy, because the one thing what the mayor, the various mayors talk about is a desire to, in fact, diversify the economy.

They are not like the members opposite. Every time a proposal comes forward, they're against it. They were against Meadow Lake; they were against Weyerhaeuser; they were against the Co-op upgrader; they were against Husky Oil; they were against Cargill, Mr. Speaker. If they're always against everything, Mr. Speaker, which is what they are, against every proposal — Flexi-Coil was announced, almost doubling the capacity in Saskatoon, and the members were even against that, Mr. Speaker.

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

### Advertising Costs for SaskPower

**Mr. Lyons:** — Thank you, Mr. Speaker. Mr. Speaker, my question is to the Minister of Justice. Mr. Minister, in this House on Friday last you took notice of a question pertaining to the cost of your ineffectual and illegal advertising campaign to promote the privatization of SaskPower. I wonder, sir, would you happen to have those figures with you here today, or have you been told not to release them to the public?

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

**Hon. Mr. Andrew:** — Mr. Speaker, I have not been told not to say anything by anyone, Mr. Speaker. I do not have the information available today. The hon. member, the Deputy Premier, minister responsible for SaskPower, has been aware that that notice on that question was taken, and that answer will be back tomorrow or the next day, Mr. Speaker.

**Mr. Lyons:** — Mr. Speaker, supplementary question to the same minister. Mr. Minister, you obviously have discussed this matter with the Deputy Premier. Can you give us a date at which that information will be available to the House here?

**The Speaker:** — Order, order, order. Order. The hon. member took notice of the question, and the question you just posed is essentially the same. It's out of order.

### Participation Credit

**Hon. Mr. Taylor:** — Mr. Speaker, on Friday I took notice of a question dealing with the participation credit as recorded in the SPMC (Saskatchewan Property Management Corporation) financial statements. Mr. Speaker, I'd like to indicate to the House that the concept of a participation credit is not foreign to this province. Very simply, it is a credit applied to invoices that SPMC bills to its clients that are funded by the provincial treasury, such as government departments.

The credit operates in the same way as the co-op and the wheat pool pay dividends to members based on the volume of goods that each member consumes. SPMC does not give the credit to private sector clients. The only difference is that SPMC deducts the credit from its

monthly bills to the departments, while co-operatives pay similar credits out in dividends.

Mr. Speaker, there is no money that changes hands, and there is no fund somewhere with \$42.7 million in it. The credit is simply an accounting procedure used to record credits given to government departments. The procedure has been approved by SPMC's appointed auditors who are Deloitte Haskins & Sells, I think one of the second biggest auditing companies in Canada. And it should be noted, Mr. Speaker, that the Provincial Auditor is not saying in his report that there's anything wrong with the credit, just a difference of opinion on how it is reported in the statements.

As I said Friday, that many of these questions should be answered between the auditors, Deloitte Haskins & Sells, and the Provincial Auditor. And if they'd like to do that, I would arrange that type of a meeting.

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

**Mr. Anguish:** — A new question to the minister. I find it absolutely amazing, Mr. Minister, that you would have to take notice on Friday last to get up and tell us that you have a dividend system in your department to pay back to the departments and agencies.

My question to you is: Mr. Minister, why does the auditor of this province have such a problem in getting that detailed information from the Saskatchewan Property Management Corporation, and will you from now on instruct that agency to fully co-operate with the Provincial Auditor that you've been trying to roast up until this time?

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

**Hon. Mr. Taylor:** — Mr. Speaker, there is no problem in getting information from the property management corporation. The right place to go is to the auditors of the property management corporation, and you'll have the Provincial Auditor dealing with the private sector auditors that audit the books of SPMC, and that's the channels that should be undertaken.

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

### Collapse of Principal Trust

**Mr. Calvert:** — Mr. Speaker, my question is to the Minister of Consumer and Commercial Affairs. Mr. Minister, I draw your attention to press reports coming out of Alberta today that the Alberta treasury is about to put up another \$6 million in pay-outs to those who lost money in the collapse of Principal Trust. Now the only catch in this, Mr. Minister, is that that money is all going to Alberta investors, none of it to Saskatchewan investors. Mr. Minister, are you aware of these reports, and have you contacted your colleague in Alberta to register your displeasure?

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

**Hon. Mr. Meiklejohn:** — Well, Mr. Speaker, I appreciate the question from the member opposite, and I am aware

of the reports out of Alberta and became aware of them about an hour ago. I have not been in touch with him yet, but I certainly will be.

We recognize the fact that the Code inquiry wrapped up just a short time ago, and that investors are receiving a set amount of money up to this point — I think around 50 to 56 cents, depending on which company it was. It wasn't Principal Trust either; it was Associated Investors and First Investors that these people had invested in. So I will be checking with him.

We still maintain the same stand that if the Code inquiry finds that the Alberta government was responsible or negligent in the regulation of these companies, that they should be reimbursing all investors, not just the investors in Alberta.

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

**Mr. Calvert:** — New question, Mr. Speaker. Mr. Minister, I remind you that when your buddies over at Pioneer Trust failed, you went out of your way as a government to ensure that out-of-province investors were compensated and satisfied. Mr. Minister, are you telling the House this afternoon that you do not today have an agreement with the Alberta government that Saskatchewan residents should be compensated? Is that what you're telling the House this afternoon?

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

**Hon. Mr. Meiklejohn:** — Well, Mr. Speaker, one thing that I would like to point out to the member opposite and his colleagues that, as I recall it, back in the Pioneer Trust days, that they were opposed to the Government of Saskatchewan making compensation to any of these people, so I find it really strange that today they have taken a different approach on this.

We have raised this concern with the provincial treasurer in Alberta on many occasions. We certainly do not have a written agreement, if that's what the member opposite is suggesting, but we will be continuing on with our efforts that if, in such time, the Code inquiry report comes down, at that point then we will proceed from there as to what position we're going to take.

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

### INTRODUCTION OF BILLS

#### Bill No. 41 — An Act to amend The Agricultural Credit Corporation Act

**Hon. Mr. Hodgins:** — Thank you, Mr. Speaker. Mr. Speaker, I beg to inform the Assembly that Her Honour, the Lieutenant Governor, having been informed of the subject matter of the Bill, recommends it to the consideration of the Assembly, and I move:

That an Act to amend The Agricultural Credit Corporation of Saskatchewan Act be now introduced and read the first time.

Motion agreed to and the Bill ordered to be read a second

time at the next sitting.

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

## ORDERS OF THE DAY

### SPECIAL ORDER

#### MOTIONS

#### **Point of Privilege — Criticism of the Provincial Auditor (continued)**

**Mr. Hagel:** — The member from Moose Jaw North is pleased to enter into debate, Mr. Speaker. Mr. Speaker, once again I hesitated before rising to provide opportunity for government members to rise and enter into this debate, and once again, Mr. Speaker, none did.

I would like to begin, Mr. Speaker, by making the clearest statement possible as to what this motion is all about that's before us, and that's to read into the record again, Mr. Speaker, what it is that we're debating here today. The motion before us is this:

That this Assembly condemns the Minister of Justice for having breached the privileges of this legislature by his unacceptable and unjustifiable criticism of the Provincial Auditor, that this Assembly calls on the Premier to require that the minister apologize publicly and resign from the Executive Council, and further, that this Assembly reaffirms the importance of the office of the Provincial Auditor as an officer of this legislature.

Mr. Speaker, these are very serious times in the debate before this Legislative Assembly in dealing with the conduct, and in particular the conduct not only of all of cabinet, the Executive Council, but particular the conduct of the Minister of Justice who has gone on the attack of an employee of the Legislative Assembly, Mr. Speaker.

And I'd like to just begin by taking a review of what has happened in terms of the very content of the debate before us because I think it's revealing. I've taken the time to carefully review the record of the debate on this motion, and I find it very interesting, Mr. Speaker, that only four government members have chosen to even comment on this motion.

At the same time, Mr. Speaker, well over a dozen — and by the time debate on this motion is completed, the number will be larger than that — well over a dozen opposition members have risen in their places to put on record their positions and their thoughts as to the impact of this scurrilous conduct of the Minister of Justice bringing his remarks and attack on the Provincial Auditor of the Legislative Assembly.

If I may just review very briefly what the government members have said so far, Mr. Speaker, what they've said is this. The Deputy Premier has risen in his place to say that he opposes the motion; fair enough. The Minister of Justice, who is the subject of this motion before us, has risen, not to apologize as many had expected that he

would do, but has risen to repeat his attack, his unjustified and supported attack on the Provincial Auditor of the province of Saskatchewan.

The third government member to speak, Mr. Speaker, was the minister of privatization, who rose to move an amendment referring this whole issue to the committee . . . the legislative's committee on privileges, in the belief at that time that the claim of the Minister of Justice, that there was somehow a secret package that, if it was revealed, would document his point of view and would prove that his attacks on the Provincial Auditor were justified.

And then the final government speaker, Mr. Speaker, was the House Leader and Minister of Highways, who rose then later that same day after you had tabled in this Legislative Assembly the Provincial Auditor's report, providing in fact that very information to the people of this Assembly, to the public of Saskatchewan, information that as it was read and became revealed, made it very clear that in fact there was no secret surprise in that package. There was nothing more there to justify the Minister of Justice's interpretation as to what the Provincial Auditor was asking when he provided his report to the Legislative Assembly.

Mr. Speaker, as I said, there have been, by my count, 12 opposition members of the Legislative Assembly who have stood in our place and who have put our positions on record. The only other one to speak, of course, Mr. Speaker, was yourself, who ruled not that there was a breach of privilege but that there was a prima facie case for a breach of privilege, meaning, of course, to translate it into layman's language for those of us who understand that a lot better than the legal lingo, that on the face of it, or on the surface, it appeared possible that there was a breach of privilege.

And I recall you, Mr. Speaker, saying that you would refer it then . . . you would find that and refer it to the members of the Legislative Assembly to determine, as a matter of fact, whether there was or not.

The only other government member who has chosen to comment, although not in debate on this motion, has been the Premier of Saskatchewan who stood in his place during question period and confirmed that he fully supported the Minister of Justice in his attack on the Provincial Auditor.

We've seen, as I go over the record of debate on this, that there have been a good number of other government members who have entered their voice into record on this debate. But has it been to express an opinion? No, it's been simply by rising in their places with points of order and in many cases, in fact the majority of cases, Mr. Speaker, silly points of order as their contribution to the debate on this very, very serious issue before us in the Legislative Assembly today.

I notice again that there has been not a single non-cabinet member who has spoken, who has taken the opportunity provided in this Assembly with every one of the members on this side pausing before standing to speak to provide that opportunity to government members. Not a single non-cabinet minister has risen to express an opinion on

this motion.

And it would appear, if appearances are accurate, Mr. Speaker, that when this motion comes to a vote, that the back-benchers will simply follow the orders being dictated to them by those who sit on the front benches of the Executive Council, the front bench cabinet ministers who will be dictating, it appears, to the rest of the government caucus to simply vote against this motion, and to defend, in effect, to defend the actions of the Minister of Justice, and in effect, as well, to reinforce the attack on the Provincial Auditor.

Well, Mr. Speaker, I very clearly stand in support of this motion. I rise today with a good deal of sensitivity to the gravity of the issue. What we are debating here today is not the kind of issue that those of us who are elected to the Legislative Assembly see as priorities or the things that we choose to deal with when we come into the people's Chamber to do the people's business.

I would much prefer, Mr. Speaker, to be entering into debate with government members on matters such as unemployment, or the rising cost of interest, or home ownership, or out-migration, or the failure to protect the family farm, and on and on — a large number of very important issues that affect a large number of Saskatchewan people, defence of family business people in this province. But instead we find ourselves dealing with the conduct of the Minister of Justice.

When I look back at what happened, the case does not seem to be terribly complicated, Mr. Speaker. It's quite simple and straightforward, contrary to what has historically been the case. And members of this House will remember, Mr. Speaker, the days when the Provincial Auditor's report came not in the form of a — what are we here, about a 200-page book — when it came in the form of what would be much more accurate to describe as a pamphlet with much smaller pages and many fewer pages, with always the Provincial Auditor putting forth his suggestions as to how government could better keep its records.

With the tabling of the Provincial Auditor's report this year, Mr. Speaker, as I say, we now have an approximately 200-page book with line after line of indicting, damning accusations about the record keeping practices of the province of Saskatchewan. And really the whole book is summarized on page 4 of the Provincial Auditor's report when he says, and I quote:

I cannot effectively carry out my role to watch over the public purse for my client, the Legislative Assembly.

And those are very, very serious, significant words that the Provincial Auditor has chosen. He says two things. Number one, I can no longer "carry out my role to watch over the public purse . . ."; and number two, he says, "for my client, the Legislative Assembly." It is for that reason, because the client is the Legislative Assembly, that we find this motion of breach of privilege before the legislature now.

You see, the Minister of Justice in making his scurrilous

comments — scurrilous, curious, and squirrely, I think, could be not an unfair summary of what he said. In making his comments to attack the credibility of the Provincial Auditor, the Minister of Justice chose not to express the personal opinion of some member of the public, or the personal opinion of some back bench member of the government — in fact not just the personal opinion of a rank and file cabinet minister — but, as a matter of fact, Mr. Speaker, chose to express a point of view of a very senior, experienced member of the cabinet of the Government of Saskatchewan — uttered out of the mouth of the individual who, above all in our province . . . If we say there are a million people in Saskatchewan, then surely the one of those million who should be most dependable, who should be the most dependable to defend the law of the land and the application of the law of the land, should be the Minister of Justice. For surely, if there is any one person in the entire province of Saskatchewan who should be counted upon to protect the intention and the application of the law, it should be the member of cabinet who was assigned the noble title of Minister of Justice.

(1445)

Mr. Speaker, it is with a great deal of sadness in my heart that I find myself standing today, being aware that to — in this motion to call for the minister to submit his resignation, not because I hold ill will to the Minister of Justice personally, but because, Mr. Speaker, it is simply inappropriate for the single individual most responsible for defending the laws of the land of our province, put there by the Government of Saskatchewan, for that person to be the one to attack, not only attack but lead the attack, on an employee of the Legislative Assembly who has said in his report that the government is breaking its own laws. That is reprehensible, Mr. Speaker. And surely when the Minister of Justice responds to a Provincial Auditor who says the government is breaking its laws, when a Minister of Justice in effect says, kill the messenger, can we expect that the people of our province will continue to have confidence, not only in the Minister of Justice but in the entire, not only cabinet but the government itself?

It would be impossible. The only possible exception perhaps, and I'm not even certain that that would be the case, that would make this a more serious issue, would be for the Premier to have made those comments about the Provincial Auditor. However, we have here the sad case where the Minister of Justice made the comments and then was endorsed by the Premier.

And it seems to me, Mr. Speaker, that if the government is to have credibility in the carrying out of the wills of the people and the enforcement of the laws of the land that are crafted and passed in these Legislative Chambers, that the Minister of Justice must seriously, must give very serious consideration to withdrawing his comments, to issuing a public apology, and out of respect for the people of Saskatchewan and the tradition of the Assembly and the making of law, withdraw his services as a member of Executive Council.

And I don't say that lightly, Mr. Speaker, because I recognize that the Minister of Justice has had many years

of service in the Legislative Assembly. We've had our differences of opinion, but there have been times when I think we've found, in my personal opinion, that he has acted in the best interests, in his view, and I respect that, and so the people of Saskatchewan. And so I don't lightly or easily stand in my place and say that I support a motion calling for the hon. member to withdraw from the Executive Council and the cabinet of the Government of Saskatchewan.

You see, when I look at it, Mr. Speaker, and I try to understand why is this happening, I have to admit that I don't find a good reason. What can justify any of us in this Assembly placing under personal attack yourself, as a member of the Legislative Assembly carrying an impartial role, or legal counsel, or any of the Clerks at the Table, or the Provincial Auditor. That in fact can be construed as nothing more than an attack on the institution itself. When the minister expresses that view, Mr. Speaker, in a sense he attacks all of us in this Assembly, and the institution, the democratic institution of the people of Saskatchewan.

And surely that is not something that was done without thought. I know the hon. member well enough to know that he understands the implications of political comment and has represented himself by and large with honour in this House. And so when I ask myself why in the world would this happen, I simply can't accept that one member of this Assembly just got up, and without thinking, rambled off and that it happened, and that out came the scurrilous attack on the Provincial Auditor.

And so it seems to me when I look at, and I look at what the Provincial Auditor has said, when he said that he can't function, provided the 200-page document of condemnation of the performance of the Government of Saskatchewan; also said that he was unable to even provide comment on about 50 per cent of the expenditures of the Government of Saskatchewan. And I listened to the response of the Minister of Justice. And it says to me that it was a response made that was thought out ahead of time, and that was made intentionally. I just simply cannot think of a rationale by which it was made on the spur of the moment, and in fact the Minister of Justice, I think, confirmed that through his own entry into debate in this Assembly when he repeated his attack and his rationale for that.

And so what it appears to me we have here before us now, Mr. Speaker, is the actions of a government which is attempting to cover up the cover-up. In effect, the Provincial Auditor has said, I can no longer be watch-dog for the public purse; I can't get information for literally half of the government expenditures.

The implication of that — these are not the auditor's words; I assume responsibility for these words — another way of saying that is that the public watch-dog of the people is operating to provide information for the members of the Legislative Assembly so that all of us on both sides of this Assembly can perform our duties in respect of the obligations assigned to us, being sent here by our constituents and all the people of Saskatchewan collectively.

When I look at what the Provincial Auditor said, he said there's a cover-up going on. Can we give it any possible interpretation other than that? There is a cover-up going on.

In my mind it fits, Mr. Speaker, with the whole privatization and patronage kind of scenario and strategy that's been going on in this province for a long period of time, in which the claims are that privatization is the economic solution to all that ails us, despite the facts that taxes are up, services are down, the deficit is rising, unemployment is up, and people are fleeing the province. Those are the facts.

And so it doesn't surprise me that we have mixed in with that a government which is intentionally influencing the financial statement of this province. What other explanation is possible to give, Mr. Speaker, to the actions of a government which, contrary to its own laws — contrary to its own laws — deprives the Provincial Auditor, the employee of the Legislative Assembly of Saskatchewan, the opportunity, not to do the books — that's not what he asked to do — but to confirm that the private auditors, those who work for each individual Crown corporation, that the private auditors' figures are correct, so that when, through Public Accounts and Crown Corporations Committee and estimates within this House, we ask questions, those of us in these Chambers can ask those questions confident that what the government says are the facts, are the facts, because the Provincial Auditor has confirmed that.

You see, if the Provincial Auditor cannot confirm to me as an individual member of this Assembly that the government statements are accurate, then I have no way other than the ridiculous possibility of attempting to go through a Crown corporation's books myself, which I would never be entitled to do, but I would have no other way of confirming that what the government is saying is a fact, as a matter of fact, is the truth.

So the Provincial Auditor becomes for all of us in this Assembly a very, very key individual to provide for us, not only information but the confidence that the information provided by the government is accurate. The Provincial Auditor has said, contrary to the government's own law, I am being denied access to 50 per cent of the information.

And so is it possible, Mr. Speaker, to conclude anything other than the response from the Minister of Justice is more than anything else an attempt, number one, to divert the issue from the real issue . . . to divert attention from the real issue, the real issue being this government's performance; and secondly, to cover up the cover-up? In other words, an attempt to discredit the messenger, to discredit the man who, for, I believe, it's 18 years, has served the people of Saskatchewan as auditor; has been the fear of, I think, cabinet ministers of governments of three different political stripes; has been diligent in his service to the people of Saskatchewan in his demands on the credibility of the Government of Saskatchewan.

And so it saddens me, Mr. Speaker, to be dealing with this issue which I think is extremely crucial not only to the performance of the Provincial Auditor, but is crucial to all of us as individual members of the Assembly to carry out



our roles as defenders of the public purse, both in opposition and in government; and also equally importantly and, perhaps, in the long run most importantly, the very credibility of the Government of Saskatchewan when the single individual who should be most counted on to defend the application of the law of Saskatchewan leads the attack on the employee of the Legislative Assembly who has said that the government is not following its own laws.

And that is a sad day, Mr. Speaker, for anyone who defends the principles of democracy, the principles of the right to public speech, and the principle of accountability for government, that we should have to be debating this very motion before us here today.

Well, Mr. Speaker, I won't belabour the issue, and I will simply stop there. There are scads of information available on both the original report from the Provincial Auditor, as well as the subsequent report that was tabled in this Chamber a week ago, that have been referred to by colleagues previously. And I don't believe it necessary for me to repeat those in documentation as to why I draw the conclusions today, but to put on record for my constituents, and for the people of Saskatchewan, my grave concerns, as an elected member of the Assembly, in dealing with this motion before us.

It is also, before concluding, Mr. Speaker, out of concern for others that I raise this issue, because if it is okay for the Minister of Justice, or for that matter any member of the cabinet of the Government of Saskatchewan, to attack employees of the Legislative Assembly in the person of the Provincial Auditor, then it is just as easily justified to carry out that attack on legal counsel of the Legislative Assembly, on the Clerks of the Legislative Assembly, and in fact, Mr. Speaker, on you in your office as Speaker of the Assembly. I simply want to say that I consider any of those as equally reprehensible as I consider this attack on the Provincial Auditor.

If we are to continue to function and to hope to have any respect from the most important people in Saskatchewan — that's electors, the electors of this province — then surely we must conduct ourselves in a way that earns the right to that respect. We must conduct ourselves as defenders of the law, because none of us as individuals, nor the government as an entity, can be above the law in a free society.

(1500)

And for all of those reasons, Mr. Speaker, I shall be voting in favour of this motion which:

... condemns the Minister of Justice for having breached the privileges of this legislature by his unacceptable and unjustifiable criticism of the Provincial Auditor, that this Assembly calls on the Premier to require that the minister apologize publicly and resign from the Executive Council, and further, that this Assembly (and in the long run, most important, Mr. Speaker) reaffirms the importance of the office of the Provincial Auditor as an officer of this legislature (and a defender of the Saskatchewan people).

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

**Mr. Calvert:** — Mr. Speaker, thank you. Like other of my colleagues before me, I hesitated in my seat, thinking that a government member may wish to stand and enter this debate; none have done so. We have been through this debate now for the better part of a week, and Mr. Speaker, not one of the back-benchers, not one, except from their seats, have chosen to enter this debate. That's a disappointment, Mr. Speaker, and it must be a disappointment for the Minister of Finance, who I'm sure would have appreciated some support from his own back bench, but we've not seen it.

**An Hon. Member:** — Justice.

**Mr. Calvert:** — The Minister of Justice, Minister of Justice.

Mr. Speaker, as you well know, over the past days and now a week, this debate over privilege in the House has become clouded in legislative technicality and terminology and jargon. We have the unprecedented situation of two motions of privilege, not just one, before this House. We have the situation of amendments and subamendments being made; some amendments being accepted by yourself in the Chair, others being turned down. We have the situation where one cabinet minister moves an amendment and another cabinet minister recommends voting against it. We have the unprecedented situation of the government voting against their own amendments and motions in this debate, and through all of that, Mr. Speaker, the central question can become very clouded.

Now you and I and all members, I think, spent the weekend just past out of this legislature, and I took that opportunity to meet with some of my constituents and speak to as many as I could, and, Mr. Speaker, even though the debate in this House has become clouded in all this legislative terminology, the issue in the public mind is crystal clear. The issue is very simple in the public mind and it is very crystal clear. People of Saskatchewan understand what this debate is all about and what has been happening in this legislature in the past week and some days now, Mr. Speaker. They understand it simply as this: the Provincial Auditor, that servant of the legislature charged to be the watch-dog on government spending, the watch-dog on the public purse, the guardian of the taxpayers' dollar, that Provincial Auditor, in this case a man who's integrity is beyond question, a man who has served this province now almost 20 years through three separate administrations, a man who is clearly beyond the partisan politics of this Legislative Assembly, that Provincial Auditor, whose integrity is above question, presented his report not only to this Assembly but also to the people of Saskatchewan.

This year's annual report of the Provincial Auditor is highly critical, extremely critical of the government opposite. As others have indicated in this debate, perhaps unprecedented in its criticism of a duly elected government. Mr. Speaker, this is the report — others have quoted from it — I do not wish to quote extensively from it this afternoon in the debate, but clearly statements like this indicate the highly critical nature of the auditor's

report. He says in his very introduction:

Saskatchewan's parliamentary system of government is based on the principle of the rule of law. Compliance with the law is critical to the entire system. Because of the importance of this principle, much of this report is about instances where the laws have been contravened.

Mr. Speaker, that is a damning indictment of any duly elected government, that laws are being contravened. He concludes in his summary of current issues of importance, the auditor concludes:

I cannot effectively carry out my role to watch over the public purse for my client, the Legislative Assembly.

Mr. Speaker, he is not watching out simply for the Legislative Assembly; he is watching out for the taxpayer of Saskatchewan. The auditor in this report concludes that he cannot be effective in that role. That's the kind of report that was delivered to the government now almost two weeks ago.

So the government is faced with a report of this nature, a highly critical report from an auditor whose integrity cannot be questioned. They have two options therefore, Mr. Speaker. People of Saskatchewan understand the options that were before the government. In the light of this report, the provincial government, the Premier and his cabinet, were left with two options.

One was to accept the conclusions made and drawn by the Provincial Auditor, to accept those conclusions and to seek immediate remedy, to take those conclusions to heart in cabinet and in caucus to seek remedies for this situation. That was a real option for them, Mr. Speaker.

The only other option was to attempt to discredit the report. I mean, you either accept its conclusions and seek remedies based upon its conclusions, or you attempt to discredit the report. Those are the two options. And obviously the government opposite chose the latter — chose, rather than accepting the conclusions and accepting to try and deal with this situation, they chose rather to attempt — and a vain attempt, I might say — to discredit the report.

Now in attempting to discredit the report, I submit, Mr. Speaker, they again had two options. Either they could challenge the finding of the report, the findings of the report, the conclusions of the auditor — they could challenge those findings with fact, they could take the auditor's points on one at a time and challenge with that, or they could attempt to discredit the author of the report.

They chose to attempt to discredit this report. They could do so either by challenging the facts of the report or by attempting to discredit its author, and obviously, Mr. Speaker, again they chose the latter. They chose to discredit the author of the report.

And so, Mr. Speaker, as others in this debate have so rightly pointed out, the government chose that ancient method when bad news is delivered, if you don't like the

message, then you shoot the messenger. That's clearly what has happened with the comments of the Minister of Justice; it's clearly what the Premier and the Executive Council decided must be done. If you don't like the message, you shoot the messenger.

Well, Mr. Speaker, it's obvious now, it's obvious now that in this case the messenger will not be silenced. The messenger will not be silenced and the message will not be killed. The messenger will not be silenced and the message will not be killed.

And so it's this deliberate attack of the Minister of Justice on the integrity of the Provincial Auditor in an effort to discredit the auditor's report that has led to this question of privilege. And, Mr. Speaker, the people of Saskatchewan understand that that's the issue here. The government doesn't like this report and its only out, or it seems its only out is to attempt to discredit the author of that report.

Mr. Speaker, in this whole debate, in this whole question of privilege, and in watching this strategy of the government unfold, I've been reminded of a certain goalie who plays in the National Hockey League, a certain goalie who has been newsworthy in the past few weeks. You see, there's a certain goalie playing in the NHL who once before in his hockey career demonstrated an unwarranted attack on a player on another team.

Now that same goalie in this season, when that goalie realizes that the end of the game is almost here and the team is beat and there's no way out, what does that goalie do? Well he flies out of his net with an unprecedented attack on another player. Something similar to what we've seen here, the Minister of Justice flying off his seat was an unprecedented attack on the Provincial Auditor when he knows the team is beat and the game is over.

Now the analogy here, Mr. Speaker, doesn't completely fit because the Minister of Justice didn't undertake an attack on a player here on the other team. It wasn't a personal attack on a member of the opposition. In fact, what this minister did was to take an attack on a referee of this House, on a referee of the game.

And he didn't just do that, you know, on his own. He didn't just on his own initiative fly out of the seat and attack the referee. The whole team was right behind him supporting it, and it seems now that he was doing it on the instructions of his captain. The captain of the team and the team together decided this was the route to go.

Why did he do that? Because the referee of the spending of the provincial government blew the whistle, blew the whistle in this report. So the Minister of Justice flies off his bench and attacks the referee.

Well, Mr. Speaker, obviously if this were the National Hockey League, that minister would today be suspended. He'd be suspended to the back bench, and he'd sit out the rest of the season right there on the back bench if this were the NHL. And, Mr. Speaker, in essence that's what we're saying should happen. That's what we're saying should happen, that this minister should be suspended for his unwarranted, unprecedented attack on the referee of

provincial spending in this province, the Provincial Auditor.

This issue is as clear as a bell to the people of Saskatchewan. The provincial government is delivered a highly critical auditor's report. Others in this debate have gone through the report, have demonstrated the criticisms that are contained in this report. The government is left with two options: either you listen to the recommendations and you seek remedies, or you attempt to discredit the report. They've attempted to do that, not by challenging the report with facts but by an attempt to discredit the author of the report, the referee of provincial spending.

Mr. Speaker, documentation provided to this House by the Provincial Auditor has made it crystal clear that this attack is completely unwarranted, that the integrity of this man is above question, that all he was seeking to do was to improve the conditions of financial reporting in our province, to improve the conditions of his office that his office might be more effective in protecting the public purse, that public purse that is funded by the tax dollars of residents of this province who want their money spent wisely and spent carefully. The auditor is only seeking that. He is seeking no personal gain. He is only seeking that which will benefit this Legislative Assembly as a whole, and therefore the province and the people of Saskatchewan as a whole.

Mr. Speaker, the minister's attack on this civil servant, on this servant of the legislature, on this servant on the people of Saskatchewan, now clearly from the documentation we've received, are obviously unwarranted, unfounded, and those kinds of attacks have not only impaired the work of this auditor but indeed the office of the auditor itself. And on that basis, Mr. Speaker, I argue that the privilege of all members has been violated, and on that basis, the minister should resign, should apologize and should resign.

Mr. Speaker, this is clearly understood by the people of Saskatchewan, clearly understood that this government is simply trying — this government, the Premier and his cabinet — they are simply trying to cover up and to hide their mismanagement, the kind of mismanagement that's exposed in this *Report of the Provincial Auditor*. They have chosen the route. If you don't like the news, if you don't like the message, then shoot the messenger.

Well I simply say again, Mr. Speaker, in conclusion, I say again that in this case the messenger will not be silenced, and the message will still be heard. Thank you, Mr. Speaker. I will be supporting this motion of privilege.

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

**Mr. Rolfes:** — Mr. Speaker, I want to spend a few minutes on the motion that is before us, and I had hoped that some of the members from the government side would come to the defence of the minister, but that is not the case.

Mr. Speaker, maybe the case is that they know deep down in their hearts that what the Minister of Justice has done simply cannot be defended. What he has done, Mr. Speaker, is simply he has dishonoured this legislature and

he has dishonoured every member in this legislature.

(1515)

But . . . (inaudible interjection) . . . Oh, the member from Cut Knife-Lloydminster says that he has not been dishonoured. Mr. Speaker, let me say to the member from Cut Knife-Lloydminster that maybe if he had a little more respect for the traditions of this House and this legislature and the principles for which it stands in a democratic society, maybe he would, maybe he too would feel somewhat dishonoured and violated.

I say to the member from Kindersley, the Minister of Justice, I've known him a long time, and when he was first elected in this House I had a lot of respect for him and the words that he spoke in this House and in committees. I have gone out, Mr. Deputy Speaker, from 1982 to 1986 when I was not re-elected, and have often defended the member from Kindersley. I have. I have, Mr. Speaker, because I felt he was an honourable individual, a person, Mr. Speaker, that had a high regard for this legislature — because he did. He did recommend, Mr. Speaker, he did recommend at that time many changes with which I could agree for this legislature and for public accounts — and for public accounts. But he has made a complete reversal, a complete reversal now that he sits on the treasury benches.

Mr. Speaker, I want to say to some of the members opposite, I've been elected to this legislature for a number of times. I was defeated, and for that I respect the people's wishes. But one of the things that saddened me the most on my return to the legislature in 1986 was the lack of respect for this legislature, for the lack of respect for the rules and the laws of this legislature.

And, Mr. Speaker, as you well know, I get involved very emotionally in many of the debates in this House — I do, there is no doubt about it. But I always remember one thing. When I sat on the treasury benches — and I don't think that he would mind if I revealed this to the legislature — I remember having a chat with the former premier of this province, the Hon. Allan Blakeney, and he often said to us, and said to me personally, that we must do whatever we can to uphold the traditions of this legislature. And he made it very clear to us, as members of the Executive Council, that if we didn't know an answer to a question in question period, it would be much better — much, much better — to take notice of that question, rather than to scurry around the question and maybe be in contempt of the legislature by deceiving the legislature.

And he held a very, very high regard, and those members who sat with him either on his treasury benches or the back benches or on this side of the House know how in high regard he held this legislature.

Yesterday, Mr. Speaker, I was at a function at my church. One of the people came up to me and asked me — and I must admit, I was taken aback — he asked me if the members of the legislature were considered honourable people, whether they had the title of honourable. And I said, yes, in the legislature we do. Back-benchers outside the House don't have the title of honourable, but in the House we consider each other as honourable. And his

comment to me simply was, what has been going on in the legislature in the last couple of weeks, and particularly as referred to the Provincial Auditor and things that were going on, he found that really unacceptable — really unacceptable.

And, Mr. Speaker, what I want to say and you can . . . the members opposite can make light of, and maybe that is because they don't hold this Assembly in high regard, but I'll tell you, we're not very far, Mr. Speaker, we're not very far removed from a dictatorship if we don't start taking very seriously some of the rules and regulations and laws of this legislature. We must take them very seriously.

And, Mr. Speaker, it was a time-honoured, it was a time-honoured tradition, a time-honoured tradition, not only in this legislature, but across Canada and across the Commonwealth, that if a minister either deceived the House, deceived the House, whether he did it intentionally or unintentionally, he automatically resigned his portfolio — automatically resigned.

The minister did not, at that time or in the times in the past, then go and create or make an attack on an officer of the legislature. He simply apologized and in many instances resigned, noting full well that he had breached one of the time-honoured traditions of this House, and that is, in the decision of the House, he had deceived the members. Therefore, he or she simply resigned and took the consequences of their actions.

What have we seen in the last couple of weeks? Rather than addressing the problems that the Provincial Auditor has made in his report for the last number of years, rather than addressing those problems and correcting them, what have the members done? They have made a personal attack — personal attack on the Provincial Auditor. And, Mr. Speaker, very disappointingly, supported by the first person in this House, the leader in this House, the Premier, when the Premier knew that his responsibility was twofold: one, to ask the member to resign from his cabinet and accept that resignation; and number two, to come out publicly and say that he does not agree with that member and will do what he can to correct those accusations made by the Provincial Auditor.

Mr. Deputy Speaker, that is the action that the government opposite should have taken, and the member from Kindersley should have done the honourable thing. He should have come into this House and said, Mr. Deputy Speaker, I apologize for the statements that I have made; I have nothing to back them up; I apologize. And I think we would have accepted it at that time. The House would have accepted it, and he would have been thought of a much better person than what he is today. He has lost the trust, the confidence of the people, not only of this legislature, but the Minister of Justice has lost the confidence and trust of a lot of people out in Saskatchewan itself. The public out there are very disappointed, very disappointed that a senior member of the cabinet, particularly the Minister of Justice, would take this personal, this scurrilous attack on the Provincial Auditor who was only performing his duties as laid down by the Legislative Assembly.

The Provincial Auditor claimed very clearly, Mr. Deputy Speaker, that his job was being interfered with by the cabinet opposite. That is very clear on page 11, when in the Crown Management Board . . . and, Mr. Deputy Speaker, on the Crown Management Board, they wouldn't allow the Provincial Auditor access to information, they denied him the minutes of the board. Mr. Deputy Speaker, and who was on that board? Why, one would have to ask, why did the Premier come to the defence of the Minister of Justice? It's not so far stretched when one realized that both of them sat on the Crown Management Board in 1987 when information was denied to the Provincial Auditor.

On that board sat the Premier, the Deputy Premier, the member from Kindersley — the Minister of Justice now — the Finance minister, and the minister of privatization, or the Minister of Public Participation. Those five members sat on that board and they denied, they denied the information to the Provincial Auditor so that he could do his job.

But, Mr. Deputy Speaker, having said that, they did one dishonourable thing by denying the Provincial Auditor access to information. Why must they do the second dishonourable thing in defending the Minister of Justice who made that scurrilous attack on a public officer of this legislature? The honourable thing for the members to have done, and particularly the Premier, the honourable thing for him to have done is to say, Minister of Justice, I'm sorry, but you no longer have any place, you no longer have any place or any position in my cabinet; you have done a very dishonourable thing, and all I can ask you to do is to resign your position and be replaced by someone else.

The mandate, Mr. Deputy Speaker, of the Provincial Auditor is to be the watch-dog, is to be the watch-dog of the expenditures of this government or of any government. And it has been said before — it has been said before, and I can well remember when I was a minister of the Crown, and when the Provincial Auditor made some remarks about my department, did I attack the Provincial Auditor? Of course not. I called in my deputy and my associate deputy and I said, look, I don't want to see those same comments again next year, I want those corrected. And in many instances that's exactly what happened. You didn't see those same comments again from the Provincial Auditor.

But what do the members do opposite? No, they personally attack the Provincial Auditor, they cover up, they disallow him to examine about 50 per cent, or almost three and a half billion dollars of provincial expenditures. And what does the Minister of Justice do? He attacks the Provincial Auditor.

And, Mr. Deputy Speaker, that was bad enough, but what does he do further? He comes into this House, he reads parts of a letter, gives a totally wrong interpretation of that letter and what the Provincial Auditor has said, and then asks us to believe him that if only he could make public the package that he had knowledge of, we would all come running to his defence. When, that same afternoon, the Provincial Auditor made public and had tabled in this House that package, did we all come to the defence of the

Minister of Justice like he said we should? Of course not. His whole, his accusations on the Provincial Auditor, his personal attacks on the Provincial Auditor were not borne out by that package, not at all.

And, Mr. Deputy Speaker, I don't have the time this afternoon, but in all the papers of Saskatchewan there are countless, countless invitations to the Premier and to the Minister of Justice to do the honourable thing, to do the honourable thing. And the Minister of Justice should resign from his position — resign from his position.

But in the *Star-Phoenix*, Mr. Deputy Speaker, I note here on May 23 it says, "Devine must act:"

It's time for Premier Grant Devine to step forward and tell government ministers and officials to co-operate with Provincial Auditor Willard Lutz.

I am not going to read the whole thing, but I want to read the last paragraph of this:

The premier will have to make some attempt to temper the arrogance of government ministers and Crown officials. Otherwise, the public may well ask, "What has the government got to hide?"

What have they got to hide? I think we've seen just the tip of the iceberg, Mr. Deputy Speaker. We have seen the tip of the iceberg in answers to the questions by the Minister of Public Participation. When it comes to the dental equipment and the Provincial Auditor asks, where is the dental equipment, or where is the \$2.2 million? — the Minister of Public Participation was unable to satisfy the legislature in his answers.

Where is that money? Hundreds of millions of dollars have been wasted, and the Provincial Auditor points it out, and what does the government do? They make a personal attack on the Provincial Auditor, rather than to say to the Provincial Auditor, yes, we recognize that you have a job to perform, and we will back you up with staff and finances, and we will make sure that the officials will co-operate. Rather than doing that, what do we have? We have a senior cabinet minister, the Minister of Justice, making these unfounded, these groundless attacks on the Provincial Auditor.

(1530)

Mr. Deputy Speaker, as I said earlier, when I first met the Minister of Justice some years ago when he was elected to this House, I had a lot of respect for him, a lot of respect. I must admit, I must admit that I lost some respect for him in the past when he made a similar attack on the Clerk of the Legislative Assembly at that time — a similar attack.

His attack at that time was groundless; he was cornered, Mr. Speaker. Rather than defending himself, he backed . . . Rather than refusing or admitting that he was wrong, he backed himself further into the corner, made some scurrilous attacks again. And, Mr. Deputy Speaker, he has done the same thing again in the House this year.

Mr. Deputy Speaker, as members on this side of the House have pointed out, what the Minister of Justice has

done reflects on all members of the House. He has violated our rights. He has violated my rights. And from time to time there is no doubt that we put our own reflections on the materials that we present to this House, but there can be no doubt, there can be no doubt at all that the Minister of Justice had no grounds for his accusations, he had no materials to back up his accusations, and he simply lashed out at an officer of this Legislative Assembly. And now doesn't have the audacity, the courage, to come into this House and say, yes, I made a mistake; I apologize and I will resign from the cabinet. That's what he should be doing.

But I guess what bothers me more than anything else too, Mr. Deputy Speaker, is that the members opposite, the back-benchers, why are they putting up with this? Why are they accepting this? Why do they allow themselves to be dishonoured? Why do they allow themselves to be dishonoured? But there's no one . . . no one has come to the defence of the Minister of Justice. Why?

Is it because, Mr. Deputy Speaker, that they have been told exactly what not to say, or what to do? Are they afraid that somehow if they get up in this House and speak against a minister of the Executive Council that they will impair their own future? Is that it? What future, Mr. Deputy Speaker? What have they been promised if they simply sit there and take this dishonourable thing that the Minister of Justice has done?

That does not reflect very well on this legislature at all. And is it any wonder, is it any wonder, Mr. Deputy Speaker, that the people out there have become very cynical of elected officials.

We are not held in very high regard, and I must honestly admit that I don't blame the people out there. When we have, when we have, for example . . . And this isn't the only case. In Ottawa, Mr. Deputy Speaker, I don't need to list the number of times in the last session of parliament how many of the cabinet ministers and elected officials were up before the court or they had to resign from cabinet because of, I suppose, the dishonourable thing that they did to parliament.

We have the very same thing in this House. You can only have it so often, Mr. Deputy Speaker, and the people of Saskatchewan will make their own judgement. But what bothers me the most, Mr. Deputy Speaker, is that it reflects on you and it reflects on me, and it reflects on all members of this House — all members.

We are supposed to be honourable people. That means that what we say in this House will be taken at its word. It is assumed that what we are saying is the truth. And when the Minister of Justice gets in this House and makes those scurrilous attacks, and when he says, if you could only see the package that I would like to make public, you would come to my defence.

I can well remember, Mr. Deputy Speaker, when I spoke on the other motion that is before us. That was immediately after the member from Kindersley made those comments in question period. I was speaking in this House, and I had said to myself, why am I defending the Provincial Auditor if what the member from Kindersley

says is correct?

And he had the letter; I didn't. And he read parts from it. From that letter he gave me the indication that Mr. Lutz was vindictive; Mr. Lutz was unco-operative; Mr. Lutz was simply not a nice guy. And he had all the facts if only he could make them public.

And when I stood before this House in defending the Provincial Auditor, I had some doubts about what I was doing, because I took the hon. member, the Minister of Justice, at his word that what he said was the truth. But, Mr. Deputy Speaker, it was only about 10 minutes later when he had tabled the document and one of my members slipped me a note and said, what the Minister of Justice said in the House today is simply not the truth. I must admit, Mr. Deputy Speaker, I was disappointed, but at the same time I felt that I had to carry on with my motion and defend the Provincial Auditor.

But it is a sad day. This is a sad day in this legislature. And I still hope, I still hope, when all of this is over, the Minister of Justice will do the honourable thing. He might use some other pretence for resigning from cabinet, but he does not have — I want to say this to him — he does not have my confidence, he does not have my trust, and I know he does not have the trust of a lot of people out there. He does not have the trust.

One of the things that should be done — and I address this to the Premier — one of the things that should be done, he should be removed as the Minister of Justice. He has no business being the Minister of Justice after what he has done in this legislature. He has no business being the Minister of Justice. If he wants to remove him to another portfolio, I don't agree with that, I don't think he has any position in the cabinet any longer — but at least he should not be the Minister of Justice.

And, Mr. Deputy Speaker, having said that, I ask the members opposite, when I take my place in this legislature, I ask the members, the back-benchers, please get up. If you feel so sure about your Minister of Justice that he is right in what he is doing, I ask the members opposite to get up and defend him, defend the Minister of Justice. And if you don't agree with him, why don't you get up in this House, tell the Minister of Justice that he has violated your rights and that he has no right — he has no right to reflect on all of us in the words, the groundless words that he used in this scurrilous attack on the Provincial Auditor. He has no right.

And I want to repeat and close, Mr. Deputy Speaker. I am disappointed — I am disappointed that the Minister of Justice has not done the honourable thing. I had thought that he would. I guess we have sunk to an all-time low in this legislature when the Minister of Justice not only attacked the Provincial Auditor once, but has attacked him on a number of times. And all of his arguments have been groundless. He has not provided any evidence to support his attacks; the Premier has no evidence to support his minister. But through all of this, we find not one back-bencher — not one — coming to the defence of the Minister of Justice.

And all I can conclude, Mr. Deputy Speaker, is that in the

heart of hearts the member opposite know that the Minister of Justice is guilty — is guilty — and he should resign his position. He has, in my opinion, Mr. Deputy Speaker, lost the confidence of the people of Saskatchewan as the Minister of Justice. And therefore, Mr. Speaker, I conclude by reading into the record the motion on which I have spoken:

That this Assembly condemns the Minister of Justice for having breached the privileges of the legislature by his unacceptable, unjustifiable criticism of the Provincial Auditor; that this Assembly calls on the Premier to require that the minister apologize publicly and resign from the Executive Council; and further, that this Assembly reaffirms the importance of the Office of the Provincial Auditor as an officer of this legislature.

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

**Mr. Rolfes:** — Mr. Deputy Speaker, I support that motion, and I ask all members of this House, for the sake of this legislature, to support that motion. And I ask the member from Kindersley again, do the honourable thing, resign and get your status back, not only in this Assembly but in the province of Saskatchewan. Thank you.

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

The division bells rang from 3:42 p.m. to 3:53 p.m.

Motion negatived on the following recorded division.

#### Yeas — 18

Romanow	Simard
Prebble	Kowalsky
Rolfes	Solomon
Lingenfelter	Atkinson
Tchorzewski	Anguish
Koskie	Hagel
Thompson	Calvert
Mitchell	Lautermilch
Upshall	Trew

#### Nays — 30

Muller	Toth
Duncan	Sauder
McLeod	Johnson
Andrew	McLaren
Lane	Hopfner
Taylor	Swenson
Smith	Martens
Swan	Baker
Schmidt	Wolfe
Hodgins	Gleim
Hepworth	Neudorf
Klein	Gardner
Meiklejohn	Kopelchuk
Pickering	Saxinger
Martin	Britton

**Point of Privilege — Report of the Provincial Auditor**

**Mr. Anguish:** — Thank you, Mr. Speaker. Last week there was a very rare occurrence in this legislature in that the Speaker, yourself, sir, ruled that there were two *prima facie* cases of privilege. And in order to deal with that, of course, the rules state that this body, as having some judicial powers, or similar to a court of law, was to put forward a motion in each case of a *prima facie* case of privilege.

The one that we just dealt with condemned the Minister of Justice for his outrageous attack on the auditor of the province. And we've now found that his colleagues, even though after substantial evidence was presented, if you want to look at it as a court of law, the back-benchers on the government side still chose, in their blind guidance, to follow the Minister of Justice down the barrel of a gun. And therefore in this case, after overwhelming evidence, we still find that the Minister of Justice has been placed above the law by this Assembly, and we accept that ruling.

We're now dealing with the second question of privilege, and it was raised by the hon. member from Saskatoon South, and it reads:

That this Assembly regrets that the Provincial Auditor has been impeded in effectively carrying out his role to watch over the public purse for the Legislative Assembly, and that this Assembly direct the Government of Saskatchewan to make available full information and the necessary co-operation, in order to allow the Provincial Auditor to fulfil his legislative responsibilities as specified in the statutes of Saskatchewan.

Now we will deal with that motion today, Mr. Speaker. It's unprecedented, one, that this House would have two *prima facie* cases of privilege before it, ruled within the matter of a short period of time, involving the Provincial Auditor and involving the attack that has been laid on his office and himself by the government of the province of Saskatchewan. The same minister, the Minister of Justice, the member from Kindersley, is not new at laying these attacks on officers of this Assembly. We can remember, going back in time . . .

**The Speaker:** — Order, order. I must bring to the attention of the hon. member, citation 316, which reads that:

Besides the prohibitions contained in S.O. 35 . . . that a Member . . . must not:

- (i) reflect upon the past acts and proceedings of the House;

The motion we have just dealt with, the House has dealt with it, it becomes a past proceeding of the House, and the reflections on that motion are contrary to rule 316(i).

**Mr. Anguish:** — Well I certainly agree with your ruling, Mr. Speaker, and I will continue my intervention into the motion which really censures the government for blocking the work of the Provincial Auditor.

Now I want to lay out today for those that may be watching, because it's no use to lay it out to the members of the government because they blatantly overrule, change rules. Whenever anything goes against them, they say, well it's not our fault; we won't try and correct the situation; we'll just shoot the messenger, or get rid of another public employee, or attack another officer of this Legislative Assembly.

Such is the case we have seen with the legal counsel in the past, Merrilee Rasmussen; such as we saw with the Ombudsman, the former Ombudsman, Dave Tickell. When he went to work for the John Howard Society, we found that this government, the day he went to work for the John Howard Society, they slashed the budget of that organization by 50 per cent.

(1600)

So, Mr. Speaker, not given to anything new, but for those who may be watching today, I want to lay out what the definition of a question of privilege actually is, and I'm quoting from *Beauchesne's Parliamentary Rules and Forms*, the fifth edition. And under the definition on page 11, it states that:

The distinctive mark of privilege is its ancillary character. The privileges of Parliament are rights which are "absolutely necessary for the due execution of its powers". They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members; and by each House for the protection of its members and the vindication of its own authority and dignity.

Mr. Speaker, it goes on, in citation 17, that:

A question of privilege ought rarely to come up in Parliament. It should be dealt with by a motion giving the House power to impose a reparation or apply a remedy. A genuine question of privilege is a most serious matter and should be taken seriously by the House.

Mr. Speaker, that's what *Beauchesne's* says, and we followed that procedure. And I would like the members of the government side to take this question seriously. Why has there been a question of privilege? You've ruled on that, sir, and the question of privilege is the impeding of the Provincial Auditor in which to perform his duties. His office can no longer perform the services required by members of the Legislative Assembly, and I'm not talking about the government or the opposition.

The Provincial Auditor is an officer of this House who should be independent from the political interference of members of the government. In fact, Mr. Speaker, I would maintain that the duties that members of the Legislative Assembly have, while we're assembled in this forum, could be put under three main topics. The first is one of a budgetary role where this Assembly sets down the budget for the operation of government in the province of Saskatchewan.

The second role would be one of setting laws or changing

laws, getting rid of obsolete laws, bringing new laws into place. So the second role is one of setting laws or statutes, as some people refer to them, for the province of Saskatchewan for the good conduct and operation of our law-abiding citizens and the people who we represent in this Legislative Assembly.

I would say though, Mr. Speaker, that there is a third area of responsibility that we have in this Legislative Assembly, and that is to preserve democracy. In the preservation of democracy it's essential that this institution performs within the rules, by the laws, and under the regulations, the tradition, and the parliamentary procedures laid down in *Erskine May* and *Beauchesne's* and the various parliamentary and legislative publications that have developed over the years.

And I say that one of those greatest preservations of democracy in this Legislative Assembly is the freedom of speech which all members enjoy here. And it boggles my mind that members opposite don't get up — and if they defend the actions of their government and some of their individual members, like the Minister of Justice, why they don't stand in their place as back-benchers and show respect for this institution and present their case on this question of privilege, as we're presenting the case.

You may look at us as the prosecutors; their side should be the defendants. If they're the defendants, why don't they rise in their places and defend their government and defend the Minister of Justice who so blatantly has laid an attack on the office of the Provincial Auditor?

**The Speaker:** — Order, order. Order, order, order, order. I must once more bring your attention to the rule which I have just stated. And to further expand on that rule, I might quote to you rule 315(2) which reads as follows:

It is irregular to reflect upon, argue against, or in any manner call in question in debate the past acts or proceedings of the House, on the obvious ground that, besides tending to revive discussions upon questions which have already been once decided, such reflections are uncourteous to the House and irregular in principle inasmuch as the Member is himself included in and bound by a vote agreed to by a majority; and it seems that, reflecting upon or questioning the acts of the "majority" is equivalent to reflecting upon the House.

And I know the hon. member wouldn't want to do that, and I once more ask him to refrain from dealing with the matter we have just dealt with, and to deal with the matter under discussion now.

**Mr. Anguish:** — That was a wonderful ruling, Mr. Speaker. Thank you for drawing it to my attention.

I would say that the other responsibility to preserve democracy in this institution is whereby we have complete information to deal with items of a budgetary nature, and the servant of this Assembly that is in place to do that is the Provincial Auditor. And the Provincial Auditor just recently put forward his report for the year

ending March 31, 1988. And in that report he outlines what his duties are. I'll just quote the first section, Mr. Speaker, of the powers and duties from The Provincial Auditor Act.

The provincial auditor is the auditor of the accounts of the Government of Saskatchewan and shall examine all accounts related to public money and any accounts not related to public money that he is required by an Act to examine, and shall determine whether, in his opinion:

- (a) the accounts have been faithfully and properly kept;
- (b) public money has been fully accounted for and properly disposed of, and the rules and procedures applied are sufficient to ensure an effective check on the assessment, collection and proper allocation of public money;
- (c) public money expended has been applied to the purposes for which it was appropriated by the Legislature and the expenditures have adequate statutory authority; and
- (d) essential records are maintained and the rules and procedures applied are sufficient to safeguard and control public money.

Now 11(2) under The Provincial Auditor Act states that:

An appointed auditor is subject to the examination responsibilities prescribed in clauses (1)(a) to (d).

Those that I've just outlined to this Assembly, Mr. Speaker.

So what is the government opposite saying? They're saying, well we have private practice auditors in place to ensure that the money is being spent properly; that that money does not need to be examined by the Provincial Auditor because the private sector auditors are doing the job. But what they are not doing is allowing the auditor to examine the full impact of that authority. We're talking about two different masters, Mr. Speaker.

In the case of a private sector auditor, their master, or who the private sector auditor serves, are the board of directors or the management of that particular Crown corporation; or in private business, the management board or the board of directors representing the shareholders in many cases.

And what the private sector auditors do, Mr. Speaker, is that they look at the financial picture of the corporation. They look at the financial picture to see if it reflects a true position of that company, of that corporation, over the year in which they've just gone through.

When you're dealing with public money, Mr. Speaker, that's not good enough because there is another master in terms of the auditor, and that's the Legislative Assembly representing the people of the province of Saskatchewan. And within the Legislative Assembly we need to look at not only whether it's a true financial picture of the



expenditures in any particular government department or Crown corporation or agency, we need to look at, through the Provincial Auditor, whether or not those funds were spent in accordance with the way they were appropriated from the legislature. And private sector auditors do not necessarily do that, Mr. Speaker.

We have to look at what the auditor says. And I think we have to point out, Mr. Speaker, that the current Provincial Auditor is a long-serving member of the Legislative Assembly of the province of Saskatchewan in terms of a servant. He's not an elected member, but he's a hired member, hired by the Legislative Assembly.

This individual worked during the years of the Liberal government in Saskatchewan in the provincial auditor's office. He was appointed as the Provincial Auditor in 1971. Now I'm not sure today whether he was appointed by Ross Thatcher's Liberals or Allan Blakeney's New Democrats as the Provincial Auditor. But he was at least, under the Liberals, the assistant auditor, because as tradition holds, whoever is the assistant auditor becomes the auditor of the province of Saskatchewan.

So this individual, Willard Lutz, has served under a Liberal administration, he's served under a New Democrat administration, and he now serves under a Conservative administration in the province of Saskatchewan. But he is an officer, again I repeat, of this Assembly — he is a servant of this Assembly — to ensure that members have full knowledge, full information of the financial activities of government departments, Crowns, and agencies, so that we in fact can perform our job in an adequate way and to make sure that it is democratic, Mr. Speaker. And democracy is, as I said earlier, a very important part of this institution.

Now in the past when the auditor laid out a scathing report on the government, because it's the government department and agencies and Crown corporations that he and his staff perform the audit on, the Liberals didn't like it very much, but they at least honoured the auditor as an honourable person doing a job for the taxpayers of the province of Saskatchewan. And deficiencies that were pointed out in the report each year, there was an attempt made to correct the deficiencies that were pointed out by the auditor.

It happened the same way in New Democrats. I remember many of my colleagues, some who still sit today in this Assembly, being upset with the Provincial Auditor for uncovering something that a government department shouldn't be doing. But what did they do? They didn't attack the Provincial Auditor. What they did was they tried to remedy the situation that was deficient in terms of the opinion of the Provincial Auditor.

But what does this government do? They try and hide information. They keep information from the Provincial Auditor. Rather than responding and making our system a better system in terms of public accountability for funds spent, they change the rules, they try and get rid, they attack. Every public employee in the province, and now officers of this Assembly, should fear for their jobs because of the blatant attacks that this government will lay on anyone who dares to criticize them, Mr. Speaker.

I would want to look at page number 4 of the Provincial Auditor's report, and in the second paragraph entitled "Provincial Auditor," I quote:

I cannot effectively carry out my role to watch over the public purse for my client, the Legislative Assembly. I recommend the process be repaired to require that appointed auditors and the Provincial Auditor work together on Crown corporation audits as joint auditors or with some similar arrangement.

Also, there were a number of cases where I could not get information that, by law, I was entitled to receive.

Mr. Speaker, this is the most revealing document of a government gone astray in the history of the province of Saskatchewan. The Provincial Auditor saying that, by law, information he's entitled to he cannot receive from this government because the Executive Council, Crown Management Board, Crown investment corporation, many departmental . . . or I shouldn't say departments, but many Crowns withhold information; they say, get it from the private sector auditor. The private sector auditor says they don't have it. There's every attempt and road-block made to hold information back from the Provincial Auditor.

Now what else does the Provincial Auditor say in here, Mr. Speaker? The Provincial Auditor says in here that . . . on page 9, 2.20, and I quote:

The Provincial Auditor can no longer effectively serve the Assembly because:

he now sees the financial transactions for about 50 per cent of the public spending;

Fifty per cent of public spending, Mr. Speaker. Fifty per cent of public spending isn't good enough. By law, by the Act that governs the work of the Provincial Auditor, he must audit all funds and be satisfied that those funds are expended in a way that is within the law and within a way that is appropriated by this Legislative Assembly.

(1615)

I don't see any way that members, especially the back-benchers over there, can fly in the face of such a democratic right for us to have access to information. And it's not a matter of Conservative versus New Democrat, it's a matter of preserving democracy in this Legislative Assembly, a democracy that those back-benchers should honour as much as the members on this side of the Legislative Assembly. I think that the government would rather, though, lead their back-benchers to attack a Provincial Auditor, to deny that this is a blatant disregard on their part for democracy within this province of Saskatchewan.

And I tell you, Mr. Speaker, I will be whole-heartedly supporting the resolution that was put forward by the member from Saskatoon South. I am happy to take part in this debate, but at the same time dismayed at the blatant

failings of this government. And rather than trying to address the situation and correct the problems that exist today in government, they would rather attack and not disclose and hide facts from the people in the province of Saskatchewan. And history will not treat this government kindly, Mr. Speaker. And I would say the back-benchers on the government side should join with us in supporting the resolution before us here today to show that they at least stand up for this institution, for the budgets we pass, for the laws we enact, and the democracy that we preserve here, Mr. Speaker. Thank you for the opportunity in this debate today.

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

**Mr. Upshall:** — Thank you, Mr. Speaker. Again I see no members on the other side of the House jumping to their feet to get involved in this debate, and little wonder why, I suppose, but we can get into that.

As many of my colleagues have outlined before me, we know that Saskatchewan people know that this government has broken the laws of the land of Saskatchewan, broken the statute laws. That's documented in many of the newspapers: *Toronto Globe and Mail* says, "Saskatchewan broke law, Auditor says"; *Leader-Post* says, "Auditor slams secrecy," and he goes into all the many things that my colleagues before me have pointed out: "The auditor is denied access to information"; that's May 16, for *The Globe and Mail*; and this one, the "Regina vs the auditor" — this is the Provincial Auditor — May 22 of *The Globe and Mail*, and I quote:

The Saskatchewan government appears to regard Saskatchewan's auditor as a kind of Peeping Tom, a prowler in the backyard of its (financial) business and (the) rude intruder on its private affairs.

Well the question that I have to ask, Mr. Speaker, in all this is, why? We have a government, elected by the people of this province with the assumption that they will run the affairs of this province to the best of their ability and in the best interests of the people of Saskatchewan — that was what this government was elected on — and I ask them, the question I ask is: why have these members on the government side broken that trust, broken that silent code from the elected official to the people who elected them, the people of Saskatchewan? Why have they broken this trust?

Is it because it's a government out of control? Is that why the auditor has to come down hard, because he is denied access to information? Is that why these people break the laws? Is this government so far out of control that it is afraid to give the auditor all the documents from all the public departments? Or is it a government desperate for control? And I think the latter is probably as important as the former — a government out of control, but desperate for control, in order to self-preserve themselves in the capacity as the government of this province.

That is the objective, I believe, that is behind . . . the motive behind stopping the auditor or attempting to stop the auditor, by denying him access for information, by denying him the information that he needs from all the

Crown corporations and other departments in government; a government that is desperate for control because they know what the polls are saying in this province, they know what the people are saying, and they know what's being said on coffee row — they know that they're finished.

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

**Mr. Upshall:** — Then I have to ask myself, Mr. Speaker, if I put myself in the position of a back-bencher in that government, why would I allow this to happen, when in my constituents, who I know are talking to them and saying, look, why did you let this happen? What are they to say? Well I have nothing to do with it, because the cabinet and the inner circle makes all the decisions? Can't say that because that puts them in a dim light in the eyes of their constituents. They could stand up and say, well I fought for this and publicly make a statement saying that I do not believe this is true; they could stand up and vote for this motion to ensure that the auditor gets all the information, but they're not doing that.

And I would say they're not doing that, Mr. Speaker, for one reason, because this government is desperately clinging to power; they're in a desperate mode to ensure themselves re-election when they have the courage to call an election. And the inner circle, the cabinet and those few power brokers in the front benches of this government, are telling them, listen, Mr. Back-bencher, if you have any hope, any hope of re-election in this province, then you'd better do it our way because there is no other hope.

And isn't that a sorry statement — doing it our way, breaking the laws; doing it our way, withholding information; doing it our way, slandering an auditor and making sure that the auditor cannot carry out his duties as a servant of this legislature. That's the government's way. And I'm sure that's what they're telling the back-benchers: boys, you've got to do it our way because it's your only hope.

And if I was the back bench, I would get together and I'd say, well look, there is a better way. There has to be a better way because we were put here by the people in a position of integrity. And, my friends, you have thrown that to the breeze, you've thrown that to the breeze because the desperation of your government, the advice of your cabinet and the power brokers of your government are saying it's the only way. So you better listen to us. It's the only possible way that you might win re-election.

But what they don't understand or what they fail to have the intestinal fortitude to come forward and say, no, this is wrong. They fail to understand they have a better chance of winning if they maintain their integrity, if they maintain their honesty . . . (inaudible interjection) . . . And I would just stop for a moment, Mr. Speaker, for the member from Weyburn, seeing he hasn't entered this debate, to carry on the debate from his seat, because that's the only place he talks from.

Mr. Speaker, so they go along with it. They go along with breaking the laws. They go along with losing confidence.

They go along with discrediting an officer of this Assembly. They go along with that for self-preservation. And that is why I say, as I said earlier, there is no control, or they're desperate for control, or both. Because they cannot in their own heart of hearts justify that what they have done, what their cabinet . . . the decision by their cabinet, or maybe some other people by the Premier, that decision they're going along with. They cannot justify that in their own heart of hearts, and I know that.

But they're so desperate because they know what the polls are saying, they know what coffee row is saying, and they know they have to have — and I think this is what's called building up to — they have to have the money to try to buy another election.

And involved in all of this, this major scheme to hide facts, to hide the documents, to withhold the documents, to not give all the spending to the auditor — I think it's a slush fund or many slush funds — to try to cover the fact that they are hiding money in certain departments or certain areas of government that they can bring forward, come election time, because they know they have to have all their ducks lined up, they have to have the money in place so they're trying to do this in order to build little slush funds.

In property management, a little item of \$42 million — \$42 million. And when the minister was asked, he had to take notice; he didn't know what it was, the minister in charge.

The dental equipment. The money was unaccountable for. And all these little — million, 2 million, \$40 million — numbers are, I would say, Mr. Speaker, going into a slush fund because the Tory government needs money. Because they know that the only way that they can hope to preserve themselves in government is for advertising, for promoting themselves publicly through the media — do one fantastic sales job and maybe they can salvage themselves. Maybe, but I doubt it.

And the other thing that's happening here, Mr. Speaker, and it has been proven time and time again in this legislature, that the money being put forward or being brought through all the Crown corporations and all government departments, that money is hitting the pockets of a few people. But just think about that. They're filling the pockets of people through patronage; they're filling the pockets of people through blatant mismanagement and misappropriation of government funds.

But then I ask again, why is this, when they know they're going down the tubes, when the back-benchers know it's not right, and probably the cabinet should too, why are they allowing it to happen? Why are they allowing the people's money, the money of the taxpayers of this province, to be channelled into the pockets of a few people when they are cutting programs, when they are cutting and privatizing?

But that is why, that is why we have to have the auditor in control of the public purse of Saskatchewan. But there's a very important reason, as I have stated, Mr. Speaker, that these people do not want the public, the people who put

them there, to know through the auditor how they spend their money; how they allocate; who the money's going to; through which department it's being channelled; through what department the slush funds are being built. They don't want the people to know this, and that is the most incredible method for a government to deal with the people who put them there.

But I say to you, Mr. Speaker, there aren't many of those people left, because I know what's happening in rural Saskatchewan and in urban Saskatchewan. The people are saying, this is not honest government. This is not what this government was put there for — to misappropriate; to mismanage; to squander; to fill the pockets of a few people; to use taxpayers' money simply for self-preservation of government; and not using taxpayers' money to ensure that the livelihood and the life-style of the people of Saskatchewan is maintained at a certain level; that all the funds are used in a manner that creates jobs for the best return of the money involved; to make sure that all the money that the taxpayers are paying to this government is used to ensure that unemployment stays down; to ensure that we don't lose people from the province of Saskatchewan. That is why. That's the reason.

This government says, no, we don't have to do that. We can do whatever we want, whenever we want.

**An Hon. Member:** — We're above the law.

**Mr. Upshall:** — As my colleague says, they think they're above the law. But that is not what they were put there to think; they were put there to do good for the people. But it's self-gratifying for them to fill their pockets and their friends' pockets.

And we cannot allow, and the people will not allow, this government to continue in this manner. They will not allow them to continue in a manner of breaking the laws, of misappropriating funds, of wasteful patronage, of waste and mismanagement, and above all, being totally unaccountable to the taxpayers of this province, the people's money.

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

**Mr. Upshall:** — Why, Mr. Speaker, is there no support from that government for the right way to do things? I mean, I don't like to repeat myself, but why is there not an utterance for the right way, for the right way to manage the affairs of government, to be accountable?

We have here in the auditor's report a document that is a scathing report of the mismanagement and the cover-ups and the corruption and mismanagement and patronage of this government. And yet we see not one, or very few, who are willing to stand up and do what's right.

And I think that that is a sad statement for any elected official, when they can allow the Provincial Auditor . . . when they can allow themselves, rather, to sit quiet when the Provincial Auditor says he cannot effectively carry out his role as the watch-dog over the public purse for my client, the Legislative Assembly, because the *Public Accounts* are not complete, correct, or timely. A number of cases where the tabling of reports was not on time.

And it goes on. It goes on to say:

In my opinion I have been interfered with in the execution of my duties.

(1630)

Why would any self-respecting persons elected by the people of this province allow . . . sit in their seats and not stand up for what is right and condemn what is wrong, as members on this side of the House are doing, condemning what is wrong on behalf of the people of Saskatchewan?

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

**Mr. Upshall:** — Because the government, who was elected to carry out what is right, will not do it.

Not one person is standing up to defend what's right, to defend the auditor, to defend, actually, the people of Saskatchewan who have the right — who have the right through the democratic process, to know exactly what is being spent by this government.

What a damning document. What a statement for democracy in Saskatchewan. A government . . . or rather a province who has come through many, many hard times, who through very, very cautious buying and spending and good management has brought this province from a sparsely populated, wide-open, large area to a province where we have nearly a million people until this government took over. And now because of their way, the wrong way, people are leaving. And can you wonder why? Because of the method of control by this government, because of the method they control their agenda, not the agenda of the people of Saskatchewan.

The agenda of the people of Saskatchewan is what the auditor says it is, for him to lay on the Table all the documents — he should have been given those documents by the government — for him to lay on the Table all the accountability, the spending of this government. But this is simply not happening. It's not happening because this government is denying the auditor that access; it's denying the people of Saskatchewan that access.

As I said, Mr. Speaker, this document tells many tales, not only what is written in this document, but it tells many tales of what is written in between the lines. That is a government who's out of control; a government who has succumbed to self-preservation; a government who is so enveloped in patronage to ensure that some day when they may not be here that they will have a very good life-style, because what comes around goes around. If they help somebody else out, they're sure to get help back; a government who through their wasteful tactics, through their what I would call blind-eyed unloyalty to the people of Saskatchewan.

And that's really the opposite of what it should be. Any government should be blind-eyed loyal to the people of this province, because it is they, those people — those people who are on the unemployment rolls, those people

who are on the welfare rolls, those people who are the working poor, those people who are living in the province — who depend, because of the situation they're put in, they depend on this government to spend money wisely to try to create jobs, to spend money wisely to try to ensure that they can get off of the welfare rolls.

But what's happening? Those people have lost faith in this government. And that is documented, the proof is documented by the thousands and thousands of people who are leaving Saskatchewan because they simply have lost faith in a government to use taxpayers' money to ensure that they will get a job in the future, to ensure that they will be able to get off those welfare rolls; to ensure that the small-business people of this province will be able to build and maintain their business.

But what's happening? The foreclosures, the bankruptcies are sky-rocketing simply because the government's agenda is not that of the people. The government's agenda is that of the government, and they are on a road of self-preservation.

But what's happened? Because from 1982, when they were elected, to 1986, they squandered, they paid off, they did not operate this government in such a manner that the future would be able to be maintained, that we could maintain the future of this province. And so what's happening? It's coming back to haunt them from 1986 till now. Their actions are coming back to haunt them because they're out of control. And when you're out of control, when you're desperate, what do you do? You operate in secrecy; you don't let people know. They don't want the people of this province to know they're out of control, so what do they do? They don't let anybody know what's going on, and that is why this government . . .

**The Speaker:** — Order, order. I recognize the member for Melfort.

**Hon. Mr. Hodgins:** — Thank you, Mr. Speaker, I'd like to raise a point of order, please.

**The Speaker:** — What is your point of order?

**Hon. Mr. Hodgins:** — Mr. Speaker, I think if you were to listen carefully to the member opposite and know that the issue that we are debating is the adjourned debate on the proposed motion of Mr. Koskie — it's a privilege motion. And, Mr. Speaker, the opposition today continue to filibuster; the opposition today in not talking on the subject whatsoever, Mr. Speaker. And I ask you to rule on the relevancy of the comments by the member opposite.

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

**Mr. Lingenfelter:** — I just want to make the point that it is not our problem that the unprecedented situation that we have here, where we had two privilege motions at the same time — a record in this Assembly — that was not our doing. That was the members opposite who in fact were involved in the infraction.

I want to say as well that the member from Humboldt, who is now on his feet, has been spending a total of six minutes in this so-called filibuster that he's been involved

in. And I would just advise the member to wait more than six minutes before he accuses someone of being involved in a filibuster. I think the points you were making were very germane to the motion before us and I would ask you to rule in that manner, Mr. Speaker.

**The Speaker:** — Order. Of course, relevancy is always an issue when members are on their feet, and it's an issue now with the point of order from the member for Melfort. I would just like to bring to the attention of the member for Humboldt that he realizes the motion before the House, and I am sure that he is going to make his comments very, very relevant to the motion. If his comments aren't very, very relevant, then of course they're out of order.

**Mr. Upshall:** — Thank you, Mr. Speaker. I appreciate and accept your ruling, because it is very important through this motion that this government be accountable. And the only way it can be accountable is for the auditor to have full access in information.

And what I was just saying a few minutes ago is that because of the method of operation of this government for the last number of years, they have got themselves into a position where they can no longer be accountable, because if they put all the facts on the table, they would be thrown out of this government as quick as anybody could see them.

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

**Mr. Upshall:** — So, Mr. Speaker, the auditor has been denied the access to information. He's been denied that access because the government is not willing to fulfil its role to present all the documents, to present all the figures for spending that this government carries out, thereby not allowing him to fulfil his role. And why are they doing that? They're doing that because they no longer have control of the province. And if they put out all the information, if they showed exactly where they spent or where they misspent, or where they managed or where they mismanaged, this document, Mr. Speaker, would be 10 times as bad. It's bad enough with the auditor saying he only has access to half the information. Can you imagine what he would be saying if he had the access to all the information. The way this government has carried on, and the searing indictment from the auditor with half the information, and a culmination of years of mismanagement and corruption and patronage has led to this.

And this is why it is important, Mr. Speaker, in the light of this motion which urges:

That the Assembly regrets that the Provincial Auditor has been impeded in effectively carrying out his role to watch over the public purse for the Legislative Assembly, and that this Assembly direct the Government of Saskatchewan to make available full information and the necessary co-operation in order to allow the Provincial Auditor to fulfil his legislative responsibilities as specified in the statutes of Saskatchewan.

Isn't this is a sad motion to have to put forward. We're asking that the government don't break the law. An

opposition in the legislature of Saskatchewan has to stand up and make a motion to plead with the government to ask them to vote on a motion so that they won't continue to break the law.

And I'll be very curious to see whether the government members stand up and vote saying that no they're not going to continue to break the law, or vote yes that they are going to continue to break the law. It'll be very interesting to see how the vote comes down, because as I said — when I just read this motion:

... Provincial Auditor to fulfil his legislative responsibilities as specified in the statutes of Saskatchewan (the statute laws).

The question I have to ask, Mr. Minister, is if this government votes yes, that they will continue to break the laws, the question I have to ask is: what do the people of this province have in store for them for the duration of their government? I don't think it's a very happy thought.

Thank you, Mr. Speaker.

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

The division bells rang from 4:43 p.m. to 4:48 p.m.

Motion negated on the following recorded division.

#### Yeas — 18

Romanow	Simard
Rolfes	Kowalsky
Lingenfelter	Solomon
Tchorzewski	Atkinson
Koskie	Anguish
Thompson	Lyons
Brockelbank	Calvert
Mitchell	Lautermilch
Upshall	Trew

#### Nays — 30

Muller	Toth
Duncan	Sauder
McLeod	Johnson
Andrew	McLaren
Lane	Hopfner
Taylor	Swenson
Smith	Martens
Swan	Baker
Schmidt	Wolfe
Hodgins	Gleim
Hepworth	Neudorf
Klein	Gardner
Meiklejohn	Kopelchuk
Pickering	Saxinger
Martin	Britton

## GOVERNMENT ORDERS

### ADJOURNED DEBATES

#### MOTIONS

##### *Amendments to Rules and Procedures of the Legislative Assembly*

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Andrew.

**Mr. Kowalsky:** — Thank you, Mr. Speaker. I rise to speak on this motion, the motion introduced by the Minister of Justice opposite, which is a motion to limit one of the basic democratic rights of this institution, and that is to limit the effectiveness of the opposition, Mr. Speaker, because that is exactly what this motion will do.

The minister has brought forth a motion which will bring bell-ringing to a limited time period of one hour, Mr. Speaker. And I say, Mr. Speaker, that instead of doing that, instead of bringing some kind of a motion here, the government ought to be thankful, thankful that this opposition brought them and is bringing them to their senses on behalf of the people of Saskatchewan.

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

**Mr. Kowalsky:** — You ought to be thankful for that. You ought to be thankful for this procedure which is in place in this legislature. Democracy is not that easy to hang on to, and there are many examples around the world where things are going the wrong way. And this is one example where you're just adding to it by removing something, removing a very basic democratic method that has been used in this legislature and other legislatures when the time was correct to do it.

But what do you do? You choose out of spite, or out of pique, you choose to come right back and instead of dealing with government business as the people would like you to do, instead of going home and listening to the people, you come back and you say, I'm going to try to teach these members on the opposite a lesson of some sort. They're going to try and teach them a lesson.

What we should be dealing with in this House at this very moment, Mr. Speaker — and we would give leave to do so at this time — is this Bill which you introduced to the House today, Bill 41. We would give leave to you to go on to debate this in second reading today because this is an important piece of legislation, and it should be before the House. At least we'd be dealing with something other than procedural matters.

In the case of this motion, what should be happening is you . . . if you really want to change the rules of the House, you should be appointing a committee as you were requested to do several times by our leader, by other members in our front benches, and as tradition requires, so that the committee can go deal with the matters before it that are given to it by both sides, away from the heat of battle, and come back with the report to the legislature.

Now I know you're hurting a little bit, and I guess maybe

it's natural for you to be hurting a little bit. That's fine, you know, take it for what it's worth, but look at the positive side of it. Look at what's happening. If you listen to the people, you will save the Saskatchewan Power Corporation for the people of Saskatchewan.

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

**Mr. Kowalsky:** — Not only that. And if you really believe in a democracy and you really believe in representing the people . . . they were talking to us not only about the Saskatchewan Power Corporation, they were also talking about the privatization that you've put forward and you're proposing to put forward, and they're opposing it. They're opposing it.

So what you should be doing at this time is you should be dropping that legislation. You should be dropping the debate on this legislation. You should be coming forward with estimates. We haven't passed any but one yet. You haven't done any but one yet. Why? Because you haven't brought it forward. You are the people that bring forward the agenda. Day in and day out you bring forward the agenda.

What have we got here? How many days have we been here for? Forty-five days you haven't brought in a second estimate — 45 days and you haven't brought one in. That's unbelievable, unbelievable that here we've gone this far into the session and there hasn't been anything accomplished whatsoever. Why? Because you choose to deal with this that the people of Saskatchewan soundly rejected.

You choose to deal only with privatization — privatization of SaskTel, privatization of SGI, privatization of SaskPower, privatization of potash, privatization of the highway equipment, privatization of the health care system, privatization of the dental plan. That's all that's happening.

What ought to happen here is the minister of privatization ought to go on holiday. Send him on holiday.

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

**Mr. Kowalsky:** — Bring out the Minister of Agriculture. Let's deal with this agriculture Bill. Let's deal with it. I have a lady, a widow in my constituency, who would dearly love to see a portion of this passed. She's in the situation right now where she's already lost six quarters of land. If there's no other way that she can get any money . . . she can't get money to finance her loan which is being called now by the defunct Northland Bank, recalled because . . . which is none of her fault. It needs to be done. So that's why I'm saying, bring forth some legislation. That's what we need to deal with.

Let me get back to this particular Bill now, Mr. Speaker, the Bill which is before us which is to limit bell-ringing. I want to give some background as to exactly what happened and how this came about.

First of all, Mr. Speaker, this Bill has been long-standing in this legislature, longer than I would have been able to research. And I suppose it's been here perhaps since the

beginning of when this whole legislature was built and first came into place.

Now, Mr. Speaker, the object of the bell-ringing is really twofold. Now the minister opposite, when he was making his remarks, really indicated that it was only onefold, that there was really only one reason. And I quote from *Hansard* on page 1080 where the minister opposite, when he introduced the legislation, said that the purpose of that rule, meaning the bell-ringing rule:

... was to allow members who were not in their place to have an opportunity to come and cast their vote (and he says) — number one — and number two, (to) be able to come to this Assembly and cast their vote and have that recorded in the *Journals* of this Assembly

Well I maintain that's one reason — one reason — and that's one good reason. But there is another very, very good reason to have this type of rule. And that reason, Mr. Speaker, is to provide an opportunity to be sure that the public can become advised and informed of what really is going on in here; to be sure that it can be brought to the attention of everybody in the province of Saskatchewan. You see, it's not very easy to tune in on your television set or read the *Star-Phoenix*, or the *Hansard*, or the *Leader-Post* if you're driving a tractor seeding in the spring in the province of Saskatchewan.

You've got to have some way, some way of communicating. The bell procedure provides an opportunity and provides a bit of time to be sure that the people of Saskatchewan are able to hear exactly what's going on. And you know, it wasn't such a bad . . . it didn't turn out to be such a bad thing for the people to find out what this government was trying to do with the Saskatchewan Power Corporation. In the first place there was a promise that was about to be broken. And secondly, they were going to do it quietly, as quickly as possible, and pass the thing away . . .

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

The Assembly recessed until 7 p.m.