

Mr. Chairman: — Before us we have the motion of Mr. Anguish: be it resolved that the committee refer its impasse concerning the agenda to the Legislative Assembly. I have Mr. Anguish, Mr. Baker, and Mr. Lyons.

Mr. Baker: — Well it's been so long, I forget what I was going to say, Mr. Chairman.

Mr. Chairman: — Is that it?

Mr. Baker: — That's it.

Mr. Lyons: — That's kind of interesting, Mr. Baker. It certainly gives a great challenge to be able to respond to that statement.

A Member: — You'll think of something.

Mr. Lyons: — But Mr. Britton's right, I will think of something and I have been thinking of something. I've been reviewing the record of what occurred last time, and while we can joke back and forth about it, I think that the question Mr. Anguish raises and the question that we've been raising regarding WESTBRIDGE Computer Corporation has got to be resolved before the committee can continue its work.

We have here a situation that is unprecedented, strictly unprecedented in the history of the legislature. We have a corporation which is providing information to the Provincial Auditor, as we found out last time. WESTBRIDGE in fact has changed its position, realizes that now it must provide that information to the Provincial Auditor.

The investment by the people of this province, we've already noted time and time again, is significant so as to require us, even if there were no questions regarding the financial transactions or the valuation or whatever of WESTBRIDGE Computer Corporation, even if there were no questions as have arisen recently, we would still be obligated, given the amount of taxpayers' dollars that are invested in WESTBRIDGE, we would be obligated to look at it.

The auditor has raised the question for two years in a row regarding the committee's role in examining what the auditor has called Crown-controlled corporations. It's evident, judging from Mr. Wendel's intervention at the end of last meeting, that WESTBRIDGE itself has changed its position vis-a-vis its requirements to report to the Legislative Assembly. That is, by reporting to the auditor, that recognizes that there is an obligation to report to the Legislative Assembly, and that we would be remiss, that we would be strictly remiss if we didn't go ahead and do our job in examining WESTBRIDGE Computer Corporation.

There is no argument, there can be no argument to oppose bringing WESTBRIDGE before this committee. And I say that Mr. Anguish's motion is perfectly right when he says we're at an impasse, because from our point of view we intend to establish the precedent here at the committee, or establish the requirements that these Crown-controlled corporations like WESTBRIDGE have

an obligation to appear before the committee and that the committee has an obligation to bring it before. Those are the two issues.

We have obviously, I think at least one — we being the people of the province or members of this committee in total — have obviously made some gains in the sense that WESTBRIDGE now recognizes its obligation to provide information to the Provincial Auditor. That's the first step.

But the second issue hasn't been dealt with, and that is the partisanship here in the committee where once again we see government members doing their best to block access to information, which is not the functioning of this committee, which is not the basis for this committee to undertake its role. This committee was established to look at the public spending regardless of particular political partisanship. That's at least in theory how it's supposed to operate.

So I want to say this to the government members. I think you had better re-evaluate your positions. I think you had better re-evaluate your positions in regards to calling WESTBRIDGE Computer because this committee will not be proceeding, will not be moving forward until you agree or until there is agreement that the Crown-controlled corporations can be brought before the committee.

And the question then of the agenda and of when they become before the committee, I guess we can deal with at that time. But first of all there must be agreement by the government members that this committee will hear the Crown-controlled, those Crown-controlled corporations.

That's all I have to say right now . . .

Mr. Muller: — I have a question for the comptroller or the Acting Provincial Auditor, whichever would prefer to answer, related to this motion that's before us. Who owns the shares on behalf of the government, in WESTBRIDGE?

Mr. Kraus: — I'm not really familiar with the ownership, although I believe — and maybe the auditor would have the better information — but I believe it's SaskTel that owns the majority of the shares. But perhaps the auditor would have more precise information than I would.

Mr. Wendel: — We're just looking it up here. Mr. Chairman, Mr. Muller, I have a copy of the Crown Investments Corporation of Saskatchewan's financial statements in front of me. It says in the notes of the financial statements that the corporation owned 61.1 per cent of WESTBRIDGE Computer Corporation as at December 31, 1988.

Mr. Baker: — Sixty-one point what?

Mr. Wendel: — One.

Mr. Baker: — Who owns it?

Mr. Wendel: — It says in the notes here, the corporation, which would be the Crown Investments Corporation of Saskatchewan. Now these are consolidated financial

statements and it is possible that it could be held through SaskTel because they're consolidating SaskTel with Crown investments corporation, but I'd have to make a phone call to check that out.

Mr. Baker: — I think it's Sask international . . .

Mr. Muller: — Could you check that out?

Mr. Wendel: — Sure. We'll check that out.

Mr. Anguish: — That was December 31, 1988?

Mr. Wendel: — As of December 31, 1988.

Mr. Chairman: — While we're waiting for that, I want to make a brief statement concerning an item that we dealt with last time, and I refer members to the question of recorded divisions in standing committees.

Last Thursday, May 24, 1990, during divisions on separate motions, members' names were called out and recorded individually at the request of a member of the committee.

This has clearly been the practice in a number of jurisdictions, and I would refer members to *Beauchesne's*, citation 601. However, such practice has not developed in standing and special committees of the Saskatchewan Legislative Assembly.

The practice of having recorded divisions in Committee of the Whole and in Committee of Finance was introduced by the Assembly on December 2, 1976. And I would refer members to the *Rules and Procedures of the Saskatchewan Legislative Assembly*, appendices, page 2, paragraph 2.

While the Assembly at that time did extend the practice of recorded divisions to Committee of the Whole and to Committee of Finance, the Assembly did not extend this practice beyond those committees to standing and special committees.

I refer members to a meeting of the Standing Committee on Crown Corporations where, on April 24, 1990, a request by a member for a recorded division was ruled out of order on the very procedural grounds which I outlined.

Therefore, in light of the above, I remind members that recorded divisions are not a practice of standing and special committees of this legislature and that last Thursday's recorded divisions should not be construed as a precedent.

Mr. Anguish: — Why? If it was done, it is precedent.

Mr. Chairman: — Pardon me?

Mr. Anguish: — Well, Mr. Chairman, I would think it is a precedent. If the committee allowed it to happen and it happened, the committee obviously agreed with it; otherwise they would not have participated. And I think there is a precedent there now. I don't know what ruling . . . this committee can make certain rules that govern itself,

and I don't know that we need the jurisdiction of the legislature or *Beauchesne's* or the United Kingdom for us to have recorded divisions. And if recorded divisions have in fact been held — and the committee obviously agreed to it or they wouldn't have participated — then that is a precedent, Mr. Chairman, I'd submit to you.

Mr. Chairman: — I want to thank the members for their patience in this matter. I want to consider Mr. Anguish's point of view further and will defer my ruling on that until a later date. Stay posted. Now we'll get back to the questions concerning the Crown investments corporation.

Mr. Wendel: — Mr. Chairman, we're still waiting for a return call. It'll be a few minutes yet.

Mr. Hopfner: — Getting back to the point, why pull it away then? Why are you adjourning . . .

Mr. Chairman: — Well, even though that's the practice of the Legislative Assembly, the rules of the Assembly, it seems to me that the committee is a master of its own house to an extent in terms of rules. And the question is: are we bound specifically by the rules and procedures of the Assembly in this regard? Does the committee wish to go in a different direction in this regard?

And that's something I'd like to consider further, and it's not a decision I think I want to make hastily, but ultimately I want to come back to the committee on that.

Mr. Hopfner: — Well no, the committee should make the decision should it happen. The committee's going to make the decision, right? Not the chairman.

Mr. Chairman: — Yes.

Mr. Hopfner: — Alone. The committee . . .

Mr. Chairman: — No, no, I don't make the decision, but I want to review that and bring the information back to the committee.

Mr. Hopfner: — Okay.

Mr. Baker: — If my memory strikes me right, when you were illustrating the reasons originally, you come down and said that the Assembly votes on division, and recorded votes were allowed but it was not given. That privilege was not given to the committees.

Mr. Chairman: — That's right.

Mr. Baker: — So it really doesn't bother me either way but, you know, if that's the case, then that's the case.

Mr. Chairman: — Yes, but there's also an understanding that committees govern themselves. And I want to get some further advice. And I don't see it as being a matter of high priority, but I'll research it and get back to you.

Mr. Muller: — You'll end up going down in history, Harry.

Mr. Chairman: — No. No recorded votes.

A Member: — We've got the . . . (inaudible) . . . then we won't worry about it.

Mr. Hopfner: — I think if you belonged to a different party — this is off the record by the way — if you belonged to a different party and had a chance to form government somewhere, you might even make a good Speaker somewhere.

Mr. Chairman: — A good speaker, who'd want to do that.

A Member: — Explain that, Harry. You don't want to be a good Speaker or do you want to be Speaker?

Mr. Chairman: — No, who'd want to be Speaker.

A Member: — On a fact finding mission . . . good information and bring back to the committee and it's not this . . .

Mr. Chairman: — Okay, we have them.

Mr. Kraus: — December 31, 1988, SaskTel owned 61.1 per cent. I just called CMB (Crown Management Board of Saskatchewan) directly.

Mr. Muller: — Well that's who I was looking for, to see who the ownership of the shares, whose name the ownership of the shares was in. And so I feel that it should go before the Crown Corporations Committee. So I think that we just have to vote this motion off. And certainly there is an avenue to look into it for the members opposite, but I think this should resolve this impasse and we can get on with the work of the committee.

Mr. Chairman: — Thank you, Mr. Muller.

Mr. Baker: — Thank you, Mr. Chairman. Well I suggest to the committee that we leave it and look at the comments, if any, that the auditor has to report on next year. Simply, as I look through the things that we're going to look at, almost always the auditor's made a comment. But I think we should just leave it and see if there is a problem that the auditor thinks that it should be dealt with or has some negative comments. Let's bring it forward then.

Mr. Rolfes: — Mr. Chairman, I have some very serious concerns about what's happening to not only this committee but the whole function of government, and the responsibilities and duties of MLAs are changing so dramatically that it's frightening what's happening to democratic procedure.

I think it was very clear what the function of a Public Accounts Committee is and that is to study the *Report of the Provincial Auditor*, as handed in by him, and to study those items that he has expressed some concern on. And by not being able to do that . . . We saw what happened last year under the 1988 report. Very clearly the committee was denied its role even though the Premier made it very clear in the legislature that he would instruct his members to forthwith, I think was his word, forthwith consider the major concerns of the Provincial Auditor.

We got into this committee and we were deemed to look at

that. We weren't able to look at that because the committee wouldn't allow us to. He very clearly indicated last year and the concerns are — and to the same extent again this year — where he simply is saying that he could not perform his function because he couldn't see over 50 per cent of the public spending. He was unable to have a look at the books.

You know, if this trend continues where public ownership in Crown corporations is partly divested of, and then the government of the day says, but because we have partly divested ourselves of it, but we still — if I look at the last, I think, at the last statement that came out — we have \$1.4 billion. The people of the province have an investment of \$1.4 billion. And we are saying to members of the legislature, but you can't discuss those in public accounts, even though the Provincial Auditor has stated some very serious reservations about what's going on.

And you people are saying no, but you can't discuss those; you can't analyse it; you can't scrutinize those expenditures.

Well if that's going to be the case, gentlemen, then pretty soon there is no role for the Public Accounts Committee to perform any longer because you are narrowing more and more the scope of what we are able to investigate and scrutinize.

And I'm not saying . . . These aren't my words. If you look at last year's report of 2.20, and you go again to this year's report — although the reservations aren't nearly as severe — there's still reservations there. I can't understand why we don't want to investigate the expenditures of WESTBRIDGE by the Public Accounts Committee, because a reservation has been expressed by the Provincial Auditor.

The Provincial Auditor does not report to the Crown Corporations Committee. The Provincial Auditor reports to the legislature and to the Public Accounts Committee. We then take his statement and we analyse it and we scrutinize it, and we ask questions of the various departments and organizations and agencies that he has commented on. And if you're going to pick and choose, you're going to say, well you can do this and you can do that, but we won't allow you to go into there. Then you are hamstringing the Public Accounts Committee.

And if you are serious about open government and nothing to hide, then why not examine? I mean, if WESTBRIDGE is such a good corporation, as you people say it is, why wouldn't you bring it forward and say: look at it; here it is; this is what privatization has done and we should do more of it; here is the proof of the pudding. What are you hiding that you don't want the Public Accounts Committee to scrutinize WESTBRIDGE? And it's not just WESTBRIDGE; we can go on to others in the same manner.

But what is it that you people are so afraid of that has been going on in agencies that are partially and partly controlled by the public? And we can only surmise that because you are so afraid to scrutinize those agencies that there is something that you don't want the public to know. And it is frustrating to go through the Provincial

Auditor's report and see his reservations, his concerns, and then to come to this committee and you people saying, no, you can't scrutinize that.

And as I said last year, it was frustrating because the concern of the public out there at that particular time was the auditor's statements on what was going on within various agencies and departments of government. And it was timely at that time. Even though it was a year behind already, it was timely at that time for us to study it, and this committee was denied at that time the opportunity to study it because you people used your majority and wouldn't allow us to study those pages at that particular time.

Now you can use your majority again, but I wish that some of you would really look at the duties and responsibilities of this committee and say, well let's get on with it, let's study what the Provincial Auditor has indicated are some concerns, and let's call the people before us. And if you have nothing to hide . . . you people ask some good questions in bringing forward, as you say, the jewel, the good points of that jewel WESTBRIDGE. Surely in this committee, by your questioning you can make WESTBRIDGE look good. What are you afraid of? Ask those questions in public accounts, and we'll ask the critical ones if you don't want to.

And so I'm simply saying, Mr. Chairman, I think we are at an impasse here, and I think something has to be decided as to what the role of this committee is. Are the government members going to determine what the role is? And are they going to say: yes, you can study this; no, you can't scrutinize that? Or do we have a mandate from the Legislative Assembly which says that we study the Provincial Auditor's report and we examine that report, and what he has put in here we examine, and we report back to the legislature? If you guys are going to pick and choose, then I think you're hamstringing this committee and it can't function.

And I think you should look further than just this year, because next year or the year after you may be sitting on this side and you wouldn't want the committee or the members on that side then to decide that they'll pick and choose as to what is going to be perused and supervised and scrutinized by the Public Accounts Committee.

I hope that we don't set that as a precedent, and let's get on with calling the people before us that the Provincial Auditor has made his report on in 1989.

Thank you, Mr. Chairman.

Mr. Hopfner: — I won't be long, Mr. Chairman. I think we've gone over this several times. I just want to reiterate though for the record that I am sorry that the members opposite on this committee feel the way they feel.

I think probably again, if I can repeat and go with the latter part, that it's not this side of the committee that's been picking the agenda; it's members of the opposition in this committee that have been picking the agenda. We've gone along with it. I think probably if they could consider being professional about it and wanting to deal with the Provincial Auditor's report, well then that's what we

should be doing. We should be dealing with the year under review which has been a precedent for all these years in this committee.

And when and if WESTBRIDGE ever comes into a Provincial Auditor's report down the line, well then we can deal with it. There are ways now that can be dealt with to find out information, but the member opposite does recognize the fact that if he was WESTBRIDGE or any other company, and his partner was some Crown-operated identity, that he would not want his competitors to be knowing the internal workings of his company. And the member knows that full well.

I think probably if you'd want to get off your political agenda and get on with the workings of this committee, this committee could function very well. And I think that you people have definitely stroked the various departments. that you'd like to have, according to this agenda, would like to have before this committee, and WESTBRIDGE is not on this agenda. And we will carry on with this agenda, and if WESTBRIDGE is on this agenda next year we will go with it and we will discuss it . . . (inaudible interjection) . . . Members opposite wish to say, well is that what you did last year?

Last year, I had indicated earlier, that was the only way we could bring some radical members to order in this committee and to function as a committee once again. So we had to skip the first two chapters and show that there was a lot of co-operation from departments and information flowing back and forth from departments to the auditor.

So with that, Mr. Chairman, I think we've discussed this at quite some length and I call for the question.

Mr. Muller: — Well that's what we're doing right now is setting the agenda. We've picked the departments that we want to bring before the committee.

And we're not hiding anything, Mr. Rolfes. You say that the Crown Corporations Committee is not a valuable committee. You said it. Well I mean this is where this one should go, WESTBRIDGE should go, to Crown corporations because that's where SaskTel is. SaskTel owns over 60 per cent of the shares. It should go there and I think that the committee should work on the areas of their expertise. If you feel that the Crown Corporations Committee is not a valuable committee, as you put it in your words, then why don't you dispose of that committee and we could all sit in public accounts.

Every area has their spot to do their work. And I feel that WESTBRIDGE should go before the Crown Corporations Committee, and the minister's there with SaskTel to certainly answer your questions and concerns. And I see this is as a way to remove this impasse from the Public Accounts Committee.

Mr. Lyons: — Thank you, Mr. Chairman. So far, from the members of the committee, we've heard three different suggestions of what we do to try to bury WESTBRIDGE and take it out of the Public Accounts Committee. We can put it in the Crown Corporations Committee, or we can leave it till next year, or and there was . . . sorry, I forget

what the third one was. But I know earlier on there was one other suggestion I heard in the space of the last 15 minutes.

But that's not the point. You're missing the whole point of this. The auditor has mentioned it specifically two years in a row, has brought up the question of the auditing of WESTBRIDGE Computer Corporation and its financial accountability. We don't have any control over the Crown Corporations Committee. We can't say you have to deal with WESTBRIDGE Computer Corporation, but here in the Public Accounts Committee we can deal with it because it's specifically mentioned in the auditor's report both last year and this year.

And to suggest that it go to the Crown Corporations Committee or suggest that it go somewhere else or we deal with it another time, is reinforcing the eloquent words of Mr. Rolfes — that what you're doing is trying to bury it, you're trying to hide; you've got something that you're trying to hide when you deal with WESTBRIDGE.

But for us, I think you missed the point of what Mr. Rolfes is saying and what we've been saying is that there is an obligation of this committee to look at the expenditures of taxpayers' money, to look at the administration of taxpayers' money in those areas of competency of the Provincial Auditor. The Provincial Auditor has said he's got the right to look at the financial affairs of WESTBRIDGE Computer Corporation. We say that he's got the right to look at the affairs of WESTBRIDGE Computer Corporation and that we have got the right to look at WESTBRIDGE Computer Corporation and the other Crown-controlled corporations that are mentioned in the auditor's report.

The point of this whole debate is simply this: once again it revolves around the question of accountability. It goes to the core of why we're here. Who is going to look after the taxpayers' interests if not the elected members of the legislature? Who is going to look after those interests? That's what we're elected for and that's what we're paid for.

And not only that, there is another level of public interest here that we have to deal with, and that is the whole question of the operation of government. Mr. Rolfes is entirely correct when he talks about the kind of changes, the kind of changes that occurred in the notion of what represents representative, responsible government in this province.

The change has been is that the sense of accountability has been lost; that the notion that elected representatives are accountable to the electorate and are accountable for the fiscal mismanagement, the fiscal management of their funds, seems to have totally disappeared.

And that change has occurred. It's been a noticeable change in the last three years. More and more as this privatization binge has gone along, we've seen less and less accountability and less and less ability to look at the financial affairs of the province.

This is what this issue revolves around. It's not just a question of setting the agenda. Yes, yes, Mr. Hopfner, all

members of the committee have equal say in setting the agenda. But when you threaten, as you did last time and again today, I think that it's clear in everybody's mind precisely what kind of game you people are playing by the use of your majority.

I don't want to . . . look on page 231 . If you can work through it, on page 231:

But I say (this is Mr. Hopfner speaking) But I say (that's) if there is some decorum in this committee while we're dealing with it. If this side of the committee feels like we're running away and doing like we did last year, we will bring in a motion to move into the departments and we'll put (out) the fire (or) put the fire out through bringing officials in through the departments . . .

Just that kind of attitude is totally unacceptable. That kind of attitude is totally unacceptable.

A Member: — Who do you think you are?

Mr. Lyons: — Yes, that's right, that's precisely the point. We want to get on with the work of the committee. We want to have the committee deal with what it's supposed to be dealing with and that is that public accountability.

So I'm going to, to make it even clearer, I'm going to move the following amendment to the motion of Mr. Anguish so that all members of the committee understand what the stakes are. And the committees will add the amendment, add the following after the words "Legislative Assembly" of Mr. Anguish's motion:

And whereas government members of the committee have refused to allow WESTBRIDGE Computer Corporation to appear as witnesses in either the 1987-88 review or the 1988-1989 review of the public accounts or auditor's annual report, therefore be it further resolved that the WESTBRIDGE Computer Corporation be called before the Public Accounts Committee to answer questions related to valuation of assets.

Mr. Chairman, I submit that amendment because that's what the impasse is all about — your refusal to allow the committee to examine, to examine a significant portion of taxpayers' assets. Wait for a ruling to see if it's in order.

A Member: — Of course it's in order.

Mr. Lyons: — One minute to see if it's in order.

Mr. Chairman: — I find the motion to not be in order.

The main motion before us — again I want to emphasize — is in fact a report to the Legislative Assembly. The amendment addresses itself to a consideration of the committee. An amendment, it seems to me then . . . or a further motion should then be relevant to the main motion, that is to say, the report to the House. And if there's something you want to report to the House, if you want to clarify why there's an impasse and want to report that to the House, that's fair enough. But the amendment . . . or the motion as stated, I don't think is in order.

And I want to refer you to citation 426 of *Beauchesne's*:

It is an imperative rule that every amendment must be relevant to the question on which the amendment is proposed.

On the one hand the main motion is a report to the House; on the other hand we're saying that the committee should simply call WESTBRIDGE Computer Corporation before the Public Accounts Committee to answer questions. If the amendment is past us, then it seems to me there is no need for the main motion, and therefore is contradictory.

So if the motion were worded differently in the context of this being, you know, a report to the House, which the main motion is, then that's a different matter.

Mr. Anguish: — Mr. Chairman, I didn't read the amendment to the motion, all I'm doing is I'm speaking just to your point of it being out of order. The intention was not to add it to the body of the motion; it was just to make it more clearly.

The reason that we want to refer this to the House is because of the impasse, and the example that we're using is with WESTBRIDGE Computer. So it doesn't substantively change the motion. It's a preamble, if you like, to the motion to make it clear as to what we're reporting to on the House.

I have to accept your ruling, sir, but it was not intended to change the body of the motion; it was a "whereas" in the words that Mr. Lyons submitted, and then the main body of the motion that we refer this to the legislature because we can't come to an agreement here in the committee.

Mr. Chairman: — No, I hear what you're saying, but the motion by Mr. Lyons doesn't quite say that, you know. And he's welcome to try again.

Mr. Lyons: — I wonder if the following would be acceptable, given your ruling:

That to add the following words after "Legislative Assembly":

due to the refusal of government members to call the WESTBRIDGE Computer Corporation for review in either the 1987-1988 and 1988-1989 fiscal years before the Public Accounts Committee.

Mr. Chairman: — No, I find that's in order. It simply clarifies the report to the House.

Mr. Muller: — I have to get the motion to read it back into the record.

Mr. Chairman: — The original motion by Mr. Anguish reads:

... be it resolved that the committee refer its impasse concerning the agenda to the Legislative Assembly.

Now the motion of Mr. Lyons, it's an amendment. He wishes to add the words:

due to the refusal of government members to call WESTBRIDGE Computer Corporation for review in either the 1987-88 and 1988-89 fiscal years before the Public Accounts Committee.

Mr. Muller: — And that's what I wanted to speak to. That's already been dealt with by the main motion of Mr. Anguish earlier and voted down, so I'd say that the amendment is out of order, because it's dealing . . . it's the same thing as the motion that was voted on earlier last day.

Mr. Chairman: — Again, let me just state that we had two motions the last meeting inviting WESTBRIDGE Computer Corporation to come before the committee. Both those motions were lost. There are a number of other motions, or at least one other one I can recall that was ruled out of order because it was visiting the same ground.

Then, Mr. Anguish put forward a motion basically stating that we report to the House, that the committee refer its impasse concerning the agenda to the Legislative Assembly. It might even be more appropriate to say the committee "report" its impasse concerning the agenda to the Legislative Assembly.

Mr. Lyons, with his motion, is simply clarifying to the House why this impasse exists. And it doesn't request, as did the motions of last week specifically, that WESTBRIDGE be called before the committee. So I think it's in order. There's no further action that's contemplated by the amendment. It simply clarifies the original motion. I think that's in order.

Mr. Baker: — Well, it's getting more obvious to me that members opposite do not understand what the private sector is all about or publicly traded companies.

Mr. Chairman: — Okay, can we . . . Is this on the point of order?

Mr. Baker: — It's on the point of order, or it's on the motion.

Mr. Chairman: — Well, then we should get back to Mr. Lyons if it's on the motion because he still has the floor.

Mr. Lyons: — Well, I'm not going to go on at any great length about it. I think the motion is clear. The amendment is clear that it's your refusal, that it's your refusal to bring WESTBRIDGE into the Crown-controlled corporations as outlined in the auditor's report for the last two years, which is bringing the work of this committee to a halt. And until you people agree to . . .

A Member: — Are you threatening?

Mr. Lyons: — No, that's not a threat, that's a promise, that until you people agree to act in the public interest by bringing these Crown-controlled corporations before the committee, then we can't go any further. Because what is

at question then becomes your credibility, your credibility in your role as MLAs here before the committee. That's what comes . . . that then is raised. That question is then raised.

You're either going to do your job and carry out your functions as you're mandated, or you're not. And we're saying that by your actions, you're refusing to bring WESTBRIDGE, by blocking the work of the committee, that you're not carrying out your functions as MLAs. That's what it comes down to. That's the long and the short of it.

And from our point of view, Mr. Chairman, I am no longer — I can tell you this — I'm no longer willing to sit here day after day after day and have that kind of blockage of accountability and access to information. We have less information from WESTBRIDGE as MLAs than does a shareholder, despite the fact that we are the major . . . we, the people of the province of Saskatchewan, are the major shareholders in WESTBRIDGE Computer Corporation. Yet as elected representatives, we have less access to information than somebody from Toronto or New York or Miami with a big bank account and a big bank roll, coming in and buying shares. That's the reality. That's the reality.

And the reality is . . . (inaudible interjection) . . . no, the reality . . . and that's what you say. That's what you say . . .

Mr. Anguish: — We already spent several millions of dollars buying shares, and that's why they should appear before the committee, Mr. Swan.

Mr. Lyons: — That's the way you say it — we don't understand the private sector. Let me tell you, Mr. Baker, we understand very well how the private sector works. We understand very well how it is that people like Leonard McCurdy and a few other people can enrich themselves at the expense of the taxpayers of Saskatchewan. We understand that all too well, all too well.

And that's why we're saying the people of the province have got to be represented, have got to be represented at the table when you're dealing with Crown-controlled corporations like WESTBRIDGE because you, the government, certainly aren't doing it. You're taking a total hands-off attitude.

And you're proud of it. As you've said in the legislature time and time again: we're not going to interfere, as you put it; we're not going to direct. We're not going to have a say in the way that these Crown-controlled corporations operate.

And there's one of the fundamental philosophical differences, the fundamental political difference between you and us. We say that the taxpayers of Saskatchewan have a right — have a right because it is their money — to see how these things are operated, to see how these Crown-controlled corporations work, to make sure that they work in the best interests of the people of the province. And we're only able to do that if we can bring them before the court of public accountability, at least fiscal accountability, which is the *Public Accounts*

Committee in this instance.

But no, you sit there and you say, you don't understand how the private sector works, or you don't, you know, you don't want . . . (inaudible interjection) . . . well, you'll have your opportunity. What we're saying is, once again, that it's a question of public accountability, and you're either going to accept that responsibility as elected members or we might as well break down.

Mr. Chairman: — Break time. Let's have a break, and we'll come back in five minutes and resume our debate.

The committee recessed for a short period of time.

Mr. Anguish: — Well I think I can be very brief, Mr. Chairman. Most of what can be said has already been said. I think I'd like to repeat that the government members are setting a very dangerous precedent for the committee in that items that are referenced either in the Provincial Auditor's report or are accounted for in public accounts or matters where there is significant taxpayers' dollars, it's the role of the Public Accounts Committee to have a look at those expenditures.

And in the case of WESTBRIDGE Computer, we're talking about a significant amount of money. In the prospectus that was filed with the Toronto Stock Exchange to float the shares of WESTBRIDGE, there's a reported value of Saskatchewan government assets of about \$51 million. And I think when we're dealing with \$51 million worth of assets of the province of Saskatchewan, there should be no question in anyone's mind that it should appear before the Public Accounts Committee.

And the government members of the committee blocked WESTBRIDGE appearing before the committee for the review of the 1987-88 Provincial Auditor's report in which there is an entire chapter on WESTBRIDGE. And now again we have the members blocking WESTBRIDGE from appearing before the committee, and it's referenced at least in the '88-89 report of the Provincial Auditor.

Also last meeting it was laid out quite concisely the role of the Provincial Auditor and the right of access of the Provincial Auditor to the accounts of WESTBRIDGE Computer Corporation because of the very fact that it is a Crown-controlled corporation in the definition of the Provincial Auditor's Act.

The Crown-controlled corporations are those corporations that have between 50 per cent and 90 per cent of shares held by the province of Saskatchewan. And in this case we're looking at, still to the end of 1988, 61.1 per cent of the shares held by the province of Saskatchewan.

So I don't know why the government members want to be setting this precedent. If there is nothing to hide, as Mr. Rolfes says, call WESTBRIDGE before the committee to answer questions in terms of their financial affairs and what in fact they're doing with assets that were formerly held within a Crown corporation in Saskatchewan computer corporation and also within SaskTel.

The report to the Legislative Assembly in terms of the

motion, I think is the only course we have left. We're not willing to proceed; we're not willing to have the weight of the majority on the committee continue to block the work of the committee. It has historically been a very important committee of all legislatures, the Public Accounts Committee. And I'd ask the government members to carefully consider supporting the motion so that if you don't want to have WESTBRIDGE appear here, we can resolve our impasse on the agenda by referring it to the legislature and giving a report so we can have an open debate so all members of the Legislative Assembly know what's going on.

And with that, Mr. Chairman, I would have nothing further to say at this point.

Mr. Rolfes: — Mr. Chairman, I'm going to be very brief. I've stated my objection to what has been going on in this committee, and by the government side because of its majority deciding basically what will and will not be scrutinized by this committee, I think it's a very dangerous precedent.

When the member from Lloydminster-Cut Knife says that the members opposite, meaning us, we set the agenda, that is simply a falsehood. The agenda is set by the committee as a whole although the opposition has a very great input, and that is as the way it should be. But we know what happened last year when that same member, the member from Cut Knife-Lloydminster, moved a motion that we do not consider the first two chapters which were the guts of the report of the Provincial Auditor, that we not consider it at that time. And almost a whole year went by before we could consider those pages. Then I think the government members set the priority.

But I agree with my colleagues; I think we are at an impasse. I think we need to have a full debate in the legislature on the function and the duties of the Public Accounts Committee. And I think therefore we should refer this motion to the legislature. Let's debate it there. Let all members have a vote on it.

And if the government wants to use its majority again to narrow the mandate of the Public Accounts Committee, so be it. They have to then accept the responsibility in there. If they want to hide from the public, millions of dollars of assets and expenditures which we cannot scrutinize, then I think they're making a farce out of what the Premier has already said — that he's going to conduct an open and honest and a listening government. What they are doing is they're closing it.

And what they are doing — and that's even more dangerous — is that they are weakening the powers and the responsibility of the legislature and they are increasing the responsibility and the powers of the executive branch and that means the cabinet. We have seen this happening more and more.

And I would think that those of us who have been in the executive branch — and that's on both sides — we should know better. We should say to the members: yes, I have been there and I will defend the responsibilities and the duties of the ordinary member of the legislature, not the

executive branch. The executive branch doesn't need any defending. They have all the powers. They have all the expertise there to defend themselves. And they will defend themselves. And I would hope that they would have less influence on members here, and as I say, particularly on members who have been on the executive council, who should know better, and who should be on this committee saying to other members that I will defend your right to do your job, to do your job.

And I must admit that a former member who had some experience on the executive council, from time to time did defend this committee and its responsibilities that it has. And I would hope that that can be done, that we are really aware of the power of the executive branch and make sure that their powers are diminished rather than increased and the legislative powers are increased and that means the responsibilities and duties of each member of the Legislative Assembly, except those on the executive branch. Thank you, Mr. Chairman.

Mr. Hopfner: — Thank you, Mr. Chairman. Well, Mr. Chairman, I guess probably I would indicate this, that it seems to me that this a repetition of what had taken place at the beginning of last year.

Once again, we're seeing some radical members bringing politics back or trying at least to bring politics back into this committee. We're seeing members on some sort of a man-hunt looking for dirt on — now not even companies that have been agreed upon that should it be recorded into the Provincial Auditor's report — but private companies. We have members that are like children that are not getting their candy.

It's so apparent. It is right here for the public view that there has been, in 1988, a disagreement. If you go back to the blue book in 1988 and you read in the auditor's report on 34.10:

On December 22, 1988, one of my officials talked to the chief financial officer of WESTBRIDGE. He informed my official that WESTBRIDGE management believes, supported by a legal opinion, that WESTBRIDGE is not subject to an audit under The Provincial Auditor's Act. He also advised that my officials would not be permitted to audit the accounts of WESTBRIDGE.

That was the public auditor's own words. There was a legal opinion from WESTBRIDGE, okay? In the 1989 report — as we had heard through a question asked by the members opposite in this committee — they asked the Provincial Auditor, the acting Provincial Auditor, if he was auditing WESTBRIDGE. And his answer was: yes, he is doing an audit on WESTBRIDGE, but it is not finalized.

And he had indicated that it was not ready to report on for this year. There is no report, auditor's report, for this year on WESTBRIDGE. There has been — from the Provincial Auditor's own admission — there has been an admission that there has been some sort of an agreement set forth that there would be information coming to the auditor's office so that he could do his report on it.

Now there is full co-operation right throughout the

system beyond and behind this committee. It's been also stated that if the members opposite would like to take their questions to Crown Corporations Committee, which is a committee of the Legislative Assembly, that they're entitled to do that and ask those questions or ask questions through SaskTel.

They are also entitled to buy a share and ask questions directly to WESTBRIDGE. I mean there's all sorts of ways of getting information, but these people want to politicize things all the time, and it's just basically irresponsible of the members the way they're acting in this committee.

Well I say Crown Corporations Committee, it's just as important a committee of the Legislative Assembly as public accounts. I say that members have an opportunity to ask the minister directly, as well with the opportunity to buy shares and ask the management of WESTBRIDGE or any other company they might desire to rake through the coals, questions.

I go this and I say this. It must be awful difficult for a company, a corporation like WESTBRIDGE or any other corporation that the members wish to publicize like this, must be fairly difficult for them to do business in the province of Saskatchewan when they are being subjected to political harassment.

And that's exactly what we're seeing here in this committee. We're seeing members opposite politically harass public companies. And I tell you, that's a warning for every other private company in this province. If I was any kind of a corporation trying to settle into this province, I would be on guard, just basically because of members opposite and what they're saying.

I'm saying to you, Mr. Chairman, in speaking to that motion, that it's here in 1988 with the Provincial Auditor's own remarks. It's here in 1990, while we're dealing with a year . . . as we deal with a year past all the time in this committee, that the question was even asked of the Acting Provincial Auditor. I am repeating that because it is there and there has been an agreement. We've heard that from the acting auditor.

And members opposite are just playing political games. And I think it's time, I think it's time that that kind of an impasse quit in this committee and that the members be serious about this committee and let's get on with the agenda.

When Mr. Rolfes had indicated that government members, or that all committee members set the agenda, Well I can accept that. I can accept that. And you're right. The opposition members of this committee, we do allow them wide scope in asking everyone, in asking everyone that is listed in the auditor's report to come to this committee. And WESTBRIDGE, as the member well knows, is not in this list. And we have, we have agreed with the members opposite in their agenda.

A Member: — What was last year like? What did you do last year?

Mr. Hopfner: — The members opposite ask about last year. Last year there was the impasse. And you read it. In

1988, there was a legal difference between WESTBRIDGE and the auditor.

A Member: — And the auditor was right, wasn't he? And the auditor was right.

Mr. Hopfner: — That will come out in the 1990 report. And you know that, and all members know that. And the public knows that. But you refuse to understand that because you are on a political agenda trying to smear private corporations in this province.

You people are not happy with the pulp and paper industry in this province; you're not happy with the fertilizer plant in this province; you're not happy with the upgraders in this province; you're not happy with anything that's privately owned in this province. And you're going to continue to smear all these projects — all these projects that create hundreds and thousands of jobs in this province.

And the member from The Battlefords laughs, when the member can sit back there and his contribution was next to nil in this province.

Anyway, Mr. Chairman, I'm just definitely opposed to the motion and I will definitely be awaiting any remarks that the Provincial Auditor will have in his next report, being they have come to some sort of an agreement.

Mr. Chairman: — Thank you, Mr. Hopfner.

Mr. Swan: — Mr. Chairman, I've listened patiently this morning and I've heard a lot of cabbage chewed several times and really nothing new being said for at least the last hour. There hasn't been any new points brought forward.

I listened with interest as Mr. Rolfes was speaking and talking about the changes of the ability of the members of the Legislative Assembly to access information. And yes, I think it's much more open now than when I first came here in 1978 and he was a member of the government side of the House at that time.

I sat on this committee during that '78 period and I watched the action of the government at that time . . . (inaudible interjection) . . . No, the opportunities for those of us on the opposition side were not very good at that time, and I can tell you that.

I believe that the opportunity to access WESTBRIDGE is there. And because it is a Crown corporation, it should go to Crown Corporations Committee. The Crown corporation is SaskTel that has the 61 per cent of the shares. Certainly when SaskTel comes before the Crown Corporations Committee, you have members on that committee and they have the opportunity to ask the questions that they would like to ask about WESTBRIDGE and about the government's portion of the investment in WESTBRIDGE.

So I don't believe that there's any reason that we should bring WESTBRIDGE, which is classified as a private corporation with government investment in it. I think that there's no reason for us to bring that before this committee, but there is opportunity for discussion about

the expenditures of WESTBRIDGE in Crown corporations and I believe that's where it should be left.

Mr. Chairman, I call for question on the motion.

Mr. Chairman: — Are you ready for the question on the amendment? Is it the pleasure of the committee to adopt the motion?

Negatived

Mr. Chairman: — Now on the motion of Mr. Anguish, is the committee ready for the question? Is it the pleasure of the committee to adopt the motion?

Negatived

A Member: — Call for a recorded vote.

Mr. Chairman: — Well, earlier I indicated I'd like to defer the matter of a recorded vote for further review, and I'd like to stick by that and give the committee an opportunity to discuss whether or not it wants us to get into recorded votes at a future time, but to me the vote was clear on the motion that . . . and the motion was lost.

A Member: — I move we move on to the proposed agenda.

Mr. Rolfes: — Mr. Chairman, I just want to state that at this particular time I don't see any particular need to continue. I think we're at an impasse, and if the government members simply want to pick and choose what is done in this committee then I think we better have a discussion on this in the Legislative Assembly. I mean, just simply can't . . . I mean you guys don't have that right to simply pick and choose and tell us what the Public Accounts Committee is going to scrutinize in this committee. It is our responsibility to scrutinize what the Provincial Auditor has put in here, and you have no right, no right to say that we can't scrutinize the Provincial Auditor's report. You have no right to do that to me as an individual representative in the legislature. And I'd expected better of you, Herb, better of you.

A Member: — I expected better of you.

Mr. Rolfes: — I thought you'd know better.

Mr. Hopfner: — Mr. Chairman, there is just exactly the case of a member trying to build some sort of a case for the media to run out and talk to him, because basically there is nothing that has been . . .

Mr. Chairman: — At this time I would advise the committee that I will be stepping down from the chair for at least the remainder of the meeting, and I do so in order to consult with the members who have just left.

The structure of this committee reflects the basic acceptance of the fact that there is partisanship in this committee. And I refer of course to the practice of appointing a member of the opposition to be chairman. This practice began in the United Kingdom and was intended to ensure that there would not be any restrictions in the investigations of a Public Accounts

Committee into government spending. For this reason the chairman also takes an active role in deliberations and in questioning.

To be denied the opportunity to ask questions about significant expenditures of public moneys is a serious business, and to continue to sit in the chair in the face of a continual denial by government members of the right of other members to conduct investigations might be construed as passive acceptance of the majority view. And to make it clear that I do not condone this shutting down of inquiry, I will now leave the chair.

Mr. Hopfner: — Are you resigning as chairman?

Mr. Chairman: — I'm not resigning as chairman. I'm just leaving the chair. I turn it over to the vice-chair.

Mr. Hopfner: — Well, Mr. Chairman, before you do leave, are you still in the chair so I can just talk to you for a second?

Mr. Van Mulligen: — No, I gave up the chair.

A Member: — We've lost quorum. I move that the meeting adjourn.

Mr. Vaive: — Perhaps there should be someone in the chair as acting chairman to adjourn the meeting.

Mr. Baker (Acting Chairman): — Did you make a motion, Mr. Swan?

Mr. Swan: — Yes. Since we've lost quorum, I move the meeting adjourn.

Mr. Baker (Acting Chairman): — I move the meeting be adjourned until the call of the chair.

The committee adjourned at 10:05 a.m.