

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
First Session — Nineteenth Legislature

April 30, 1979.

The Assembly met at 2 p.m.
On the Orders of the Day.

WELCOME TO STUDENTS

MR. D.F. McARTHUR (Regina Lakeview): — Mr. Speaker, I have the pleasure this afternoon of introducing to you and to the members of this Assembly two groups from schools in Regina city. The first group are Grade 8 students from Herchmer School in Regina Elphinstone constituency. I'd like, on behalf of the Premier who is regrettably absent this afternoon because of other duties, to welcome the students from Herchmer School to the legislature and hope you have an educational and enjoyable visit here. I will be meeting with this group of students at 2:30 to talk with them. We also have with us this afternoon a group of Grades 11 and 12 students from Sheldon-Williams Collegiate, the home of many graduates of Regina city who have gone on to distinction in further careers. They are accompanied by their teacher, Miss Toth, and I would like to welcome the students from Sheldon-Williams and look forward to meeting with them at 3:15.

HON. MEMBERS: Hear, hear!

HON. W.E. SMISHEK (Regina North East): — Mr. Speaker, I'd like to introduce to you and to the members of the legislature as well as to welcome a group of 32 students from St. Michael School. They are a group of Grade 8 students accompanied by their teacher, Mr. Peter Bresciani. I'd like to welcome them to the legislature and express the hope that their visit to the legislature will be a rewarding experience. I intend to meet with the students at about 3:00. On behalf of all of us, welcome.

HON. MEMBERS: Hear, hear!

QUESTIONS

FOREGO QUESTION PERIOD

MR. W.C. THATCHER (Thunder Creek): — Mr. Speaker, question to the Attorney General (Mr. Romanow). Mr. Attorney General as House Leader and I suppose, Deputy Premier, do you think it would be appropriate if we simply didn't have a question period today because of the incredibly poor attendance of cabinet ministers. In light of the fact that many of our members on this side have been holding questions for as long as a week or nine days . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, order. I think the member is really making a point of order of some nature rather than asking a question.

MR. THATCHER: — Mr. Speaker, I'll be a little more pointed with a question. With the very poor number of ministers that are showing, the low percentage of ministers that are here, would the Attorney General as House Leader think we should forego the question period?

HON. R. ROMANOW (Attorney General): — Mr. Speaker, I'm sure the hon. member will

not misinterpret my remarks when I start off my answer by saying that the Progressive Conservative party could very well have picked anybody else other than the member from Thunder Creek (Mr. Thatcher) to complain about attendance in the House. But I leave that as an aside and say that we are in the hands of the opposition. If they would like to move to ministerial statements and orders of the day, I'm all for it.

MR. THATCHER: — Supplementary question to the Attorney General. Is the Attorney General willing to assure this Assembly that for the remaining days of this session we may see some sort of an acceptable percentage of cabinet ministers in their chairs where members of the opposition could pose them with some questions? As the Attorney General knows he has received some communications requesting that some ministers be brought forward to the House and they are ignored. Therefore, is the Attorney General prepared to give us some assurance that the cabinet ministers will be brought back from the campaign trails and seated in the Assembly?

MR. ROMANOW: — Mr. Chairman, I don't know offhand how many ministers are here.

AN HON. MEMBER: — There are 14.

MR. ROMANOW: — There are 14 out of 18 with 4 members absent. I think that answers the question, Mr. Speaker. I don't see how the member opposite can complain about the lack of attendance by the ministers. This is a very good turnout of ministers. I simply remind the . . . (inaudible interjections) . . . Mr. Speaker, we either have 14 or 15 here. I know the hon. provincial secretary just finished the count. That is a very good turnout. Members will know that ministers are very busy with a number of functions in their capacity, both as MLAs and ministers.

I think we are ready, willing and able to answer the questions the opposition should ask.

MR. LANE: — A supplementary to the House Leader.

MR. SPEAKER: — Order, I am going to take a new question.

MR. LANE: — A significant policy statement was made on behalf of your party and the government by the Minister of Highways (Mr. Kramer) in that we have now found out that the NDP are in fact, prepared to support a Liberal minority government in an announcement made yesterday. The Minister of Highways has been absent from the House for the last three weeks and I'm wondering if the Attorney General, as House Leader, would undertake to . . .

MR. SPEAKER: — Order, order! I'll take a new question.

MR. R. KATZMAN (Rosthern): — A question to the Attorney General, as acting Premier. In the Globe and Mail, April 28, 1979, the Atomic Energy Control Board has admitted that prior to them inspecting Port Hope Uranium refinery, they must give notice before they are allowed to do safety inspections and hazard inspections. As this is also, I have noticed, in several areas and refineries (chemical refineries near Saskatoon) that they are given notice. Is that the way the government of Saskatchewan intends to make sure everything is safe for the citizens of Saskatchewan, by giving advance notice so that it can be all cleaned up?

MR. ROMANOW: — Mr. Speaker, I would make two observations. The first observation that I would make is that the proposed refinery at Warman is quite far from fruition, if I can put it that way. There are obviously a number of environmental and legal concerns

which have to be cleared by either the federal and/or provincial governments and other authorities, so we are in that regard, hypothetical.

Secondly, with respect to the specific point raised by the hon. member, I'm sure he will appreciate that this does not have anything to do with the provincial government. Atomic energy control requirements or powers in the alternative by the Eldorado Nuclear Refinery Limited at Port Hope on matters which are exclusively federal. I think that the question is speculative and very premature.

MR. KATZMAN: — Supplementary question to the Minister of Labour (Mr. Snyder). Mr. Minister of Labour you are aware that the Atomic Energy Control Board is responsible for uranium in the province of Saskatchewan. Are you in favor of the policy that says, prior to their going to inspect any area that they are responsible for they will give notice so clean up can be done in basic, is what they are saying?

HON. G.T. SNYDER (Minister of Labour): — I am not at all sure that I fully comprehend the question being suggested by the hon. member. The involvement of the Government of Saskatchewan through the Occupational Health and Safety division of the Department of Labour has been a co-operative venture in order that we may provide whatever services are agreed to, by, for example, Eldorado Nuclear. They co-operated very fully and I'm not aware of the fact that notices are given in advance of the arrival of inspectors, if that is what the member is inferring. I rather gather that's what he's suggesting. I am not aware that this is the case.

MR. KATZMAN: — A supplementary to the Minister of Labour. The Atomic Energy Control Board says that it will continue to give warnings to Eldorado and other places before they will inspect. I suggest to you that even your own department does some of it (and I refer to a chemical plant near Saskatoon). I suggest to Mr. Minister, are you in favor or opposed to giving prior notice so that people can clean up messes before a safety check is done?

MR. SNYDER: — Well, I think the hon. member has to appreciate that when we do a tour of the mine site, wherever it might be, whether it's Eldorado Nuclear or wherever, it is necessary to have on site a management person and a member of the Occupational Health and Safety Committee usually to attend with an inspecting officer. I don't think there is anything wrong with that. In the event that there has been something that has been a problem of long standing which has only been corrected recently, then I would expect the member, the employee member of the Occupational Health and Safety Committee, would be drawing it to the attention of the inspector when that inspection was taking place. I see nothing particularly wrong with providing information in advance in order that the appropriate people can be on site. There may be something more to it than meets the eye but I don't believe it's an inappropriate proposal to make sure that the proper personnel are there when the inspection takes place. This is not always the case because the member will also know that on occasion our Occupational Health officers or inspectors arrive unannounced and do inspections on sites within provincial jurisdiction and have done that on a continuing basis since 1971-72.

ABSENTEEISM OF NATIVE STUDENTS

MR. G. TAYLOR (Indian Head-Wolseley): — Mr. Speaker, my question today will be to the Minister of Continuing Education (Mr. Rolfes), in the absence of the Minister of Education (Mr. Shillington). My question is with my continued concern on the absenteeism of native students. I did some research in the rural areas of Saskatchewan and I found some rather staggering facts. In a school system in my constituency the

average absenteeism for division I students (this is 23 students) is 41 days until the end of March. That's 30 per cent absenteeism. My question to you is, how do you carry on a meaningful program for children in their first years of school if they are absent one-third of the time?

HON. H.H. ROLFES (Minister of Social Services): — Mr. Speaker, certainly I'm not the minister responsible nor the acting Minister of Education, but let me answer the question as the Minister of Education did the other day.

Yes, we realize it's a very important problem, not only in Saskatchewan but in Canada, of native people not attending school. But I want to direct a question more to the member himself who is an educator.

I'd like to know, Mr. Speaker, what members at the local level are doing to try to get native people to attend their schools. I think there is something wrong with the people who direct the individual local schools if native people are pulling out of those schools and are not attending.

I think it is wrong, Mr. Speaker . . .

MR. SPEAKER: — Order. I'll take a new question.

MR. TAYLOR: — I realize that being a teacher you should be able to give an answer, and checking the responsibility I refer you to section 151 of the new education act.

I understand that the minister is having meetings with the Regina Board of Education concerning the program in this city. I've pointed out that the program exists in rural Saskatchewan as well as the city of Regina. My question is, will you indicate to the Minister of Education that immediate steps should be taken to review this serious problem of native student absenteeism with the federal Department of Indian Affairs?

MR. ROLFES: — Mr. Speaker, certainly I'll make the minister aware of that and I know that not only the minister, but the government and the Minister of Finance have already contacted not only school boards but native people. This is not from the fact that the report was issued; it has been going on for several years. This is not a problem which has just come to light now, but one which educators have had to deal with for a number of years.

What I'm simply saying is you can't just dump it into the hands of the provincial government. It is the responsibility, not only of local boards and people at the local level, but also of administrators and yes, the provincial government.

HARRIS PROJECT - LAND ALLOCATION

MR. J. GARNER (Wilkie): — Mr. Speaker, a question to the Minister of Agriculture. Mr. Minister, this morning I met with a group of farmers and ranchers from the Harris and Swanson area. They expressed to me their disagreement with the land allocation in the Harris project. Over 50 per cent of the land allocated is in dispute. Will your department review the Land Appeal Board's decision on this land in the Harris project?

HON. E.E. KAEDING (Minister of Agriculture): — Well, Mr. Speaker, I think you'll recognize that the Land Appeal Board is an independent board which examines the decisions made by the department. The department makes the first decisions and then

it's appealed and it goes to the Land Appeal Board. The Land Appeal Board is made up of farmers across the province who are not connected with the land bank in any way. If they make a decision, it's a final decision, and certainly we would assume that they would have made the proper decisions.

I have not had any communication from that group. I haven't had any requests from them to meet with me, so I don't know that there's anything I could do about it. The Land Appeal Board is the last appeal.

MR. GARNER: — Supplementary, Mr. Speaker. Mr. Minister if I get in touch with this department or this group of people will you meet with them to review these decisions to see if you think everything is O.K., because they are not happy. Will you meet with them, Mr. Minister?

MR. KAEDING: — Mr. Speaker, I will meet with my department to see what the problem is. If there appears to be a reason to meet individually with them I will probably agree to do that.

With the demand there is for land now — we hear you fellows talking over there — I hear some of the farmers out there saying we are charging too much for grazing land but people are demanding land all over the place. There is tremendous pressure for more land. I think that it is not surprising that there is an appeal on some of these projects.

MR. GARNER: — Final supplementary, Mr. Speaker. Mr. Minister, on Tuesday, April 24, at 3 p.m., one of your assistants Larry Iwan told a 50 year old farmer who came into his office to get an appeal application on the Harris project that he should sell his cattle, sell his land to the land bank . . .

AN HON. MEMBER: — Oh no, oh no!

MR. GARNER: — Mr. Minister, is this a policy of your department to advise an older farmer to quit farming and sell his land to the state farm program we have in Saskatchewan?

MR. KAEDING: — Mr. Speaker, I would doubt very much that my executive assistant made those kinds of statements.

STATEMENT OF MR. RAY PENTLAND

MR. R.A. LARTER (Estevan): — Mr. Speaker, a question to the Minister of the Department of the Environment.

Mr. Minister, on the weekend, Ray Pentland from your Hydrology Branch made some statements; one of them regarding the Rafferty Dam wasn't feasible and that it was about a six to one ratio and it would be too expensive to build for flood control. Do you agree with the statement of your employee and do you let him make these statements on government policy?

HON. G.R. BOWERMAN (Minister of the Environment): — Mr. Speaker, I was out of the city over the weekend. I just returned this morning. I don't know that Mr. Pentland has made such a statement and if so I don't know where it was reported. I will take the question as notice.

MR. LARTER: — A supplementary, Mr. Speaker. Mr. Minister, also during the recent flooding in Estevan, which is still at a very high level, I had asked your department (I phoned the Hydrology Branch) to ask for a report on the Lewvan Yellow Grass marsh water, when it was coming. They advised us to get in touch with the hydrologists at Estevan, which we did. He had no idea when this water was coming. We found out after that we weren't advised down there that the Yellow Grass water and the Lewvan water was already in the stream and this is causing our problems. This is what I was asking you about leadership — we had no idea this water was already there. We were fighting something that we are waiting for now. Do you agree with this attitude?

MR. BOWERMAN: — Well, Mr. Speaker, I don't know what the member suggests. There is no question that every spring we are likely to have conditions which, on occasions, create the kind of a situation which we have now. I think there is no way that a Department of the Environment, hydrologists, engineers or otherwise, are going to be able to make the kind of evaluations which you suggest they should be able to make. The best these people can do is estimate the likely spring run-off if a certain kind of weather condition exists. If the weather conditions change, then the run-off will change. I don't know why the member persists in suggesting that the Department of the Environment is somehow going to be able to control, year after year, the kind of a situation which he now is experiencing in Estevan. There needs to be, obviously, as the Souris River study has indicated, some kind of amelioration projects undertaken, and those are in the works, except that I do know that the member for Estevan (Mr. Larter) the other day voted to have those taken out of the program for the coming year.

MR. LARTER: — Final supplementary. I think the minister's going to get caught on that one. Mr. Minister, I wasn't questioning the accuracy or inaccuracy of the Hydrology Branch. I was questioning the fact that they wouldn't tell the people of the Estevan area that that water was already in the Souris watershed system. We got these figures of how many cubic feet of water per second from people along the line, and we couldn't get this advice from the hydrology department, and yet it was already in the stream. We couldn't be told down there. Why can't we get this information? We're not asking them to guess how much water's coming.

MR. BOWERMAN: — Well, Mr. Speaker, again the hon. member, I think, leaves the implication with the Department of the Environment that somehow, whether the water comes from the Tatagwa marsh, or from the Yellow Grass marsh, or from some run-off from farmer's fields, or whether it comes from Radville, or wherever it comes from, the Hydrology Branch and the water engineers are going to be able to accurately estimate and accurately forecast what in fact is going to go through the narrow system at Estevan. I'm just suggesting to you that that's not in the realms of accuracy. It's not in the realms of a responsibility which we're going to be able to define, and I don't think any Department of the Environment in any province in Canada or in North America would be able to do it.

ALLOCATION OF CATTLE TO COMMUNITY PASTURES

MR. H. SWAN (Rosetown-Elrose): — Mr. Speaker, a question to the Minister of Agriculture (Mr. Kaeding). I have a letter, and I've had several phone calls, from young farmers in my constituency who are concerned about the allocation of cattle to the community pastures. Many of these young people have entered the livestock industry as a mainstay to their farm when they have purchased, and now they're finding that they can't allocate cattle to the pasture because of your policy. I'm wondering, is your government really interested in maintaining a viable livestock industry in our province?

MR. KAEDING: — Certainly, Mr. Speaker, we are interested in maintaining a viable livestock industry. The policy which is there is designed to try to make available to young farmers, to the best of our ability, those kinds of resources which we have in the department. Now I know that people will always say that someone else didn't have as good a reason to have cattle in those pastures as others. We attempt, as much as possible, to identify those people who have the greatest need and we do that on a fairly tightly scheduled formula. I would invite the hon. member to have a look at that formula, if he has not looked at it, to see whether it is not an appropriate formula. We are criticized because at the top end of that formula we are taking off some older people who have resources of their own; we are taking them out. We get criticized very severely for taking them out. But the reason we do that is to try to get some of the young fellows in.

MR. SWAN: — Supplementary, Mr. Speaker. The men to whom I am referring are all below the age of 35 and many of them below the age of 30. They've bought land and if they own six quarters with an average assessment of \$3,000, if they have a wife and two children, they would not be eligible to put any cattle in. My question is: do you look at the debt load of these people in your formula? I can't find anywhere that you do. Do you look at that debt load to see whether they have a viable operation without their cattle?

MR. KAEDING: — Mr. Speaker, again I invite the hon. member to look at the formula. I am sure that it is available to him. If he doesn't have one, I will see that he gets one. But I think in the formula these components are all taken into consideration.

Now you say a man with six quarters of land — there are many, many farmers who have less than six quarters of land and need to get into those pastures. So when one has six quarters of land — I know, I have been in the same position, where the pasture people say, you've got enough land, so provide your own pasture, because we want to provide pasture for those who don't have any. I think the allocation process is there and I think it is a fair one. I would like to have him tell me where it is not fair.

MR. SWAN: — Final supplementary, Mr. Speaker. When you cut off these young farmers from putting cattle in those pastures, you are making their whole farm operation very, very borderline as to whether they continue to operate or not. My question to you is this: are you going to continually favor the people who are leasing? People who are leasing six quarters don't have trouble. If you are going to discriminate against the man who buys over the person who leases, then you are not really in favor of young farmers starting up in this province.

SOME HON. MEMBERS: Hear, hear!

MR. KAEDING: — Mr. Speaker, again I think I want to correct what has been said. My understanding is that the land base, the productive land base, is the land base which is used in the formula and it has nothing to do with whether it is leased or whether it is owned land. It's the land base, the productive land base which he has that determines that. And it is the assessed value of that land base.

GOLDEN ACRES MOTEL

MR. W.C. THATCHER (Thunder Creek): — Mr. Speaker, a question to the Minister of Highways. Mr. Minister, one Marshall Eliuk is quoted as saying that (he is the gentleman, incidentally, who has purchased the Golden Acres site in Moose Jaw), part of

the package which is enabling him to purchase the package or that caused him to put an option on deposit for the Golden Acres, was that he had come to an agreement with what he termed the Minister of Highways and the Department of Highways which would provide the site with direct access onto the Trans-Canada Highway. Would the minister tell this Assembly what the cost of this access will be? Would he also tell us who will be paying it and what percentage of each?

HON. E. KRAMER (Minister of Highways): — Mr. Speaker, I have read the statement by Mr. Eliuk and it's totally untrue. There was no assurance whatever given to Mr. Eliuk in his conversation with me which was very brief, other than that we would take a look at it, that we would do no more than we had done for the previous owners.

MR. THATCHER: — Mr. Minister, so that there is no misunderstanding, you are stating categorically that no assurances of any sort regarding an access have been given to Mr. Eliuk over and above what had been given to previous owners. Do I understand you correctly?

MR. KRAMER: — That is absolutely correct.

FEDERAL ELECTION

MR. J.G. LANE (Qu'Appelle): — I would like to direct a question to the Minister of Highways. Catching the news last night there was a rather significant policy statement made by yourself that the national press has been unable to get out of your federal leader, when you indicated that the NDP would, in fact, be prepared to support a minority Liberal government after the election providing that the Prime Minister resigns. Should those events take place you have obviously considered them . . .

MR. SPEAKER: — Order, order! I'll take the member for Kindersley.

MR. LANE: — Will you indicate to the public what your policy is as to supporting the named successor to the Prime Minister . . .

MR. SPEAKER: — Order, order, order! I'll take the member for Kindersley!

CONSTRUCTION INDUSTRY

MR. R. ANDREW (Kindersley): — A question to the Deputy Premier. In the Saturday issue of the Saskatoon Star-Phoenix, one William Nevins, chief economist, Canadian Construction Association, is reported to say that the construction industry across Canada and particular in Saskatchewan faces the worst year in a quarter of a century. In Saskatchewan he anticipates a 5 per cent decrease in construction while the province of Alberta is looking for a 14 per cent increase. In boom times, what is your government prepared to do about this apparent problem in the construction industry in Saskatchewan?

HON. R. ROMANOW (Attorney General): — Mr. Speaker, I just glanced through that article myself and I could be wrong in my understanding of the facts but it is not as the hon. member indicates that Saskatchewan is particularly in a difficult position. As I recall the article, the official from the Canadian Construction Association indicated a decrease of about 4.5 per cent this year from last year, which if you look at the list does not put Saskatchewan anywhere near the bottom of the line. I think we can all indicate to the House, as the members know, that the province of Saskatchewan does have the

lowest unemployment. Construction industry, notwithstanding a fairly severe disruption last year, has been fairly buoyant. I don't anticipate that the problem will be a major one in Saskatchewan even at 4.5 per cent. It is something to be concerned about but not a major issue. I think we are a little more optimistic than what the report indicated.

STATEMENT

PERSONAL PROPERTY SECURITY ACT.

MR. ROMANOW: — To enable the legal and business communities to be given the opportunity of commenting upon this bill, The Personal Property Security Act, I wish to advise the House that it is my intention that first reading only, be given at this session.

The bill comes before the House as a result of a major review conducted by the Law Reform Commission of Saskatchewan and, in particular, its current chairman, Professor Ronald C.C. Cummings.

In May of 1975, the commission released a background paper on the form of personal property security in Saskatchewan. In July of 1977, a draft act was put forward in the Law Reform Commission's report entitled, Proposals for a Saskatchewan Personal Property Security Act.

Following discussions with many individuals and groups changes were made to that act which are reflected in the draft that is on the floor of the House. The basis of the commission's report is the model uniform Personal Property Security Act, prepared by the Canadian Bar Association and put forward in 1970.

The model act is being revised by a special committee of the Canadian Bar Association. In fact, a member of my department is serving on that committee. This so-called model act has already formed the basis of comparable legislation in Manitoba. It is also the basis for substantial reform in Ontario. I am advised it is being seriously considered by Alberta and British Columbia.

Mr. Speaker, I won't take the time of the House to tell the members about the bill (I think it is self-explanatory) other than to say that it is divisible into six major parts. The first part deals with the application of the act and conflict of laws, rules which govern transactions embraced by the legislation.

The second part is for the creation of the security agreement. The third part provides the ways in which security interests are perfected against third parties with an establishment of a system of priorities. A fourth part deals with rules, relating to registration. This, I think, will be the part of most interest to the public. A fifth part establishes a system of laws pertaining to the secured parties and debtors rights and remedies in the event of default. The sixth part deals with transition under the new system.

Mr. Speaker, as I said at the beginning of my statement, I would like to extend an invitation to all members of the public and indeed, members of this House to write to me regarding the provisions of the bill. We won't move it beyond the first reading stage where it is currently at. We will consider these points of view very carefully with the hope of reintroducing legislation for passage at the next sitting of the House.

MR. LANE: — I thank the Attorney General for advising us as to the position on this particular bill. The piece of legislation proposed is probably one of the most complex pieces of changes in the law that we will see as members of this Assembly. My own view is that I am hard pressed to be convinced but the changes just aren't an academic make-work project because there has to be uniformity across the country or the system isn't going to work. A lot of the initial work has, in fact, been done in other jurisdictions. It's complex. I appreciate the fact the Attorney General tabled the bill for consideration over the summer. I do though have serious reservations about the bill unless it were to come in as a joint project, say of the prairie provinces, where there is a great deal of liaison and commercial activity that is interrelated. I would hope the Attorney General would give some consideration to discussing with his counterparts both in Alberta and Manitoba the question of joint introduction and uniformity on the bill because of its complexity, because of the commercial interrelationship and the fact that it is so complex and isn't going to work in isolation.

CONDOLENCES

HON. R.J. ROMANOW (Attorney General): — Mr. Speaker, before the orders of the day, I would like to take this opportunity to move a motion of condolence honoring the memory of a former member of this legislature. In the absence of the Premier I will be making a motion at the completion of my remarks respecting the recent death of Mr. Samuel Norval Horner, or S.N. Horner as he was known.

Mr. Speaker, S.N. Horner was a member of a very well-known family not only in Saskatchewan but western Canada — a political family, a family with roots in the community and other areas apart from politics, church, social activities and community activities. This family, I think, is reasonably well-known to members of the House.

One of Mr. Horner's brothers was Byron Horner from Blaine Lake, Saskatchewan, a long time senator in our Canadian parliamentary process.

Jack Horner who is currently the federal Minister of Trade and Commerce and a candidate in the current election is a nephew of the Mr. S.N. Horner. One of the distinguished members of this family is a direct descendent. The son, Mr. Harold Horner, was Deputy Minister of Agriculture in the province of Saskatchewan for many years, and then left the portfolio of Deputy Minister of Agriculture to serve as the key transportation advisor to the government respecting the question of branch line abandonment and transportation in rural Saskatchewan. I think it is generally accepted by all members in this House that Harold Horner, the son of S.N. Horner, distinguished himself like his father in his service to the people of the province of Saskatchewan, indeed, one could say, to the people of Canada. Mr. S.N. Horner was predeceased by his wife in 1965 and survived by seven children. I never had the privilege of knowing Mr. S.N. Horner personally, but he must have been quite an interesting individual. An article in 1977 written about him described him then as still being very alert and very interested in the affairs of the day. This was an article of which I have a copy in front of me. I want to tell the members of the House that in 1977, according to this article, Mr. S.N. Horner was aged 95 and in good health. The article refers to his lively sense of humor, his good personality, his interest not only in community matters but his interest in political matters right to the very last days. I enjoyed this description of Mr. Horner in this article, and I quote:

Alert, and in remarkably good health at 95, Mr. Horner lives in his own home in Creelman. He visits the local barbershop and pool hall almost daily for a chat with the barber followed by a game of snooker. He does much of his own cooking. He dresses nattily, sporting a smart hat and overcoat just for a run across the lane to the pool hall, and he still leads an active life in pursuit of a number of interests.

I think that that little passage, while not important in itself, indicates the kind of interesting and alert personality that Mr. S.N. Horner was, the kind of personality that came to the early days of Saskatchewan when it was very difficult climatically still is, transportation-wise, and fashioned this great province that we have and that we know today in our province of Saskatchewan. Mr. Horner served as a member of this legislative assembly for a four year period, having been first elected in 1929. He actually served for a five year period, 1929 to 1934. He ran politically, provincially, at least six times and did not limit his activities to farming, as I've indicated at the outset of my remarks. As I will indicate in the motion, Mr. S.N. Horner was very active in the Saskatchewan Wheat Pool, his hospital and health unit board, the University of Saskatchewan and in particular his church. Well, Mr. Speaker, he was very prominent and very active at all lay levels.

Mr. Speaker, in recording its own deep sense of loss and bereavement this Assembly expresses its most sincere sympathies with members of the bereaved families and I, therefore, move, seconded by the hon. member for Thunder Creek (Mr. Thatcher):

That this Assembly records with sorrow and regret the passing of a former member of this Assembly, and expresses its grateful appreciation of the contribution he made to his community, his constituency and to this province:

SAMUEL NORVAL HORNER, who died on April 25, 1979, was a member of this Assembly for the constituency of Francis from 1929 to 1934. He was born in North Clarendon, Quebec, in 1882, and was educated there and at Shawville Academy and attended business college in Ottawa. He first came west on a harvest excursion in 1908 and then settled near Creelman a year later where he farmed until 1942. He was a municipal councillor for the R.M. of Fillmore for 24 years and was reeve for 14 years. His interests in education and health involved him with the University of Saskatchewan as a member of the Senate for five years and a member of the Board of Governors for six years; and with community health care as a member of the board of the Weyburn-Estevan Health Unit and chairman of the board of the Fillmore Hospital. He was involved with the formation of the Saskatchewan Wheat Pool and served as a delegate from 1951 to 1952. He recently became an honorary member of the Saskatchewan Agricultural Societies Association. He was also active in the United Church at both the local and national levels and was a member of several local lodges.

In recording its own deep sense of loss and bereavement, this Assembly expresses its most sincere sympathy to the members of the bereaved family.

Mr. Speaker, I so move.

MR. W.C. THATCHER (Thunder Creek): — Mr. Speaker, what more can one really say

about Samuel Norval Horner than what has already been said?

Mr. Horner led a rich and full life and probably the sort of life all of us, when we get to that stage and reflect, I am sure all of us would like to be able to look back on the sort of career that Mr. Horner had in public service and local and provincial government. But most important, Mr. Horner left behind a dynasty. He left behind, a controversial dynasty that has carried on his work in public service and in making western Canada a better place for us all to live.

Mr. Horner and the Horner name will go on for many, many years through his sons. Mr. Horner was fortunate, and I'm sure all of us truly hope that we will be as fortunate to leave behind the sort of dynasty that Samuel Norval Horner has left.

On behalf of the Progressive Conservative Party, we wish to join with the government in sending our very sincere condolences to the Horner family.

MR. J.A. PEPPER (Weyburn): — Mr. Speaker, I would like to join with others in expressing condolences in the passing of Mr. Samuel Norval Horner of Creelman — a gentleman who was held with the greatest respect as a citizen, a servant, a neighbor and a friend.

Mr. Horner was a member of the legislature as was earlier mentioned in the years from 1929 to 1934, at which time he was the representative of the Progress Party in the constituency of then, Francis. His residence has always been in Creelman and in later years, this made him a citizen and a farmer of the Weyburn constituency. It is since that time, Mr. Speaker, that I have had the honor and the privilege of knowing Mr. Horner.

Whatever field of endeavor Mr. Horner entered, he did it with great dedication and always with sincerity and respect for his fellow man. He was a successful farmer; 24 years of service as a counsellor and reeve of the rural municipality of Fillmore, an ardent believer in his church and in the work of his church, having served in various capacities not only at home, but as a representative of the Saskatchewan Conference for the United Church of Canada.

He served on many local boards and organizations which in turn benefitted from his leadership abilities. He demonstrated the one qualification that was so evident in all the responsibilities he took, that of a true statesman.

Being an early pioneer in the district of Creelman and a farmer at heart, the love of nature and the opportunity to find relaxation in sporting activities was proudly cherished by him.

If my memory serves me correctly, Mr. Speaker, he, now having been 97 years of age at his passing was able at the age of 90 to get his bag limit in the fall of the year while hunting deer.

So I say, Mr. Speaker, what more could one ask of life? I would like to say how I have benefitted from knowing Mr. Horner. Any advice that he may have given was made from a wealth of personal knowledge and experiences.

At this time, let me express my words of sympathy to all members of his family in the passing of this great centurion, Mr. Norval Horner.

Motion agreed to.

MR. ROMANOW: — Mr. Speaker, I move, seconded by Mr. Swan, the member for Rosetown-Elrose:

That the resolution just passed, together with the transcripts of oral tributes to the memory of the deceased member be communicated to the bereaved family on behalf of this Assembly, by Mr. Speaker.

Motion agreed to.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Messer (Minister of Mineral Resources) that Bill No. 39 — **An Act to amend the Power Corporation Act** be now read a second time.

MR. R. LARTER (Estevan): — Mr. Minister, there is one area of concern in this bill. Well, there are really two. I think the bill definitely gives the power corporation more power and to quite a few more hands as far as land settlements and things that are concerned with power lines. The minister mentioned in Crown corporations that the dispute between the people concerned with the new Poplar River power line has pretty well been ironed out. I'm hoping this is true. But I see this bill now cut and dries the negotiation and the power of the power corporation to go in and place power lines into this area.

The main concern of this bill is that it is giving the power corporation the power to lease. Our concern in the leasing end of it is that it doesn't set any limitations. It doesn't mention what you're going to lease. We are concerned with some of the larger things that SPC (Saskatchewan Power Corporation) is into, where you're getting into coal mining, trucks, and things like these. We are wondering, in your leasing, if you are planning on leasing larger equipment. If you go on a lease program what guarantees have we, as an Assembly, that you are not going to be paying an exorbitant interest rate leasing instead of owning? We are wondering how you will set up leasing. Will the leased units of any type be contingent liabilities to the power corporation and eventually to the government? We are concerned that the government backing any lease — we know you have to back it if you sign a lease, if the power corporation signs a lease. It's not just the power corporation that backs this lease, it's the Government of the province of Saskatchewan. We are wondering in leasing equipment if you are going to be showing your lease equipment as a contingent liability from year to year. If you get \$200 million or \$300 million worth of goods there, it should be shown as a contingent liability to the corporation. I think these are the main concerns. We do think it adds more power to the power corporation and lets them do things now which they couldn't do previously. I would like to have the minister's comments on this.

HON. J.R. MESSER (Minister of Mineral Resources): — Mr. Speaker, I do want to address a few short words to this particular bill. The member has asked a number of questions and I think that it may well be more appropriate to undertake to answer those in some depth in Committee of the Whole. He has left the impression that the passing of this amended legislation in effect gives more power to the Saskatchewan Power

Corporation. I suppose in a very narrow sense that may be somewhat accurate, but I think it is more to enhance the ability of the corporation to carry out the duties it is responsible for and, in effect, provide a better means of servicing the community of Saskatchewan with gas and electricity. I think that it is an error to generally interpret the amendments of this bill to, in effect, provide more, if I may use the words, real power to the corporation. It is to allow it to continue what it has been doing in the past, but to update the bill so that it does it in a more proper way in relation to the circumstances of today and hopefully for some time in the future.

He also alludes to it cut-and-drying the negotiations with people in Saskatchewan in carrying out its duties, and I take some exception to that. I think that the bill, if it does anything, provides a better means of negotiating with the people of Saskatchewan in regard to rights-of-way and the like of that.

The member also spent a moment or two discussing the powers that it now conveys to the corporation in the field of leasing. I don't see anything wrong with that, and I don't really believe the member for Estevan (Mr. Larter) was necessarily in opposition to it. He was asking that some policy be put in place in regard to the powers that the corporation will have, and I can assure him that it will not be used in a fashion that will be detrimental to either corporation or the province of Saskatchewan. I think that I can satisfy the specific questions that the member raises during Committee of the Whole. But I do want to say that in leasing it has been obvious to us for a number of years now that the corporation can, in fact, save the people of Saskatchewan some moneys in the leasing of some equipment and contracting for lease of some services rather than purchasing or paying outright for that equipment and/or services. If the corporation is indeed there to provide not only a service to Saskatchewan people but to do it at as reasonable a cost as possible, then I don't think that we should be excluding them the right of leasing. As the old Saskatchewan Power Corporation act was interpreted, there were some restrictions in that area. We have attempted, with these amendments, to try and correct that and update it so that we can take better advantage of leasing as well as purchasing and/or hiring directly.

So I think, in effect, the amendments are to some extent, housecleaning; to some extent, updating to live with more current situations . . . (inaudible interjection) . . . a little bit of both, to better provide for the operations of the corporation in the province of Saskatchewan, and I am confident that the people of Saskatchewan will support these amendments and I would hope that the members opposite would also find their support going towards these proposed amendments. Thank you very much.

Motion agreed to and bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Messer (Minister of Mineral Resources) that Bill No. 40 — **An Act to amend The Mineral Taxation Act** be now read a second time.

MR. R. LARTER (Estevan): — Mr. Minister, I don't have too much to say on this bill. We have searched it out and other than possibly the fact that I think it shows the face of another tax which we feel shouldn't exist and other than the changing to hectares from acres, we will be supporting this bill.

HON. J.R. MESSER (Minister of Mineral Resources): — Mr. Speaker, as the member for Estevan has already pointed out, largely the amendments to this bill, as well as a number of other bills relating to resource development in the province of

Saskatchewan, are changing to the metric system. However, this particular bill does go a little bit beyond that and it does in effect provide for another tax, as the member for Estevan has pointed out. I am somewhat surprised that he disagrees with the tax because it relates directly to coal. The policy and the tax was announced by this government quite some time ago — in fact in the fall of 1978. In order to bring it into place properly and legally it required amendments of The Mineral Taxation Act. It moves the 5 per cent per ton royalty for coal to something higher than that, which I think is more appropriate in this day and age. I think it compares well with the taxes (current and new taxes incidentally, relatively new at least), that are being applied in such provinces as British Columbia and Alberta for coal. Granted, it's a different type of coal, but we do believe it is a resource. It should be a valuable resource to the province of Saskatchewan and the people who own that. We feel that it is justified to bring into place amendments to The Mineral Taxation Act to not only look after perhaps minor requirements of metrification, but also to provide greater returns for the development of that non-renewable resource in this province.

Again, I ask the member for Estevan and his colleagues to consider supporting this important legislation.

Motion agreed to and bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Snyder (Minister of Labour) that Bill No. 88 — **An Act respecting Labour Relations in the Construction Industry in Saskatchewan** be now read a second time.

MR. R. ANDREW (Kindersley): — Mr. Speaker, the other day when the minister moved this legislation in second reading I expressed some concern and the concern of our party that in order for accreditation legislation to be effective and to work it requires the co-operation, both of the trade union movement and of the contractors' association.

Our party is concerned about the problem in the labor relations field of the construction industry in the last three, four or five years in this province. It has been awful, especially with the recent report coming out of the East indicating that perhaps Saskatchewan is faced with potential problems in down turn in the construction industry over the next year or longer. I think it is important that we get to the bottom of the total problem. One of the problems in that field is labor relations.

The legislation advanced by the minister — he indicated to the Assembly that virtually any other jurisdiction outside of Manitoba, in the whole of Canada, has comparable or similar creditation legislation. As a party we are not precisely opposed to accreditation legislation, far from it. As I indicated before, any accreditation legislation that is going to be successful, requires the support of both parties. To make it work you require the support of both parties. To come to that end I look at the Alberta legislation; I look at clause 11 of the proposed bill which basically says that, if 50 plus 1 of the contractors take a vote and are in favor of this, 50 plus 1 appear before the Labour Relations Board. Then they can in effect be certified or accredited and they become the bargaining unit. What concerns us is whether or not this is in fact the way we are going to start with this given program. It appears to me that what we have here is not that type of situation, but rather the initial start of it is going to be an organization superimposed upon the province, superimposed upon the construction industry by the Minister of Labour.

We feel that that type of approach to this problem could, in the end, do more damage than it does value to the total labor relations of the field.

So from that point of view . . . and I wish to make it very clear that we agree there is a problem here; that that problem has to be solved and some sort of accreditation legislation is the way it is going to be solved.

The legislation before the House, we feel, is going to be a concern because of that superimposition of everything by the minister upon the construction industry and for that reason we are opposing on second reading.

HON. G.T. SNYDER (Minister of Labour): — Mr. Speaker, I must admit to an element of surprise at finding the hon. member speaking on behalf of his party, indicating that on the question of principle, which in effect is what you are doing in second reading, the Conservative caucus has determined that they are opposing the legislation on second reading. I find that somewhat surprising, particularly in light of the hon. member's suggestion before he came to the conclusion that they would not be supporting the legislation in question. He makes some valid points, I think, that the co-operation of both labor and management is vital to the success of any kind of an industrial relation scheme that will hopefully return some semblance of order and stability to the collective bargaining process in the construction industry. I think the dialogue perhaps and the exchange of ideas and the kind of suggestions which we have made to the industry and to labor and they have replied to us indicated a fair degree of success in that connection. I believe there has been no bill that has appeared before this legislature in recent years, to my knowledge, that has had a greater degree of consultation with the parties affected. It has, in effect, reached a point where it has received general support from both the industry and from the preponderance of the people in the building trades. I supplied the hon. member with a sheaf of letters and telex that have been received over the last number of days from the construction industry indicating their support for Bill No. 88, quite an impressive list I think. In addition to that, my understanding is that the Federation of Labour is having a meeting after having the legislative committee of the federation examine the proposal in some detail. I am expecting that they will be giving us their reading with respect to the bill. Essentially I think the judgment will be that while it does not do all of the things that we would have wished it might do, it represents a positive move and a step in the right direction.

The hon. member seems to base his opposition to the bill on the basis of the method by which the program really has its genesis. It has its origin with the Minister of Labour designating the employer association that will have the responsibility for bargaining with a trade group. I think we can go, for example, to the province of Ontario (as I mentioned in my second reading speech) for an example of how that province decided to get the legislation off to a strong and a forceful start. The Minister of Labour at that time, the Hon. Betty Stevenson, chose precisely the same method in order to start the thing off on a positive note. The member will know by looking at the bill that we provide for the option of the construction industry for the individual trade classifications to establish if they wish, by an application to the Labour Relations Board, an alternative to the one that the Minister of Labour will name in the first instance.

I have to express, I think, a good deal of surprise in light of all of the events and in light of what I believe to be a preponderance of support for the act. In any case, I trust that hon. members in this House will show a degree of wisdom in supporting the legislation that is before us. I believe it to be a step in the right direction. I don't represent it as a panacea and a cure-all with respect to the ills of the construction industry but certainly it has to represent a step forward above and beyond what we have seen in a number of

collective bargaining stances that have been assumed over a period in the past when, I think, the instability in bargaining led to a construction industry strike of some 17 weeks last summer and two other construction strikes that were very costly to the industry, costly to the economy of the province since I became the minister in 1971. Those three occasions have led me to believe that there has to be a more firm, a more stable base from which to proceed than has been the case in days gone by. I would urge all members to support the legislation, Mr. Speaker, because I believe it to be a countervailing force that will, I think, take into account some of the instability that has been very apparent over a large number of years in this industry.

Motion agreed to and bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Snyder (Minister of Labour) that Bill No. 99 — **An Act to provide for Compensation to Workers for Injuries sustained in the Course of their Employment** be now read a second time.

MR. R. ANDREW (Kindersley): — Mr. Speaker, with regard to Bill No. 99 relating to the workers' compensation legislation in the province, one point that I had raised earlier in this session, that is not contained in this legislation, is the demerit or merit system that is found in many other jurisdictions. The minister has expressed his opinion that these are, in fact, unworkable. I suggest to the minister that in a situation where many small businesses are now facing another increased cost in workers' compensation, perhaps this type of legislation could give some consideration to merit-demerit type of package. Where a business has for a five or ten or maybe a fifteen year period demonstrated excellent, exceptional safety standards, where the loss of time or the injuries are almost minimal and yet that company has paid \$40,000, \$50,000 or \$70,000 towards the workers' compensation program, perhaps some type of system could be there to reward that person for that good service of a long time, both in the total cost of the workers' compensation but more importantly as a good safety program for the employees. If any type of system can develop a better work condition for the employees by adding some type of incentive to make that work condition better, surely, I think, we have to look at that type of legislation.

As I understand the workers' compensation legislation proposed by the minister, that basically, is a system that robs Peter to pay Paul, and from that point of view we are not basically opposed to, in principle, in the sense that what we are doing is, the injured employee who has been able to rehabilitate himself is back into the work force and making perhaps more money than he made prior to his injury. That person probably does not deserve compensation nearly as much as say, the person who is totally disabled or substantially disabled and living on a small income. For that point of view, we are in favor of that type of thing.

We are however, concerned that the minister has represented, and the Muir Commission has represented that the cost of this program is not going to increase at all. Now, if we can have that type of assurance and I'm sure the minister is not able to give that type of assurance because nobody really knows, but if this program to be brought in is going to inflate the cost of the workers' compensation, then I think we have to have a second look at it. But based on the assurance of this report and of the statements of the minister that there is going to be no extra cost by it, then I think, realistically, the program is probably simply shifting gears and paying the people who perhaps need that extra compensation and taking that money from the people who have been rehabilitated and put back into the field.

The concern that I do have under this type of program (and it appears to me to be a guaranteed supplement program) is that we are not — that this legislation does not go the way or create the loopholes as does let's say, the unemployment insurance bill of the federal House, where a lot of people, I suggest, are abusing the system of unemployment insurance. I would hope that this type of program does not create a haven for the person with a sore back to take his pay and not really try to get himself back into the work force and not really try to rehabilitate himself.

The other point that concerns me about this total legislation is that under the Muir report, I think probably a part of the total program was rehabilitation program and the part of that rehabilitation program, as I understand it, was to build a new rehabilitation centre for these types of employees. Clearly that should go hand in hand with our concept of a guaranteed supplement or the income supplement, for surely if there is no facility to rehabilitate the person (the seriously injured person), and get that person back into the work force, that person is going to remain a drag on the system for the rest of his life. So with that, I am cautious that perhaps the system, as it goes on over the next 10 or 15 years is in fact, going to cost us a great deal of money. However, we do have the assurance from the minister that that is not the case. We are really in a situation of taking from Peter to pay Paul. And for that, subject to those caveats that I raised, we are, as a party, going to support this legislation in second reading.

MR. SNYDER: — Mr. Speaker, just a few brief comments with respect to The Workers' Compensation Act, 1979 and with direct reference to the remarks of the hon. member opposite who just took his seat. The question of merit-demerit has been one that has been around for a long time. I think the hon. member will appreciate the fact that we have had an opportunity to look at the whole question and he will appreciate also that the thing is founded on the basis of collective liability. Accordingly, in order to make the situation an equitable one, the costs are shared between the employer organizations or industry in a particular category. I think the member can appreciate the fact that a small employer, who had a disastrous accident which perhaps took the life of a large number of his employees after a good record, would be placed in a position of real financial jeopardy. I think this is a point that has to be appreciated. It's something like buying fire insurance and hoping against hope that you will never be able to collect on the policy which you carry. I think there are some real problems with respect to applying the merit-demerit system because of the fact it implies that if you have a bad record you are going to pay heavily, regardless of whether it is your fault or not. If you have a good record then your premiums would, by necessity, be reduced. But if the employer, particularly a small employer with half a dozen employees, had an explosion or a fire or something which took the life of a number of his employees, that would cause, I think, a real financial concern to a number of small employers if they were suddenly faced with that kind of a catastrophic occurrence.

With respect to the cost that the hon. member draws attention to, my colleagues in cabinet were also interested in the Muir proposal and the question of whether the plan would be particularly costly. They were not prepared to accept my word nor the word of the Muir Committee but ran it through their own mechanism. They are, I think, convinced of the fact that with the proper rehab system (and I agree with the hon. member that the whole system hinges on an updated and an improved rehab operation) by putting people back into the work force, that will substantially vindicate us in our position in saying that it will not be more expensive, or excessively more expensive, than the current system. It is somewhat a matter of reordering our priorities and making a determination as to where the money is best spent. Our judgement has

been that an income maintenance program, giving the money to those during their working years and having a cutoff at age 65, supplemented by superannuation benefits, is the logical way to go.

I think it's a good piece of legislation and in my view, Mr. Speaker, and that of those who have studied the compensation system is that it's a proposition I think that will be approached and looked at very carefully by other provincial jurisdictions, probably before we are very far into the 1980s. I am very pleased, Mr. Speaker, to move second reading and encourage all members to support the bill.

Motion agreed to and bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Romanow (Attorney General) that Bill No. 94 — **An Act respecting the Saskatchewan Code of Human Rights and its Administration** be now read a second time.

MR. J.G. LANE (Qu'Appelle): — Mr. Speaker, I'd like to direct a few comments to the Bill 94. We've already had some comments by the Leader of the Opposition (Mr. Collver) with regard to the Saskatchewan Human Rights Code. Obviously the bill is not perfect, and I don't think the Attorney General was in any way suggesting that it was. We have had representation from, for example, the Saskatchewan Voice of the Handicapped with regard to their concerns and criticisms of section 15, dealing with physical disability and contracts. That in fact physical disability could have been inserted in the particular section provided it was a bona fide physical disability or an exception, as they have requested. For example, they certainly don't argue that we should be giving driver's license to the totally blind and things of this nature. They request that in fact physical disability be inserted in section 15 as one of the matters of discrimination being prohibited. But obviously for bona fide physical disability that it should not in fact apply in that regard.

Also, and my research indicates that about five other provinces have it, the Act in section 29, Mr. Speaker, leaves the ultimate discretion on the bill to the Attorney General himself, and refers, and the minister may in his discretion direct a formal inquiry. Of course, what that means is that we now basically have the political decision being made by the minister responsible for the administration of the code as to whether or not there would be a formal inquiry. At present such discretion does not exist. This negates to some extent, perhaps to a large extent, the independence of the Human Rights Commission. I would hope that the Attorney General would express his views on that particular item. I'm advised again by those involved in the Human Rights Association in Saskatchewan that they are deeply concerned about the discretion being given to the minister. Obviously, if that discretion is exercised on the side of the commission, they will be happy with it; they would prefer that there be in fact no discretion. Again, I preface my comments on that particular regard by indicating that I realize that, I believe, four or five other provinces have that discretion, in the hands of the minister.

I welcome particularly the prevention of discrimination by reason of age. Members may recall that in 1971 in this Assembly I introduced amendments to the human rights legislation at that particular time to prevent discrimination by reason of age, and the government saw fit to reject such proposals — the 1972 section, I'm sorry.

So, I'm pleased that the Attorney General has included age with its logical limitations in the Saskatchewan Human Rights Code.

I also welcome, and I would appreciate the Attorney General, though directing some remarks if he would, the prohibition of discrimination against the physically handicapped.

There is, in other jurisdictions where that is being considered, a great deal of concern as to cost, for example, schools having to make major capital renovations in many cases to deal with the handicapped. It's a cost which, although they themselves want to embark upon and would like to comply with the act — they are faced with severe financial limitations. Perhaps the Attorney General would be prepared to give some indication as to the costs of the prohibition against discrimination of the physically handicapped.

I feel in this case that perhaps, and I've talked to those representing the physically handicapped, a so-called grandfather's clause so that existing public buildings will not be affected, but that all new public buildings will have to be designed so that the physically handicapped can use the facilities fully — again I would hope that the Attorney General would give us some indication as to the cost of that. I am sure the study on the bill has enabled the Attorney General to give the House some indication of the cost.

But aside from those points, Mr. Speaker, I congratulate the Attorney General on the bill, the new areas of the law, of course, being the physically handicapped and aged. Again, I commend the Attorney General. A prevention of discrimination on those two grounds is long overdue and I think the Attorney General will admit that. Again, I commend the Attorney General on the bill and indicate to the House that we will be supporting the legislation.

MR. ROMANOW: — Mr. Speaker, just two quick comments. First of all on the question of the discretion in the hands of the Attorney General, as the member indicates, this is a majority provision in other provinces. I am not sure that it is the best one but we opted for that route because of the fact that it is the one that seems to be working well in other provinces. However, I will undertake to the member that we will consider, from now until the time that we bring this up for clause by clause, the possibility of an amendment to comply with the Human Rights Association's request to make this less discretionary and more mandatory on the part of the Attorney General.

The second point I would make, very briefly, deals with the question of physical handicapped and the question of cost. I don't know the cost, Mr. Speaker. It is not possible to delineate with any degree of accuracy the areas of cost. I can't put my finger on it in the bill right now. In clause by clause I will be better prepared when I have my officials here.

There is a section, which in effect, does permit a grandfather clause, the kind the member refers to, which would allow a kind of phasing in for the remodelling of physical facilities for the handicapped if necessary, which should mitigate the cost question or certainly spread it out over a particular period of time.

Mr. Speaker, I am pleased to see the opposition supporting this bill. I will be pleased to answer specific questions of the law in clause by clause.

Motion agreed to and bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cowley (Provincial Secretary) that Bill No. 86 — **An Act to amend The Constituency Boundaries Commission Act** be now read a second time.

MR. J.G. LANE (Qu'Appelle): — Mr. Speaker, I would like to direct some comments to the proposed amendments.

First of all, with regard to section 8 of the printed bill wherein the constituency boundaries commission will have the authority to add more seats to the North.

I want it read into the record that unless the population of the two northern seats gets into some reasonable proximity to the southern seats, the advantage given to the two northern seats be maintained at two. As you know, if you take a look through (if I can get the population figures) Athabasca has a population of 5,900, most of the other ridings are running 9,000 to 10,000, some even as high as 20,000. Cumberland has 5,700 voters. Now when the government opposite introduced the bill, the original act, it was made clear that two seats in the North were to recognize the difference in the North, the great geographical distances involved, the uniqueness of the North and that an advantage was very deliberately being given to the North. I say that advantage stays there and the advantage is maintained if there is such a great population difference between the northern seats and the southern seats.

We wanted to express on the record our serious concerns to the boundaries commission as we will to the commission, that unless the population differential is reduced and more in line with the southern seats, the advantage which exists should be maintained but no further advantage be given.

We question as well, the matter of the voters' list. I say to the minister responsible that there will in all likelihood be a great deal of confusion. I am not sure whether the government is moving to a permanent voters' list or not, as it endeavors to get the voters' list from the federal and provincial elections. I would hope that the government would move to a permanent voters' list. But I am not sure that if that's the government intention it is being accomplished in this particular bill. The way it stands now, if we're looking at population, if I can correct the record, I am assuming the use of the voters' list federal and provincial is merely to update the census figures and if that is the case (and the Attorney General nods his head in agreement) then we certainly have no quarrel with that particular position.

We would hope under the existing bill that the ability of the boundaries commission to take into account basically such diversity of interests of the inhabitants of various regions, the portion of the province, physical features etc., and special geographic consideration, or the relative rate of growth of the population would keep in mind the shift from rural to the cities in the province of Saskatchewan, and perhaps as has been done in the province of Quebec to place a rural floor, and what they've done in Quebec is place a rural floor and allow the new seats to be placed in the cities as the population warranted, but to recognize the contribution of the rural part of Quebec they have given them their set number of seats and allowed the growth to happen in the city, and to be recognized in the city, in the increase in the number of members. I need not tell the members of this Assembly the reliance that this province has upon agriculture and rural Saskatchewan. I think a further recognition of that is to have a rural floor so that a proportionate or greater than proportionate weight is given to the rural, but at the same time the new growth can go to the cities as was allowed in the province of Quebec. I would hope that the Electoral Boundaries Commission would recognize this. We have

those comments on the record of the Assembly, Mr. Speaker, and we will be raising them with the Electoral Boundaries Commission. We will be supporting the amendment.

Motion agreed to and bill read a second time.

**COMMITTEE OF FINANCE
ENVIRONMENT
VOTE 9**

ITEM 1 cont'd.

MR. P. ROUSSEAU (Regina South): — Mr. Chairman, I would like to make this as brief as possible and get off of the Environment as early as possible and carry on with other business of the House. I have a few questions and in the spirit of perhaps co-operation and expediency maybe the minister would answer them in a very quick and brief manner.

The other day, Mr. Minister, you indicated on page 2173 of Hansard or referring to page 2173 of Hansard, that the ban for PCBs came about in 1977. Is that correct or did you err in that statement?

HON. G.R. BOWERMAN (Minister of the Environment): — It was 1977.

MR. ROUSSEAU: — Mr. Minister, according to clippings from newspaper articles — I refer to one November 27, 1978. It says, 'PCB use prohibited as of January 1, 1979.' What's the discrepancy in this statement?

MR. BOWERMAN: — Well, it was recognized earlier than 1977 as being a hazardous chemical. I believe it was early in 1977 in which the first legislated regulated restrictions came about in its use. It was a progressive kind of decision from there on for continuing restrictions on the use of PCBs.

MR. ROUSSEAU: — So then the actual fact of the matter is that they weren't banned in 1977, but declared to be hazardous in 1977.

MR. BOWERMAN: — No, there was some regulatory ban in 1977, early in 1977. They were recognized in 1976 and I suppose they were recognized even before 1976 as hazardous because of the situation which occurred in the Japanese food industry.

MR. ROUSSEAU: — I take it you are referring to the five people that died in Japan at that particular point in time.

Well, if the PCBs were declared hazardous in 1976, I presume your department people would have considered it a fairly dangerous chemical at that time. You are nodding your head in agreement that that's true. Well, the question it's obvious that I have, without preamble and without a long story or reply from you, Mr. Minister, is, why did your deputy minister see fit to keep it to himself at that particular point in time and not tell anybody else about it?

MR. BOWERMAN: — Well, I thought we went over this the other day. I think that if the member would have read the Hansard report, he would have got the answer. But I'll try to be brief in that answer, and that is that yes, PCB, the chemical, was considered to be a hazardous chemical. There was no legal responsibility upon those using the chemical.

There was no legal authority for the Department of the Environment to take an action, or to initiate an action. But, in recognition of the fact that PCB was a hazardous chemical, when the Department of the Environment became aware of the fact that there had been a spill at the plant, they undertook immediate action and continuous action, continuous negotiations, and continuous discussions with the plant to resolve that issue and to take the action which would provide for safety to the environment. And that action was that they would see to it that it was cleaned up. They did analysis of the soil; the soil and the liquid were put into barrels and transported to what was an incinerator for that purpose and, in addition to that, in their negotiations and working with the plant, came to the conclusion that a further proper care of the site where the spill occurred would be to cover the site with that asphalt cover so that, when the spring run-offs came, should there be any residual materials in the soil, they would not be washed into the water systems or into the sewer system. So the Department of the Environment, recognizing the hazardous content of the material, even though there was no legal jurisdiction or legal basis on which to take action, did take action, and conducted themselves commendably, at least in the sight of the National Research Council, who later made that position clear.

MR. ROUSSEAU: — Mr. Minister, perhaps it was commendable in your eyes, but certainly not in the eyes of a lot of people, in particular the members on this side of the House. I'm not even going to ask for an answer to my following statement, and I'm going to make it very brief. But you know, it's absolutely amazing that your deputy minister would notify the Water Quality Division of the environment department, would notify Environment Canada of the situation, but would take it upon himself to take all the responsibility on behalf of the Department of the Environment of Saskatchewan, that his minister, at the time, should be kept in the dark about a matter as serious as a PCB spill, known to be very serious at the time it occurred. I don't think the deputy minister has a right to take on those responsibilities without informing his superior.

I would like to ask a few questions. I will ask them one after the other then I will sit down and, perhaps, you could answer them one at a time, if you will make note of the questions I have.

What is to be done about the Federal Pioneer spill at this point in time? In other words, are you going to remove the soil, the contaminated soil? Are you going to leave it or are you going to monitor it? What are you going to do with it? What costs, to date, have been incurred on the PCB spill at Federal Pioneer — and I mean costs to all involved — the company, Environment Canada and the Department of the Environment of Saskatchewan? This brings me up to the next question. What portion of those costs is being paid by the provincial government? Have you received, yet, the NRC (National Research Council) report that you indicated early in November, 1978, would be forthcoming early in 1979? Have you taken, as yet, an inventory of the PCBs in the province of Saskatchewan, the quantities or locations? I will wait for your answers on those four or five questions.

MR. BOWERMAN: — I will leave the earlier comments of the member go. Those comments were dealt with the day before and it is just a rehash of the same things.

With respect to the Federal Pioneer clean-up, nothing further has been done; that is nothing further in terms of the removal of the soil and that kind of activity. We are, primarily, waiting on the National Research Council's report. The cost, to date, to the Department of the Environment (and I think that is the only one that we can be responsible for) — our share of the responsibilities up to the end of March is estimated

to be about \$13,000. What is the government's share of that cost? Well, we are bearing about 50 per cent of the cost. The National Research Council's report is not in. It should be in around September, 1979. We do have an inventory of the activities which we undertook.

MR. ROUSSEAU: — Why did you indicate last fall, then that you would have that report from the NRC early in 1979? Now you are telling us you are not going to have it until September. Have you inquired the NRC as to the delay in why they are not submitting that report?

MR. BOWERMAN: — Well, it seems like you can't win on these issues. The National Research Council simply felt that they required more time and if they were going to do the report the way the member would want it done, then it is going to take some more time, in their opinion. That is the reason why they have extended their date. If we are going to have an independent report done the way the experts and the analysts in the National Research Council want it done, we are going to have to wait until September, I guess.

MR. ROUSSEAU: — Have you had any discussions with the National Research Council as to the reason for that delay? I didn't hear you indicate the reason.

MR. BOWERMAN: — . . . many discussions, ongoing discussions, regular communications between the National Research Council and the Department of the Environment.

MR. ROUSSEAU: — I didn't hear your answer on the percentage of the \$13,000 you are paying. Is it 100 per cent, did you say? Would you repeat that answer, please?

MR. BOWERMAN: — Yes, that's 100 per cent. I was in error, I believe. I was saying that that \$13,000 was 50 per cent cost and that the National Research Council was bearing the other 50 per cent. I understand that the correction there is that the estimated \$13,000 up to March 31, is being borne by the Department of the Environment, 100 per cent.

MR. ROUSSEAU: — You are telling me then that the \$13,000 is the total amount of money that has been spent to date by all three levels? That is the question I asked you. What is the total cost that has been spent?

MR. BOWERMAN: — I don't know and I don't believe that I am responsible for that, Mr. Chairman, as I indicated in my reply. I can't answer as to what Federal Pioneer spent and I can't answer as to what the National Research Council may feel that they have spent. I can answer what I think I am responsible to answer for and that is the cost related to the province of Saskatchewan.

MR. ROUSSEAU: — Do you anticipate very expensive expenditures to be made from

here on in? Have you budgeted for any large sums of money on that spill?

MR. BOWERMAN: — There are a number of figures that may be used as estimates for a variety of different approaches or how far we may have to go. But the estimated cost of the research study by the National Research Council is estimated to go up as high as \$50,000. I'm have a little trouble, Mr. Chairman, being heard.

MR. CHAIRMAN: — Order. I wonder if the member for Thunder Creek (Mr. Thatcher) and the member for Moose Jaw (Mr. Birkbeck) want to discuss a problem, would they get behind the rail and discuss it? It is very difficult for us to hear.

MR. ROUSSEAU: — I was having problems hearing too, Mr. Minister. I am going to move off of PCBs. I understand some of my colleagues have some questions on it, but I would just like another one or two questions I'd like to ask you. They may or may not relate to environment but I believe they have some bearing on environment, and that is the Regina airport.

Has your department given any consideration to or have you had any recommendations or done any studies or have you anything to report on the Regina airport's present location? Are there plans of perhaps relocating it? Would you be in agreement with the relocation of the Regina airport?

MR. BOWERMAN: — The answer basically is no. We have not done any studies related to the Regina airport. There may have been some noise level studies taken but nothing that would be significantly described as study.

MR. ROUSSEAU: — Mr. Minister, would you be in favor of an expansion program, relocation or doing something about the situation at the Regina airport? Can you give me, if nothing else, a personal opinion on that?

MR. BOWERMAN: — I think it would be somewhat improper for me to give an opinion,

particularly a personal opinion. If there was some official position which the Department of the Environment was taking because of noise level or because of environmental hazards such as air pollution or whatever, which were affecting the city, then I think I should answer. I think, in so far as a personal opinion with respect to that issue, it would be improper for me to answer.

MR. ROUSSEAU: — Mr. Minister, I suppose even an official answer would be difficult from you regarding the airport situation, but I would like to perhaps give you something to consider and think about.

As you know, the end of the runway of the Regina airport, the northwest-southeast runway, is directly in line with most of my constituency.

Many of my constituents are very concerned and, as I said, I don't know whether this should be part of the Department of the Environment or another department. However, placing the proposal to you, perhaps you can give me an opinion or answer or pass it on and discuss it. I'm very concerned, and my constituents are very concerned, about the safety factor, the noise pollution and air pollution. A very important point on the safety factor is that there are several schools directly in line with that runway. The second largest elementary school in Saskatchewan is within two blocks of the end of that runway, where there are over 500 children.

There are several other schools, all elementary schools, again, directly or very close to the flight paths of that runway, the most used, high-traffic runway at the airport.

I would like to recommend to you and your government that discussions be held with the federal government for the relocation of that airport. A relocation could be very close to the city of Regina, but away from where it is; away from where it is because an accident could claim the lives of many, many people. Not only is there a school with an enrolment of some 500 students two blocks away from the end of that runway, but there are also some senior citizens' homes very close by, within two blocks of that runway. I would like you to take this into consideration, Mr. Minister, and pass that on before it is too late.

MR. BOWERMAN: — Well, Mr. Chairman, I think this is not within the purview of the Department of the Environment. I think it is a matter for community planning. I may well share the views of the hon. member (not saying that I do or don't) but he has related some of the facts which are clear and obvious to anyone who lives in Regina or lives in the area of which he talks about. But that's a matter of community planning. I have to say to him the facts are that the concerned citizens of your constituency obviously built into that area long after the airport was there. So they built knowing full well that that was in the flight path and I think it is not for the Department of the environment to make comments on, Mr. Chairman. I think that's a matter for community planning and city officials to discuss and to make a decision on.

The Department of the Environment, on its own initiative, may well initiate an air pollution study or it may initiate noise level studies (this type of thing), but I think it would do it at the invitation of the city officials. It may well do it on its own initiative but up to this point in time it has not been done.

MR. LANE: — Going back to the PCBs, I would like to ask the minister, would you mind giving us the exact dates as to: (1) when in fact your deputy advised the minister as to the PCB spill, (2) the exact dates that the deputy himself was advised as to the PCB spill?

MR. BOWERMAN: — Well, Mr. Chairman, I don't know that we would have those, and even if we did, I don't know what material good they would be to the member or what significance they would play. All that the member is attempting to do is to continue that line of questioning. We went through that the other day. Obviously their point is that they want to make an issue out of the fact that a staff person didn't advise the deputy or did, or didn't advise him when he should have, or in their opinion when he should have, and that the deputy didn't advise the minister as they think he should have, or as they think should have been done, and so on. I think that that's not the issue. In my opinion that's not the issue and we may differ on that particular situation. I make no apology for the fact that the major consideration to me (and it seems to be what you people are missing) is, the fact of the matter is, whether anybody was advised, or how they are advised, or when they were advised.

The facts are that when the spill became known to the Department of the Environment, they took action. They took action to resolve what they considered to be a situation which required their attention. Not only did they do it on their own but they contacted the National Research Council, they contacted other experts in the field to consult with them as to whether or not the idea of laying the asphalt cover over the spill area was a good idea, and got some joint consultation on that. So, whether or not, or when the particular communications were established to me is not the major significance. To me the significance is, in my opinion, and as the facts as I believe them to reveal, is that the department took responsible action immediately, or very, very soon after they were notified of the spill.

MR. LANE: — We'll decide what's important in our minds. You can decide what's important in your minds. I asked you a very simple question. I asked you the dates when the minister was advised, and I asked you the dates when the deputy minister was advised of the PCB spill. You're missing the point that the opposition is making, and making in spades, and that is we are questioning the ability of your department to cope with the environmental problems that we are going to be seeing, or have seen, in the next decade in the province of Saskatchewan.

We have deep concern that the Department of the Environment is simply not fit or capable of dealing with such matters as low level radiation, or other areas; that in fact what you do, and what's you're telling me, is you're satisfied that a cover up exists and that everything is kept going and that you took some action. The fact is there's more to it than that. No one knows whether or not you took adequate action because we've got to wait for the National Research Council. We have to wait for other activities about which, if the press hadn't taken the issue to the public, nothing would have been done.

I take a look at your estimates and I see you have \$800,000 for mines pollution control and eight people; you have \$132,000 and three people for Treaty Indian Land Entitlement; you have an increase in your budget of \$900,000 and what I'm saying to you is that as far as the general public is concerned your department has had, in fact, no increase in moneys this year, at the same time that your government is taking on a potentially dangerous course of action as it increases uranium development in this province. Now when you talk about mine pollution, that's got nothing to do with the putative refinery at Warman or the transportation of refined uranium and all these other matters. Of course, what happens is that the department has got no increase in budget to deal with all these problems. It certainly got no increase in budget to deal with toxic chemicals.

I suggest to you, Mr. Minister, you're turning a blind eye to a pretty serious problem. I don't think it's proper for you to be sloughing it off by saying we took action at that time. In fact a lot of the action you took didn't take place until two years later when you got the National Research Council in. Remember that, in fact, it's a year or two before it became public; we've gone through that debate. I think the questions that I ask you are pretty pointed questions and pretty serious questions. I don't think you are answering the concerns of the opposition and, I suggest, the public as to the ability of your department to deal with environmental risks. I ask you again, when, on what date and in what manner did the deputy minister get advised of the PCB spill and on what date and in what manner did the minister get advised of the PCB spill?

MR. BOWERMAN: — Well, Mr. Chairman, as I have already indicated, I don't have those dates and I'm not going to ask the officials to look for the dates because I think it's immaterial as to when the actual dates may have been or were or otherwise. I think the issue is, what did the Department of the Environment do when it was apprised of the fact there had been a spill of hazardous material in the city of Regina? I set forth what the action was and I want to repeat it again. From the time of the spill which occurred around somewhere between the 12 and 19 of August, 1976, by November of 1976 that issue had been cleaned up, had been attended to. There had been a responsible action taken to see there would be no more run-off occur from any residual materials that may well have been left in the soil. Soil testing from that point on began and continued over the period of time, both in conjunction with the National Research Council and with the consultation and advice from other persons knowledgeable in the field. That's the important action. That's the important situation. As I said, with respect to the dates, I don't know that we have them before us here and I think it's immaterial even if we did. We are not going to probe the files to try and estimate those dates.

MR. LANE: — I want to have it stated clearly on the record of this Assembly that the government opposite and the minister has refused to give information to the opposition as to the days and dates that the Deputy Minister of the Environment was given the information on the PCB spills. He also refused to give the days and dates as to when the Minister of the Environment was advised of the PCB spills and in fact has stated that he does not consider such information to be relevant.

I am sure the minister has seen a book correspondence with the Premier. I know it is of some interest and concern to some members opposite and also to members on both sides of the House. One of the areas that this particular book is strongly critical of in your government and the Bayda Inquiry, is on the matter of low level radiation.

It is strongly critical of the Bayda report because it really ignores some branches of science, particularly in the health field, in the field of health physics and radiation epidemiology. These areas were ignored by Bayda. It says the Bayda Inquiry totally evaded, in a scientific sense, an evaluation of existing radiation standards, although its terms of reference clearly called for such an evaluation.

Now, I would like to know what specific studies the Department of the Environment is doing with regard to the effects of low level radiation? I would like to know, specifically, what the Department of the Environment's position is with regard to the findings of evasion by the Bayda Inquiry, to use the words of uranium correspondence with the Premier, as to the effects of low level radiation. Perhaps the minister could comment in that area?

MR. BOWERMAN: — Well, Mr. Chairman, when talking about low level radiation, you

can talk about low level radiation in the mine, which is a matter that has been dealt with or it is dealt with under the foremost legislation in so far as workers' safety and health is concerned that we have in Canada. There is also low level radiation in the mill itself. The responsibility is not the responsibility of the Department of the Environment for enclosed areas, or working areas. That legislation comes under the health and safety legislation in the Department of Labour. The Department of Public Health is also concerned with those issues of radiation and radiation hazards to health, the area of jurisdiction and responsibility of the Department of the Environment has to do with exterior or outside environment, environment perhaps in the mine area (open-pit mining if you will) and some of the radiation and radon gases which occur as a result of the tailing ponds or as a result of some of the areas where mine waste has been disposed of.

We believe that our legislation and control of that kind of activity is as far advanced as any in Canada, if not further. Basically, that comes originally under the draft of or the surface lease agreement with Amok.

Perhaps the member will know that this area of responsibility is basically that of the Atomic Energy Control Board. The federal government controls these kinds of activities related to uranium and uranium mining and milling, so the initiation of legislation has not taken place in terms of the defining of hazards other than those which are contained within the surface lease agreement with Amok, which is the most recent action or activity taken to control that kind of radiation or that kind of environmental concern.

MR. LANE: — The minister is saying that the regulations as far as the mines are concerned are being adequately dealt with and he is satisfied that the regulations and provisions of the surface lease agreement with Amok are adequate. Is that correct?

MR. BOWERMAN: — Yes I am. In fact I think it is a foremost kind of lease. I don't suppose one will find such a lease anywhere else in Canada or anywhere else in North America. It's the kind of lease which goes far beyond the normal kinds of provisions of a surface lease with respect to mining.

The proposal, as you see it in the budget under subvote 7, the new mines pollution control, is where we're beginning, this year, to assume that responsibility coming out of mineral resources, for the control in that particular area. We will, with those additional people and with additional funds, then move into the area the member is talking about.

MR. LANE: — Well, Mr. Harding, in his letter to the Premier, takes issue with the low-level radiation standards and regulations, and he refers to articles. I say that Mr. Harding, in his uranium correspondence with the Premier, takes exception to the

position of the government opposite, in particular with regard to low-level radiation, and the standards referred to by the minister. He refers to experts, at pages 56 and 57, and indicates that not enough serious attention was given to the recent and rapidly accumulating body of research on the dangers of low-level radiation. He refers to, and is very critical of, the so-called expert, or the expert that was at the Bayda Inquiry.

This is the letter from the Premier to Mr. Harding.

You say in your letter that if further research shows regulatory standards are inadequate, you are prepared to change them. The further evidence was available when the Bayda Inquiry was being held. In block letters, I now challenge you therefore to change the standards as you have promised. I recommend you bring in these eminent scientists and hear what they have to say in an open forum.

Are you saying to this Assembly you disagree, and I gather you have said you disagree, with Mr. Harding and his position? Is that a correct statement? Did you in fact disagree with Mr. Harding and his statements with regard to low-level radiation and his criticism of the Bayda Inquiry?

MR. BOWERMAN: — Well, Mr. Chairman, whether I agree or disagree with Mr. Harding, I think, again is not very material to the estimates of the Department of the Environment. The member may feel that it is. The member may think that it is, but I've known Mr. Harding for some long time, and I don't know that Mr. Harding has any expertise as a chemist. Maybe he does have. Maybe he's a nuclear expert, but I've never known him to be. I've known him for over 25 or 30 years and I never knew that Mr. Harding was a nuclear expert. I presume Mr. Harding has some feelings about the interest of uranium mining, and refining and milling of uranium in Saskatchewan, but that certainly doesn't make him an expert, in my opinion. Therefore, it's fine for him to write his books, and fine for him to comment on the Premier's letters. That certainly is within every citizen's prerogative to do so, but for the hon. member to pick up those comments and to read them into this Assembly as being somehow facts, as to be somehow expert advice or expert opinion, I think does not. It flatters the writer of the book.

MR. LANE: — You're disagreeing with Mr. Harding. That was the question I asked. Is that correct?

MR. BOWERMAN: — I've already given my answer.

MR. LANE: — No, no you haven't.

MR. BOWERMAN: — My answer is that it really is not material whether I agree or disagree.

MR. LANE: — We've seen a department that we believe is not capable of dealing with the environmental problem, and obviously a minister who isn't competent. I asked you some questions and I asked you for your opinion. I didn't say whether I agreed or whether I disagreed with the statements made by Mr. Harding. I asked you, as the Minister of the Environment for the province of Saskatchewan, charged with the public duty to protect the environment, and I say the health of the people of this province, whether or not you agreed or disagreed with these opinions. I want it made clear in the records that all we saw was evasion and statements by the minister trying to hide behind a statement so he could avoid giving an answer. Why is the Minister of the Environment evading questions about dealing with low-level radiation and dealing with the

question of uranium development in the province of Saskatchewan? What is he afraid of? Why is he refusing to answer?

As I said, I think the opposition can come to only one conclusion. Not only is the Department of the Environment not prepared to cope, or able to cope, but certainly the Minister of the Environment of this province is ill-prepared to deal with the government's involvement in the uranium development of the province of Saskatchewan. I think the public should be well warned that when the opposition questioned about his opinion, not his political evasion, but his opinion as to statements made and severe criticism of the Bayda Inquiry, we were met with evasion and refusal to answer by the Minister of the Environment. I say that's a breach of public duty of the highest order. I think it is dangerous for a Minister of the Environment, who refuses to come to grips with a very, very serious environmental matter, that being uranium development in the province of Saskatchewan.

SOME HON. MEMBERS: Hear, hear!

MR. MUIRHEAD: — Well if we are going to wrap this up by 5 o'clock, I guess we are going to have to get a few more quick questions in here.

Mr. Chairman, I have one more question on the PCBs which I want to ask. One thing which I have definitely clarified in my mind is this situation of destroying the PCBs at Federal Pioneer, hauling it away. It was definitely a mistake. They could have had it done at \$500 per ton by a firm in New York (and you know that as well as I know it). I just want to know, and ask this question: have you worked with Environment Canada to decide where there is going to be a site in Saskatchewan, or somewhere in western Canada, to destroy further PCBs? We cannot cross the line anymore, as you know, as of January 1. Have you done anything, or have you worked with Environment Canada to come to some decision on it? Have you done something on this?

MR. BOWERMAN: — Mr. Chairman, there's a federal-provincial review attempting to locate an incinerator of a capacity which will deal with that particular issue. Just for the member's information, there has to be very extreme and precise heat in dealing with the disposal of this chemical. If care is not taken you may well do more damage in burning it than you would leaving it right where it's at. There is every indication that some of the earlier methods used to dispose of chlorophenyl is by heat. They did in fact do more harm in terms of the atmosphere and the subsequent rain or return to the environment than they would have, perhaps, if they'd been left where they were. Yes, in answer to the member's question, we are. There's a federal-provincial review attempting to locate in Canada an incinerator or a facility which will dispose of hazardous chemicals in a proper and adequate way.

MR. MUIRHEAD: — Mr. Chairman, I want to ask the minister if he has ever heard of a way of destroying and dealing with PCBs through a microwave reactor? Have you ever heard anything about this?

MR. BOWERMAN: — Well, other than just in a cursory way, no, we have not heard the details about how effective, or how available, or what the potential is for actually having such a thing in practice.

MR. MUIRHEAD: — I have an article, you may have seen it yourself, about a microwave reactor where they use a gas and the PCBs are gone in a puff. Now I don't know whether this works or not. I got in touch with environment in California and they're saying that

this is working. Will you look into this matter and maybe suggest it to Environment Canada? Maybe I'm all wrong here but maybe we have something that should be suggested to Environment Canada.

MR. BOWERMAN: — Well, I certainly will. The department will be aware of that article and the federal-provincial review team will be aware of it. If they're not, the department will apprise them of it, and we'll be looking at that possibility.

MR. MUIRHEAD: — Now my last question on the PCBs will be this. If there's another spill in the province of Saskatchewan at any moment are you going to hide it or are you going to tell the public and make the people aware?

MR. BOWERMAN: — I see no reason why we would hide the second spill anymore than we hid the first one. We never hid either one, and therefore, I think we would follow the procedure we did initially, and that is take care of the hazard and deal with it in a proper and effective way, mainly concerned with how the spill affects the environment.

MR. MUIRHEAD: — Mr. Chairman, I do not agree with the minister's answer, but we're going to drop it. But I have one more question now before we leave item 1, and that's back to the water. Mr. Minister, as you know, I said on Friday when we were discussing these water tests water tests that I conducted where I took duplicate samples and left some in the provincial lab here and some in the provincial lab in Alberta. I doubted that the provincial lab was doing its job. When I got the tests back, I went to the provincial lab and also to the Buffalo Pound filtration plant with my results and to the University of Saskatoon and we submitted more samples of water. This morning I received on my desk another answer back to a water test. I'm very pleased that the test from the provincial lab here was almost identical to the ones we sent to Edmonton so I've renewed my confidence in the provincial lab. I'm very pleased and I have in my hands (as we talked the other day, I could come to you in confidence with this when we talked this over) one sample from one town in Saskatchewan that's unfit for human consumption. I'm saying if there's one town out of three tests, there may be 300 or 400.

I have three civil servants who have told me on Friday and today that this is overdue, a complete analysis of the water is needed and not these little bacterial tests that the towns have had. I will not name the civil servants because they may be in trouble and they may be unemployed. What I would like to ask the minister (when I come to you in confidence with these results and the material I have) is, for the sake of the lives of the people in Saskatchewan, will you see that every town with a municipal distribution centre gets a complete analysis instead of just the bacterial test they've been getting? Will you see that this will happen for the sake of the lives of the people in Saskatchewan?

MR. BOWERMAN: — Well, I must tell the member, as I did the other day, we do regular water sample analysis. Those analyses are sent regularly to the Department of Public Health and they are done at the provincial lab. I think there's one thing the member ought to be careful about and that is that one single water analysis may well not indicate the overall situation of water condition or water quality in any of the towns and villages of Saskatchewan. The ongoing samples, it seems to me, are the ones which will bear out that the water quality control is, I think, as good as one is going to get. Certainly, if you go tomorrow to one of the towns and take a water sample, it may well not come up to the standard that is expected of it but if it is consistently that way or follows that kind of a pattern, then certainly the department will respond. The Department of Health would be very concerned. Town officials themselves will be very

concerned. They will take the first action it would seem to me, so it's an area of responsibility that does not entirely rest on provincial government officials. It's a responsibility for them to do their regular testing both from a standpoint of environmental health, as well as from a standpoint of pure physical health. The member suggests he has one water sample analysis which doesn't seem to measure up to the provincial lab. He sent samples, one to the provincial lab, one to Winnipeg and one to Edmonton and it may well be that a different process of analysis accounts for the different results depending on what they were looking for. So, yes, we will continue to carry out the regular water analysis which is done and I'm sure the Department of Health will be doing the same.

MR. MUIRHEAD: — Now, let's get the record really straight. When I was talking to the provincial lab, they said 95 per cent of the tests which come in from the towns and cities in Saskatchewan are only the bacterial tests. They get a very small, small percentage of the complete test I have received here. This is the only way the people of Saskatchewan are going to know what they are drinking for water. Now I have made it my business to phone at least 40 or 50 towns in Saskatchewan this last two weeks to talk to the people who are responsible for sending in water to have it analysed. They say this is all we knew we were supposed to do.

So I'm saying to you, Mr. Minister, that the people must be made aware not to send in a test here because this is not even filled out, just nil, safe for use. Now let's get down to the nitty-gritty of this. Are you interested in the lives of the people of Saskatchewan or not? I'm getting sick and tired of these answers! We'll stay on environment for another day if we don't get a better answer than this. I want you to tell me whether you will see that the people of Saskatchewan are at least notified that they are only getting a bacterial test and they are able to get this if they request it. Because when I went to this lab with five tests of water: from the city of Regina; the city of Moose Jaw; Pense and two other towns I am not going to mention because they are so serious that there would be hysteria in the towns, I asked, will you tell me whether this water is fit for human consumption or not? That's what I want in these tests.

AN HON. MEMBER: — They said no, but you can drink it Gerry!

MR. MUIRHEAD: — Yes, make fun of it, you're another one who makes fun of things when it comes to people's lives.

All I am saying is . . . I just ask you to make it public so that the people of Saskatchewan know whether they can trust this test as being a safe test or whether they have to ask for the complete analysis or not. I have approximately 40 towns which I have phoned and there are over half of them which it has been seven to eight years since an environment man has called. You can contact a man by the name of Greig Graham, he is responsible for my area, and he says he has not been in our town for seven years and he should have been.

AN HON. MEMBER: — That's only seven years!

MR. MUIRHEAD: — Yes, only seven years. What can happen to water in seven years?

MR. BOWERMAN: — Well, Mr. Chairman, we have a tremendous expose by the member for Arm River (Mr. Muirhead). He stands over there and he waves little pieces of paper around in the air and he says I have all the information, that the people would absolutely rise up in horror if they knew.

Well, then, why doesn't he table it? Why isn't he giving it to us? If the people in 40 towns out in his country are absolutely with their backs to the wall so far as health is concerned but he stands and fiddles around in this House and continues to wave his little papers in the air, why doesn't he do something about it? Table it, table it in the House, so that the people of this Assembly can see it.

I wonder if the hon. member, Mr. Chairman, wants this government to continue as he suggests here and the next time he is dealing with the estimates of Municipal Affairs, he'll say, well, we are taking over the authority of the municipal councils; we are taking over the authority of the rural municipalities and yet he wants to put the responsibility on the Department of the Environment or on the provincial government; he wants to take it off the responsibility of the town and villages of Saskatchewan. They are concerned, surely to goodness they must be concerned about their citizens, but what you're saying is that they have no concerns.

He brings his little pieces of paper in here and he says, well I sent my water samples over there and I sent them to the provincial lab and these are the results. He stands up and cries horror and yet what has he done? Have you gone back to your towns and said, that's the water sample that I have. In fact you're delivering water to the citizens in this town and there is a health hazard. That's what you're saying.

That's just the same as the member, (the member that's not now here, that was back lane, we called him, the member of filthy hospitals) the same kind of an accusation with no foundation but at least making those kinds of accusations. Indeed, Mr. Chairman, we will respond to the issues of water quality in this province, both from the Department of Health's responsibility, the Department of Municipal Affairs and the Department of the Environment. We will assume our responsibilities in this area. I think we have done well, by the very fact that there has been no serious outbreak either in terms of health or any epidemics occurring from non-potable water supplies. That is verification of the fact that a reasonable and responsible job has been done in managing the water quality of the cities and towns which he talks about.

MR. MUIRHEAD: — On Friday, I just said I had no fight with the Department of the Environment program over water. I was only interested in one thing and all I asked of you today is that you work with me to notify the towns of what they can do to get their water tested properly and that's what you won't commit yourself to. Would you act on the evidence that sits there and will you not notify the towns, just notify them? Are you afraid to make it public to all the towns in Saskatchewan? Are you frightened; are you hiding something? Are you afraid that there will be too much money, maybe, involved to have to go out and do something with all the bad water in Saskatchewan?

AN HON. MEMBER: — That's why you are only worth a dollar, Ted.

MR. BOWERMAN: — Mr. Chairman, I'm not going to be responsible for this member's actions. This member stood up and waved these papers in the air. Would you return them to the member for Arm River (Mr. Muirhead), please?

If the member wants to table those papers then I suggest that he does so, in fact, the Assembly will know what he has been accusing and what he has been saying with respect to the water analysis. If they are laid on the Table as he has now done, then they will be the responsibility of the member. He has tabled them and he has made the

accusations about them and the record will be clear. The officials of the Department of the Environment and the Department of Public Health will deal with those papers which have been tabled in a proper and effective way, as they do other matters similarly related.

MR. ROUSSEAU: — Mr. Minister, in light of the information just now tabled and the lack of responsibility on behalf of your department, in light of the irresponsible actions taken by your deputy minister last year on the PCBs, I am curious to know whether or not you gave the deputy minister a merit increase in 1978 and how much it was and what was the estimated 1978-79 and the 1979-80?

MR. BOWERMAN: — Mr. Chairman, I think the hon. member is going to be asking for more information relative to any number of the executives as he has done in the other House. We are prepared to give it to him and I don't think it is necessary to spend the time of the Assembly here to do it. Is that what we are going to send to him?

Would you take that to the hon. member, please. There are the employees: Mr. Mitchell, Mr. Blackwell, Mr. Prescott, Mr. Howard, Mr. Maliepaard and Mr. Harper. Their salaries are there.

MR. ROUSSEAU: — Thank you very much, Mr. Minister. I am just curious why you didn't answer my question. Did you in fact, give the deputy minister a merit increase last year?

MR. BOWERMAN: — He got a 12 per cent increase in June of the last fiscal year.

Item 1 agreed.

Items 2 to 4 agreed.

ITEM 5

MR. MUIRHEAD: — Mr. Minister, I would like you to tell us why the drop from last year — from \$481,760 to \$190,770. What is the reason for this?

MR. BOWERMAN: — I understand the reason for the decrease is that the provincial share of the Uranium City clean-up, \$325,000, was transferred to the new mines branch.

Item 5 agreed.

ITEM 6

MR. MUIRHEAD: — Could the minister enlighten us as to why it doubled? Why is it more than doubled from last year?

MR. BOWERMAN: — That's flood damage reduction — the program has increased there. That's what the member for Estevan (Mr. Larter) and the member for Qu'Appelle (Mr. Lane) didn't want.

Item 6 agreed.

ITEM 7

MR. R. KATZMAN (Rosthern): — Mr. Minister, this is a new branch in your department this year, by the looks of it. There are no funds shown for last year. Could you explain to me what the duties of the Mines Pollution Control Branch area?

MR. BOWERMAN: — They will be taking over the pollution control responsibilities from the Department of Mineral Resources, particularly related to the uranium mining operations in the North, as well as pollution from exploration operations, monitoring the tailings and radiation hazards and so on.

MR. KATZMAN: — Mr. Minister, as I asked earlier today, are you going to be giving all of the companies notice as you have been doing in the past, before you come and check to make sure everything is right or wrong?

MR. BOWERMAN: — We have not been doing that.

MR. KATZMAN: — O.K., let's get on a serious note. Are you presently doing environment checks before any of the new mines get on stream?

MR. BOWERMAN: — Well, yes — that's a very broad question. There are environmental assessment impacts being done by the companies and submitted to the department for the public hearing process, so, yes in respect to one aspect of your question or in respect to one way of taking your question, and no in terms of whether we have been or are now assessing the operations at the mine. We're saying, no, that's what the mines pollution control branch will do.

MR. KATZMAN: — Mr. Minister, let's just go a little further with this one. I assume you are going to take, for example, the tests on the trees, the air (the amount of radiation in the air) and all the rest of those types of things that will become affected by the open-pit mining at Cluff Lake, for example, the amount of radiation that will fall within 30 miles which the wind will pick up if there is any spin-off.

I'm asking if you're doing some tests within X amount of miles of say, Cluff Lake, to see what the radioactive readings give you in that area and to check the forage and so forth, so that, say, in five years down the road, you'll be able to recheck the same data to see if there's been any change in the environment in the mine area.

MR. BOWERMAN: — Yes, where new mining operations are going into effect or being established, that's the case, but under the Amok surface lease agreement the responsibility is on the company to do the checks. We will of course do our own but the company must do them and we will do the readings as the years go by.

MR. KATZMAN: — Just one last question. Would the minister be willing to supply the opposition with a yearly — I assume it's going to be on a computer; most of the things you do now go on a computer — punchout of the environment changes in any area? I refer to when you open up the area.

MR. BOWERMAN: — Well, I would generally accept that proposal but wouldn't do so in detail because I don't know what the implications are or what they will be. I see no reason why we couldn't or wouldn't provide the opposition members with any information with respect to growing hazards (air emissions, water pollution emissions, or whatever) even if they were remaining static.

MR. KATZMAN: — To make it much simpler for the minister, as I asked the Minister of

Labour, for any orders you issue for clean-ups or anything else, within 30 days after you've issued them, could we at least get a copy of them? Now they probably have cleaned them up in most cases. I'm not saying we should get them the day you make the order. Give them time to clean them up, but give us a copy.

MR. BOWERMAN: — Mr. Speaker, I really don't have any objection to doing that except that the implications if I say yes I will do that, the implications of my saying yes leads to all sorts of considerations down the path. I will use the example of one in my own constituency. A small operator was burning some wood waste and we took some initiative to have him suspend that kind of operation. I don't think it is in good public taste or I don't think it is even information which I should then send on to you, particularly if the person has responded. We have issued some orders, yes. We have issued an order that he clean it up and so on. I don't want to take on the responsibility of then a week or two after or within 10 days or whatever, saying the department must send a copy of the order or must write a memo or whatever it is to inform me. I think that would be too much detail.

MR. LARTER: — Mr. Chairman, under this vote, Mr. Minister, this morning under SMDC (Saskatchewan Mining Development Corporation) I asked the minister in charge, Mr. Cowley, what was being done on monitoring the environment and he mentioned that the mines, along with the federal government at the present time, are doing the monitoring of the environment. I would like to ask you, in the immediate near future are you going to take over this responsibility or be working with the federal government? You are talking about monitoring the environment in the uranium industry. Have you set up for that as yet?

MR. BOWERMAN: — No, we haven't because obviously the budgets haven't been down and the advertising for the employees of the qualifications and the particulars for the various positions has not been written up, as I understand it, for PSC (Public Service Commission). So, we have not initiated it as of this time.

MR. LARTER: — Mr. Chairman, could the minister tell us how many people this is going to employ?

MR. BOWERMAN: — Eight.

Item 7 agreed.

Item 8 agreed.

ITEM 9

MR. LARTER: — Mr. Minister, I would like to ask you a question I asked two different days now and I still haven't received a satisfactory answer.

Why wouldn't the EMO (Emergency Measures Organization) appointee and the fellow who was co-ordinator of our flooding problems at Estevan, Paul Bachorcik, why wouldn't he be advised when the water was moving from the Yellow Grass-Lewvan area. Why wouldn't he be advised of this? We phoned Regina here and the hydrology department and they advised us that Estevan would advise us, but we couldn't get any information as to when that water was moving. We found out later through some member in Regina here that it started to move on April 22, and he had to make a couple more calls to get that information. Why would you not give out that information?

MR. BOWERMAN: — I can't give the member an answer here. I'll make an undertaking to the member that we will sort out what the apparent problem seems to be with respect to this. I can't give you an answer. The officials who are here apparently can't understand why such a situation should arise. I will give the member an undertaking that we'll have the answer back to him later this day, or early tomorrow if that's satisfactory. I can't give you the answer.

MR. LARTER: — I just want to make one comment regarding not having this information and what it can do. Boundary Dam still has to keep letting water out and they've got to increase it. Should this water still be coming from Yellow Grass and Lewvan area, it means that we could go right back up to the peaks again. It's very important that we have this information. We've got to co-ordinate it with what Boundary Dam is releasing. So this is very pertinent to what we are doing down there.

MR. BOWERMAN: — Well, I agree with the hon. member, Mr. Chairman, and I sympathize with him. I apologize to the member for that information not being apparently available, but I'll have the officials check as to why. It may be a communication problem of some kind. It may be one of those things that happens, but if it is, we'll know the reasons, and I'll try to get him the information.

Items 9 to 13 agreed.

Department of the Environment — Ordinary Expenditure — Vote 9 agreed.

**SASKATCHEWAN WATER SUPPLY BOARD
VOTE 59**

ITEM 1

Item 1 agreed.

Saskatchewan Water Supply Board Vote 59 agreed.

The Assembly recessed from 5 to 7 o'clock.