

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Second Session — Nineteenth Legislature**

**Wednesday, June 11, 1980.**

**AFTERNOON SESSION**

**COMMITTEE OF FINANCE – ENVIRONMENT – VOTE 9**

**Item 1 (continued)**

**MR. D.G. TAYLOR (Indian Head-Wolseley):** — Mr. Minister, there is a concern that I have had expressed to me many times and I am sure you have also. I'm wondering if you intend to do anything about it. This is the large number of herbicide and insecticide cans that are being left around this province. You just drive around in the rural areas and you'll find these things in ditches and down beside dugouts. I believe people are using these cans without properly washing them out. Some of the larger farmers actually have acres of cans piled up.

As you know, these chemicals contaminate the tin and are there for some time to come; they eventually must end up in the surface water supply. I think you mentioned yesterday that people sometimes make sloppy use of chemicals. If these cans are not collected and disposed of, over time and with the amount of chemicals being used in our agricultural sector, we are certainly going to end up with pollution and contamination of our surface waters. If one understands his geology, you realize that . . . (inaudible) . . . surface and surface water goes into them and could seriously affect the ground water over a period of time. I am wondering, have you put anything into place to try to deal with this? If you haven't, why not? If you're contemplating it, when are you going to do it and what are you going to bring in?

**HON. G.R. BOWERMAN (Minister of the Environment):** — Mr. Chairman, there is a study this year by SARM (Saskatchewan Association of Rural Municipalities), SUMA (Saskatchewan Urban Municipalities Association) and the Department of the Environment with respect to the gathering of cans. First of all, I believe it was the university that designed a can cruncher, a compacter, to get the bulkiness out of the cans so that they would be in such a condition that they could be loaded and perhaps used at IPSCO (Interprovincial Steel and Pipe Corporation) for steel and so on.

I understand there was an experiment in which they did crunch up 400 or so cans and found that the little compacter does work; it seems to work well. But there is concern about the accumulation of cans into one location and about what you do with them when you get them into that location and compact them. Do you take them to IPSCO, and if so, what are the effects of taking chemical cans into IPSCO and putting them into their furnaces? How does that affect the employees in the mill? The residual burn-offs of the chemicals are not known so there has to be some work done with respect to that.

When you bring large quantities of these cans together into one place, although what is left in each can may only be a spoonful, 10,000 spoonfuls together (and it is estimated we use over a half million five gallon cans of chemicals in the province) may create an environmental problem which we would be better not to create until we know what the effects are likely to be. So at the present time there is no answer which I think would satisfy the hon. member of myself. But it is a question we are dealing with and trying to run to the ground and get some solution to. I think the solutions as in other critical environmental areas are not going to come easy.

**MR. TAYLOR:** — Well, I appreciate the fact that if you bring them all together, you can (as you say) come up with an area which is quite polluted. But on the other hand, I think we have to come to grips with the very fact that we are in this chemical environment. The PCBs and the disposal of those still haven't been solved, and now we have the chemical cans which are bound to be compounding down the trail. I think this should certainly be a priority of your government that there must be some way this can be checked.

I would be interested in knowing if you have made studies in areas in the United States where they have been using chemical farming probably before we started and what they are doing in this regard. If we can't come up with a solution, then, if we are going to protect the environment, we are going to have to stop the amount of this stuff because we are certainly on a losing course if we have no way of disposal. Our modern society is coming out with all these new chemicals without, first of all, looking to see if they are safe.

That brings another question to my mind: the safety of them and how well we are monitoring that. But I don't think we have thought about the disposal along the line until recently. I wonder if maybe that has to be one of the things which becomes a priority rather than just letting everything come onto the markets and then having no way of disposing them (no known way). We are certainly compounding the situation. But I will get back to the safety.

I know this year there are grasshopper infestations in the West and there are sprays being put out for these. How much checking does your department do regarding herbicides and pesticides which come onto the market? Does the Department of the Environment have any mechanism to regulate the dangers through these or is it all just through the consumer associations? What checking does this government and your department do with these new chemicals and their use?

**MR. BOWERMAN:** — With regard to the disposal of cans (and I will go back to that), the best known way, and the way we recommend, is that each individual farmer take his own cans, put them in a pit, lime them, cover them over, and dispose of them in that way. We think, at this point in time, that is the best way to do it. Farmers, like you and I, are not always willing to do things like that.

There is always the question, you say, that maybe we will have to stop the use of these chemicals. That, I suppose, is a possibility. It is always a possibility which is open to us. I am not sure, as long as we are going to allow 2,4-D to be used and you and I can spray five or six cans of 2,4-D on a quarter section, whether the disposal of the cans is a problem or whether the spray is a problem. So if you are going to allow people to spray it on the land, it is going to get into the surface water system in some way.

So what do you do? You make sure the cans are properly disposed of but don't concern yourself too much about what you put on the quarter section in terms of controlling the weeds and so on. So there is that little issue to it. It is important and I think the department is addressing itself to that problem. But there are no easy answers is what I'm trying to say.

With regard to the spraying of chemicals and our analysis or our testing or our checking of the process, each chemical, as you may know, is approved by the federal Department of Agriculture for four years. During this period of time we do have monitoring going on in selected areas, critical areas, where we think that proper

analysis and testing can be applied to the general areas. Usually where we are concerned (and the only area to which we can directly address ourselves, as I understand it) is where the chemicals are related to water areas, either streams or aquifers or whatever. So yes, we do have monitoring that goes on and some testing that goes on, relative to the effects of spray in the natural water sources.

**MR. TAYLOR:** — I was interested to hear your comment that the farmers should perhaps do it, dig holes and lime them and cover them over. You know, some of these requests that I'm voicing here do come from farmers who are becoming more and more ecology-minded and concerned about the environment.

Has your department put out anything, any suggestions, anything of this nature, to inform them of some of the problems that can happen? A lot of them want you to have a central collection place. If you want to do it on the farms, I think it's high time we had some communication in this regard. I know a lot of them are just simply taking them and washing them out a little bit and using them for a chop pail to feed the cattle that they're shipping down the rail to the consumers of this country. I think there's a lot of ignorance out there, not designed, but just lack of knowledge. I think as the environment department of this government, I would encourage you to put out some educational information. You may have. I may have missed it. But, if you haven't, I would suggest that it would be well-received.

**MR. BOWERMAN:** — I'm not sure that we've put out any. In fact, I would think that we have not put any information out directly from the department itself. But we have been involved in the material and information that has gone out from SARM (Saskatchewan Association of Rural Municipalities) and from the Department of Agriculture, with regard to proper disposal (ways and methods of disposing) and the reason for proper disposal and so on. So those have been going out with the input of the Department of the Environment.

The Saskatchewan Safety Council is concerned. It has expressed some concern here. Yes, I think that farmers are becoming more aware of what it is they're using because of the general publicity and the general controversy surrounding the use of chemicals in the agricultural industry. I think the crunch will come when and if the evidence is such that it finds us in a situation like we were with respect to grasshoppers and we had to quit using Dieldrin. Of course there was a substitute chemical which we were able to use to fill that void.

You probably have yours; I don't have mine here; but the recent statistics bulletin produced by the Department of Agriculture shows you the amount of chemical we are using — 2,4-D amines and esters in the province of Saskatchewan at the present time. The magnitude of the use of that chemical is astronomical. If we were to suddenly think that that could come to a thundering crash and a decision made that there will be no more use of cans and no more use of the chemical, obviously there would be an alternative kind of crash that we would come to as well. So there has to be some consideration used as to how we approach this subject and how we do it. I appreciate the member's concern with regard to how we look after this. An estimated half a million of these cans a year are piling up on the prairie area in Saskatchewan. What are we going to do with them?

We're looking at the problem. We're trying to address ourselves to that problem but it's not an easy solution because when you bring them together, you have residual materials that are going to leach out into a common area. What do you do with the

cans? Do you take them to IPSCO? If you do, what are the burn-off problems of that chemical? What are the problems related to the employees and so on that have not been addressed because there hasn't been that kind of resources and research put into it?

**MR. TAYLOR:** — Well, I think we've raised the issue and I just bring it forth as something I think your department should be monitoring very closely, because there seems to be a new chemical coming out every week. The list of them is insurmountable and they are tested in this regard and it's safe for this but what about in combination with another one? I do think we should just be monitoring this very closely. I think we've looked at the disposal, and I hope that your department will add that as one of the priorities, because I see it as one that is growing and could have serious effects down the road for this province.

The other thing I wanted to ask you about was the Qu'Appelle chain and just what is taking place to clean up the Fishing Lakes? Last summer I had occasion to visit Round Lake, which is the farthest down the chain, as you know. And really, Mr. Minister, the water was just unbelievable. It was a purple scum and that was early in July. I just want to know what action you're taking to improve the quality of water and stop the pollution in the Fishing Lake chain?

**MR. BOWERMAN:** — The major contributors, of course, to the Qu'Appelle water quality problem, as the hon. member may well know, have been the cities of Regina and Moose Jaw and Qu'Appelle and so on. They dump the effluent into the system and down the stream it goes. Over the past five or six years or perhaps more, there has been a major and concerted effort by the city of Regina, and certainly the co-operation from the city of Moose Jaw is a welcome contribution to cleaning up the water system. They haven't progressed as far as Regina has but they are nevertheless doing so. The town of Qu'Appelle and Fort Qu'Appelle are doing a major attack on their own system and what the nature of their effluent system is. With regard to intensive livestock operations, the legislation respecting those has been invoked and we are having a fair bit of success in getting those people to control themselves with more critical attention given to the water quality problem.

Now, those things will only appear in the water system over time. You won't see a sudden improvement in the water quality of the Qu'Appelle River or the Qu'Appelle Lakes for some years, I would suggest. And whether or not we see it then, I am sure all these things will help. The fact that Regina or some of the other towns and cities along the way are not dumping the raw sewage that they once were into the system should be of some benefit. And that benefit, while it won't appear now, will appear in the future. We will just have to continue our surveillance of these kinds of contributions to the Qu'Appelle system. I guess it reflects on what we said earlier about the distribution on the upper lands that eventually drain into the basin, of chemicals such as we talked about earlier – farm chemicals, 2,4-D, amines, esters and so on, which make their own kind of contribution to that pollution problem, as well as the common fertilizers which agriculture uses and which obviously leach into the soil and subsequently into the river water systems. So it will take time. It's a long-term thing, but there's action being taken.

**MR. TAYLOR:** — Mr. Minister, I know in the government's plans for the Qu'Appelle implementation (I've attended hearings where they indicate that a large percentage of the citizens of this province live within a one hour drive of the Qu'Appelle) it's figuring in the long-range tourism and renewable resources plans for recreation for people in the southern part of the province. It seems strange to me that first and foremost, if one

branch of the government is wanting to develop it, one of the main things that the valley has, as well as its aesthetic beauty, is the water. I mean a lake anywhere in southern Saskatchewan is welcome. It looks like maybe putting the cart before the horse a bit, and if we can clean up the water . . . I don't really accept the fact that it should take too long. I think you will remember last year I stated that in Europe the Rhine River and the Thames River, which were highly polluted, have been cleaned up in a short period of time.

As for the livestock in the area (and I travel that valley quite a bit) I don't think the livestock are causing much pollution. If you read the early history of Saskatchewan, at Fort Qu'Appelle as the first fur traders told, it took two days for the buffalo herds to cross that valley. When they started it would take two days for them to go through. So that's been around for a long time. If you really want to clean that up to become a recreational ground for southern Saskatchewan, the first priority is to clean those lakes so that you're not going into a blue scum as is the situation in Round Lake now. I think that certainly needs to be cleaned up, and I would encourage your government to do all it possibly can to get those Fishing Lakes back to a respectable water standard.

**MR. BOWERMAN:** — I don't want to leave the wrong impression with the hon. member that even by doing all of those things which we earlier spoke about, in terms of the urban contributions to that . . . The same historical references that the hon. member made to early fur traders and so on indicate that the Qu'Appelle Lakes were, or seem to be, lakes which naturally had a very active algae growth. I'm not sure that you will ever clean up that completely by whatever methods you might use. I think that it's typical of southern lakes, of Saskatchewan water (if you will) or of shallow basin lakes which have a regular or a frequent turnover during summer winds and so on; the water temperature increases to the point where it is very conducive to the growth of algae.

I'm not sure how successful we're going to be in getting the water to the condition that we see in pictures and so on with the nice, clear, beautiful water and lakes. But we're certainly going to try and every effort will be made to continue the process to establish as best we can a water quality standard in the Qu'Appelle Lakes that will be conducive to recreational development.

**MR. TAYLOR:** — That may be true, but you know I live 25 miles from Katepwa Lake, and I can remember going there as a young child, and on almost any occasion finding water that was suitable to swim in. Now there are many people who have swimming pools and don't even go near the lake; it has deteriorated that much. Katepwa is good compared to Round Lake; it is scum right now, and I think there are ways within our means to clean this up. I won't go on about it any further, but I think it's a priority.

**MR. R.L. ANDREW (Kindersley):** — One short question to the Minister of the Environment. Mr. Minister, you met with the R.M. of Paddockwood on April 11, 1980. At that meeting did you give the R.M. of Paddockwood your assurance that the annexation order, which had been placed on March 25 by the Department of Urban Affairs, would be cancelled?

**MR. BOWERMAN:** — I met with the R.M. of Paddockwood on whatever date the hon. member suggested (I don't know whether it was that date or not). I met, at the invitation of the R.M. of Paddockwood, with the ratepayers and others, and the question of whether or not the annexation order would be rescinded was raised. Before I went to that meeting I had a discussion with the minister responsible, to find out what the

current situation was, and what the minister, or the department, were prepared to do with regard to what was a very controversial issue.

Permission was given to me to tell the meeting at Paddockwood that, providing certain things were met (which were part of an ongoing history of things), the annexation order would be rescinded. I made no commitment that I, on my own, or any authority I had, could do so. But I did have the consent of the Minister of Rural Affairs that providing the agreements which were reached at the earlier joint meeting of the officials of the department and the two municipalities, whereby the R.M. of Paddockwood would agree to a complementary zoning order (the development of it) with the assistance of a seconded community planner from the Department of Northern Saskatchewan, were carried through, and that there would be an interim zoning freeze, the annexation order would be rescinded. That's the information I gave to the meeting.

**MR. ANDREW:** — At that point was the condition of any agreement, or any government action, conditional upon Karasiuk Properties being able to proceed with development?

**MR. BOWERMAN:** — No, it was not. There was no condition given, or indication given to me by the Minister of Rural Affairs that that was one of the considerations. I have no hesitation in suggesting to you that it was a very important consideration for the R.M. of Paddockwood that Karasiuk Properties be approved. They make no bones about it because it was a commitment made to Karasiuk before the arguments arose.

Of course, as you will understand, the process is that, as a ratepayer within the municipality of Paddockwood, Karasiuk had to make his first request of the rural municipality to subdivide, so what he did was submit to them a plan of survey for the subdivision of a legal subdivision into, I think, 36 or some odd lots. Paddockwood R.M. approved that back on whatever date it was. Mr. Karasiuk proceeded from that point on to the community planning branch in the department. The community planning branch of course rejected it. Mr. Karasiuk appealed that rejection to the Saskatchewan Appeals Board and it was subsequently turned down by that board.

**AN HON. MEMBER:** — Why?

**MR. BOWERMAN:** — You have access to the material. You can read it. But just to provide some more edification for the hon. member, Mr. Karasiuk wrote to me and asked me to appear at the appeal board hearings on his behalf. I wrote back to Mr. Karasiuk and said I would not appear on his behalf. I know that you like to leave the impression that I'm somehow favoring or was favoring or supported Mr. Karasiuk in this, and therefore there was some sort of MLA conflict of interest. But I suggest to you that this has not been the case.

But it is certainly within the responsibility of the R.M. of Paddockwood, and certainly within the purview of the R.M. of Paddockwood, to do in their municipality what they desire to do. I know the R.M. of Lakeland objects to that and I know the cottage owners' association objects to that, but nevertheless that is the case. If the R.M. of Sherwood, bordering the city of Regina has some . . . Except that they have some planning areas here that have been adopted and there have been agreements between the two municipalities over the years. But the situation there hasn't reached the point yet where there has been agreement.

There was agreement to proceed and the R.M. of Paddockwood was proceeding, with the assistance of a community planner, to develop a complementary zoning plan. But at

the same time that they were developing the complementary zoning plan, they also went to appear on behalf of their ratepayer, Mr. Karasiuk, at the appeal board hearing, supporting his appeal that he might go ahead with his project.

So that upset the R.M. of Lakeland because they thought (I suppose they thought, at least) that the R.M. of Paddockwood was pulling the rug out from underneath them. So they objected and I may say that they put a fairly vigorous pressure campaign on me and on government ministers, as you see in the letter from Kelly to all of us (and by the way, it wasn't a confidential letter as the press keep reporting it was and as you say it was). It was a registered letter, but it certainly was not a confidential letter. Certainly no confidential letter came from Reeve Kelly on September 25. It didn't only come to the Premier; it came to the Premier plus Smishek . . . (inaudible interjection) . . . Oh yes you did. Just look at Hansard and you'll see what you said.

You misinformed this House and you misinformed the press as well. You've continued to do that. The letter came to the Premier plus three other ministers. You classified it as confidential and it was not a confidential letter at all. But the confidential letter which was written by Mr. Karasiuk and came into your hands, you read into the House, and nobody seemed to question how you got it, although I know how you got it. But that makes no never mind.

The point is that in the hassle over the boundaries . . . And may I advise the hon. member that the boundary about which there is the dispute is the same boundary that has existed ever since those two areas were LIDs. It's not a new boundary; it's something which was maintained over the years. But because of the developmental situation in Paddockwood – Mr. Karasiuk's property – the R.M. of Lakeland took exception to that and the R.M. of Paddockwood proposed it and supported it.

**MR. R.L. ANDREW (Kindersley):** — Mr. Minister, I grant there is a conflict between two R.M.s. But R.M. No. 1 which is the R.M. of Lakeland, base their concern on the environment, concern for the ecology. What they are saying is we should have no more development until there are firm studies in place to ensure it won't further damage the ecology. That's the R.M. on the one hand. The R.M. on the other hand, which is your constituents, want to . . . (inaudible interjection) . . . Well most of the Lakeland people vote in another area. The other body is concerned about dollars for development, concerned about getting some dollars into their R.M. for development. I think that is their stated concern.

What bothers me, Mr. Minister, is that you, as an MLA for the area and as the Minister of the Environment, have come down on the side of the developer and rejected the idea of the ecology. It shows me where you stand on the whole issue of the environment. Whatever, it's development first and environment second and that is the big concern raised by the people of the R.M. of Lakeland. That is the problem you have to address and you can't simply address it by saying, well we will look at that problem but first of all Mr. Karasiuk has to develop his property. I say that's a dereliction of your duty as Minister of the Environment. That's where the problem is and that's the problem you don't seem to want to face.

**MR. BOWERMAN:** — Mr. Chairman, the longer the hon. member talks the more evident it is that his investigation is so shallow he really doesn't comprehend what is going on up there. All he is attempting to do is make a political scene. He is doing a fairly good job of it with the twice-defeated PC candidate for the area (for the Shellbrook constituency).

Now let me try to inform the hon. member; he says the concern is environmental and . . . (inaudible interjection) . . . Yes, and you say that R.M. No. 1 is the one which is concerned with the environment. All right, let me suggest to you that the R.M. of Lakeland believes it is proper and just and right for them to build on 300 lots . . . (inaudible interjection) . . . You haven't investigated have you? No, you haven't, because you don't know that there are 300 vacant lots in the R.M. of Lakeland; they fully believe it is their right and justified objective to have those lots built on and filled up with cottages. . . . (inaudible interjection) . . . Just a minute! Any time, do it now, if they want to.

I can also give the member evidence (which I don't have at my desk because I thought maybe this issue had gone by), that the R.M. of Lakeland has been adding subdivisions outside the 300 lots during the years 1977, '78 and '79. But they deny Paddockwood R.M. the right to develop a subdivision on their side of the boundary.

I know that Reeve Kelly hasn't divulged that kind of information. I know at the meeting in Prince Albert that he denied having more subdivisions approved in his R.M. Not only that, but Mr. Rowe did the same. Don't forget that this R.M. has approved subdivisions at the same time they were being critical of the R.M. of Paddockwood. Even the press hasn't taken the time to phone the R.M. of Paddockwood to see what their point of view is in this whole controversy. You didn't even take the time to find out what the R.M. of Lakeland was doing. But I can assure the hon. member they have had, and have been applying, for approval of subdivisions in their R.M. at the same time they were wishing to deny the R.M. of Paddockwood to go ahead with their subdivisions.

Now I suggest to you the R.M. of Paddockwood and Mr. Karasiuk, in order to get a compromise in that situation, have offered to come with less than 36 lots but to go to what they call country residential and to reduce those so-called country residential, and to reduce those 36 lots to 8 or 9. The R.M. of Lakeland still says we are not prepared to accept that, yet they say that they have a right to develop 300 new cottage lots. They call them infill cottage lots. They think that is quite within their rights; I think it is. Now where is the environmental concern here? Where are the environmental issues with respect to the development?

The member hasn't even taken the time to read the report. Obviously he hasn't taken time to read the report. . . . (inaudible interjection) . . . Oh no, you haven't, because the report says that it recommends the adoption of alternative number two, which they call stabilized development. . . . (inaudible interjection) . . . Oh no, and that hon. member has not read the report either. He wants to make a political scene. You are doing a pretty fair job of it. But you are caught on this one like you were caught on the PCB issue and so is the press. They haven't taken the time either to investigate this. They have never taken the time to talk to Karasiuk. They have never taken the time to talk to the R.M. of Paddockwood. Because if they had, they would have known these facts. They haven't taken the opportunity to read the report.

The report recommends on its own 50 new cottage lots in Christopher Lake.

**AN HON. MEMBER:** — I have a whole file on PCBs.

**MR. BOWERMAN:** — I know you have. You have a whole file from your point of view. Let me say in addition, Mr. Deputy Chairman, that the Karasiuk property is a minimum of



one-half mile from Sunnyside Beach – one-half mile away! The 300 cottages lots which they want to build on in the R.M. of Lakeland are right on the beach. My goodness! What is all the controversy about? The controversy is that the twice defeated PC candidate came into this legislature, brought a file of material out of the R.M.'s file and dumped it on your desk, and away you went. You thought you had a real issue. Without investigation or without any further review you wanted to get up and stampede the issue to try to draw some headlines in the press, which you were capable of doing.

I indicate to you, quite fairly and quite frankly, that as a member of the legislature I have been fairly conversant with this issue for some time. There have been meetings arranged between the two R.M.s, and when we couldn't get the two R.M.s to agree, I went to the former minister of municipal affairs at the request of the R.M. of Paddockwood, to bring in a mediator to try to solve the issue. A mediator went up and did hold a meeting with the two municipalities present. That meeting came up with some agreements, one of which was that Paddockwood would develop a complementary zoning order. The other thing they agreed to was that they would provide to the R.M. of Paddockwood a community planner – Ray Crozier, a community planner out of the Department of Northern Saskatchewan.

It was agreed, among other things, that it would take six or eight months to develop such a zoning plan. Now, it was within that period of time that Paddockwood was busily putting together its zoning plan with Mr. Crozier. At the same time, Paddockwood was supporting the Karasiuk property (there was no question about the fact they were supporting the subdivision of the Karasiuk property) and had a perfect right to do that.

You said it was a straight monetary concern. All right, I indicate to you that the assessment in the R.M. of Lakeland is about \$2.6 million; and the R.M. of Paddockwood has about a \$1.6 million assessment. Now, sure they were interested in money. Sure they were interested in subdividing some property. They are related to the lakes. Their boundary is within a half a mile of the lakes. Surely they have a right to decide within their council as to what development they would support and what they would not support, and so they did. They supported Mr. Karasiuk's development. And because of that, because during the period of time when their complementary zoning order was being developed, they did support Mr. Karasiuk before the appeal board. The R.M. of Lakeland council got uptight and said that Paddockwood wasn't doing their thing and they weren't going to develop a zoning order and they weren't going to do the thing which they promised to do. But I indicate to you that during that same period of time the R.M. of Lakeland was submitting subdivision proposals to the community planning branch which were being approved. Now you can't have it both ways, gentlemen, and neither can the R.M. of Lakeland have it both ways.

**MR. ANDREW:** — Mr. Minister, there is also perhaps a third party, if you want to talk about it with that term. In yesterday's Star-Phoenix I believe there was a spokesperson by the name of Carole Lorenz, who is, I think, chairman of the cottage owners' association, and I don't think a political ally of mine at all. What she and the cottage owners are saying (and it's not the question of who should develop here or who should develop there) is there should be a total freeze on development. There should be a total freeze on development in the area until such time as there are proper studies to ensure that the carrying capacity of that lake can handle further development.

As Minister of the Environment, obviously that should be a concern of yours, but it doesn't appear to be. What you are saying is that these people can develop 300 lots and these people can develop some more, and we are going to let these guys develop nine,

and for that we'll let these guys develop nine, and then one for each. How can you do that, as the Minister of the Environment, when the concern is raised that there is a problem with that lake? It's just like the member for Indian Head-Wolseley expressed a concern about the lakes down South. Why can you not address that problem? What is wrong, Mr. Minister? What would be wrong with saying, let's put a freeze in here; let's determine if it has more carrying capacity; then let's go and develop. But if it doesn't have more carrying capacity, then your function and the function of your government is to ensure the protection of those lakes. That's what the cottage owners are saying, and I don't see why it's so difficult to accommodate them.

**MR. BOWERMAN:** — Mr. Deputy Chairman, certainly, absolutely and positively the president of the cottage owners' association plus those who have cottages at Emma Lake don't want any more development. Why would they want any more development? As long as I have got a cottage and as long as I'm satisfied, why would I want anybody else to come in and have . . . Now just a moment, at the same time that the cottage owners are saying that they are giving approval . . . (inaudible interjection) . . . Because we faced this question in Prince Albert Monday night. They had to face it and they had no answer to it. They are nevertheless approving the report, or it approves of 300 new cottages being built. That's right; that's what they are doing. But you didn't take the time to read the report. You didn't take the time to . . . (inaudible interjection) . . . You did not. I know he read it but I guess he missed the significance of the fact that there are 300 vacant lots upon which the R.M. of Lakeland is going to give approval. As soon as anybody applies for a permit to build, they are going to build 300 new cottages.

And not only that, the recommendation in the report says that there is room for another 50 cottages on Christopher Lake. That's what it recommends. And it recommends in the report as well that they should adopt alternative number two which says stabilize development. And I think there is some ambiguity in the report as one reads it. . . . (inaudible interjection) . . . Well, all right. But at the same time I am saying to you that the R.M. of Lakeland was saying to the people who came forward with applications to subdivide: no, because we have adopted in principle the Ecologistics report – the ecological report, the environmental report. We've adopted that in principle but it would be all right if you would approve this subdivision for us. Approve these; but Paddockwood, no. They're another municipality and they're affecting our lakes if they have a subdivision outside or half a mile from the beach.

Now, I say to you this is a difficult subject. It's not an easy subject to understand unless somebody is conversant with it and wants to take the time to sit down and analyse the arguments on both sides. I simply say to the hon. member that the R.M. of Paddockwood does have a case.

The press has not gone to the R.M. of Paddockwood. . . . (inaudible interjection) . . . No, they haven't. If they have they've never reported what the R.M. of Paddockwood has had to say. I know they had a headline which they picked out of the Prince Albert Herald where the reeve for the R.M. of Paddockwood said that in fact he did not agree with your leader, Mr. Devine. He did not agree with your leader that what I had said at the Paddockwood meeting was that I could overturn the decision of the annexation order. Now, he didn't agree with that. But so far as communicating with the rural municipality of Paddockwood and getting its point of view and getting some other points of view other than those of the R.M. of Lakeland and the cottage owners is concerned, I say you have not done your homework well. And therefore, the proverbial saying is, you've got your feet in a pail of slop.

**MR. KATZMAN:** — Mr. Minister, I would like to start with a comment I see in the Leader-Post of June 11. I think a Mr. Eisler was the writer of the column.

**MR. DEPUTY CHAIRMAN:** — Order, please!

**MR. KATZMAN:** — . . . (inaudible interjection) . . . No, the whole article, Mr. Member for Saskatoon Centre, is about how you guys sell out the province of Saskatchewan for a buck and to heck with the environment. That's what it's about. . . . (inaudible interjection) . . . Now, let's get into the issue, Mr. Minister. Now to the big flea from the North . . . (inaudible interjection) . . .

**MR. DEPUTY CHAIRMAN:** — Order, order! Would the gentlemen let the member for Rosthern have the floor! We need order all around.

**MR. KATZMAN:** — Well, Mr. Member, you're bothering the citizens of Saskatchewan with your non-care for their concerns about the environment. The big flea over there rides on the back of the tail of the member for Tisdale and the member for Biggar as they wag him around and decide what to do. Whenever they want to drain a lake or anything else, they don't care about the citizens of Saskatchewan and the future of this province. All they care about is the holy buck and they wag that big flea around on the tail of the dog.

That's exactly what has happened to your department, Mr. Minister. You're the flea and they are telling you when to jump and how to jump and what they want and you're giving it to them. And basically that's what Mr. Eisler is saying in his column. You say one thing now and if we watch you people long enough you never come out with the whole truth, the facts and all the information.

SMDC (Saskatchewan Mining Development Corporation) is still trying to find a publicity man to put your propaganda out to whitewash your government. You guys have made a total flop of the uranium industry; you have sold out for the big buck as I've said before. You're just a great big flea on the end of the dog's tail and you're not even concerned with the people. And you've proved it. And that's all I am going to say, Mr. Minister, you have made a total muck; you've told mistruths and given misleading information and only partial facts to the citizens of Saskatchewan. The board of inquiry that now goes on in the North is a total flub because they don't have the power to say no if the project is wrong; they can't stop it. So basically your department's a flub and that's what I want to say about you and uranium.

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

Item 1 agreed.

Item 2

**MR. R.L. COLLVER (Leader of the Unionest Party):** — Mr. Deputy Chairman, I wonder if the members would just agree to the title being read rather than every item.

**AN HON. MEMBER:** — No.

Item 2 agreed.

Item 3

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**MR. COLLVER:** — Mr. Chairman, I'm sure that all hon. members would just agree with the front line and the total being read. Honestly, I swear to you.

**AN HON. MEMBER:** — No.

Item 3 agreed.

Item 4

**MR. KATZMAN:** — Mr. Minister, would you inform us or send us a letter later stating where your environmental check spots are, your permanent monitoring stations?

**MR. BOWERMAN:** — Yes, we will. We gave them to you the other night, but we'll give them to you again.

Item 4 agreed.

Items 5 and 6 agreed.

Item 7

**MR. KATZMAN:** — Mr. Minister, do you inspect the inside or only the exterior area? Which is this vote for?

**MR. BOWERMAN:** — Basically the interior part is under labor – occupational health, and basically the Department of the Environment deals with exterior environmental conditions. This has to do with uranium mines as I understand it. There is some consideration that mines pollution control may undertake other mine activities in the future.

**MR. KATZMAN:** — Mr. Minister, could you give me a reading of your equipment at the opening of these mine areas? For example, have you readings of the Cluff Lake mine before they opened the pit and started to do the open mining and the readings today in the area or do you not have equipment to give the changes? They are starting to make the hole where the uranium radiation is coming through, and can you indicate if there's any change in the area?

**MR. BOWERMAN:** — Well, the baseline studies were done. They were done before the report and the public hearings were done. We do ongoing monitoring but the officials tell me they don't have their material here. We can provide it to you. There's no reason why we can't provide it. Mr. Howard will provide it to you so that you know what that is.

**MR. KATZMAN:** — You said the baseline. There is no other further document?

**MR. BOWERMAN:** — We have other data that we've gathered since that time, but we don't have it here.

Item 7 agreed.

Items 8 and 9 agreed.

Item 10

**MR. KATZMAN:** — Special projects?

**MR. BOWERMAN:** — These include Souris implementation; studies to develop economic growth areas in the province; development of long term water management strategy; analysis of surface and ground water availability in target areas; development of flood forecasting in the Souris basin.

Item 10 agreed.

Items 11 and 12 agreed.

Item 13

**MR. KATZMAN:** — Mr. Minister, there must be a reason why this is placed under environment, rather than anywhere else. And I noticed the reduction in staff, plus the announcement about one of your staff leaving you since this book has been printed, so I assume that either you have no staff now in this department, or you are looking for staff.

**MR. BOWERMAN:** — Yes, we're looking for staff. Mr. Milen resigned some time ago. And the reason that it's in here is because it was designated as a responsibility to me, as a minister, to look after this particular interest of the government. It came with me as a minister. It could be under the administrative end of it, but it's here in environment because I'm here in environment. I guess that's the answer.

**MR. KATZMAN:** — Well, Mr. Minister, you dropped the three employees to one, but you went from \$132,000 to \$158,000. You know the other expenses have gone wild.

**MR. BOWERMAN:** — That's right. The staff is down because the initial work was completed so we could reduce the staff, but it is proposed to make a grant to the Federation of Saskatchewan Indians of \$75,000 to enable the federation to carry out research into its own land entitlements question.

**MR. KATZMAN:** — \$75,000? Mr. Minister, normally all grants are under \$10,000 and you have the authority to make these under \$10,000 to any group and you seem to have brought in bills to give you all permission to do that. By just putting it in this vote does it automatically give you the authority to give away \$75,000? Or do you have to go to the Executive Council or what?

**MR. BOWERMAN:** — It still has to go to the Executive Council as an order in council for final approval, but the budgetary item is there and as indicated that will be one of the proposed expenditures for 1980-81. It has no relationship to the \$10,000 maximum grant which the department can provide.

**MR. KATZMAN:** — So you can provide each band up to \$10,000 from another area, plus the \$75,000 which you give the association?

**MR. BOWERMAN:** — No, it has no relationship, Mr. Chairman, to the \$10,000. This is a proposed grant to the Federation of Saskatchewan Indians.

**MR. COLLVER:** — The relationship between the Indian land claims in the province of Saskatchewan and the purpose and principles of the Department of the Environment

. . . I'm not commenting one way or another on whether the Indians have a legitimate land claim, but what is the relationship between a grant of \$75,000 out of the Department of the Environment and those claims which the Indians may make?

**MR. BOWERMAN:** — I'm not sure if I understand the import of the hon. member's question. I tried to explain — you put it wherever you want to in the estimates book. What I was trying to say is that the responsibility for Indian land entitlements for the province of Saskatchewan has been given to the Minister of Environment. It was the responsibility of the Minister of Northern Saskatchewan before the change came. In the wisdom or otherwise of the Premier in making the changes, he left with the new Department of the Environment minister the responsibilities for treaty Indian land entitlements.

I guess it's the same relationship as you have in the Attorney General being the minister in charge of communications. I don't know if I've answered the hon. member's question, but it has to appear some place in the . . .

Item 13 agreed.

Item 14

**MR. MUIRHEAD:** — Mr. Minister, about three weeks ago when we started environment estimates, if you remember, the first question I asked you was pertaining to the statements of environment. I asked to have tabled on the final day what the other expenses were, because total that you're asking to be approved here is \$8,601,410. The other expenses that you have listed are half, \$4,426,740. Now half of it is approximately for wages for permanent positions and the rest is . . . The total is not quite \$0.5 million for environment. I asked you to have an itemized statement here of what other expenses were. Can you table that please?

**MR. BOWERMAN:** — I don't remember the member asking the question.

**AN HON. MEMBER:** — It's in Hansard.

**MR. BOWERMAN:** — Well, fine. If it is, I don't know what my response was, but I can give you some of them. Government system centre services was \$32,000. No, this is last year's actually. Government system centre services, \$7,000; research consulting fee, \$100,000; legal fees and expenses, zero; tuition fees, \$900; laboratory fees, \$34,800; computer services, \$34,500; miscellaneous technical services, \$810,000; rent of grounds and buildings, \$1,180; rent of motor equipment, \$400; rent of office equipment, \$4,300; rent of other equipment, \$6,400; rent of aircraft, \$20,725; other insurance premiums, zero; light, water, utility, \$3,000. I can go on. Advertising, \$84,000; publication of notices, \$7,600; print, bind and engraving, \$204,000; radio broadcast services . . .

**MR. MUIRHEAD:** — I'll be quite satisfied if you would table those figures and we can go on. Send them over or table them, whatever you like.

**MR. BOWERMAN:** — I'll send them over. I'll get them to you.

**MR. MUIRHEAD:** — Would the minister let me ask one more question on item 14?

**MR. BOWERMAN:** — Yes, go ahead.

**MR. MUIRHEAD:** — Does any of the money in this budget include any expense for clean-up at Federal Pioneer?

**MR. BOWERMAN:** — I think the technical answer to the technical question is no, there is not any money directly related to the clean-up of Federal Pioneer other than the ongoing salaries we have in the department that are not purely related to Federal Pioneer. They are related to other things plus investigations that we will do for a site location as to where the material should go and the construction of a suitable safe storage site. I understand it's going to Mr. Muirhead's constituency.

Item 14 agreed.

The committee reported progress.

### COMMITTEE OF THE WHOLE

Bill No. 105 – An Act to amend The Legislative Assembly and Executive Council Act.

Section 1

**MR. R.L. COLLVER (Leader of the Unionest Party):** — Mr. Deputy Chairman, I am going to make just a few remarks this afternoon to tell the members I don't intend to use very much material today or during committee of the whole on this bill. But before I get into my remarks, Mr. Deputy Chairman, I would like to make one point.

I had lunch today with a Dr. Colvin Peyson. Dr. Peyson is an eminent psychiatrist in the province of Saskatchewan. He has been located in Weyburn, worked for the provincial government and has now set up on his own. When I mentioned to him that all hon. members in this Chamber from all parties might have occasion, from time to time, to be interested in his services, he offered specifically to set up an office just outside this Chamber for the benefit of all hon. members. I sincerely believe we should take advantage of his services. He is just setting up on his own. He has the time and effort and the abilities and the qualifications to be able to deal with problems of all hon. members in this Chamber.

I can assure you, Mr. Speaker, it was the best offer I have ever heard any individual of Saskatchewan make to try and bring some sense to the province of Saskatchewan and to this legislative Chamber.

I, more than anyone else, Mr. Deputy Chairman, need the services of Dr. Peyson, because, as the member for Nipawin, the erstwhile Leader of the Unionest Party of Saskatchewan, the former leader of the Conservatives and former leader of the opposition, having been through all of that, having built the Conservatives from 2 per cent to 39 per cent, having been out there in the boondocks trying to make people understand what it is to live in a free society and in a free country, I must say about the only way you could possibly put it is, you need your head examined to even want to be involved. I know all members from time to time have believed that they needed their heads examined. Dr. Peyson has offered to examine any head in this Chamber.

Mr. Deputy Chairman . . . (inaudible interjection) . . . Perhaps it should be in the bill, for the benefit of the member opposite. I am shocked at the actions of the members of

the Legislative Assembly for the province of Saskatchewan on Bill No. 105. I don't think there is a citizen in the province of Saskatchewan who doesn't now understand what Bill No. 105, in this session of the legislature, is all about.

There is no question that it is an attack on members of the legislature because of what they believe in. As late as yesterday, in the debate on Bill No. 105, the member for Weyburn, who is known as one of the most sincere and honest members of this Chamber, said it like it was. He said the reason he was in support of Bill No. 105 was that he is a Canadian and proud of it, and doesn't want to support anyone who would break up our country.

Mr. Deputy Chairman, that is the issue; that is what Bill No. 105 is all about, and that I believe. I have been able to show, over the course of second reading debate, that Bill No. 105 does: it attacks people because of their ideas. Those people are in the minority in this Chamber; they are only two out of 61 elected members, but that minority has certain ideas which others members and other individuals in Saskatchewan believe, however erroneously, are dangerous to our province at this stage of the game.

Now, Mr. Deputy Chairman, I would say to all hon. members once again: ideas, thoughts, are all that are important to any citizen of any society. New ideas, new thoughts and new ways of looking at problems are the only possible way to bring about necessary and needed changes in our society, and in the rights and freedoms of individuals in that society. When you attempt, in however small, however narrow a way, doing so for political reasons – perfectly valid. You may say you are doing so because the majority of citizens of the province believe that attack should take place, but when you, as members of this legislative Chamber, attack ideas, whatever they may be, you attack the very foundation of your society and of your country.

Western Canadians today are faced with some serious problems, some serious decisions which they have to make over the coming months – not just tiny decisions, but huge decisions affecting their very lifestyles. Mr. Deputy Chairman, I say to you, what's in a name? Shakespeare said it; I also say it. What's in a name? Is the name Unionest Party of the province of Saskatchewan, in itself, enough to require an attack against its minority views or position?

An individual member of the legislature goes to the people with a myriad of presentations. He goes to the people of his constituency with his stand on free enterprise versus government control. He goes to the people with his stand on the rights of people within his constituency vis-a-vis roads and bridges. He goes to the people of his constituency with his views on the constitution. He goes to the people of his constituency, in other words, with a platform which includes views on health care, environment and education.

From time to time, Mr. Deputy Chairman, members in one area or the other change their minds between elections on the approach they took at the time of the last election. Whether that is a party platform, whether that is an individual's platform, it is the combination of the member's ideas and ideals that he presents to the people at the time of the election.

I have drawn to the attention of all hon. members example after example in British parliamentary tradition, in Saskatchewan parliamentary tradition, of members and as a matter of fact of entire parties changing their minds between the time of the last



election and the situation that faces them before the next election. I won't go into those examples again; I've already mentioned them to members of this Chamber. But there are changes which occur in the world and in the province and in organizations; members, when they are elected at the time of their election, must have sufficient judgment, sufficient ideals to be able to exercise their power of good judgment to make a change in one area or another.

Mr. Deputy Chairman, I suggest to you that in terms of my election in the constituency of Nipawin, I have changed only one of the views that I presented to them at the time of the last election. That is my view with regard to the constitution and with regard to the changes that have to be made in terms of Canada or the very essence, the very spirit, of western Canadians will be in jeopardy. The very essence and the very spirit of western Canada and of Saskatchewan is that all individuals of all walks of life and of all ethnic backgrounds, beliefs and faiths can work together side by side and be prepared to be proud citizens while being proud of the speaking in Verigin, Russian; in other parts of the province, Ukrainian; in other parts, French. They are proud of those traditions, but also, Mr. Deputy Chairman, proud of being able to get along with those minority groups.

That, Mr. Deputy Chairman, I have said before and I will say again, is not in existence in the province of Ontario. Until I was 13 years old, I grew up there; my relatives all live there. That is not true there; that feeling is not true there; that spirit is not true there; that essence is not true there. It is not true in the province of Quebec. Mr. Deputy Chairman, I say to you that if the people of western Canada and the people of Saskatchewan are to have all views presented to them, the most important view of all is what makes up the very essence of our society. Not the oil, not the resources, not the uranium, but the very essence of spirit of the people who live in Saskatchewan and the people who live in western Canada. If a change is attempted in that, it is our obligation, our duty, as members of this Chamber to look at that situation sincerely and seriously and to attempt to come up with alternative solutions.

Mr. Deputy Chairman, on that one view I have changed from the last election. On that one important view, I have changed. I did not change the view that that is the essence of Saskatchewan and the essence of western Canada. Oh no, but I changed in that I believe now it is no longer possible, given the present union in Canada, to maintain that essence.

If we bring in the so-called founding culture principle, and founding nations, we will say that only two are worthy of special notice and all others are less than full citizens. I say, Mr. Deputy Chairman, that given that reasoning, given that rationale, not changing my view on free enterprise, not changing my view on how the Department of Health should be organized, not changing any one of those platforms that I presented to the people of Nipawin, only one, it is my obligation and my duty to have taken the actions that I did.

It is my duty, furthermore, to my former party not to present the view that the country is finished and that therefore we must have other alternatives presented. It is my duty to them, my obligation to them, to leave that party on that principle.

Do you think, Mr. Deputy Chairman, it has been great to watch members in this Chamber suggest that somehow in some way, it was a crooked decision, or a selfish decision? Do you think, given my personal history with the Progressive Conservative Party of Saskatchewan, that it was an easy or lightly thought out thing for me as an individual to resign from that party? Given the fact that, if you like, it was my baby, my

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creation, my feelings, my gut reaction for six years, do you think that was an easy thing to do? No, it was not.

It was neither easy for me, nor was it easy for the member for Swift Current, who, by the way, for the information of other members of this Chamber, was the third candidate nominated for the election in '75 – number three after me and Morris Cherneskey – number three, working for the Progressive Conservatives. Do you think it was easy for us to make that decision? No it was not.

But I say to you, given that set of circumstances, given that feeling, given that belief, that the very essence of our province and of western Canada must be maintained . . .

What's in a name? What's in the name Canada or Canadian? What's in the name Unionest? The only thing that's involved in the name is what it means. That's what's in a name. What's in the name Saskatchewan? Only what it means. If it is meaningless, if the name Canadian means dictatorship, if the name Canadian means we must live in a one party state, then the name Canadian is wrong. If the name Unionest means that we should exercise violent means to approach our problems, that we should take the law into our own hands, then Unionest is wrong. If that's what's in a name, then the name is wrong. If that's what a name becomes, then the name is wrong. If the very essence goes out of the society in which the name has meaning, then the society is wrong. Only new ideas will save it. Only new thoughts will save it. Only new approaches will save it. If you attack those new ideas, if you attack and attempt to thwart those new ideas, you do yourselves and your constituents and your country a disservice.

Now, I have heard suggestions in this Chamber that this bill is not an attack on free speech. There isn't a member of this legislative Chamber who doesn't understand that if you withdraw research and administrative help from the member, his free speech is thwarted.

It's exactly the same as saying to the members of the Saskatchewan press corps, you may write whatever you like. You may write anything you want. But the printing presses are being withdrawn. It is exactly the same as saying to the members of the Saskatchewan press corps, you have freedom of the press. You have freedom of speech because you can sit by your typewriter and type to your heart's content. But if there isn't a little girl down there at the Leader-Post or CKCK or somewhere else (or a little guy given the present circumstances of society) sitting there at a typewriter prepared to take down what the person says, then what the person says will never get out, will never be published. That is a retraction of the freedom of speech.

No member of this legislative Chamber can doubt that if a member doesn't have appropriate secretarial help, if a member doesn't have appropriate research staff to check into his facts, he cannot do his job as well as he could otherwise. Do not for one moment try to suggest to the people that this is not an infringement on freedom of speech of a member of the legislature because that is just bunk. If you withdraw administrative assistance to members, they will not do as good a job. They will not be able to present their views as well as they could otherwise.

Now I suggest to you, given the present state of the Saskatchewan legislative Chamber, that the member for Swift Current and the member for Nipawin will do quite well, thank you very much, without. I think all members in this Chamber expressed their views yesterday, expressed their opinions yesterday, on second reading vote on this bill. No

amount of talking by me or by the member for Swift Current is going to change the feelings of those members with reference to this attack, this retroactive attack.

I do wish to state one other thing in terms of retroactivity. There are times when retroactivity is in order, because government is slow-moving, because it is necessary to pass legislation through this House, because it is necessary from one election to another, or from one election to the next sitting of the House, to call the members together to have the throne speech debate. And I suggest for the benefit of the member for Souris-Cannington that when legislation is passed retroactively to the last election, when this is the first session (and I'm talking about the one in '79) after the last election, and retroactivity is put in hurting no one, attacking no one, then retroactivity is in fact in order. Retroactivity from time to time is in order to deflect other problems, mostly caused by slow-moving governments.

In the case, for example, of the oil legislation, retroactivity was necessary to protect the people of Saskatchewan from mistakes made by a previous administration.

Fair enough; but when retroactivity is used specifically to attack one group in society, and that group is a minority, then it cannot be included as anything else, but exactly that – an attack, an attempt to make lawbreakers out of those who otherwise obeyed the law in every sense of the word.

Mr. Deputy Chairman, this legislature, this province, in my judgment and in the judgment of the member for Swift Current, is capable of withstanding ideas from whatever source; it is capable of obtaining new thoughts and new ideas, so it is our duty as members to encourage those new ideas from wherever they may come.

We were correct in even allowing (and I say this because I abhor their tactics) the demonstrators in this Chamber, from there and there, in this very session to express their views, their way. It was not pleasant; it was a little frightening to any member who was here, but we were right in allowing those people to express their ideas and express their thoughts to the best of their ability.

Today in the study of the Department of the Environment, we hear the Government of Saskatchewan granting \$75,000 to a minority group which is culturally deprived, to press on with their claims against the majority and we are right. But when you take that away from any group, whatever the thought or idea, you open the door to say to yourself, we like what that group says; we like what that group stands for and therefore we will support them or we do not like that group; we do not like those thoughts; we do not like their ideas, and therefore we will pass legislation to attack them.

That's the importance of this bill. That's the importance, in my judgment, of being a member of this legislative Chamber. All members made their decision yesterday; I believe the time will come when in fact if they believe they are liberal and democratic, they will rue the day that they ever supported Bill No. 105.

**HON. E.L. COWLEY (Provincial Secretary):** — Mr. Deputy Chairman, just a very few comments. First of all I indicated in second reading that there would be an amendment offered to this bill which would broaden the terms of the third party somewhat, to include two or more members who had in a by-election been elected to this House, representing a registered political party, even though they may not have had the opportunity to have run in the last election.

We intend to offer an amendment, which the Clerk has, to section 3 to allow that. I want to also indicate that after some discussions in our caucus and, I think, discussions with other parties, we propose to offer an amendment to section 9 of the bill, which will make the part of the bill dealing with the leader of the third party come into effect on assent, as opposed to coming into effect retroactively. There will be still other parts of the bill not connected with the issue of third party grants that will be retroactive. I indicated the need for those in my second reading speech.

I want to say in response to the member for Nipawin that I think he makes some points about only having changed one view since he was elected as the member for Nipawin. While one could argue, as he obviously does, that's technically correct, I think that the people of Nipawin and indeed the people of the province would feel that a switch by someone who ran as a candidate for premier of the province as the leader of the Progressive Conservative Party (with all the traditions of the Progressive Conservative Party, in support not only of Canada but, one thinks of the late John Diefenbaker, in support of the monarchy, and all of the institutions of Canadian government), to the views now currently held by the member for Nipawin, is not a minor switch nor indeed just a switch of one small view but rather a fundamental change.

I think the points the member makes with respect to the British system of electing members of the Legislative Assembly or of the House of Commons are a correct view on his part. Members are elected for a term and have been in the past and are at present free to change their views once elected. They are not bound by something like the right of recall. I think if one studies the history of western Canada one will find, in the 1920s in particular, very strong movements in western Canada, primarily among people of left persuasions, for the introduction of a right of recall which would be the right for a group of constituents to recall their members, in effect, to create a vacancy. The reason for this desire to hamper or restrict the rights of members of legislatures and the House of Commons was the sense on the part of constituents, particularly in western Canada (I think it primarily arose out of the Progressive Party disappearing between elections in Ottawa) that they had been betrayed.

So I think that members of this Assembly and other assemblies, when they speak about protecting the rights of members of those assemblies, also have to recognize their responsibilities to act in a way which protects the rights they have in the public mind, in the public's opinion. I think one finds throughout this province among the public a sense that it's unfair to change political parties in midstream. There is an acceptance of that; but there is a real sense of the unfairness of being able to change horses in midstream in a very dramatic and different way and to be recognized as a political party even though that political party never offered itself to the electorate, never made its views known, never gave an opportunity to the electorate to respond to that.

I think, Mr. Deputy Chairman, one can make an argument, albeit, I'm sure, not one that the member for Nipawin will agree with, that failure to introduce legislation such as this (which deals only, I might say, with the question of whether or not a party can be recognized as the third party in this House if it was not even in existence at the time of the last election) would not be a responsible action on the part of this legislature in protecting the rights of members to freely put forward their views.

I want to say that there is nothing in this legislation which prevents the right of the member for Nipawin or the member for Swift Current to sit in this Assembly; nothing which prevents them from putting forward whatever points of view they want; nothing which takes away their right to grants, either as individual members or as members of a

two-party caucus for caucus research grants. What it does do is remove the leader of the third party grants. And I think, Mr. Deputy Chairman, the position we took in moving the bill – and which I hold to – is that it was never the intention, nor was it contemplated by members of this legislature when we introduced and passed the original bills that we would find ourselves in a situation such as we are in today.

I want to indicate to you, Mr. Deputy Chairman, and to all members of the House, that I will be introducing, and I trust members will support, an amendment which will make this effective on assent as opposed to retroactively. I know that does not change in any way, or in many ways at least, the principle of the arguments put forward by the member for Nipawin. But I think it does answer some of the criticisms which some members have, in and outside this House, made to me.

**MR. COLLVER:** — Mr. Deputy Chairman, before we agree to clause 1, I would like to ask the member a question and I know this is a little unusual to do on item 1, but I am sure the minister will understand why I do this. The minister has introduced an amendment to section 3 of the printed bill to perhaps remove the possibility or potential of the member for Nipawin and the member for Swift Current suddenly saying they are Liberals and falling under the scope of the bill. I'm sure it's the intention of the amendment – I hope the minister will correct me if that's wrong, but I think it is probably true – that he look for endorsement of the party at the time of the previous election. I would like to suggest to the minister that as I read this amendment, and I've only had a brief study, if it is the intention of the member for Biggar to place that amendment into this Chamber in order to prevent that, then we are getting into an even more horrendous situation for the future, not as it relates to the member for Nipawin and the member for Swift Current. I think you might be able to accomplish this a little better than by putting it in this way.

What you are doing, as I read the amendment you have provided to me, is suggesting that if one or two or three members of the Conservative Party decided somewhere down the road they approved more of the platform of the Liberal Party (and I'm not talking about the member for Swift Current and the member for Nipawin) and decided to become Liberals in fact, they would be prohibited from doing so because they did not run as Liberals in the previous election. That's how I read this new amendment that you provided.

Now, that is totally against what you said at the introduction of the bill, and what the Premier said at the introduction of the bill, and that was to allow individuals who may or may not have subscribed to the Liberal Party at the time of the last general election or by-election . . . but that 13 per cent of the people in fact supported the Liberal Party platform. And I'm even thinking of members of the NDP who may sometime over the next couple of years decide that the NDP is wrong, that the Conservatives are not correct – it's possible – and that they wish to subscribe to the views of the Liberal Party in Saskatchewan. As I read this amendment, if, let's say, three of them made that decision, they could not be eligible for third party status in this House. Now if the minister wants, the member for Swift Current and the member for Nipawin will make an absolute commitment to this legislative Chamber, that at no time between now and the next provincial general election, will we either attempt to join or attempt to become Liberals in Saskatchewan; the only reason we said that was an attempt to show the way the bill was going. If we were to make that absolute sworn commitment on the basis that we would sign a document of resignation right now, hand it in to the Clerk, should we ever try to become Liberals, that might solve the problem for the minister. He wouldn't

have to bring forward that particular amendment. I could provide, and I am sure the member for Swift Current would be happy to provide such a documented guarantee to the members of the legislative Chamber to show that this was not our intention nor will we ever do so.

I think you are getting yourself into a box from this that may withdraw even more freedoms from other members of your caucus and of the Conservative caucus; it goes against the stated principle you attributed to the bill right from the day one.

**MR. COWLEY:** — It doesn't do that. If two members — I won't put the member for Nipawin in a spot, but suppose the member for Regina Elphinstone and the member for Souris-Cannington decide to sit together as Liberals, they would come under section 3(d)(1). The group is comprised of individuals affiliated with a political party that was registered under The Election Act on the day of the last election. So if indeed the two members now sitting as members of the Unionest Party were to become Liberals under this amendment, then you would . . .

**AN HON. MEMBER:** — Well, say if they had one guy became a Liberal and one guy was elected under a by-election, would it be all right?

**MR. COWLEY:** — They would be O.K.

Section 1 agreed.

Section 2 agreed.

Section 3

**MR. DEPUTY CHAIRMAN:** — We have the two amendments to section 3, and we will be taking the one by Mr. Cowley first since it appears first in the clause. We have an amendment to section 3 then, and I'll read the amendment.

**AN HON. MEMBER:** — Take it as read.

**MR. DEPUTY CHAIRMAN:** — Take it as read?

Section 3 as amended agreed.

**MR. COLLVER:** — Mr. Chairman, I just want you to notice that I was confused on item 1 and said agreed. I really don't agree to item 1, but I wanted to get on the record about that in case anyone was in doubt that I didn't agree with item 1.

**MR. DEPUTY CHAIRMAN:** — The amendment having been passed, the second one is no longer applicable, with the wording changed.

Section 4

**MR. COLLVER:** — I think the way you took the order of those amendments was unacceptable to some members. I don't particularly care. But apparently there was one amendment which did change something in the bill. I don't happen to agree with it very much but it did change something. I have both amendments and it does seem to be strange that you wouldn't take the one amendment first. I must say I will go against it, but I am sure that doesn't matter to the member for Souris-Cannington. I mean let's be

reasonable.

**MR. COWLEY:** — Again I don't agree with the amendment, but I don't mind having an opportunity to state our case for it. If we have unanimous agreement, if the member for Souris-Cannington wants to move it, then we will be prepared to consider the amendment.

**MR. BERNTSON:** — I know that is the way the system works. My amendment is no longer applicable. I stated my case as it relates to this particular amendment yesterday. I am prepared to let it go at that. The House has won.

Section 4 agreed.

Sections 5 and 6 agreed.

Section 7

**MR. R.L. ANDREW (Kindersley):** — I wonder if I might ask the minister what the purpose of this amendment was?

**MR. COWLEY:** — I am told there was a problem raised by the regulations committee. This was introduced on their recommendation.

**MR. ANDREW:** — I don't think there was any recommendation from the regulations committee. I understand it is retroactive because you muffed it last spring when the bill came up and you did not in fact pass any regulations with regard to pay for expense money for cabinet ministers. I wonder if the minister might inform the House as to just how much expense money we are talking about?

**MR. COWLEY:** — I guess the member's 'muffing' is probably as good a word as any. Just off the top of my head, my guess would be somewhere around \$100,000. That is a very rough, fast and ready guess. The procedures followed were the same as they have been for years except that the legislation, when it was introduced last time, obviously should have had these changes in it and didn't.

**MR. ANDREW:** — I wonder if the minister would be prepared to table the details of the expense money prior to third reading?

**MR. COWLEY:** — In the same form as they will appear in the public accounts, that sort of listing? O.K. Fine. I will certainly undertake to do that. On the assumption we have a limited amount of time to do it, we may have to round it off to the nearest \$20 or something, but it will be that close. I will send a copy of that across to the members opposite as soon as we can get it, before third reading.

Section 7 agreed.

Section 8

**MR. COLLVER:** — Just before you get away from section 8, I do want to make a comment about what the minister said today on retroactivity. Section 8 deals with some part of the bill being retroactive (if I am not mistaken) to January 1, 1979, and December 5, 1979, as I read the two clauses of section 8.

There is no amendment to affect that retroactivity in this bill. I think the minister is aware

of that, and his amendment (and I'll deal with that when we get to section 9) does not remove the retroactive attack nature, if you like, of the bill. What it removes is the government's non-desire to chase after the Donor's Choice in Nipawin for the amount of money which has already been paid. Now I want to emphasize that the actual retroactivity of the bill remains in force, in effect. Even after the minister's amended clause 9, and with clause 8, it is still a retroactive bill. It makes lawbreakers out of two members of the legislature. All it means however, is that payments under the act (the old act) which have already been made are not going to be collected back. I believe that is correct; I think the minister will probably confirm that is correct.

**MR. COWLEY:** — There are parts of the bill which are retroactive, as I indicated, but they are not those which are associated with the member for Nipawin or the member for Swift Current. So I guess if his argument is that it's retroactive in the sense that he now sits as the Leader of the Unionist Party and that on the assent of the bill he will not receive some moneys he might have anticipated two weeks ago, then it is not retroactive, but he may interpret it as being retroactive. It is legally not retroactive; it doesn't happen until the assent of the bill, but . . . (inaudible interjection) . . . No, I don't believe so.

Section 8 agreed.

Section 9

**MR. BERNTSON:** — Mr. Deputy Chairman, this amendment takes care of the abhorrent retroactivity of the bill. The bill, in fact, comes into effect on the day of assent, with this amendment, and section 9, subsection (2) provides that no funds be granted or paid to the leader of the third party when in fact, during that period, he wasn't leader of a registered third party in the province. Then since he has already been paid for the period that he was in fact entitled to those funds, it wouldn't seem right to make a lawbreaker out of him retroactively, so it provides that you don't have to go back and scrounge the bucks which you've already given him. But on the day of assent he is due no further dollars. It seems to me that he's not deserving of any dollars when the party in fact didn't exist and wasn't registered with the chief electoral officer. Under the law at the time that he did register, he was deserving of those dollars and on day of assent he will no longer be deserving of those dollars; so I think that simple section covers all those angles.

**MR. COWLEY:** — Mr. Deputy Chairman, again I want to speak in opposition to this. I think the amendment which we intend to offer with respect to this, does what we're looking for. What will be retroactive under the amendment I would propose, and would not be retroactive under the amendment proposed by the member for Souris-Cannington, is section 4, non-disqualification of members, which is a section it can be argued should be left in, although I think one could argue we could get along without it.

Section 5, which is a section which if not put in would allow (given that we're removing the retroactivity of the legislation) the member for Nipawin to have received a salary as the Leader of the Conservative Party, until he resigned as Leader of the Conservative Party, and at the same time receive a salary as the leader of the third party, which I think even the member for Nipawin wouldn't argue is correct. If we were to go with the motion offered by the member for Souris-Cannington, that would be the effect.

A proposal that I have, which we'll hopefully have an opportunity to hear, is amending section 9(2) of the printed bill by striking out '3' which means that the amended section



3 will not be retroactive but will come into effect on day of assent and strikes out section 9(4) of the bill.

So I would urge members, on the advice of my learned legal counsel here, to oppose the motion put forward by the member for Souris-Cannington and to support the suggested amendment which I intend to move following the defeat, hopefully, of this particular amendment.

Section 9 as amended negatived.

**MR. COLLVER:** — I just want to tell the members of this legislative Chamber that the bill is in fact retroactive. You're not removing the retroactivity with reference to the third party grants by this move because if the retroactivity is not included, then this would be true; this principle which is before us and has been before us for some time would be true from today forward. But in fact the member for Swift Current and the member for Nipawin complied with the law and therefore are recognized as third party so this entire exercise was wasted.

So I say to the members of this Assembly and to the minister, the bill remains retroactive in that the law is being retroactively applied, although the funds are only being determined from the day of assent. This basically, amounts to the fact the government doesn't want to chase the moneys which have already been paid to the Donor's Choice in Nipawin. I can certainly say on behalf of the people of Nipawin that I appreciate that; the people of Nipawin appreciate that. I am sure the worthwhile charities which are being handled by Donor's Choice in Nipawin will appreciate the government's actions on this clause. But don't let anybody understand that this is not retroactive in nature. If the bill was not retroactive, then we, in fact, obeyed the law. If we obeyed the law, then we are recognized. We obeyed the law as it existed and the funds should be payable, as they were all along. So we are not then recognized as third party, because retroactively we are being told you are not being recognized as a third party. Admittedly, the funds stop on the day of assent.

Amendment agreed to on the following recorded division:

Yeas – 33

Pepper	Smishek	Romanow
Robbins	Baker	Skoberg
McArthur	Gross	Shillington
Mostoway	Kaeding	Hammersmith
Kowalchuk	Dyck	Feschuk
Byers	Cowley	Cody
Koskie	Matsalla	Lusney
Long	Nelson	Poniatowski
Lingenfelter	Berntson	Lane
Swan	Pickering	Muirhead
Katzman	Andrew	McLeod

**June 11, 1980**

Nays – 2

Collver

Ham

Section 9 as amended agreed to on division.

**MR. DEPUTY CHAIRMAN:** — I'll just read a short piece here from Beauchesne's, Fifth Edition:

The granting or enacting words of a bill for granting aid of supplies to the Crown or the enacting words of other bills are part of the framework of the bill and as such are not submitted to the House or its committees for debate or amendment.

So I should not really have called for agreed on that.

The committee agreed to report the bill as amended on the following recorded division:

Yeas — 33

Pepper

Romanow

Skoberg

Mostoway

Kowalchuk

Byers

Cody

Lusney

Poniatowski

Swan

Muirhead

Bowerman

Robbins

McArthur

Kaeding

Dyck

Cowley

Koskie

Long

Berntson

Pickering

Andrew

Smishek

Baker

Gross

Hammersmith

Feschuk

Tchorzewski

Matsalla

Nelson

Lane

Garner

McLeod

Nays — 2

Collver

Ham

Bill No. 136 – An Act to amend The Constituency Boundaries Commission Act.

Section 1 agreed.

Section 2

**MR. J.G. LANE (Qu'Appelle):** — With the minister's assurance that once the Clerk has it, it will be immediately distributed, we will support sections 2 and 3.

**HON. E.L. COWLEY (Provincial Secretary):** — Just a quick comment on that. What we'll do is when the Clerk has it, we'll get it to the leaders of the opposition immediately and

probably then mail it to all members and make it public at the same time.

Section 2 agreed.

Section 3 agreed.

The committee agreed to report the bill.

Bill No. 65 – An Act to amend The Cemeteries Act

Section 1

**MR. G.S. MUIRHEAD (Arm River):** — The reason I had to leave there, Mr. Deputy Chairman, was that I just took a quick run back to my room just in case that file did come back but I'm sorry, it didn't.

My first remarks to the minister are just a few words I've put together in answer to his remarks in second reading, if I may.

For the information of the Provincial Secretary in reply to his statement regarding unfounded charges, that the first commercial cemeteries appeared under a Conservative government in the province of Ontario as per page 2854 of Hansard May 9 I want to tell him that his source of information, which I presume is the deputy provincial secretary, had better tell him all the details about commercial cemeteries and their past history. I presume, Mr. Minister, this is where you received your information. Perhaps the deputy provincial secretary could tell him about some of his sojourns to the United States, in respect to commercial cemeteries, which may or may not have been at the expense of promoters wishing to get established in Saskatchewan.

Also, Mr. Chairman, it would appear that the deputy provincial secretary, who knows every detail of the history of the commercial cemeteries' fiasco in Saskatchewan, hasn't told the Hon. Provincial Secretary that the Ontario-based company holdings in Saskatchewan are, at the most, three of the ten commercial cemeteries we have, and these three are of the least concern at the present time. The ones that are based from Ontario are of very little concern at the present time in connection with this bill. Those are in Regina, Saskatoon and Prince Albert. That's where the memorial gardens are.

This is what the hon. minister says about me. I'll just quote it from Hansard. I want the hon. minister, who doesn't include me on his list of reasonable men, to understand very clearly, as clearly as any history teacher can understand, that the seven other commercial cemeteries located in this province were given the green light by the Premier and the deputy provincial secretary by the authority given them as members of the securities commission, when in fact, if they had listened to the advice of the Ontario company which had established these three cemeteries, Regina, Saskatoon and Prince Albert, we wouldn't be in the position that we are in today. Mr. Minister, they advised, after they started the three cemeteries operating for gain in Prince Albert, Saskatoon and Regina, that it was not a satisfactory business with a town or city of less than 300,000 population.

When they moved in here in the early '50s, the Ontario people were going to take over the entire province with commercial cemeteries. But they found out it didn't pay. And the reason why you have no trouble in your department, in the Provincial Secretary's department from 1955 we'll say, when this first started, is because Prince Albert,

Saskatoon and Regina were subsidized by the Ontario-owned companies.

I say to you, Mr. Provincial Secretary, if you are going to tell this House the history of commercial cemeteries across Canada, your deputy should provide you with all the details first. The press would be pleased; the public would be amazed. I have a question. You can just write this down. This is the first question I want you to answer, Mr. Minister, if you will. Tell where the promoters who originally set up these companies came from, where they went from here, where they went to? Did they set up other operations like this also in Calgary, Medicine Hat, Victoria, etc.? These were the fast-buck artists that moved into this province in the '50s, as you maybe do not know, Mr. Provincial Secretary. These were the people who moved in here and took advantage of the people of Saskatchewan. They sold plots in commercial cemeteries operated for gain throughout the province. They left with a good sum of money in their pockets.

Well, Mr. Minister, in second reading your remarks scratched the surface. I tell you, you should dig it all up and tell it the way it really was and is now. And what is your solution to the ever-increasing problems which I can assure you are on the horizon? Your department in the '50s created this fiasco we're in, and we are back in it in 1980. I would like you to tell me what we're going to do — this bill will not achieve it. I'd like to have from you, and I'm sure you could get it from your deputy minister . . . He knows about commercial cemeteries because he was here since 1952 or thereabouts. Get him to tell you how we're going to clear this mess up that we're in in this province. Because I think you're going to have a lot more problems. You've had Weyburn on your hands, Memorial Gardens from Weyburn, since 1971; you've had one more thrown back on you now, and there are more coming.

Perhaps, Mr. Minister, if you do not wish to tell the whole story, maybe as the elected member I am obliged on behalf of the people of this province to put it all together in detail and hold a public meeting in each of the 10 centres where these cemeteries are located. Let the people come and express their views as to the position they find themselves in today regarding properties they were high-pressured into buying, because they were sold as secure investments not only for personal burial needs but for sale in the future for profit.

Now sometime in the '60s they did hold meetings in certain places; that's why we had to have an act put in place in 1965. So maybe before you brought in Bill No. 65, Mr. Provincial Secretary, you should have contacted the 10 memorial gardens and had meetings.

**AN HON. MEMBER:** — Why? What does this bill have to do with them?

**MR. MUIRHEAD:** — I'm sure glad to hear the Provincial Secretary say, what does the bill have to do with them? That's just what I'm getting to. If it has nothing to do with them, we can exclude them from the bill. After all, Mr. Minister, it was approved by your learned friend, your learned leader, while he was involved in the securities commission. It is interesting to note that commercial cemeteries have been manoeuvred and manipulated and the plot-owner has been abused for the last 25 years by the action of the deputy minister. Now, I will say publicly in this House that I talked to the deputy minister and asked him how this mess ever came about in the first place. And he says, you're looking at it. You're looking at the man. So he is the man, before he retires, I hope can put together some legislation which will be better than Bill No. 65 in order to do something with cemeteries in the province of Saskatchewan.

Just one example, Mr. Minister. Rest Haven Memorial Gardens in Moose Jaw changed hands so many times that the deputy minister couldn't even keep up with it. Would you believe that at one time it was owned by a person who had spent time in Sing-Sing prison, and who paid \$300 lock, stock and barrel for the cemetery company. And you have the audacity to say in this Hansard right here that the CCF-NDP operation of commercial cemeteries in Saskatchewan is comparable to Ontario.

Take a look at it. I have every bit of legislation here from Ontario, and in second reading you compared good old Conservative Ontario and good old Conservative Alberta to this bill. Well, if you had just taken time, as the Minister of the Environment kept saying to the member for Kindersley, if you take time to read . . . Well, I say to you, Mr. Minister, it is about time you took time to read about what is going on in the rest of Canada. You know, and the people opposite know I spend a lot of time talking on the telephone, finding things out. I phone from one end of this country to the other when I need information. I have talked to the provincial secretaries in Ontario and Alberta and said, boy, we have put in legislation all right, but it sure wasn't the right one and we don't enforce it.

The only possible purpose of this bill should be to assist city-owned, municipal or church cemeteries. But even the part about the municipal and urban cemeteries is starting to smell to me. This is getting bad. I said, at one time, I might go for the municipal and urban part which you say is the reason for this bill. You are not fooling me. This is only a cover-up for something big. Before I am through I will show you why.

Now, I don't want to agree with you on this bill on municipal cemeteries. I am going to tell you a story about something which happened in the last three weeks in this province. We will take you to the town of Davidson. A man died 39 years ago. His wife moved away and was never heard of again until she died three weeks ago in North Carolina at 97 years of age. In her will it stated that she was to be cremated and the family was to bring back her remains to be buried beside her husband.

Now if this act of yours goes into place, what would the family feel like when they drive back from North Carolina and find that plot is gone? I tell you I have done a lot of research since this bill has come up, Mr. Provincial Secretary. I have yet to find in my constituency anyone at a municipal cemetery who knows what you are talking about. They say we have the old part of our cemetery, old headstones this big, an empty plot here, an empty plot there and no one has come back to claim them. But when someone wants a new plot they say, oh we'll go to the new cemetery which we have here.

They don't want to be stuck in those places. There is a lot of room in Saskatchewan you know. There are less than a million people. If your government stays in power too much longer, there are going to be a lot less. They are leaving this province. There is lots of room to bury the dead in this province without bringing in an act to say we are going to take your plots away from you.

Mr. Provincial Secretary, in the case of Weyburn, if this bill is passed, the government will be able to reduce their liabilities with respect to perpetual care and other trusts by simply having the registrar determine those plots which are no longer required because owners have not contacted them.

In other words, in simple layman's language, the registrar may, by the stroke of the pen, because of the power given him by this bill, determine what plots are available for sale

and if the trust money, which has already been paid, will go into the company and for what purpose it will be used.

I say to the minister, my true feelings on this bill, when we get right down to it, is that there is no concern at all about municipal and urban cemeteries. It is the 10 commercial cemeteries operating for gain which are concerned. I feel you are trying to achieve a short route to bankruptcy through this bill. Weyburn is in your hands now. Supplementary accounts are all that show there in supplementary accounts; nothing ever shows up in estimates for eight years in this cemetery fiasco of yours. But Moosomin has already been thrown back in your lap. It has never been mentioned in here, but you, yourself, stated here that there are two cemeteries in default.

Mr. Minister, what does cemeteries in default mean? You know what it means if your deputy minister has advised you. It means that they did not keep up with their perpetual care and trust fund money. They didn't do it; and so we have Weyburn in default and now we have Moosomin in default. Now we're just going around the bend with Yorkton, North Battleford, Moose Jaw, Estevan and I might have missed one; there are five.

We're not too concerned about the three (as I said before) Regina, Saskatoon and Prince Albert because they are being subsidized from out of this province; at least they were and you don't have any problems with them. I have also talked with them and they are not very happy either because these seven commercial cemeteries (excuse me, Mr. Minister, we'll say eight) are not very happy that they have subsidized this government by keeping their cemeteries going on their own dollars and cents. But, Weyburn and Moosomin, you have subsidized them. What this bill is going to do is that you will have eight more dumped right on your lap. This is what is happening.

When you get to your feet, Mr. Cemetery Minister, have some remarks to what I have said. You might have written down some remarks on what I have said and the few questions I have asked. The first question I would like answered is: did you get a written request from the municipal cemetery in Moose Jaw in regard to this legislation?

**HON. E.L. COWLEY (Provincial Secretary):** — With regard to this legislation, I have a letter (I believe) from a party who was interested in it and I believe I also have a letter either from the city or the municipal cemetery association.

The member also asked me where the promoters came from. I don't know. If he wants to write me a letter, I'll have somebody find out where they went. I have no way of knowing where someone who may have been active in this province 30 years ago went and whether he did anything else. That's hardly the responsibility of the Provincial Secretary.

With respect to his other comments, I won't bother wasting the House's time in trying to answer his allegations of people who may or may not have gone at someone's expense. If the member wishes to make an allegation, he should say so, rather than simply leave an innuendo when he obviously has no basis in fact. I'm sure if there were any facts around, his learned advisor, who worked for several years in the Provincial Secretary's department, undoubtedly would have a great deal of information on this and if the member wished to table it to make a point, he could do so.

**MR. MUIRHEAD:** — If you have a letter from Moose Jaw would you table it?

**MR. COWLEY:** — Mr. Deputy Chairman, I don't have the letter with me but I would

certainly be prepared to table any correspondence I have with the city of Moose Jaw or the Moose Jaw cemetery. With respect to the individual, I would be prepared to show that to the member but I would want to contact the individual first; I don't know whether he wants to make his name public.

**MR. MUIRHEAD:** — I'm not interested in any individual in this case. I'm interested in this request from the municipal cemetery at Moose Jaw; that is what I want tabled. Has the Provincial Secretary's department received any request or proposal from any commercial cemetery companies for assistance similar to that which has been given to the cemetery located in Weyburn.

**MR. COWLEY:** — Well, I don't believe we assist the cemetery in Weyburn. We own and operate it. I'm not sure of the exact status of the one in Moosomin, but I believe we are now operating that cemetery and are in control of it. There's no individual in the case of Weyburn, for example, who's getting any benefit from it, except the people who have plots or whatever in the cemetery, who are being looked after in accordance with the contracts which they signed.

**MR. MUIRHEAD:** — Mr. Minister, you said you don't give any assistance. You own and operate it. Tell me how you came to own that cemetery?

**MR. COWLEY:** — I want to say first of all, it was owned because the person or persons who owned and operated it, in effect, went into receivership. It became a responsibility of the Provincial Secretary's department. That's how we became involved there. If they wanted to make an offer to the government to acquire it, under certain terms and conditions, we'd take a look at it, I suppose.

**MR. MUIRHEAD:** — Mr. Minister, not for one minute will I swallow that one, because that is not factual, and you know it. Would you define what the term cemeteries in default means? Explain it to me because I know you don't know. Without your deputy here, I don't think you can tell us. But I'd like to see you try.

**MR. COWLEY:** — The member would have to say in default of what. For example, there are those who are in default in respect of trust in the pre-need assurance fund or trust in the perpetual care funds, if they don't have the sums of money in there that they need to have to meet the commitment which they have under the arrangements with people who purchase plots.

**MR. MUIRHEAD:** — Going back, Mr. Minister, you said there was an offer made by the Weyburn Memorial Gardens to sell to the government. Are you prepared to show us these documents? Are you prepared to table your information concerning whether there was ever a sale involving the government? Are you prepared to do this, Mr. Minister?

**MR. COWLEY:** — No, because I didn't say that.

**MR. MUIRHEAD:** — If I misunderstood you, Mr. Minister, would you repeat what you said when I said how did you become the owner of Weyburn commercial cemeteries? Please explain properly so I can understand you.

**MR. COWLEY:** — Well, I believe it was about three or four years ago; the cemetery had been sold to a company; the individual was not making a go of it and simply walked away from it. Under the terms and conditions of the agreement with the individual, or

the company he had, it came back to the provincial government. We have operated it since then.

**MR. MUIRHEAD:** — Well, that's a much better answer, because I'm sure that when we get Hansard out tomorrow, that you spoke about offers. We'll check that tomorrow, but I'm sure you did.

Mr. Minister, what are you going to do with the trust money which has been paid into the trust funds if plots are returned to the company for resale?

**MR. COWLEY:** — It will be retained in those funds. If an individual indicates he wishes to sell his interest back to the cemetery so that it could sell it to another individual, then, of course, they will go out and come back in. But in the event no one could be found who owned it or whatever — in the case of a commercial cemetery the funds would remain in the trust and perpetual care one ad infinitum presumably because there would be no one to pay them out to.

**MR. MUIRHEAD:** — I am hoping, Mr. Minister, you will have your deputy minister here to help you out, because I am sure when I get to the bottom of these questions tomorrow, you are going to need him and you are going to need him badly.

Mr. Minister, will the new purchaser have to pay for a perpetual care trust fund if he purchases one of the plots if it reverts back to the company?

**MR. COWLEY:** — I presume the individual would have to, yes.

**MR. MUIRHEAD:** — You are not sure?

**MR. COWLEY:** — Well, Mr. Deputy Chairman, my understanding is that the individual would purchase it on the same basis as other individuals would. He would pay the same as if it were for another plot.

**MR. MUIRHEAD:** — You know, for a minister I thought was supposed to be whitewashing me on cemeteries in this House, you don't seem to be sure of anything. I don't think you understand. You are not old enough to understand anything about commercial cemeteries because you weren't around at that time. You weren't fleeced at that time.

**MR. COWLEY:** — Well, Mr. Deputy Chairman, if I can respond to that, I want to just say to the member that is quite accurate. When I was eight years old, I wasn't contemplating purchasing a plot.

**AN HON. MEMBER:** — Now he is all of 33. He is thinking of buying a plot, especially if this line of questioning continues, Gerry.

**MR. MUIRHEAD:** — Don't worry. Mr. Deputy Chairman, for the Attorney General's information, as I showed him before, there are a lot of questions here.

In a municipal or urban cemetery plot, the purchaser receives a receipt for \$10 or so, whatever it cost. My question is, is it the same in commercial cemeteries?

**MR. COWLEY:** — Yes. I am certain that anyone who pays money to a commercial cemetery receives a receipt. If he doesn't, then I am certain the person operating the



cemetery is not acting correctly. I would be very surprised if you give someone a cheque for \$700 that one would even accept leaving without a receipt.

The committee reported progress.

The Assembly adjourned at 5:05 p.m.