

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — 17th Legislature
46th Day

Friday, April 28, 1972

The Assembly met at 10:00 o'clock a.m.
On the Orders of the Day.

SPECIAL COMMITTEE ON STATUTORY INSTRUMENTS

HON. R. ROMANOW (Attorney General):— Mr. Speaker, Before the Orders of the Day I would like to move, seconded by the Hon. Premier, by leave of the Assembly that the resolution passed on April 27, 1972 appointing a Special Committee on Statutory Instruments be amended by substituting the name of Mr. Michayluk for that of Mr. Brockelbank.

Motion agreed to.

WELCOME TO VISITORS
SISTER BENEDICT OF BRUNO

MR. D.W. CODY (Watrous):— Mr. Speaker, I should like to introduce to this Assembly a Sister in the Speaker's Gallery, Sister Benedict of Bruno. Sister Benedict has the distinguished record of having taught for 50 years and for the last 25 years has taught Grade Eleven and Twelve History and she is now retired and is doing research work setting out the Ursuline Order and their discovery in the West. Today Sister Benedict is being accompanied by her chauffer Sister Audrey who is also a teacher at the Academy in Bruno. Sister Audrey was born about five or six miles from where I was of which I am very proud. And she tells me as well that she has taught with two of the Members on our side, that of John Comer (Nipawin) and Ed. Tchorzewski (Humboldt). Mr. Speaker, I certainly ask all Members to join with me in welcoming these Sisters to the Assembly today.

HON. MEMBERS: Hear, hear!

ADJOURNED DEBATES
RESOLUTIONS
RESOLUTION NO. 19 - EXCESSIVE PROFITS EARNED BY DRUG INDUSTRY

The Assembly resumed the adjourned debate on the proposed Resolution by Mr. J.G. Richards (Saskatoon University):

That this Assembly expresses its serious concern at the excessive profits being earned by the drug manufacturing industry, and urges the Saskatchewan Government to implement, at an early date, a program to reduce the price of pharmaceutical drugs to the Saskatchewan public. Such a program should be administered by an agency capable of:

(a) Working in co-operation with representatives of the pharmacists and physicians in preparing a formulary of core drugs, and in assuring the quality of drugs handled; (b) Issuing tenders for core drugs on a bulk basis; (c) Distributing, if necessary, drugs to retail pharmacies and hospitals throughout the province; (d) Securing

alternative sources of supply of certain pharmaceutical preparations if bulk tendering does not result in significant savings to the public.

MR. A. TAYLOR (Kerrobot-Kindersley):— When I was speaking the other day on this topic, I mentioned the difficulties faced by many people in purchasing the drugs. There are a number who are not obtaining the drugs they need, for either health or comfort, because of the costs involved. Not only do some people refuse to have prescriptions filled because of the cost, but a good number, seemingly, are even hesitating or refusing to go to the doctor, knowing the result of their visit will be an expensive prescription. The result of this is frequently a later crisis visit with a more expensive convalescent period. It seems to me that the large drug manufacturers are following a course which can best be described as 'profiteering in sickness.' No one, I am sure, would begrudge the manufacturer a fair and reasonable profit. The major question it seems to me is what is fair or reasonable? And I for one cannot accept the extremely high profit margin maintained by a number of the drug manufacturers as reasonable. At one time when people did not know the facts concerning this, they merely accepted the costs of drugs as a necessary item. This, of course, is no longer the case. People are becoming more and more aware of the excessive profits that are involved. Even the Canadian Senate, of all people, is becoming worried about drug prices. The Poverty Committee of the Senate pointed out that some drugs had a markup of 500 per cent. We've since learned that it is even higher than that in some instances.

The question is, what is going to be done about it? Consumer Affairs Minister, Ron Basford, said back in January 1969 that the Government hadn't ruled out the possibility of setting up a Crown corporation to produce and distribute drugs. He said this in reply to questions concerning the costs of these consumer items. And yet, we have to admit that we have heard very little from the Federal authorities along this line since that time three years ago. In December 1969 the Toronto Daily Star asked the question in an editorial, "Is some sort of confidence game being played on Canadians with the prices of medicinal drugs, a game in which the Federal Government acts as unwitting stooge to the pharmaceutical industry?" The writer was referring to two steps that had been taken by Parliament to assist in lowering the drug prices. The first was the dropping of the 12 per cent sales tax at the manufacturer's level, and yet the retail price dropped by less than 5 per cent. No Government action was later taken to ensure that the 12 per cent savings were passed on to the consumer. The second action of Parliament was to amend The Patent and Trademarks Act to allow for more drugs to be imported. From this there were no apparent benefits or results at all.

The little Government action that there has been has shown up in farcical results when we remember that one official investigation after another has shown that the drug manufacturers take extremely high profits on top of wasteful expenditures for promotion and selling. It is estimated by many, for example, that the last two items, promotion and selling, account for nearly 40 per cent of the average wholesale price of drugs. Now, this becomes a frightening thought when one realizes the type of promotional gimmicks being used in the drug industry.

The Member from Saskatoon-University (Mr. Richards) mentioned some of these as did I on the last day on which this

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motion was before us. The frightening fact is that much of the promotional material has very little if anything to do with the value of the drugs themselves but can be classified only as pure sales techniques. The pressure on the doctor from some of these companies to prescribe a particular type of drug is indeed enormous.

Mr. Speaker, it seems to me that it is time to initiate action which will, in fact, bring down the price of medicinal drugs for the people of our province. We must be ready to do what the Federal authorities have failed to do. We must be willing to look at new methods and new ideas. The motion presented by the Member for Saskatoon-University suggests some possible alternatives to the present method. I am convinced that the Government could not only provide drugs at reduced costs in this way, but could also ensure that those who need drugs would be able to obtain them. Because of this, Mr. Speaker, I am happy to support the motion.

SOME HON. MEMBERS: Hear, hear!

HON. W.E. SMISHEK (Minister of Public Health):— Mr. Speaker, the resolution introduced by the Hon. Member from Saskatoon-University (Mr. Richards), I believe is a very important one. I had hoped that some of the Members from the Opposition would have by now taken part in this Debate. They did seem to indicate an interest in drug costs since 1964. They had an interest but they failed and refused to do anything about it. I am glad that the Hon. Member from Saskatoon-University introduced this Resolution because I believe this is an area that must be looked at by the Government. We are working on a proposed program. We believe that the time has come to tackle the problem of the high cost of drugs.

I do intend to outline in more detail some of the thoughts that we have in respect of introducing a program on drugs. I want to have a little more time to prepare my remarks, Mr. Speaker, and I beg leave to adjourn the debate.

Debate adjourned.

SECOND READINGS

HON. W.E. SMISHEK (Minister of Public Health) moved second reading of Bill No. 127 - **An Act to amend The Public Service Act.**

He said: Mr. Speaker, this Bill contains a set of relatively simple amendments. It is intended that the Bill update The Public Service Act. It is not any major comprehensive review but there are some difficulties and problems and we hope that through these amendments we shall be able to make some improvements and update the Act.

For the information of the Members of the House, clause (L) of Section 2 is amended to designate as a permanent head a Chief Planning Officer who under the Executive Council will preside over the staff of the planning committee which we propose to set up under the Executive Council.

Section 3, if the Members have read the Act, is being amended to provide that the number of Public Service Commission members presently fixed at three will remain at that minimum but may

be increased to five. From time to time there are difficulties in some of the members being able to attend and perhaps the change will strengthen the Commission.

The proposed amendment to clause (6) of Section 4 provides that the daily remuneration of the Commission members other than the chairman shall be determined by the Lieutenant-Governor-in-Council rather than be fixed by statute as it presently is. For the information of the Members, the per diem rate is set by statute at the present time at \$15 a day. It is perhaps this paltry sum that is provided in the statute that makes it difficult at times for us to get members to attend and we propose to remove the fixed amount and have the amount set by Lieutenant-Governor-in-Council and to bring it up to date more in what is being paid to other members on Government Commissions and Government boards.

Subsection (1) of Section 5 is amended to provide that the term of appointment of chairman shall be at the pleasure of the Lieutenant-Governor-in-Council. When the Bill is considered in Committee I shall be moving an amendment because there is a minor error in the printing of the Bill in Section 2, clause (1), it should read clause (1), not clause one (1). This amendment will be made when we are in Committee.

Clause (c) and (d) of Section 9 are being amended to include in the unclassified division of the Public Service, the Secretary of the Executive Council, the staff of the committees to the Executive Council and advisor or assistants to the Executive Council.

The proposed repeal of subsection (1) of Section 19 removes from the Act the requirement that the person be a British subject in order to receive an appointment to a position in the Public Service within the operation of the Act. I am sure that those who sat on Treasury Benches before realize some of the difficulties when people are recruited, particularly in the highly professional groups who cannot be employed in the classified service and have to be appointed by Order-in-Council in all cases because they are not British subjects. I think in today's world where people are travelling and moving from one country to another, I think this particular provision is outmoded and outdated. We talk about building a global society where people are living for a period in one country and a short period in another country, working and providing services to the people, I think it is time we updated the legislation and removed the restrictive provisions and that's what the proposal does.

The last amendment to the Act, Section 30 continues to recognize the need for temporary appointments covering periods of up to one year but goes further in providing that under the recommendation of the permanent head and within the limitations and conditions to be set out in the regulations under The Public Service Act, the Commission may extend a temporary appointment for an additional period of time. Mr. Speaker, this particular section has really created many problems. Under the present provision, the employee may be employed for a period of six months on a temporary basis, but then the section goes on and provides that within a period of two years, he may be employed on a temporary basis for a period of one year. I have already brought to the attention of this House that in the last few years this particular section has been badly abused and flouted. Some employees have been on temporary appointments for as long as seven years. I think it is important to amend this. It is

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perhaps not a perfect amendment but it does create some flexibility and I think it is time that employees who are hired on a temporary basis but are in effect permanent employees, be given some security. I might point out that as of June 30th there were 1,145 in this kind of a category.

Perhaps we can deal with the sections in more detail when the Bill is in Committee. Mr. Speaker, I move second reading of Bill 127 an Act to amend The Public Service Act.

MR. D.G. STEUART (Prince Albert West):— Mr. Speaker, I don't have any particular objection to the clauses in this Bill or at least the principle as outlined by the Minister. I am concerned about the repeal of Section 19 or that section dealing with appointment of non-Canadians to positions in the Civil Service by Order-in-Council. I should hope that there would still be some control, I realize there is control, because they have to apply and they don't have to be hired but there should be some reporting mechanism, I find it rather interesting that we have a Bill in front of us to say that foreigners can't own land but they can now, if we pass this Bill, work for the Government of Saskatchewan a little easier or with a little less red tape than they could previously. And again let me say that I recognize that in many cases we are fortunate to get people from other countries in highly technical or professional fields where we just can't find Canadians, the psychiatric service is a good example. Certainly as far as Section 30 is concerned any move that would reduce the various kinds of employees and the various loop-holes that the bureaucracy have for hiring people. For seven years we attempted to control the Civil Servants, the numbers. I don't think we succeeded very well as soon as we would plug one loop-hole or escape clause they would develop another one. I don't know how many different kinds of employees, casual employees, time card employees, supernumerary employees and there were temporary employees and that is the kind the Minister referred to when he found many temporary employees had been working for the Government much longer than some permanent employees. And they were actually called permanent temporary employees. I am sure when you plug this up and if you reduce all the employees down to one type of employee or one or two that the Civil Service will find another way of discovering some other name. So any move the Government makes to simplify the hiring procedure and the control of the people that actually work for the Government I think will have a good effect and will certainly receive support from this side of the House. However, most of the questions I have deal with the clause by clause and can better be dealt with in Committee but we will support certainly the principle of what the Bill is attempting to do.

MR. K.R. MacLEOD (Regina Albert Park):— Mr. Speaker, I refer to Section 4 as it is in the Bill. The clause takes out of the Bill, the present Act, a specific and precise figure and replaces it with what amounts to power by regulation. This is a continuing trend in government, it is a continuing trend with this Government, but it has of course been a trend that has been observed with many governments. One of the problems with that kind of thing is that there gets to be as much law or perhaps more law as it relates to the people, day to day, in the regulations than in the statutes.

The statutes are printed separately, they don't run one

onto the other on the same page, they are brought to the House, notices are given, argument and debate ensues. When all of this procedure has been completed the Bills are bound together and published and are readily available. Their cross referencing and the indexing is excellent - I perhaps should strike out that word 'excellent' - the cross referencing and the indexing is far better, certainly than the regulations.

Now while we treat the statutes themselves as brought to this House, with a good deal of care, a good deal of scrutiny and made them readily available, bind them separately, no such thing occurs to the regulations. I am not talking about appointments that are made to particular boards and replacements, I am talking about the regulations which contain so much law. I urge the Government to give immediate consideration to a new way of handling regulations. Regulations ought properly to be separate in the same fashion as statutes. They should be put each on a separate piece of paper. They should be bound together in such a way that they are readily available to us. It is true we get these regulations every week, but they are put together with all sorts of other things. We need a new and better method of handling our regulations, because more and more regulations contain the information that is so necessary to the people.

The law states, as a matter of law, that people are presumed to know what it is. I can assure the Assembly that people are hard put to know what is in the regulations. I suggest that a whole new branch, a new division of the Attorney General's or the Queen's Printer, or some office - perhaps the Executive Council - be set up to assemble and properly distribute the regulations in such a way that we may readily and easily have access to all the regulations of Saskatchewan, much in the same way, and as a companion to the Bills that are passed before the House, and the Revised Statutes. I urge this upon the Attorney General as a matter of considerable importance when knowledge and information is necessary for the conduct of a citizen's ordinary affairs.

HON. A.E. BLAKENEY (Premier):— Mr. Speaker, I wonder if I might make three or four brief comments on those last remarks. Firstly, the regulations concerned are ones setting the salary or the annual or the daily payment to members of the Public Service Commission. I am amazed that anyone should feel that that should necessarily be set out in statute. One of the reasons why our statute books are cluttered is that we are doing things by statute which don't need to be done by statute. Some other things may well need to be done by statute.

Secondly, may I point out that Members opposite have just rather severely criticized the Attorney General's Department for having too big a vote for administration.

MR. ROMANOW:— I recall that, it seems to me.

MR. BLAKENEY:— It is now proposed that we have a substantial agency dealing with the classification and indexing of regulations. I don't particularly object to what the Hon. Member says. May I make one further comment. In early 1960s, the regulations in this Province were in a poor state as they were in many other places. The Attorney General of that day decided that matters should be put in hand. A Regulations Act was passed. A Regulations Committee was set up and in order that

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we might find out where all the regulations were - and they run back some of them to the 1930s and 1940s - that attorney general and that government of the day of which I was a member, passed a statute saying that all regulations which were not renewed by, I believe, it was 1965, would automatically lapse. The object was to require public servants and others to revise all existing regulations so that we would know that all of the regulations were enacted or re-enacted during a fairly short period of time of four or five years, at which time they would all be set out and governed by The Regulations Act and all be published in the Saskatchewan Gazette in a separate section, that you can file separately. That would have been a very long step forward.

Unfortunately, the Government that was elected in 1964 repealed that provision and did not act on it from 1964 to 1971. We still have regulations dating back to the 1930s which haven't been consolidated. I do hope that we can make some progress on this. A very substantial effort was made in 1962 and 1963 and 1964 in this way, and as I say the thing which should have done the job was not proceeded with. Had that been the case we would have had all the regulations in a bank of four or five years, all of them enacted or re-enacted during that period and one would have been able to tackle that task. Unfortunately that is not now the case. We shall perhaps have to start again.

I have some sympathy with his point of view. I want to point out why we are in this position, it is certainly not because of anything we have done, we had done a good deal to avoid this situation and what we tried to do was thwarted.

SOME HON. MEMBERS: Hear, hear!

Motion agreed to and Bill read a second time.

HON. E.I. WOOD (Minister of Municipal Affairs) moved second reading of Bill No. 84 - **An Act to amend The Time Act, 1966.**

He said: Mr. Speaker, as you will and the Assembly will all know, the Province of Alberta has enacted legislation to adopt Mountain Daylight Saving time during the summer months. This would be the same as the Central Standard Time in Saskatchewan.

The Time Act as it presently is, requires the use of Central Standard Time in western Saskatchewan during the summer period except in the Lloydminster district time option area. Time within the city of Lloydminster is determined by the Lloydminster Charter and amendments to the Charter are made by complementary orders-in-Council by Saskatchewan and Alberta. The city of Lloydminster has submitted a request to my Department asking for an amendment to the Charter to change the time to Central Standard Time during the summer to coincide with what is being done in Alberta. This is taken care of. But a large percentage of the students living in the Lloydminster district time option area are bussed to school in Lloydminster and residents of the district wish to adopt the same time as Lloydminster. If we don't do what is proposed in this Act there would be a time area that was different from all the rest of the province and the Province of Alberta in the summertime. The amendments to The Time Act will remove the exception in the Act for the Lloydminster area and will permit the area to operate in the same manner as the other time option areas in western Saskatchewan.

Mr. Speaker, the reason that I requested that this be removed from the Non-controversial Bills Committee was that while this Bill was drafted some time ago when it was assumed that it would have been passed by the Legislature before this, it has sat for quite a time in the Non-controversial Bills Committee. Since the city and area would be wishing to revert to Central Standard Time next Sunday it becomes very necessary that this Bill be passed immediately. Also, it becomes necessary to change the last clause of the Act. The last clause of the Act presently says, "This Act comes into force on a day to be fixed by proclamation by the Lieutenant-Governor-in-Council." I am proposing to move a House amendment when this House goes into Committee that this Act comes into force on the day of assent, but is retroactive and shall be deemed to have been in force on and from the 30th day of April 1972 which is next Sunday. This is why it was necessary to take it from the Non-controversial Bills Committee and bring it back to the House because it was not possible, I understand, to move an amendment to an act in the Non-controversial Bills Committee. I am now informing the House that when this comes to the Committee of the Whole, that I will be moving a House amendment asking that it be made retroactive - retroactive until next Sunday - thinking of course that the Royal Assent on this Bill may not be made for some few days. When the Royal Assent is given we want it to be as of next Sunday. We will therefore be making it quite legal for the people to move onto Daylight Saving Time next Sunday. This is the reason that I bring this Bill before you. I think it is very necessary and I think it is understandable. I will at the proper time be asking for leave of the House to move into Committee on this Bill in order to have it taken care of today. I move second reading of this Bill, Mr. Speaker.

Motion agreed to and Bill read a second time.

HON. G.T. SNYDER (Minister of Labour) moved second reading of Bill No. 134 - **An Act respecting Technological Changes and their Effects on Employees.**

He said: I am particularly pleased today to have the opportunity to move second reading of a Bill respecting Technological Changes and their Effects on Employees. The Bill that is before this Assembly, Mr. Speaker, is intended to become part of the Trade Union Act. It is introduced separately at this time, however, to afford all Hon. Members an opportunity to debate in principle and to concentrate exclusively on one highly significant legislative proposal, an application of special provisions governing the collective bargaining process in matters concerning technological change.

The term technological change is one which occupies an increasingly important place in the vocabulary of citizens of the industrialized nations of the world. It is a term which evokes fear, wonder and pride in every-changing proportions. Life today is characterized by an explosive rate of technological modification, a shifting occupational spectrum and the increasing complexity of our social organization. During the last 50 or even in effect the last 25 years we have seen the development of mass means of communication of transportation and the production of goods and services to unimaginable levels of sophistication. It is literally true that machines exert substantial control over all facets of every day living in the 1970s. Actually society has been moving towards this moment in

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history for many hundreds of years. The history of technology extends well back into time and is in fact the product of three separate phenomena. The first one relates to the advent of mechanization involving the invention of devices to transform a small input of human energy into a large output. Among the most primitive examples of this concept with the invention of the wheel and the use of levers. The second component of present day technology centres on mathematical calculation which has been applied to problem solving since ancient times. Thirdly the automatic or closed loop control, the first application of which was likely the float control valves in the plumbing systems of ancient Rome represent an essential element of today's mechanized operation of the processes of production. For many centuries three factors mentioned developed more or less independently along parallel lines. However, more recently, about 200 years ago, they began to converge and working together formed the system that we now call automation.

There's no doubt, Mr. Speaker, that advancing technology has been of material benefit to mankind. It has been responsible for the reduction of hunger and of disease, it has in large measure eliminated hard manual labor and the burdens of tedious repetitive work. It has created increased leisure time for working people and a variety of additional opportunities to make productive and enjoyable use of leisure hours. In a number of respects technological change has been instrumental in the attainment of the long-sought goal of human beings to enjoy a progressively higher standard of living with a diminishing need to focus all of their attention on the matter of survival.

However, Mr. Speaker, danger signs which cannot be ignored are beginning to manifest themselves in increasing numbers revolving around the fact that the pace of technology and its accompanying forces are outstripping and outracing our development of satisfactory solutions to the social problems deriving from them. The occupational structure of employment is changing in such a way that unskilled and semi-skilled jobs are continuously disappearing and are being replaced by more complex ones. This factor, combined with the fact that Canada has one of the fastest growing work forces in the world, is producing a situation in which hundreds of thousands of Canadians are presently unemployed. Although I might say that the jury is still out on this point, Mr. Speaker, any economists attempt to convince us that in the long run automation will indeed create more jobs, rather than fewer ones. This may well be so, provided that sufficient emphasis is placed on the development of appropriate manpower adjustments, education training and retraining and sophisticated labor mobility programs.

But, Mr. Speaker, at this particular moment we are concerned with the short run. One can't deny the initial displacement impact of new technological change on employment. This cannot be denied. As the Economic Council of Canada indicated in a 1967 declaration, automation threatens the livelihood and disrupts the lives of many employees through job dislocation.

The plight of the individual worker adversely affected by mechanization has become the subject of concern to unions, to employers, to employees and to society as a whole and the concern of government. The basis of this concern is the acknowledged right of all employees to share in the benefits of the good life which accompanies our increased capacity to produce

through the utilization of technical and scientific achievements.

In this setting, Mr. Speaker, it is apparent that the Government of Saskatchewan is responsible not to interfere with the collective bargaining system but to provide the framework within which effective and meaningful bargaining in an era of advancing technology can take place. For immediate practical reasons technological change represents an increasingly significant topic for the parties to collective bargaining and for the government as it seeks to favorably influence the environment of the negotiating parties. It should be pointed out that the present Bill does not forbid the implementation of technological change but it indicates that an employer is obliged to give a trade union advanced notice of the change as well as an opportunity to make this modification the subject of collective bargaining before that technological change is put into effect. Of necessity, the bargaining rights in this connection, carry with them an option involving the withdrawal of services.

The Bill, Mr. Speaker, which is before this House follows the proposed amendment to The Canada Labour Code in its basic approach to the whole matter of technological change. As in the Federal legislation, the Bill defines a technological change as the introduction of new equipment or material by the employer or a change in the manner by which the employer carries on his work relating directly to the introduction of new equipment or new material.

Unlike the provision in the Canada Labour Code, however, to ensure the appropriate application of the intent of the Bill, the Saskatchewan definition includes the 'removal by an employer of any portion of his business'. If such a change is likely to affect the employment of a significant number of employees the employer must give at least 90 days notice to the union and to the Minister of Labour. The Minister may make regulations defining the term 'significant number of employees'. The notice in question will provide information on the nature of the alteration, the effective date and its likely impact. In the absence of such a notice the labor union can apply to the Labour Relations Board for an order halting the implementation of the change for up to 90 days and reinstating the displaced employees. Where notice of a technological change is given, a union can serve notice on the employer to commence collective bargaining with regard to the consequences of the new work procedure. The employer would not be permitted to proceed with the change until the Labour Relations Board has issued an order indicating that the employer need not bargain the technological change, or, until an agreement has been reached as a result of collective bargaining, or, until the Minister has been notified by the employer that bargaining has failed to produce an agreement. In the latter case the Department of Labour would then have the opportunity to attempt mediation and conciliation before the modification was introduced and a work stoppage resulted.

It should be noted that the provisions of this Bill do not represent the kind of fundamental change in industrial relations law as the situation under Federal Labour Laws. Under normal circumstances in Federal jurisdiction a union is forbidden from taking strike action during the life of the collective bargaining agreement. Accordingly, the inclusion of the technological change sections in the Canada Labour Code, marks a very distinct departure from the normal practice in permitting a work stoppage under certain circumstances, cantering on the introduction of

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a technological change. Under Saskatchewan law, however, Mr. Speaker, there is no legal prohibition of a strike during the life of the agreement. As a result, the application of this Bill will not interfere with statutory requirements but will bear only upon the contractual obligation of the union not to go out on strike where the collective bargaining agreement so stipulates.

It must be stressed that the parties to collective bargaining carry a heavy responsibility for the development of lasting solutions to the problems created by the displacement of workers through automation. The bargaining mechanism, Mr. Speaker, must become better adapted to meet the difficulties presented by technological change. The present Bill, I believe, will travel some distance towards the safe-guarding of the immediate financial security of displaced employees and their families and will provide the ground rules needed to facilitate the development of alternative employment policies. To be completely effective, however, this Bill must be applied in a renewed spirit of labor, management co-operation.

I'm certain that the labor movement is anxious to ensure that our technological capabilities continue to grow and unions have indicated their willingness to take measures necessary to guarantee that automation benefits the whole of society rather than a select few.

Management in turn, must never lose sight of the fact that human consequences of the introduction of mechanized works procedures must concentrate on adjustment measures also, like the counselling, the training, the re-training of employees affected and their transfer to other jobs.

The Bill is closely associated with the Government's attempt to improve labor-management relations and to encourage the initiation of a system under which collective bargaining and labor-management relations and consultation will become a continuous process rather than an event which takes place only every 24 months or so.

Mr. Speaker, the legislation before Parliament in Ottawa and the present Bill in this Saskatchewan Legislature are inspired by the recommendations of the Freedman Enquiry on Railway Run-throughs. Accordingly, it may be fitting to conclude by quoting a passage from the Freedman Report. I quote directly from it:

The distinction between beneficiaries and sufferers from technological change presents us with a moral as well as an economic problem. Society as a whole is, by and large, a beneficiary. It is morally acceptable for most of us to enjoy the benefits of the new technology without utilizing every possible means of minimizing the losses and assisting the readjustment of those who are not beneficiaries but sufferers. Society has a moral obligation to accept the cost of necessary programs to this end as a charge against the benefits of technological advance.

Mr. Speaker, the introduction of this Bill provides us, as legislators, with a unique and historic opportunity to come to grips, perhaps for the first time, with the most massive, structural and institutional force confronting mankind which will exert a profound influence on countless generations to come.

In moving second reading I would urge that all Members of this House give unanimous support to the Bill which is before us.

SOME HON. MEMBERS: Hear, hear!

MR. D.F. MacDONALD (Moose Jaw North):— Mr. Speaker, this Bill, An Act respecting An Act respecting Technological Changes and their Effects on Employees is one of the worst pieces of legislation brought into this House this Session.

SOME HON. MEMBERS: Hear, hear!

MR. MacDONALD:— And after some of the legislation we've seen in this House this Session that is saying something.

Let me say at the outset that it's not the principle that's incorporated in this Bill that's so bad, but it's the way that it is introduced into this House. This Bill demonstrates the NDP Government's intense hatred of the business world. It shows the Government hates business so badly that it is willing to cut off its nose to spite its face.

SOME HON. MEMBERS: Hear, hear!

MR. MacDONALD:— The Minister of Industry, (Mr. Thorson) a little while ago made a garbled statement about business and industry being welcomed in Saskatchewan by this new Government. We said at that time that we doubted the sincerity of this statement and this Bill now proves that we were right. No sincere Minister of the Crown could make such a statement and then allow this Bill to come before this House.

SOME HON. MEMBERS: Hear, hear!

MR. MacDONALD:— To his credit, I suppose, the Minister of Labour (Mr. Snyder) has never offered any welcome to business or industry and he is following true to form and is now making it obvious that he doesn't want any new industry or business in this Province.

This Bill is just one more example of the tragic Blakeney Bills that have been presented at this Session and this Province will dearly pay for in the years to come.

This Bill is brought to us in a very sorry manner. Bill No. 134 is an amendment to Bill 105 which is The Trade Union Act, an amendment to a Bill that has not even passed second reading. The Trade Union Act was given second reading on Monday and on the same day notice was given for an amendment to that Bill. This is the worst disorganization this House has ever seen. There was no thought put into this Bill. It was rushed into this House with no preparation and no thought as to the drastic effects it will have on the Saskatchewan economy.

MR. ROMANOW:— No thought to the criticism.

MR. MacDONALD:— This Bill even comes in with typographical errors.

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I would just like to refer to page 3. It makes the statement that the Board has made an order under subsection (9) relieving the Trade Union from the requirement of bargaining collectively with the Trade Union. I don't know what kind of legislation this is that the Minister of Labour feels that Trade Unions have to bargain collectively with Trade Unions. It was obviously not even proof read, a Bill with the most serious implications to our economy and the Government can't take the time to read it, let alone consider the obligation.

SOME HON. MEMBERS: Hear, hear!

MR. MacDONALD:— Mr. Speaker, this problem of automation and the effects it has on our working force is too serious a problem to be handled in this manner. The problem and the solution to the problem deserve a little respect. The shabby treatment that this problem has received by treating it in the manner of the Minister of Labour and the manner in which it is brought before this House, is a disgrace.

The automation changes have been going on for some years and we all have been aware of the situation. Everyone in this House recognizes the need for provisions to rectify a very serious problem.

MR. ROMANOW:— What did you boys do?

MR. MacDONALD:— When I spoke to The Trade Union Act last Monday I remarked on the urgent needs for this provision. But what this problem doesn't need is solutions that are dreamed up over a weekend with no thought and no preparation and which will prove detrimental to the Saskatchewan economy.

MR. ROMANOW:— What kind of tobacco?

MR. MacDONALD:— Mr. Speaker, a favorite tactic of the NDP when they were in Opposition was to criticize legislation that was introduced without consultation with the parties that would be affected and this is an example of legislation brought into this House without prior consultation and as a matter of fact without even taking the advice offered in this matter.

This is a callous and objectionable approach by the goody, goody NDP Government. There is only one type of consultation that this Government does prior to introducing legislation and we saw an example of that with the so-called Land Bank consultations. These are political consultations. The Minister of Agriculture (Mr. Messer) did not go to consult, he went to sell a menu that was not very easy to digest. The Government Opposite consults only when it is politically advantageous. We saw another example of consultation with The Family Farm Protection Act. And you better believe that we are going to see more consultation with the new Foreign Ownership Bill, another tragedy in legislation.

MR. BLAKENEY:— You guys had your chance.

MR. MacDONALD:— Mr. Speaker, I should just like at this time to refer back to 1965. There was some legislation involved and some

Members opposite will remember that Bill 86 was introduced in 1965 and it was withdrawn and a Commission was set up to deal with The Trade Union Act. At that time the Saskatchewan Federation of Labour made a submission to that Labour Management Legislative Review Committee. Now I should just like to quote from it. I should just like to show the Government opposite that it's not just myself and the Liberal Party that feel that legislation can be handled in a better manner, but the Saskatchewan Federation of Labour also. I'm sure they are familiar with this little booklet. On page 1, I should like to quote:

During the last session of the Legislature the Government introduced Bill No. 86, being An Act to amend the Trade Union Act of Saskatchewan. After discussion between the Government and various groups, including the Saskatchewan Federation of Labour, the Government withdrew Bill 86 and announced its intention to establish a representative committee to review The Trade Union Act.

And that's the procedure we should be following with this Bill today and with Bill 105. To quote further:

The Federation wishes at the outset, to express its concern at any suggestion that the work of the Committee should be hampered or restrained by any arbitrary limitations of time, or any suggestion that (and get this) crash program of legislative amendment is necessary or desirable. It is not.

Going on to quote further:

In this connection the Federation respectfully suggests that the terms of reference to the Committee, namely, to enquire into and report on The Trade Union Act and proposed amendments thereto, ought properly to comprehend more than an examination of The Trade Union Act itself and its administration, it is the view of the Federation that an effective and constructive enquiry ought to take account of many factors including legislation other than a Trade Union Act which impinge directly or indirectly on industrial relations in a modern society. The Federation also feels that in such a comprehensive review regard should be had to the implications of the whole of society of the law governing labor relations. Further, any study of industrial relations legislation too narrowly conceived is likely to fail in terms of serving the true interests of society.

I would ask the Government opposite to keep this in mind. It goes on further:

The Federation further asserts that the great majority of Saskatchewan employers whose employees are organized into Trade Unions enjoy a stable relationship with such unions based upon mutual acceptance and respect and have no lesser state than to employees and Trade Unions in opposing any hasty or ill-considered legislative changes that would interfere with the continuance of such relationship.

SOME HON. MEMBERS: Hear, hear!

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MR. MacDONALD:— Mr. Speaker, the tragedy in this Bill, An Act Respecting Technological Change is that the Blakeney Government knows that it is not an acceptable piece of legislation. They have been told that and they have been told why it is not acceptable. They know that industry and business will not accept this piece of legislation. Those industries that are now in this Province will, of course, be subjected to the legislation and they will have to take it, but you can be sure that new development will not even consider this Province when the Government shows this kind of attitude. The Minister of Labour (Mr. Snyder) knows this and our Premier knows this and yet they are bringing in this Bill. There is only one conclusion to draw and that is that the Government obviously does not want any new development in this Province. They know that their attitude will effectively keep any person from investing in our province.

I have said that the Government did not consult with people who would be affected in this Province by this legislation and this is a statement of fact. By the same token the Minister of Labour has been advised that this legislation is bad. I should like to tell the Members of this House how and why the Minister knows this is bad legislation.

Bill 134 before us today is an exact copy of a Bill C253 was introduced into the House of Commons in July, 1971 by the Hon. Bryce Mackasey. It is almost word for word except for the typographical errors of course. The Federal Bill 253 was proven to be bad legislation and it was withdrawn after much discussion. It was found that there was a better piece of legislation to deal with automation and it was introduced this year as Bill 183 and has passed second reading in the House of Commons. It is surprising that a few changes to this Bill made it a much more practical answer to the problem, but our Minister of Labour did not take advantage of the discussion and consultation of the Federal Bill to bring into this House a workable piece of legislation. I'll tell this House why he didn't. Our Minister of Labour (Mr. Snyder) is too busy trying to prove that he is tough. He is too busy trying to show new industry that they are not welcome because he is the boss.

Mr. Speaker, as this Bill was just put on our desk a couple of days ago, I don't want to deal with it exhaustively at this time but I do want to point out the very worst feature of the Bill.

MR. ROMANOW:— We are already exhausted.

MR. MacDONALD:— The Bill is going to assure us of industrial relations problems resulting in strikes to settle issues. The reason for this is that the Bill discourages negotiating for technological changes when a collective agreement is normally bargained. It encourages management and unions to lock horns on issues after a collective agreement has come into force. Surely if we put all our faith in the collective bargaining process, as the Government opposite says they do, then we should encourage negotiations concerning automation to take place within the collective bargaining process. This Bill does the opposite and I will explain this.

This legislation will totally ignore most of the contractual arrangements that would be negotiated as part of the price

for an overall settlement of the collective agreement. As a result employers who have acted responsibly in bargaining over union requests in this area of automation will now have super-imposed on them additional obligations which will abort the conditions established under freely bargained arrangements. This as I have said will negate any attempt to bargain automation effects through the normal collective bargaining process. To avoid strikes and to promote industrial peace this is where automation effects should be negotiated. If the concept of free collective bargaining is to be given any status at all it should not be nullified as would be the affect of passing this Bill. Existing arrangements should be granted legislative recognition. This sentence is the key to improving this Bill before us and I should like to repeat the sentence. "Existing arrangements should be granted legislative recognition." If provision was made to include this simple feature then honest, sincere negotiating of automation effects could take place during the normal negotiation of a collective agreement. This I am sure would prevent the inevitable clashes which are bound to occur because of Bill 134 before us today.

This legislation just introduced to us by the Minister of Labour does nothing but demonstrate the stubbornness and inflexibility of the Government opposite. It was a Bill that was decided on in great haste over a weekend and rushed into this House. It is a direct copy of Federal legislation that has been proven to be unacceptable. I should remind the Minister that the Saskatchewan public has a deep interest as the beneficiary of an efficient technologically competitive industry. If Saskatchewan industry is not technologically competitive our public will pay a heavy cost. This Bill is not breaking new ground. It is not as though management is not now consulting with labor. Intelligent management officials have been doing so for a long time. A good Bill at this time could provide them with additional encouragement, a bad Bill at this time will do our province a good deal of harm. Bill 134 is a Bill I cannot support unless changes are made to at least include provisions so that the collective bargaining process is not nullified.

Mr. Speaker, I should like more time to study different aspects of this Bill and I would ask leave to adjourn.

Debate adjourned.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. R. Romanow that Bill No. 92 - **An Act respecting The Pyramid Franchises** be now read a second time.

MR. J.G. LANE (Lumsden):— Mr. Speaker, to quote the Hon. Member from Touchwood (Mr. Meakes), I didn't intend to get into this debate. However, the remarks made by the Hon. Member from Saskatoon City Park (Mr. Dyck) - I am sorry he is not in his seat - has indicated to the House the unbelievable ignorance of that Member in the field of pyramid franchises. He attacked the previous Liberal Government's stand on pyramid franchise legislation and he said we had tied up a Bill that had already been drafted. The statement shows how little the Member knows about pyramid plans. By his own admission he stated that it is a problem that has just come to the fore in the last couple of years in Saskatchewan

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where it has gone - I believe his words were - from nickels and dimes to dollars and that the plan has finally become a great problem in the Province of Saskatchewan. But if he knew anything about the question of pyramid plans and their selling techniques he would know that generally speaking the selling techniques are based on selling the public on a get rich quick scheme. And the people buy into these plans for that very reason, they see the rainbow of great riches at the end and they get greedy for that money and that is why in many cases they get into the pyramid plans.

Now most pyramid plans and this is for the edification of the Member from Saskatoon City Park, involve consumer products that can be sold from door to door and generally are sold from door to door in the Province of Saskatchewan. In most cases every one of these vendors falls within the definition of a director seller under The Direct Seller's Act which was implemented by the previous Liberal Government. We could have required every one of these franchisees down the line to take out a Direct Seller's licence which is within the powers of The Direct Seller's Act and it would have controlled pyramid franchise at that time. But what happened? Because these people that were so involved, the same ones who are going to get affected, raised such a hue and cry that they didn't want any interference with the chance to get rich that they had been sold on. This was the problem with implementing these plans and implementing controls. It is not until enough plans cause enough trouble to the people that they start to see that they are not the be all and the end all that they are promised to be. And to enforce the part about harmful pyramid plans is the fact that it takes time for the people to want to be protected from pyramid plans and until such time as they see the problems themselves you cannot legislate to protect them against themselves. They don't want to be protected against themselves and in the words of the Member from Saskatoon City Park, this problem did not rise to any great extent in the province until the last couple of years. It is time now for this legislation. The Opposition will be the first to support this legislation and we welcome this legislation. The time is right for this legislation. But to criticize the previous Liberal Government's record in the question of consumer affairs is an abysmal ignorance of the problem because we are prepared as a Liberal Opposition to stand on our record of consumer affairs as opposed to yours any day of the week. Mr. Speaker, if the Member from Saskatoon City Park wants to talk record I am prepared to talk record in consumer legislation any day of the week. But the criticism of the Liberal Government and the question of pyramid plans was unjustified and unwarranted.

We support this legislation but one problem in the field of consumer legislation is you are not going to protect people against themselves until they want to be. Now in the field of pyramid plans many of them want to be and we welcome this legislation.

MR. P.P. MOSTOWAY (Hanley):— Mr. Speaker, I want to be very brief on speaking on this Bill. I just want to bring to light a true case which was related to me by a citizen from Allan. He was married, working hard and, like all people, found it a little difficult to make ends meet. He sort of was enticed into this pyramid selling deal. Along came a pyramid shyster if you want to call him that, and this fellow thought that maybe here would be the

golden opportunity for him to make a few dollars. So they borrowed some money and went into this thing hook, line and sinker on good faith. But they didn't realize that they were really dealing with a shyster. Well, after having bought a lot of merchandise from the shyster, he found out that the field was already full of people who had been taken in the same manner and upon trying to sell back the merchandise to the shyster he found out that this was impossible. I just want to point out the fact that this particular gentleman, and I can give you his name, from the Allan district was out \$3,000 which he had to work hard for to make up because this was borrowed money in the first place. I just want to say that I know that I welcome, and many people in Hanley constituency, welcome some sort of regulations, control, of this pyramid shysterism, if I may call it that. I wholeheartedly speak on behalf of many people in my constituency and support this Bill.

MR. R. ROMANOW (Attorney General):— Mr. Speaker, I will be very brief to simply say that I am very pleased that the Opposition will be supporting this Pyramid Franchise Bill. It is refreshing to see the Opposition join with us in a Bill which gives the Government arbitrary power. A Bill which has a great potential for abuse in the hands of the registrar. A Bill which is loaded in Section 28, the Lieutenant-Governor-in-Council being able to make regulations (a), (b), (c), (d) and (e). I quote, Mr. Speaker, "Respecting any other matter that the Cabinet considers necessary or advisable to carry out the purposes of this Act." I am indeed very pleased to see the Opposition join us in this terrific abuse of power that potentially exists here and I will be very pleased to have the Opposition join us when we deal in clause by clause study with other Bills which have similar provisions in them with respect to the abuses of power. We all know that the Opposition is consistent, rational and reasonable and that they follow in a logical and consistent way throughout. So I am looking forward to unanimous support with respect to other aspects of the Bill very shortly.

I conclude also by saying that in The Franchise Act I would disagree with the Hon. Member for Lumsden that The Direct Seller's Act was a means of control. I do not view that Act as having any substantial power to control pyramid franchise, the basis of which I believe is the uncontrolled sale of franchises, not the door to door selling of the product once you've got the franchise in fact sold. These boys operate on selling a franchise to as many people as possible and in turn those who buy the franchises must in order to recoup their money turn around and get salesmen. When you seek to regulate salesmen at the Direct Sellers level which is the only level The Direct Seller's Act can deal with, it is too late. The sale and the money have already been made. The pyramid franchise operator has fled the province more often than not.

Having made that small observation of The Direct Seller's Act I am pleased to see that this Bill will receive what appears to be an unanimity and it gives me, therefore, great pleasure to introduce second reading of this Bill.

SOME HON. MEMBERS: Hear, hear!

Motion agreed to and Bill read a second time.

WELCOME TO STUDENTS

MR. A. MATSALLA (Canora):— Mr. Speaker, it gives me pleasure to introduce to you and to the Legislature a fine group of 34 Grade Seven and Eight students of the Stenen Public School. They are accompanied by their teachers, Mr. John Krunek and Mr. George Hambleton as well as Mrs. Gayle Hambleton and gentlemen Al Surkan and Audin Hessiuk. The bus driver is Mr. Lawrence Zenchuk. The group is seated in the Speaker's Gallery. I am certain the experience the students will get from visiting this Legislature will be informative and useful in their school studies. It ought to leave with them a lasting impression in years to come. I hope their entire trip to our capital city will result in a satisfying and enjoyable venture. Mr. Speaker, may I say to them from us, "Nice of you people coming, and have a safe trip home."

HON. MEMBERS: Hear, hear!

MR. F. MEAKES (Touchwood):— Mr. Speaker, I too would like to introduce a group of 26 Grade Seven and Eight students from public school in the Speaker's Gallery. They are under the leadership of their principal, Mr. Radivanski, their bus driver, Mr. Sopel. They have toured the Museum of Natural History already and this building. They will stay here awhile and then go on and see the RCMP barracks and museum. I, too, hope that this afternoon may be a fruitful and educational process. I hope that we can behave ourselves and we all wish them a safe journey home.

HON. MEMBERS: Hear, hear!

MR. E.C. WHELAN (Regina North West):— Mr. Speaker, through you I would like to introduce to this Assembly, 60 students who are located in the east gallery. The 60 students are from the R.J. Davidson School in Regina North West. Their teacher Mr. Forest is with them. I am sure all Members will join with me in welcoming them and expressing the wish that they will have a very pleasant and informative visit to the Legislature.

HON. MEMBERS: Hear, hear!

MR. H.H. ROLFES (Saskatoon Nutana South):— Mr. Speaker, I should like to take the opportunity to introduce to the House a group of 78 students who are in the west gallery, from Alvin Buckwold School in Saskatoon. Alvin Buckwold School is a new school in Saskatoon, or one of the newer schools. And for the information of the House I should just like to say that the school has been named after a well known medical doctor, Dr. Alvin Buckwold who was so concerned during his lifetime with the mentally retarded and after whom has been named the Alvin Buckwold Centre at University Hospital. I take great pleasure in introducing these students to you and I hope that they have a good time in Regina and that they find their stay in the Legislature an educational one. They are accompanied by three teachers, Miss Fowler, Mrs. Goshawk and Mr. Neufeld. I ask the Members to join with me in welcoming them here.

HON. MEMBERS: Hear, hear!

THIRD READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. R. Romanow (Attorney General) that Bill No. 97 - **An Act to establish the Department of Consumer Affairs** be now read a third time.

Motion agreed to on the following recorded division:

YEAS - 32

Messieurs

Dyck	Byers	Mostoway
Meakes	Thorson	Comer
Smishek	Whelan	Rolfes
Romanow	Carlson	Lange
Messer	Owens	Hanson
Snyder	Robbins	Oliver
Thibault	Matsalla	Steuart
Larson	Cowley	MacDonald (Milestone)
Baker	Taylor	Weatherald
Brockelbank	Faris	MacLeod
Pepper	Gross	

NAYS - 2

MESSIEURS

Grant

McPherson

The Assembly resumed the adjourned debate on the proposed motion by the Hon. R. Romanow (Attorney General) that Bill No. 121 - **An Act respecting the Executive Council** be now read a third time.

MR. K.R. MacLEOD (Regina Albert Park):— Mr. Speaker, I rise in connection with Bill No. 121. I want to speak very briefly to this, to ask in effect a question. I observe in subsection (3) of the Act, as it appears in Bill No. 121, the designation of the Members of the Executive Council. And it starts out with President of the Executive Council, Minister of Finance and so on.

I do not observe the word "Premier" and I wonder if it is because I have overlooked that word somewhere in the Bill, although I read it and I didn't see it. I looked in The Saskatchewan Act, which is an Act of the Government of Canada back in 1905, and I don't observe the word 'Premier' in that particular place. Section 8 of the Act says the Executive Council of the said province shall be composed of such persons under such designations as the Lieutenant-Governor from time to time thinks fit.

I certainly want the office of Premier totally legal, and I am quite prepared to accept it if it in fact is a tradition. If it is legalized in some other place, perhaps I could be told. But I frankly confess I don't know where the designation 'Premier' comes from and I wonder if it is not elsewhere, in some other Act, in some other place, so include it in paragraph 3, so that if the Premier is no longer - well, he is the President of the Executive Council - it would be nice to be able to call him

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Premier knowing that it has the full sanction of law.

I should not like to call him Mr. President. However, it may be that I simply overlooked it and I wonder if I may have an answer.

HON. R. ROMANOW:— Well, Mr. Speaker, I don't know whether I can move an adjournment on third reading as I should like to consider this matter. I suppose one of my colleagues could adjourn. The answer is, I think it has been traditional to be president of the Executive Council, but I will just check it to be absolutely sure. Maybe you have put your finger on something.

HON. W.E. SMISHEK (Minister of Public Health):— Mr. Speaker, I beg leave to adjourn the debate.

Debate adjourned.

The Assembly adjourned at 5:30 o'clock p.m.