



# Reports on Legislative Activities



Alberta

There has been considerable activity in Alberta's Legislature in recent months. Chamber renovations initiated by Speaker **David Carter** were completed in February giving the House a fresh appearance, expanded visitor seating in the galleries, improved acoustics and an updated audio and video system. Further restorations and a book about the history of Alberta's Legislature are being completed in anticipation of the 75th anniversary of the Legislative Building on September 3, 1987.

The newly renovated Chambers were formally unveiled on March 5 when Her Honour, Lieutenant Governor **Helen Hunley**, delivered her Speech from the Throne to open the second session of Alberta's 21st Legislature. The speech outlined the many challenges facing Alberta's legislators in the coming months. The worldwide collapse in prices for oil and natural gas has brought about a severe decline in government revenues and has produced a large deficit with which all Albertans must contend. The Lieutenant Governor has thus pledged that her government's mandate will be to balance the province's finances in an orderly and expeditious fashion while taking all measures to ensure that Alberta's economic diversification is vigorously promoted. At the same time initiatives will be undertaken to ensure that services essential to Albertans, especially those hardest hit by the economic downturn, will not be adversely affected.

Provincial Treasurer, **Dick Johnston**, reaffirmed that commitment in his budget address of March 20. His

1987 budget sets in motion a medium-term fiscal strategy designed to reduce the \$3.3 billion deficit by 40% in 1987-88 and to balance the budget by 1990-91. Funding priorities to employment, education and health services mean that those departments will have their operating budgets reduced by less than 3% while other departments can expect cuts of about 16%.

Ordinary Albertans will also be affected. Business and individual taxes will rise, as will taxes on gasoline, tobacco and alcohol. A new 5% tax on hotel rooms will be introduced. Fees for certain services like vehicle registration and health care will rise slightly and the Alberta Renter's Assistance Tax Credit will be discontinued. The 15% transfer of resource revenue to the Heritage Savings Trust Fund will also be discontinued.

At the same time new initiatives will be undertaken to improve Alberta's unemployment situation and to assist the energy and agricultural industries. Programs to assist the elderly, disadvantaged, and the needy will be maintained as will programs that provide quality educational and health services.

## Legislative Activities

Members of the Assembly will be asked to consider many pieces of proposed legislation. Among those already introduced are government sponsored bills to create a new *Mental Health Act*, and amend the *Police Act* and the *Highway Traffic Safety Act*. The latter bill will make the wearing of automobile seatbelts mandatory throughout the province. Also expected to be introduced by the government are a new *School Act* and a new *Labour Act*.

On April 7 a ruling was made by Speaker Carter which occasioned great interest in Alberta and the rest of Canada. New Democrat **Leo Piquette**, (MLA, Athabasca-Lac La Biche), rose during question period to ask a question regarding French

language education rights in Alberta. He began his question in French and Speaker Carter rose to ask the member to continue his question in English ruling that he and the member had earlier agreed that while French could be spoken during debates it would not be used during question period. Mr. Piquette complied but later rose on a question of privilege objecting that it is "the right of each and every member of this Assembly to conduct their business in this Assembly at any point in the Assembly's proceedings in either official language." He then asked that the Speaker reconsider his ruling.

After considering the matter Speaker Carter delivered a statement, on April 9, regarding the question of privilege. On the basis of order, he stood firm in his earlier ruling, based on the customs and conventions of the Assembly as interpreted by, and which remain the prerogative of the Speaker. He stressed that: "This is not and the Chair repeats not a ruling of the Chair on the usage of French in the House. The Chair will not rule here once and for all on the right of any honourable member to address this House. It cannot. It can only rule that a matter of privilege has been raised and refer the issue back to the House."

The Government obliged on April 15 with a motion that would refer the whole matter to the Committee on Privileges and Elections. Its first meeting was held on May 5.

Several other committees are also active. These include the Public Accounts and Private Bills Committees. A 1987 Select Special Ombudsman Search Committee has also been struck to select a new ombudsman to replace retiring ombudsman, **Brian Sawyer**.

Cathy Woolfrey

**T**he First Session of the Thirty Fourth Parliament for the Province of British Columbia opened at 2:20 p.m. Monday, March 9, 1987. The first order of business was the election of a new Speaker: Mr. John Reynolds, who was unanimously chosen.

The Speech from the Throne followed the Speaker's election and was read by His Honour R.G. Rogers, Lieutenant Governor of the Province. It outlined the government's program for the Spring session including reduction of government intervention in the private sector; expansion of the role and use of the Legislature's committee system; establishment of a Board of Internal Economy; introduction of television into the House; provision for equitable expropriation procedures; formalization of self-government for the Sechelt Indian band; the abolition of dual constituencies and provision for mail-in votes for the handicapped; improvement of support programs to victims and witnesses of crime; introduction of a new *Police Act*; amendment to the *Adoption Act* enabling adults to get information from the adoption disclosure registry; review of the rules and regulations pertaining to lawyers; ensure that timely support payments are made to families and dependent children; establishment of a Royal Commission to investigate education in the province; improvement of both morale and productivity in the public service; establishment of a private sector task force to work on privatization of crown corporations; reduction of the provincial deficit; extension of the powers of provincially regulated trust companies, credit unions and insurance companies; establishment of a Pacific Rim Institute of Tourism; in consultation with the Federal Government, the establishment of a national park on South Moresby in the Queen Charlotte Islands; amendment to provincial regulations governing interprovincial and trans-border trucking.

On March 9th, during the afternoon, the government brought down its first budget of this parliament. Mel Couvelier, Minister of Finance and Corporate Relations presented the

estimates for the fiscal year ending March 31, 1988: 10.22 billion dollars in expenditure from revenue of 9.37 billion dollars producing a fiscal deficit of 850 million dollars for the year. Highlights of the budget speech included sales tax reduction from 7% to 6%; small business income tax rate increased from 8% to 11%; new property purchase tax of 1% on transfers of real property up to 200,000 dollars and 2% above that level; fuel tax on leaded gasoline increased by 2 cents a litre; restaurant meals exempted from sales tax; welfare payments to increase by 5%; day-care funding to increase by 30%; 11.3% rise in education funding; silviculture spending to increase by 28% and a community economic development program established to encourage entrepreneurship in British Columbia.

On the revenue side the budget consumed 57% in taxation, 21% from the federal government, 5% from government enterprises, 10% from natural resources and 7% from other revenue. Expenditure will account for 16% on Social Services, 29% on Health, 21% on Education, 8% on transportation and communications, 7% on natural resources, trade and industrial development, 5% on the protection of persons and property, 5% on debt servicing, 4% on local government, 2% on general government and 3% for other expenditures. Total revenue per person is estimated to be 3,224 dollars while total expenditure per person is set at 3,517 dollars for the fiscal period.

The opposition characterized the budget as regressive in its taxation measures - inhibiting investment in the province. The government replied that the budget would enhance, stabilize and further diversify the British Columbia economy in an era of global instability.

After a series of allegations lodged against the Minister of Forests and Lands, Jack Kemp announced in the House his intention to leave the Social Credit Caucus and to sit as an independent member.

Since 1985, the House has observed Standing Order 25A - Private Members' Statements. This mechanism permits members from both sides of the House to debate a topic of immediate importance. The proponent is allowed a maximum of seven minutes; any other member a maximum of five minutes; while the proponent in reply receives another three minutes, maximum. To date,

the members, generally, agree on the effectiveness of the standing order in the context of Private Members' Day and the usefulness of bringing local matters before the House that might otherwise never receive attention. In this session, issues such as the Tourism industry, the Vancouver Island Highway, "Science World", unwanted pregnancies, job training, the trucking industry, reform of federal institutions, seniors and the budget, and "Colony Farm" have been debated pursuant to this Standing Order.

On April 2, 1987, Bill 19 entitled *Industrial Relations Reform Act* was introduced, read a first time and ordered for second reading at the next sitting of the House, by the Minister of Labour and Consumer Services, L. Hanson. The Bill sparked a lengthy and vociferous debate inside and out of the House culminating in, during second reading stage, a Hoist amendment followed by a reasoned amendment, both moved by the opposition and both being defeated on recorded divisions. On April 23, 1987, Bill 19 was referred to the Committee of the Whole on Bills for subsequent clause by clause scrutiny.

Bill 20, entitled the *Teaching Profession Act* was introduced by the Minister of Education, A. Brummet, on April 2nd. Extensive debate at second reading stage has, to date, culminated in a hoist amendment by the opposition. Both Bills 19 and 20 are expected to proceed slowly through the legislative process prior to enactment.

During April, the second edition of *Parliamentary Practice in British Columbia* by E. George MacMinn, Q.C., Commissioner, Legislature Procedure Review Act and Deputy Clerk of the British Columbia Legislature, was published. In his Preface, the author explains that the second edition reflects the changes to the British Columbia Standing Orders adopted by the House during the 1985 session as well as incorporating expanded annotations to all of the Standing Orders further clarifying current practice in the House. On April 23, 1987, the Special Committee to appoint an Auditor General was struck. Composed of nine members with Jim Hewitt, as its Convener, the Committee expects to recommend to the House a new Auditor General for the province soon after concluding its series of meetings.

In April the Premier, William N. Vander Zalm announced to the House the establishment of a Board

of Internal Economy to be chaired by the Speaker and composed of: Government House Leader, Opposition House Leader, Government Caucus Chairman, Opposition Caucus Leader, Provincial Secretary. The Premier noted that this was an historic occasion in British Columbia in that formal recognition was being given to the separation of powers between the executive arm of government and the legislative assembly. Legislation is expected soon to create the Board and establish its mandate.

Craig James



Ontario

The second Session of the 33rd Parliament prorogued on February 12. During the Recess between sessions a number of standing and select committees met.

#### Committee Activity

The Select Committee on the Environment, chaired by **Don Knight**, was authorized to consider bilateral environmental issues affecting Ontario. The Committee conducted a review of the "Countdown Acid Rain Program". In its report, tabled in May, the Committee recommended that provisions for allowing Ontario Hydro to bank emission credits be deleted from the regulation; that the reports of the companies involved in the program be reviewed by a Legislative Committee; and that a "Notice and Comment" procedure be established to provide for public input into proposed regulations.

The Select Committee on Health, chaired by **Robert Callahan**, continued its consideration of the commercialization of health and social services. The Committee held public hearings on child care and on hospital management. The Committee's interim report, which outlines the extent of for-profit activity in health and social services in Ontario, has been presented to the

House. A second report, focusing on child care, is expected shortly.

The Select Committee on Retail Store Hours considered Sunday shopping and retail store business hours. The Committee, chaired by **Terry O'Connor**, held public hearings throughout the Province and heard from over 100 groups and individuals and received 518 exhibits. In its report presented to the House, the Committee unanimously rejected the notion of "wide-open" Sunday shopping. The major themes of the Committee's seventeen specific recommendations are to: provide a greater planning and administrative involvement for the provincial government; allow small bookstores, record and video stores, photographic studios and retail art galleries the right to open on Sundays and holidays; firmly restrict openings under the legislation for small stores to self-contained small stores under one roof and make the practice of "roping off" by larger stores on Sundays illegal; firmly restrict and control the variety of non-pharmaceutical goods large drug marts can sell on Sundays and holidays; and to make proposals for the more systematic planning and designation of exempt retail tourist areas.

The Standing Committee on Administration of Justice, chaired by **Andy Brandt**, held public hearings on Bill 154, *An Act to provide for Pay Equity in the Broader Public Sector and in the Private Sector*. During clause-by-clause consideration of Bill 154, amendments were proposed by the Attorney General, and passed by the Committee, which will extend the scope of the Bill to include persons who were covered under Bill 105, *An Act to provide Pay Equity for Employees in Predominately Female Groups of Jobs in the Public Sector*.

The Standing Committee on Finance and Economic Affairs, chaired by **David Cooke** (Kitchener), completed its pre-budget consultation process for the 1987 Ontario Budget. This was the first time such a consultation has taken place in accordance with the new Standing Orders. Presentations by social groups and companies were included in the process. In its report to the House, the Committee recommended that the consultation process be continued and expanded; that the Committee should encourage increased participation of all sectors in the review; that the Government should provide funding for pure research in post-secondary institutions; as well as specific

recommendations relating to the Budget and the Budget process.

The Committee also considered Bill 116, *An Act to revise the Loan and Trust Corporations Act*. This Bill will regulate loan and trust corporations. The Committee heard presentations from the Ministry of Financial Institutions and from industry. During clause-by-clause consideration, over 100 amendments were proposed to the Bill. The Bill has been reported to the House with certain amendments.

The Standing Committee on General Government, chaired by **George McCague**, held public hearings on Bill 170, *An Act to revise the Pension Benefits Act*. The proposed legislation does not use the age 45 and 10 years of service test but instead states that age and service must add up to 55. The purpose of this is to avoid discrimination on the basis of age, and to help younger, long-service employees to receive pension benefits on plant closures. The Committee will be commencing clause-by-clause consideration early in the Session. On May 11, 1987, **Monte Kwinter**, Minister of Financial Institutions, announced that he intends to introduce an amendment to Bill 170 that will be of benefit to workers of the Goodyear factory in Etobicoke scheduled to close on May 31.

The General Government Committee also held public hearings throughout the province on the *School Boards and Teachers Collective Negotiations Act*. The Act, passed in 1980, limits the type of collective agreement and specifies the method of negotiation. The Committee has been holding public hearings to review how the Act is working. The Committee expects to have additional public hearings before presenting its report to the House.

The Standing Committee on Government Agencies, under the chairmanship of **Bud Gregory**, reviewed the operations of four agencies. These were: The Pesticides Advisory Committee, the Agriculture Council of Ontario, Ontario Northland Transportation Commission and the Liquor Control Board of Ontario. The Committee's conclusions will be included in its annual report expected to be presented this Spring.

The Standing Committee on Social Development, chaired by **Richard Johnston**, considered Bill 52, *An Act to amend the Health Protection and Promotion Act, 1983*. This Private Member's Bill requires physicians,

nurses and pharmacists to report to their local medical officer of health any cases they encounter of severe reaction to the DPT vaccine given to infants and small children. The Minister, **Murray Elston**, proposed amendments to the Bill which make it acceptable to the Government. The Bill has been reported to the House and is awaiting Third Reading.

The Social Development Committee also considered Bill 176, *An Act to amend the Nursing Homes Act*, and Bill 177, *An Act to amend the Health Facilities Special Orders Act*. These Bills contain a "Seniors' Bill of Rights". The residents of nursing homes will have a voice in the day-to-day management of the homes. Nursing homes will be expected to treat the psychological, social and spiritual needs of the residents and not just their physical needs. Both Bills have been reported to the House and await Third Reading.

### Third Session

The third session of the thirty-third Parliament convened on April 28. In the Speech from the Throne, the Lieutenant Governor, **Lincoln Alexander**, stated that the Government would continue with its agenda, as set out in the previous Throne Speech, to ensure that Ontario "takes its place as a world-class society of the 21st century."

To accomplish this goal, the Government has set education, quality of life, economic competitiveness and economic equity as primary concerns.

Improvements to the education system will be accomplished through increased capital funding; a greater emphasis on basic learning skills including literacy and science and computer skills; reducing the drop-out rate; expanding services to the francophone and the northern communities; and increasing funding for post-secondary education. The Government later announced that \$226 million would be committed for the construction and renovation of schools.

The Government promised a variety of measures to improve the quality of life in Ontario. More affordable quality housing will become available through a program of using surplus government land to build housing for low and moderate income earners. Efforts will be made to encourage private sector development in the areas of rental housing and to expand programs and support services for the

homeless and people with special needs.

Programs to provide for greater independence for seniors and the physically, developmentally and mentally handicapped were outlined in the Speech from the Throne.

Tourism, entrepreneurship, training, reforms to the tax system and assistance to farmers were other areas outlined in the Throne Speech where developments to improve economic competitiveness will be made. The Government also set out an agenda for economic equity through increased child care, providing greater opportunities for women, Northern Ontarians and Eastern Ontarians.

In responding to the Speech from the Throne, the Leader of the Opposition, **Larry Grossman**, called it a Speech "that was long on verbiage, but short on substance". He criticized it as a "wish list" with no priorities or planning. "The wish list you never have to pay for because there is no government in the land that could afford to meet all these promises, so it is simply a list".

Mr. Grossman reviewed many of the initiatives and programs outlined in the Speech from the Throne. "In every case, instead of having a policy, this government has chosen to have a study, a pilot plan, a pilot project or a report," he stated. Citing the failure of the Speech from the Throne to seize the opportunity available to the Government, because of the greater financial flexibility created by increased tax levels and an economic boom, to reduce many of the problems facing the Province, the Leader of the Opposition urged all Members to "join with us in voting against this shallow collection of clichés, buzzwords and vague promises."

The Leader of the New Democratic Party, **Bob Rae**, noted that "the Government was pretending as if it were somehow the product of some sort of immaculate conception, that it simply fell from the sky." He stated that the real agenda of the Legislature has been the Accord negotiated by the Liberal and New Democratic Parties in May, 1985. Mr. Rae outlined what objectives of the Accord had been met and what objectives still are to be met.

Mr. Rae criticized the Throne Speech as trying to satisfy everyone without making any commitment. "It does not address anything. It is designed to make everyone feel better." He stated that the problems facing Ontario were not being solved, that

there was a need to look beyond the surface wealth to the poverty below. "We need a party, a government, a society that understands the meaning of justice and that understands we are not always going to have great good times and that the important thing to do when the times are good is to make sure that money is distributed in a way that is fair and to make sure opportunities are built in there for the future and that we can look with pride on a productive economy that rewards work."

Tannis Manikel



Northwest  
Territories

During the winter session members dealt with the 1987-88 budget as well as several other controversial items.

The \$826 million budget was eventually approved on the last day of the 28-day session but members of the Finance Committee and some other MLAs made attempts to reduce the proposed \$16 million deficit during debate. A motion to reduce by three per cent the operation and maintenance budgets of all but one department was defeated. The operation and maintenance budget totals \$624 million while \$166 million is directed to capital expenditures.

Members approved a proposed boundary agreement for division of the Northwest Territories, negotiated by the Western Constitutional Forum and the Nunavut Constitutional Forum. Under terms of the agreement the Legislative Assembly is one of five groups required to ratify the agreement before April 1, 1987. If the four native groups in the NWT approved the boundary, the legislation called for a plebiscite to be held on May 20 to determine whether residents of the NWT agree with the proposed boundary for division.

A motion by MLA **Ted Richard** during debate on the *Plebiscite Act* to reduce the residency requirement for

voting in the plebiscite from three years to one year was defeated.

During the session, MLAs also voted to remove a Member from the Executive Council, the NWT's eight-person Cabinet. A motion by **Sam Gargan** recommended that **Tagak Curley**, Minister of Economic Development and Tourism, be removed because the Legislative Assembly "lacked confidence" in Mr. Curley. The motion was related to a note Mr. Curley sent to Mr. Gargan during debate on a budget item for Mr. Curley's home community of Rankin Inlet. The note, which Mr. Gargan interpreted as a threat, suggested that if Mr. Gargan did not support private enterprise in Mr. Curley's constituency, he could not support private enterprise in Mr. Gargan's area. With strong feelings on both sides of the question, the motion was eventually carried after more than three hours of debate by a vote of ten to eight with three abstentions. **Ludy Pudluk**, MLA for High Arctic for 12 years, was appointed to replace Mr. Curley on the Executive Council. Mr. Pudluk becomes the Minister of Government Services and of Culture and Communications, a portfolio previously held by Government Leader **Nick Sibbeston**. Mr. Sibbeston takes over the Economic Development and Tourism portfolio.

Other motions passed include support for completion of the Mackenzie Highway as far as Inuvik; a recommendation that the Legislative Assembly ask the federal Minister of Finance to demand that a deduction from taxable income for vacation travel be granted to all taxpayers residing in the North, regardless of whether they travel in the North or South or whether they receive vacation assistance from their employers. A declaration of the Assembly's opposition to low level flights in the NWT with a request for a full public inquiry into the issue of low level flights was adopted. The motion further asked that proposed flights be put on hold until the public inquiry is completed.

The Assembly unanimously passed a motion requesting that the federal Minister of Finance retain provisions for flow-through financing for the mining industry in the *Income Tax Act*. Some members are concerned that this tax concession could be removed in tax reforms expected later this year.

In addition to the budget, members approved nine other pieces of legislation, including six financial bills. Also approved were: the

*Elections Act*, amended to allow the appointment of the Chief Electoral Officer for Canada to run the Territorial election to be held this fall; the *Election Act*, amended to provide for the establishment of boards of secondary education and setting out the composition, power and duties of the boards; the *Legislative Assembly and Executive Council Act*, increasing Members' expenses and indemnities by four per cent; and, the *Plebiscite Act*, setting out the plebiscite question to be asked on the proposed boundary for division of the NWT and reducing the period of time for appointing returning officers from 60 days to 49 days in advance of the day a plebiscite is to be held.

The Legislative Assembly recessed on March 20 to be reconvened on May 26.

Ann Taylor



## Senate

The Senate continued its Committee of the Whole study, approved on February regarding the agreement on fisheries and boundaries between Canada and France. Chaired by **Rhéal Bélisle**, the Committee heard from such witnesses as Fisheries Minister **Thomas Siddon**, and departmental officials **Lorne Clark** and **Bob Applebaum** (February 17), National Sea Products President, **Gordon Cummings**, (February 17), Newfoundland Premier, **Brian Peckford** (March 18) and **Jacques Haché**, President of the *Association des Pêcheurs Professionnels Acadiens* (April 14). The study is still before the Senate.

Two government bills were introduced during the period under review: Bill S-6, an *Act to amend the Food and Drug Act*, which deals with the adoption of a number of international standards regarding food inspection and Bill S-9, an *Act relating to the forgiveness of debts incurred or assumed by the Government*

of Canada to the Governments of Togo, Mauritania and the East African Community. The former was given second reading and referred to the Social Affairs, Science and Technology Committee on April 7. It was given third reading on May 6. The latter was given second reading and referred to the Foreign Affairs Committee on May 13.

### Committee Activity

On March 17, an inquiry proposed by **Hazen Argue** regarding the desirability and advantages of the Turks and Caicos Islands becoming a part of Canada was referred to the Foreign Affairs Committee for study and report. The Foreign Affairs Committee is chaired by **George Van Roggen**. Three orders of reference were given to the Energy and Natural Resources Committee, headed by **Earl Hastings**: (i) an examination into the production and use of natural gas, adopted April 1; (ii) an examination into the production and use of coal, adopted April 1; (iii) the study of the proposed sale of Dome Petroleum Limited with particular reference to the impact of the sale in Canada, adopted May 12. A reference was adopted May 5 to authorize the Social Affairs Committee to examine the Final Report of the Special Committee of the House of Commons on Child Care. The Social Affairs Committee is chaired by **Arthur Tremblay**. On May 6, the Agriculture and Forestry Committee was authorized to study the problems regarding Farm Finance and to make recommendations on how to better meet the needs of the Canadian Agricultural Industry. The Committee is headed by **Dan Hays**.

On March 25, **Fernand LeBlanc** tabled the report of the National Finance Committee on Federal Policy on Post-Secondary Education. The Committee concluded that federal support in respect of post-secondary education, through Established Programs Financing (EPF), no longer is beneficial and that since EPF tends to blur responsibility, it ought to be terminated. The Committee suggested that the solution is for the federal government to terminate the Post-Secondary Education portion of EPF and transfer adequate financial resources to the provincial governments.

On May 13, **George Van Roggen** tabled the report of the Foreign Affairs Committee entitled "Canada, the International Financial Institutions and the Debt Problem of Developing Countries". The Committee made a number of

recommendations. It felt that the debt strategy pursued since 1982, needs to be supplemented by arrangements for an increased flow of funds to debtor countries through international agencies and creditor governments. It urged the Canadian Government to modify the regulation regarding the tax treatment of reserves in Canadian banks to permit the full costs to be treated as business expenses, until the Third World debt problem has assumed manageable proportions.

Two special committees were established. On April 2, a special committee was created to study the subject matter of the controversial Bill C-22, which deals with the amendments to the *Patent Act* with respect to drugs. The Committee is chaired by **Lorne Bonnell** and plans to hold public hearings across Canada during the months of May and June. On April 7, special committee on National Defence was agreed to. Headed by **Paul Lafond**, the committee will examine, among other matters, Canada's land forces including mobile command.

Gary O'Brien



**T**he third session of the twenty-sixth Legislative Assembly adjourned on April 16, 1987, forty-seven sitting days after its reconvening on November 24, 1986. The total number of sitting days in the third session had reached eighty-eight making it the longest session in the history of the Assembly and the first ever to last more than a full calendar year. Barring unforeseen circumstances, it is expected this session will be prorogued in October or November immediately prior to the opening of a new session.

The New Democrats technically possessed a majority during the period between October 30 and February 16 but it was not a full working majority as both the Speaker and the Chairman of Committee of the Whole are members of the NDP caucus. There were, however, only three occasions

on which the Speaker was required to give a casting vote and those all occurred during the course of debate on a single motion on January 28, 1987. The motion was moved by **Bill Brewster**, under Motions other than Government Motions and the first division took place on an amendment move by **Piers McDonald**. Speaker **Sam Johnston**, voted against the amendment on the basis that the original question should be preserved if there was not a clear majority in favour of amendment. **Roger Kimmerly** then moved that debate be adjourned and, when a tie again occurred upon division, the Speaker voted against the adjournment motion in order to permit further debate. When the question was called on the main motion with the same result the Speaker voted against the motion stating: "In general, the principle I apply to motions is that, where no further discussion is possible, decisions should not be taken except by a majority. It is, therefore, my duty to vote against the motion."

On February 2, 1987, a by-election in the electoral district of Tatchun was won by **Danny Joe** of the New Democrats giving that party a full working majority in the Assembly. The election of Mr. Joe was historic not only in the sense that it dramatically altered the party standings; it also marked the first time in Yukon history that Yukon Indians comprised a majority of the members in the caucus of any party (ie. five of the nine New Democrats are Indians).

During the course of the sittings from November 24, 1986, to April 16, 1987, a total of thirty bills were passed by the House. Six of these were appropriation acts including the 1987-88 Capital and Operation and Maintenance Estimates which project a total expenditure of \$291 million during the current fiscal year. This represents a six percent increase in capital and a one percent increase in operation and maintenance (over revised estimates for 1986-87).

In his introduction of the Operation and Maintenance budget **Tony Penikett**, Government Leader and Minister of Finance, expressed satisfaction with the results of his government's past actions and addressed its goals for the future: "In the past two years, the Yukon's economy has seen a dramatic turnaround. The signs of the economic recovery are everywhere. It is our firm belief that the initiatives introduced by our government have contributed to the

improvement in employment and the renewed sense of confidence in the economy. ... By any statistical indicator, the Yukon has recovered from the recent recession. It is now time to build an economy that is more diverse, more self-sufficient, and more stable." In his response **Willard Phelps**, Leader of the Official Opposition, expressed concern about the growth in expenditures during the recent past and the increasing proportion of the revenues comprised of transfer grants from the federal government. He said: "It is alarming to see government spending almost entirely responsible for the present economy. ... Social programs and expensive facilities are important to our quality of life, but the balance has to be more prudent. More should be spent on facilitating private industry now because private enterprise industry creates wealth, and as industry develops we will be more able to afford more of the other things."

The legislation which created the greatest controversy and occupied the most time of the House was Bill 99, the *Human Rights Act*. The bill was introduced by Mr. Kimmerly on December 1, 1986, and, after a lengthy debate at second reading and intensive study in Committee of the Whole, finally passed and given assent on February 12, 1987. At second reading Mr. Kimmerly stated: "The objects of this Act are to further, in the Yukon, the public policy that every individual is free and equal in dignity and rights; to discourage and eliminate discrimination; to recognize the unique needs and cultural heritage of the aboriginal peoples of the Yukon; and preserve and enhance the multicultural heritage of Yukon residents."

Members of the Official Opposition spoke against Bill 99 at second reading because, as stated in a motion moved by Mr. Brewster, they disagreed "with the following principles: (1) the establishment of a Human Rights Commission with broad and undefined powers; (2) the inclusion of sexual orientation and criminal charges or criminal record under prohibited grounds; (3) the referring of the question of Equal Pay for Work of Equal Value in the private sector to the Human Rights Commission; and (4) the laying of complaints by third parties." During consideration at the committee stage twenty-five amendments were introduced, twenty-three by opposition members and two by the sponsoring minister. Thirteen of the opposition amendments were

adopted with major changes being the removal of third party complaints and the inclusion of a property rights section.

The *Motor Vehicles Act* was amended on two separate occasions during the course of the session. In the first instance a provision was added making it mandatory, as of July 1, 1987, for all children to be fastened in certified child restraint systems when riding in a motor vehicle. The second amendment complied with a motion moved by **Doug Phillips**, requiring that vehicles being driven

on territorial highways have their headlights turned on at all times.

Other matters of note included the government's abolishing of health care premiums after the House had adopted a motion to that effect moved by **Margaret Joe**, Minister of Health and Human Resources. The Assembly also passed a motion introduced by **Norma Kassi**, expressing its objection to consideration then being given by the Government of the United States to opening lands in Alaska containing the calving grounds of the Porcupine Caribou herd to oil

exploration. Finally, in response to repeated demands from the Official Opposition that the government provide it with copies of every contract entered into, the government tabled a listing of all contracts for each fiscal year from 1982-87.

**Patrick L. Michael**

## Contributors

Craig James is Second Clerk Assistant with the British Columbia Legislative Assembly.

Tannis Manikel is Assistant Clerk with the Legislative Assembly of Ontario.

Patrick Michael is the Clerk of the Yukon Legislative Assembly.

Gary O'Brien is Director of the Committee's Branch of the Senate.

Ann Taylor is a Public Affairs Officer with the Northwest Territories Legislative Assembly.

Cathy Woolfrey is a Legislative Intern with the Alberta Legislative Assembly.