



Reports on Legislative Activities

(November 1983 – February 1984)



Quebec

The Quebec National Assembly adjourned on December 21, 1983 after a fall session lasting a total of 22 days.

The Assembly had convened *pro forma* on October 18 but the resumption of the session was postponed on a motion of adjournment announced by Premier **René Lévesque** following a special meeting of his Council of Ministers in Pointe-au-Pic.

The resumption of the legislative session followed the announcement (on November 13) of a government recovery plan designed to inject new vigour into the province's economy. According to Premier Lévesque's explanations, the plan con-

tained short-term objectives which must be met before the end of 1985 as well as long-term objectives. In the short term, the plan is designed to encourage the participation of all economic agents so that the province's economy not only achieves but maintains a growth rate higher than the Canadian average. This would result in a substantial decline in unemployment.

The aim of the recovery plan is not merely to create jobs quickly and to reduce unemployment immediately. In the long term, it will lead to permanent improvements in the economy and will clear the way for more important achievements in the years to come. To fulfil this objective, the government opted for programs which will give lasting results and strengthen the province's economic base. The principal measures announced involve legislative initiatives affecting business, public investments, research and development and labour and the announcement was the focal point of debate during the fall session.

As soon as the Assembly reconvened, the Opposition questioned the government about its recovery plan, particularly after November 15 when the Minister of Finance, Mr. **Jacques Parizeau**, tabled supplementary estimates totalling \$62.3 million, a substantial portion of which was allocated to the recovery plan. Thirty-two Liberal MNAs participated in the budget debate and took advantage of question period to ask for more details about the plan.

Legislative Initiatives

Despite a tumultuous start and ending to the session, the Assembly did nevertheless succeed in debating 30 bills, 21 of which were given Royal Assent. Three bills were in fact omnibus bills: Bill 45 amending 15 municipal laws, Bill 50 amending 41 laws in various fields and Bill 54 amending 11 tax laws. Bill 51 called for the abolition of the Public Service Department and for a revised *Public Service Act*.

The preamble to the legislation notes that the purpose of the public service is to provide to members of the public the level of service to which they are entitled. Chapter II spells out the rights and obligations of public servants and establishes rights and restrictions with regard to political activities. Chapter III stipulates that deputy ministers and heads of organizations are responsible for managing the human resources assigned to them. Chapter IV extends the provisions currently in effect with respect to union activities. Chapter V calls for the abolition of the Public Service Department and of the *Office de recrutement et de sélection du personnel*, to be replaced respectively by the *Conseil du Trésor* and by the *Office des ressources humaines*. The *Conseil du Trésor* will be responsible for drafting general policies respecting human resources management and equal opportunity employment programs. The *Office des ressources humaines* will be in charge of public servant recruitment and promotions. The Public Service Commission will have the duty of ensuring that the decisions made pursuant to the legislation are fair and impartial. Chapter VI gives the government the power to make regulations respecting ethics and discipline in the public service. Chapter VII outlines sanctions that can be imposed if fraud is detected in the course of a recruitment, promotion or reclassification competition. The last chapter lists the temporary and permanent provisions of the new legislation.

A bill to amend the French language charter was tabled in the Assembly on November 17 by Mr. **Gérald Godin**, Minister of Cultural Communities and Immigration. The purpose of the proposed amendments is essentially:

- a) to allow municipal institutions providing services to persons the majority of whom speak a language other than French to use this other language in addition to French in their name and correspondence;

- b) to allow two persons within these institutions to communicate with each other in the language of the majority of people served by the institution;
- c) to allow businesses specializing in the sale of typically foreign or ethnic products to post bilingual signs outside their establishments;
- d) to exempt professionals who attended secondary school for at least three years in Quebec from having to prove they are sufficiently proficient in French to practise their profession;
- e) to allow children to attend English schools if their father or mother received their elementary education in English elsewhere in Canada, specifically in a province where the education services provided to Francophones are comparable to those offered to Anglophones in Quebec;
- f) to limit to administrative signs the requirement to use standardized terms on public signs;
- g) to clarify the responsibilities and duration of the mandate of francization committees within businesses and to allow the *Office de la langue française* to suspend or cancel the francization certificate of a business if French no longer has the status the francization programs were intended to give it.

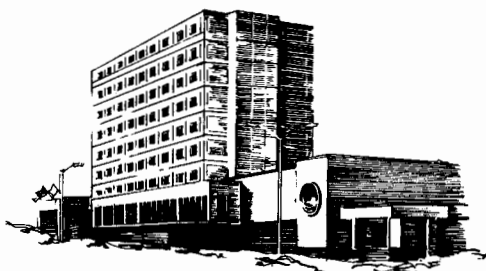
Moreover, the bill amends a number of administrative provisions, notably as regards the powers of the *Office de la langue française*, the *Commission de toponymie*, the *Commission d'appel* and the *Commission de surveillance de la langue française*, which will henceforth be known as the *Commission de protection de la langue française*. Bill 57 received Royal Assent on December 21.

Revised Draft Standing Orders

On December 21, shortly before the Assembly adjourned, the Speaker, Mr. **Richard Guay**, tabled revised draft Standing Orders for the National Assembly. This draft version incorporates the elements of parliamentary reform agreed to by the Assembly in the spring of 1983. The revised Standing Orders are drafted in a clear and rational manner. The draft document contains a total of 299 Standing Orders grouped under six headings: organization and operation, general procedure, legislative procedure, budget, parliamentary control, integrity of Parliament and its mem-

bers. The new Standing Orders, which should come into force in March 1984, will reduce the number of parliamentary committees from 27 to 9 and will alter their role by allowing them to study on their own initiative regulations arising from specific legislation or to debate the policies of public bodies or provincially owned companies. The Opposition will also be given greater importance, since three of the nine committees will be chaired by an Opposition member. In the case of a committee chaired by a member of the governing party, the position of Vice Chairman will be filled by a member of the Opposition. A committee of the Assembly will not be allowed to sit *in camera* without the consent of a majority of Opposition members.

Yvon Thériault



Northwest Territories

The twenty-four members of the Tenth Legislative Assembly of the Northwest Territories, elected in the November 21, 1983 territorial general election, took their seats for the opening of the first session in Yellowknife on January 11, 1984.

The formal opening of the session was preceded by several days of caucus meetings, during which the MLAs nominated eight members to serve on the nine-member Executive Council (the NWT equivalent of a provincial cabinet) and on key posts in the Assembly and on its standing committees. These nominations were put forward as formal motions during the first of the two days of the session.

Donald M. Stewart (Hay River), who had served as Speaker for almost all of the Ninth Assembly's term of office, was chosen as Speaker of the Tenth Assembly.

James Wah-Shee (Rae-Lac La Martre) was chosen Deputy Speaker, and **Sam Gargan** (Deh Cho) and **Elijah Erkloot** (Foxy Basin) were named Deputy Chairmen of Committee of the Whole. Caucus chairman **Michael Ballantyne** (Yellowknife North) was named Chairman of the Standing Committee on Finance, **Bob MacQuarrie** (Yellowknife Centre) was returned as Chairman of the Standing Committee on Legislation, and **Lynda Sorensen** (Yellowknife South) was named Chairman of the Standing Committee on Public Accounts. Mrs. Sorensen, as chairman of the Ninth Assembly's Standing Committee on Finance, spearheaded the committee's re-organization into the Standing Committee on Finance and Public Accounts with separate chairmen handling the two parts of the committee's mandate.

The eight Members chosen to sit on the Executive Council, which is chaired by Commissioner **John Parker**, were: **Tom Butters** (Inuvik), **Nellie Cournoyea** (Nunakput), **Tagak Curley** (Aivilik), **Bruce McLaughlin** (Pine Point), **Richard Nerysoo** (Mackenzie Delta), **Dennis Patterson** (Iqaluit), **Nick Sibbeston** (Deh Cho Gah), and **Gordon Wray** (Kivallik).

Government Leader Mr. Nerysoo announced portfolio assignments the next day, once Commissioner Parker formally accepted the Assembly's recommendations for membership on the Executive Council.

Opening Address

In his Opening Address to the House, Commissioner Parker congratulated the Members on their election and noted that "this House is an almost perfect representation of the ethnic population of the Northwest Territories. . ."

Remarking on the great progress toward responsible government made by the Ninth Assembly, the Commissioner indicated that the steps along the road to responsible government may now become smaller and the advances less spectacular than those in the past. "Careful work is needed in order to consolidate our gains, and to 'fine tune' the political and constitutional mechanisms that we establish," he said.

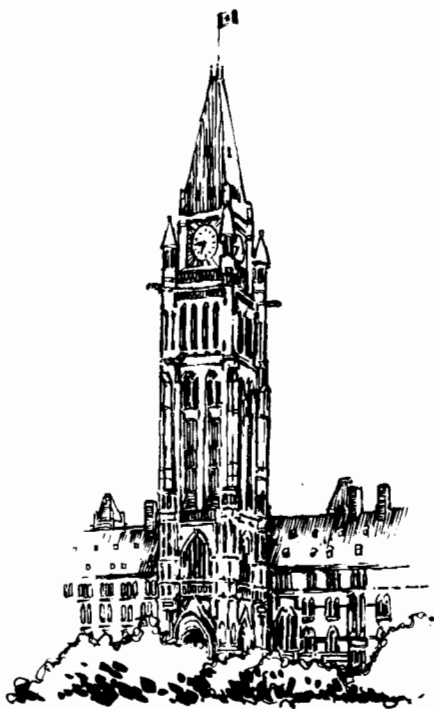
"One of the surest ways to advance the cause of responsible government in the Northwest Territories is to demonstrate our ability to manage our own affairs," Mr. Parker said. "Through the efficient, effective conduct of everyday events, as well as major issues including finances at all levels,

we will prove to federal agencies, provincial counterparts, and to the people and institutions of these Territories that we have the capacity to handle increasing amounts of responsibility."

The Commissioner said he believed that an emphasis on economic development and job creation would emerge as a major priority during the Tenth Assembly. He emphasized the importance of working co-operatively with industry and of co-ordinating resource use application reviews with the federal government. At the same time, the policy of decentralizing territorial responsibilities to the municipal level should be extended to more communities and cover more services.

After two days of sitting the House adjourned to February 3 to allow the new Executive Council members to become familiar with their positions.

David Hamilton



Senate

Important changes took place in the Senate with respect to its presiding officers since the new session opened on December 7. Senator **Maurice Riel** was appointed by the Governor General on December 16 as the new Speaker, replacing **Jean Marchand**, who had earlier resigned from the

Senate following his appointment to the Canadian Transport Commission. Senator **Gil Molgat**, was chosen on December 19 as the permanent Speaker *pro tempore*. This is a new position and was established in response to the May 6, 1982 report of the Legal and Constitutional Affairs Committee which studied the problem of the Senate appointing a Deputy Speaker. The committee felt that the Senate did not have the legal authority to do so, but suggested as an alternative that the Senate elect a Speaker *pro tempore* at the beginning of each session who would replace the Speaker when he or she was unavoidably absent. Senator Molgat is thus the first occupant of this new position.

Membership on the several select and joint committees was agreed to on December 19. Pursuant to the new rules adopted last session, Senate committees are now smaller with a membership of only 12 (with the exception of the Committee on Internal Economy, Budgets and Administration and the Committee on Standing Rules and Orders, whose membership is 15). Two committees have been re-named. The Agriculture Committee, headed by **Herb Sparrow**, is now called the Agriculture, Fisheries and Forestry Committee and the Health, Welfare and Science Committee, chaired by **Lorne Bonnell**, is now called the Social Affairs, Science and Technology Committee. A new standing committee on Energy and Natural Resources, to be chaired by **Earl Hastings**, was appointed, as well as a new special committee on National Defence, which will be presided over by **Paul Lafond**.

Report on Senate Reform

On January 31, the Special Joint Committee on the Reform of the Senate, which had been re-constituted early in December, tabled its long awaited report. The Committee, headed by Senator Gil Molgat and **Paul Cosgrove**, MP, conducted numerous public hearings across the country and heard testimony from over 100 witnesses. Its main proposal was that the Senate should be elected directly by the people of Canada. It felt that an elected Senate is the only kind of Senate that can adequately fill what it saw as its principal role: the role of regional representation. In arriving at its conclusion, the committee rejected such reform alternatives as abolishing the Senate completely, limiting reform to that of its system of appointment, or making the Senate a facsimile of the German *Bundesrat*, whereby senators would be merely delegates of the provincial governments. "Such

a chamber" the report stated "would subordinate, in an inappropriate way, the federal legislature to the executive branch of the provincial order of government. It would make the federal Parliament a hybrid amounting to a monstrosity".

The committee emphasized that the powers of an elected Senate should not be so strong that it would compete for supremacy with the House of Commons. It therefore proposed that the new Senate be given only a suspensive veto of a maximum of 120 sitting days over measures agreed to by the Commons. Supply bills would be exempted from the procedure and would not be subject to any delay. Also exempted would be measures having linguistic significance. These could only be approved by a double majority: that is, by a majority of francophone senators and by a majority of all senators. In these matters, the Senate would have an absolute veto.

The report suggested that senators be elected for a single term of nine years, with one-third of the senators being elected every three years. As opposed to proportional representation, the committee opted in favour of simple 'first-past-the-post' elections in single-member constituencies. It suggested that seats be allocated on the basis of province and territory and proposed a compromise between provincial equality of seats and representation by population. It favoured a system whereby most provinces would have an equal number of seats but Ontario and Quebec would have more and P.E.I. and the territories would have fewer.

While the committee admitted that its proposals would require federal-provincial negotiation and subsequent constitutional amendment, all of which will take time, it suggested that certain reforms in the present Senate could be made now. For example, it proposed the introduction of a fixed term for future appointments, a more flexible use of the Senate's power in a way that could give the chamber a suspensive veto, and the increased use of investigative committees. "The implementation of these reforms" the report concluded "will provide a basis for assessing how much more effective an appointed Senate would be and could confirm whether the Committee is justified in its judgment that the election of senators is necessary". The report will be undoubtedly the subject of interesting debate in the coming months.

Gary W. O'Brien

House of Commons

Twice in one week, Members of the House of Commons received a summons through the Gentleman Usher of the Black Rod to attend the Governor General at the bar of the Senate. On the first occasion, November 30, His Excellency in Parliament assembled read out a prorogation speech marking the end of the longest session in Canadian parliamentary history. The following Wednesday, December 6, he was again in the Senate to preside over the opening of the second session of the thirty-second Parliament with a Speech from the Throne.

The prorogation speech gave the government an opportunity to put on record its assessment of the work accomplished during the three and a half year session. Singled out for particular attention was the patriation of the Constitution, the establishment of the national energy programme, the implementation of the 6 and 5 public-service wage-restraint policy and the creation of a new grain transport price structure. In addition, the government noted that more than 150 bills received Royal Assent. Four of these were sanctioned the very day of prorogation including one related to the restructuring of the Atlantic fisheries and another removing the exemption of Members and House employees from garnishment of salaries.

With the opening of the new session, the government offered its agenda of legislative initiatives through the Speech from the Throne. Even as the House was debating the Address-in-Reply, the government introduced several major bills. The first of these was Bill C-3, the *Canada Health Act*, sponsored by **Monique Bégin**, the Minister of National Health and Welfare. The principle goal of this legislation is to eliminate extra billing by doctors and hospital user fees. Introduction and first reading took place on December 12; second reading was given January 20.

Two days earlier, January 18, **Robert Kaplan**, the Solicitor General introduced Bill C-9 proposing to create a civilian Canadian Security Intelligence Service. A similar bill had been presented in the previous session, but had not gone beyond first reading. This new version takes into account many of the recommendations that had been proposed by the special Senate committee set up in the first session to study the bill. Nonetheless, the passage of the bill may still prove somewhat difficult. In protest against the government's decision to provide advance copies of the bill to the press, the opposition forced a recorded di-

vision on both the introduction and first reading motions and obliged the bells to ring for several hours.

Two other major bills were brought in by the Minister of Justice, **Mark MacGuigan**, in mid January and early February. The first, Bill C-10, seeks to amend the *Divorce Act*. The proposed legislation would simplify the current law by making marriage breakdown the sole basis for divorce. In addition to reducing the present three-year separation period to one year, the bill would make it easier for the courts to enforce maintenance payments. It would also extend the category of persons who might apply for custody of any children involved or who might be entitled to visiting rights. These amendments constitute the first significant changes to the *Divorce Act* since 1968.

The second bill introduced February 7 by the Minister of Justice is a massive 300 page document which seeks to overhaul much of the Criminal Code. One important provision of Bill C-19 will allow for a crackdown on violent crime through the imposition of mandatory sentences. The bill also includes changes to make the justice system more responsive to the victims of crime. Additional provisions amend the law on drunk driving, contempt of court, prostitution, pornography and computer crime. Still another part of the bill would replace controversial writs of assistance with telephone search warrants to be used only when it is impractical for a police officer to apply in person for a conventional warrant.

All these bills were presented before the debate on the Address-in-Reply had been concluded. The nine days of the debate allowed under Standing Order 42 were stretched over the period of several weeks from the beginning of the session in early December to the first days of February. Perhaps the most interesting day of the debate was February 9 when Prime Minister **Pierre Elliott Trudeau** reported to the House on his peace initiative. In his address, Mr. Trudeau mentioned his recent trips abroad and spoke of his efforts to urge the world leaders to improve contacts between East and West and to explore areas of common interest. He cited with gratification the recent NATO study which proposed a full review of the steps NATO can take to improve East-West relations and suggested that such an outlook would help to give purpose to Western military security policies.

Replying on behalf of the Official Opposition, **Brian Mulroney** qualified his endorsement of the Prime Minister's peace

efforts with a request for greater consultation between the government and Parliament. He went on to point out that the cornerstone of Canada's security was NATO and that the national commitment to that alliance should be sustained by increased military spending particularly in the area of conventional weapons. In building up such weapons, he claimed, the alliance could eventually reduce its reliance on nuclear armaments.

Ed Broadbent, speaking as the Leader of the New Democratic Party, urged the government to consider undertaking actions in support of nuclear disarmament. Mr. Broadbent proposed four measures in keeping with that objective, including support of Sweden's nuclear freeze resolution at the United Nations and the renunciation of first-strike use of nuclear weapons. He concluded his remarks by criticizing the government's agreement to permit the cruise missile tests.

As Parliament enters into its fourth year, thoughts are turning to the prospect of the next general election. It was perhaps the present standing of the parties in the popular opinion polls, together with the festive atmosphere of the pre-Christmas season, which led the Conservative opposition to insist on the resignation of the government following a defeat of a clause in an income tax bill during its study by the Committee of the Whole just before the Christmas adjournment. The government Liberals, however, replied that the voting procedures had been irregular and that in any event the vote hardly necessitated an election. The one-day tempest saw accusations and challenges hurled from one side of the House to the other until, just as suddenly as it had appeared, the storm passed and the House adjourned for Christmas.

Committee Reports

In the final days of the first session, the Standing Committee on Privileges and Elections tabled the report of its findings related to the Mackasey affair. The previous spring, **Bryce Mackasey** had claimed that the *Montreal Gazette* had falsely accused him of being a paid lobbyist and had consequently infringed his privileges as a Member of the House. The report of the committee, presented by the chairman, **Maurice Foster**, found that the allegations were indeed unsubstantiated and that the reputation of the honourable Member for Lincoln had been adversely affected.

On December 15, the House received the first report of the Parliamentary

Task Force on Pension Reform which had received its order of reference in March 1983. After many hearings across the country, the Task Force, headed by **Douglas Frith**, submitted a series of recommendations which would lead to sweeping changes to the private and public pension systems. In all, the special committee made 65 proposals dealing with all aspects of pensions including the problems of inadequate incomes for the elderly, the challenge of sustaining pension support in times of inflation, the hardships resulting from the limited coverage provided to many employees and the lack of pensions of any kind for many women, particularly housewives.

With the one year trial period for the provisional Standing Orders soon to expire, the House empowered the Special Committee on Standing Orders and Procedure to study certain proposals which would modify the new rules. The changes related to deferring votes from Friday, the schedule for Private Members' Business and a recess period of one week between Christmas and Easter. The committee under the chairmanship of **Tom Lefebvre**, reported back to the House December 15. A motion proposed by **Yvon Pinard**, the Government House Leader which was based on the committee's recommendations was adopted the following week. This motion also extended the life of the provisional Standing Orders 120 days into the first session of the next Parliament.

Charles Robert



Ontario

The Ontario Legislature prorogued on December 12, 1983 after 92 sitting days. The session lacked any overriding concerns as a wide range of issues excited the opposition's attention and the government's ministrations.

The safety and economic stability of Ontario Hydro's nuclear commitment came

up frequently in question period, as did government policy on nursing homes and homes for the developmentally handicapped. With the tabling by Consumer and Commercial Relations Minister Dr. **Robert Elgie** of a white paper on regulation of the trust company industry, the government's handling of the so-called "Greymac Affair" again came to the fore.

Members of the Public Accounts Committee, particularly Liberals **Jim Bradley** and **Eric Cunningham** and New Democrat **Ed Philip** expended considerable energy, both in Committee and in the House, decrying the government's advertising expenditures and its management style. The opposition attempted to embarrass the government with allegations that conflict between Deputy Minister of Government Services **Alan Gordon** and **Douglas Wiseman** was responsible for the latter's removal from cabinet. Government spokesman, led by Premier **William Davis** scoffed at this interpretation, and while Mr. Gordon did resign from the public service, the government was electorally vindicated by a smashing by-election victory in East-ern Ontario.

On the economic front, the opposition persistently questioned Treasurer **Larry Grossman** on what Liberal Leader **David Peterson** styled the government's "waiting for Godot" policy on youth employment, but the lion's share of attention was devoted to Bill 111, *An Act to provide for the Review of Prices and Compensation in the Public Sector and for an orderly Transition to the Resumption of Full Collective Bargaining*.

This was the successor to the politically contentious inflation restraint package which seized the legislature in the fall and early winter of 1982. The legislation removed the ceiling on public sector wage increases but limited increases in the salary component of provincial transfer payments to school boards, municipalities etc., to 5 per cent. In effect, charged the opposition, the result for the workers was the same, but the political blame had been passed on to other levels of government.

"Smoke and mirrors" was Liberal Finance critic **Patrick Reid's** view of the bill; he added that he was particularly concerned with the inadequacy of the price control aspect of legislation and with its imposition of an employer's ability to pay criterion on public sector arbitrators. Deputy NDP Leader **Jim Foulds** was more critical of the bill's overall thrust, arguing that it sacrificed fairness in the treatment of public

sector workers for flexibility, and further that it did nothing to solve the current economic crisis.

Bill 111 was not nearly so draconian a measure as its predecessor, Bill 179, and generated substantially less political confrontation. Accordingly, the procedural wrangles, the delays and the give-no-quarter tactics of the previous year were almost entirely absent, with the result that Bill 111 had third reading barely a month after its introduction.

Among the more significant government bills dealt with in the House was Bill 100, *The Courts of Justice Act*, a major revision and consolidation of legislation pertaining to judicial administration. The bill was the subject of public hearings before the Administration of Justice Committee in January. Late in the session, a new *Election Act* was introduced, but not called for second reading. Its features include reduction of the minimum period to 30 days, disqualification of voters who are British subjects but not Canadian citizens and requirement of a \$200 deposit for candidates. The bill will likely be reintroduced in the next session.

On December 15, Mr. Grossman made his pre-budget statement to the House, in accordance with his new, more consultative and informative approach to budget making. His 50-minute statement was a wide-ranging analysis of the Ontario economy and a forecast for 1984 of economic indicators and of government revenue. As a means to assist legislators and the public in contributing to the budgetary process, the opposition claimed, it was next to useless, for it proceeded from the assumption that taxes would not change, and did not seriously analyse the economic policy options open to the government. The statement was referred to the Resources Development Committee for a single day's consideration early in January. If exchanges of political rhetoric seemed to overshadow economic debate on this occasion, still it was a start towards a more meaningful role for the Assembly in the province's economic affairs.

New Democratic MPP **Richard Allen** brought forward a controversial resolution which would have declared Ontario a "nuclear free zone". This proposal stimulated extensive interest and media attention and was formally debated on November 24th in an emotional yet reflective atmosphere. Liberal **John Sweeney** put the issue starkly: "whether we and our children and grandchildren shall live or die".

A Conservative member, **Yuri Shymko**, opposed the motion, while welcoming the debate it engendered. Having survived the bombing of Dresden during the Second World War, Mr. Shymko spoke from first-hand experience of the horrors of war, but counselled strength as a response to the Soviet threat. In the end, the resolution was defeated 64-38; the government was solidly opposed, the New Democrats were unanimous in their support, and the Liberals split 16 in favour, 11 opposed.

A noteworthy occurrence was the tabling by the government on November 1 of a point by point response to the Social Development Committee's 1982 report on Wife Battering. Many other legislative committee reports had affected government policy or received oral responses from Ministers in the House, but none had been accorded such a thorough written response for presentation to the House. Opposition members, such as **Richard Johnston**, who had initiated the Committee enquiry, welcomed the "comprehensive response" by the government, while vigorously disputing some of its conclusions, particularly those respecting funding for shelters for battered women.

In the year-end flood of committee reports, two were particularly noteworthy. The Resources Development Committee tabled its long-awaited study into Workers' Compensation. The report called for extensive, but essentially moderate, revisions to the existing system of compensation. The New Democratic Members of the Committee submitted a long, angry dissenting opinion calling for wholesale revamping of workers' compensation in Ontario.

The Social Development Committee released a major study on child abuse, offering a wide range of proposals for dealing with what Committee Chairman **Alan Robinson** called "a particularly repugnant act". The Committee's recommendations included broadening the scope of the province's Child Abuse Registry and amendments to *The Child Welfare Act*, so that Children's Aid Societies would concentrate on prevention of child abuse and not be burdened with the potentially conflicting responsibility for providing family support services.

January was given over to committee activities, including study of a contentious government bill to permit the City of Barrie to annex part of neighbouring Vespra Township, hearings on bills dealing with the engineering and architectural professions, and a tour by the Select Committee on the Ombudsman through North-

eastern Ontario to visit psychiatric and correctional facilities and several Indian reserves on the West coast of James Bay.

Graham White



Alberta

As the fall sittings of the first session of Alberta's 20th Legislature continued into November, an adjournment of 12 days was announced, commencing November 5. It gave members time to study and receive feedback on several Bills. The sittings resumed November 16 and subsequently adjourned November 30.

During the fall sittings a total of 44 government Bills received royal assent. Three in particular, proved to be quite controversial. One of these was Bill 110, the *Labour Relations Amendment Act*, introduced by Labour Minister **Les Young** on November 18. Under this legislation unionized construction companies are permitted to create non-union subsidiaries under certain conditions. On November 29 an estimated 4000 demonstrators gathered on the steps of the Legislative Building to protest the Bill. Their opposition centered on provisions which they say are intended to destroy unionism in the province.

During debate on the Bill, the government indicated that a decision on proclaiming Bill 110 would be made by the end of January but on January 31, Mr. Young announced that it would not be proclaimed and would therefore not come into effect. An advisory group set up during the fall to advise the Minister on the condition of the Alberta construction industry is in place and is expected to offer recommendations to the Minister for future government action.

Despite opposition protests Bill 81, the *Electoral Boundaries Commission Amendment Act*, passed. Opposition concerns centered on the change in the composition of the Commission from two government members and two opposition members to three government members and one from the opposition.

Another controversial Bill passed during the fall sittings was Bill 98, the *Hospitals and Medical Care Statutes Amendment Act* introduced by Hospitals Minister **Dave Russell**. This Bill allows hospitals to collect user fees. This sparked promises from the federal Minister of Health and Welfare, **Monique Bégin**, that she would introduce a new *Canada Health Act* which would penalize provinces that allow extra fee billing.

A number of other important Bills also passed. Bill 91, the *Pacific Western Airlines Act* provides for continued broad ownership of PWA once the government sells some of its stock. Bill 84, the *Vencap Equities Alberta Act* establishes the maximum percentage of shares an individual can own in Vencap. The government helped establish this venture capital company with a \$200 million loan and has the option to buy 50% of the company's shares.

Both Bill 105, the *Child Welfare Act*, and Bill 113, the *Young Offenders Act*, received first reading. The former is a rewrite of existing legislation with clearer definitions of when a child needs protection and the role of the family responsibility. It identifies foster parents' rights and responsibilities and includes revisions to adoption laws. The *Young Offenders Act* proposes to change the age of majority in Alberta, for the purposes of criminal charges, from 16 to 18.

A government motion moved by **Jim Horsman**, Minister of Federal and Inter-governmental Affairs, on November 21 established a special select committee of the Assembly to examine "the appropriate role, operations, functions and structure of an Upper House in the Canadian federal system". Information-gathering trips to other Canadian Legislatures have been scheduled.

The opposition continued to complain that Speaker **Gerard Amerongen's** rulings in the House are more harshly applied to the opposition than to the government. On the final day of the fall sittings Speaker Amerongen and **Grant Notley**, leader of the Official Opposition, had a heated exchange over a procedural matter, with Mr. Notley calling for an equal application of rules to opposition and government

members and Speaker Amerongen suggesting that some remarks made by Mr. Notley were "totally unparliamentary".

**Scott Paul and
Beverley K. Therrien**



Saskatchewan

On the morning of Thursday, November 17, 1983, the Second Session of Saskatchewan's Twentieth Legislature was prorogued. The afternoon of that day saw the opening of a new session with the reading of the Speech from the Throne by Saskatchewan's new Lieutenant Governor, **Frederick W. Johnson**. The speech concentrated on issues such as job creation and on striking "an appropriate balance between the private and public sectors" in Saskatchewan. Initiatives indicated in the Speech from the Throne included: agricultural legislation, changes to taxation and royalty structures in the resource sector, an overhaul of the *Trade Union Act*, and the creation of a Department of Science and Technology.

The Throne Speech debate which followed was both lively and heated. Leader of the Opposition **Allan Blakeney** charged that the government was devoid of ideas: "It's hard to believe that any government could run out of steam and ideas in less than two years in office, but this government has done so." And, while the Opposition demonstrated an ability to be more aggressive than in the past, government members were also often on the attack, with tough criticisms of the former NDP administration's record.

The Assembly considered 28 pieces of legislation during the fall session, including a bill to establish a Women's Secretariat, an amendment to the *Vehicles Act* which extends legal protection to medical personnel taking blood samples from peo-

ple suspected of driving while impaired, and legislation establishing the Agricultural Credit Corporation of Saskatchewan. These and most of the other bills on the order paper were passed before the Assembly adjourned for the holiday season on December 12, 1983.

During the session a Select Committee on Fire Prevention-Protection was established. Under the chairmanship of **Ralph Katzman**, (Rosthern), the committee plans to hold public hearings throughout the province and will report back to the House in the spring of 1984 on various aspects of training requirements for fire brigades in Saskatchewan.

The Saskatchewan Table hosted an attachment for the fall portion of the session: **David Gussow**, Deputy Principal Clerk in the Table Research Branch of the House of Commons in Ottawa, served as a guest Clerk at the Table.

David Mitchell



British Columbia

The session of the legislature which had adjourned on October 21 resumed January 30, 1984 for the purpose of considering estimates. After sitting for nine days estimates for sixteen ministries and offices were passed along with the consequential Supply Acts. The House prorogued on February 9 following the speech by the Lieutenant-Governor **R.G. Rogers**.



Manitoba

The Legislative Assembly reconvened on January 5 after a 19 week adjournment. Upon a recorded vote, the Assembly received the report of the Standing Committee on Privileges and Elections regarding the subject matter of a Government Resolution seeking changes to French language guarantees in the constitution (*The Manitoba Act 1870*, 33 Vic., c.3.). The report recommended that the Assembly proceed with the Resolution but that it be amended to more explicitly delineate the Government's responsibility with respect to the provision of communications and available services in English or French and that municipalities and school boards be specifically exempted from having to provide such services.

The newly-appointed Government House Leader and Minister responsible for the Resolution, **Andy Anstett**, moved an amendment to the Resolution to reflect the Committee's recommendations and further to strike out the provisions respecting communications between the public and certain government institutions in English and French. Instead, the Minister proposed new legislation to require the provision of French and English services at principal administrative offices of government departments, courts, quasi judicial bodies, Crown corporations and other government agencies. The bill also provided for language service districts, where English and French services must be provided if 8% of the population or 800 people are of French ethnic origin and the English language is the language first learned in childhood and still understood by at least 800 residents, or 8% of the residents. The bill also proposed the appointment of a Language Services Ombudsman to enforce the legislation, as

well as an advisory council to deal with the implementation of services and recommend legislative changes.

It is Manitoba practice that the Government House Leader calls the order of daily business. When the second reading motion on the bill was called on 4 consecutive days, the Opposition, led by newly-elected leader, **Gary Filmon**, moved to adjourn the House, and, when the division bells were rung, refused to return before the daily adjournment. On the fifth day, the Opposition moved a hoist amendment to the bill. The following day, Mr. Anstett gave notice of closure; it was moved and adopted on January 24 and the bill was then sent to Committee where 57 public representations were heard. Detailed consideration of the bill was postponed, pending the adoption of the Resolution.

Meanwhile, opposition to Mr. Anstett's amendment to the Resolution mainly took the form of a rejection of section 23.1 which states:

As English and French are the official languages of Manitoba, the freedom to use either official language en-

joyed under the law of Manitoba in force at the time this section comes into force shall not be extinguished or restricted by or pursuant to any Act of the Legislature of Manitoba.

On January 13, the Opposition moved a sub-amendment which sought, in part, to delete section 23.1. Speaker, **James Walding**, ruled it out of order, however, on the grounds that parts of it sought to amend the main motion. Subsequently, a sub-amendment seeking only to delete section 23.1 was moved. After some debate on the sub-amendment, closure was moved, but on seven days the Opposition walked out when the division bells rang. After Mr. Anstett moved, as a question of Privilege, a motion seeking referral of the matter of bell ringing to the Rules Committee and the imposition in the interim of a 2 hour limit on bell ringing in order to stop what he charged was obstruction and a contempt of the legislature.

When the motion was proposed by the Chair, the Government moved the previous question. This debateable motion

was considered until every member of the Opposition had spoken. When the vote was called, the Opposition again decided not to respond to the summons of the division bells. Unlike the earlier motions which became redundant at the time of daily adjournment, this substantive matter meant the bells could ring continuously.

On February 21, after 5 days of bell ringing, Premier **Howard Pawley** requested the Speaker to turn the bells off and conduct the vote. The Speaker declined to do so. On February 23, the Speaker met with Mr. Anstett and Opposition House Leader, **Harry Enns**, to be apprised of the status of negotiations to date and to offer his assistance to resolve the matter. No progress was realized. Despite a resolution passed by the federal House of Commons on February 24, unanimously urging the Legislature to pass the Resolution, the provincial Opposition continued to stay out of the House and the bells continued to ring.

The Government, feeling it had no alternative left, requested the Lieutenant Governor to prorogue the session which was done on Monday, February 27th.

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