



Reports on Legislative Activities

(February — May 1984)



Manitoba

The third session of the current Legislature opened on April 12. With a former NDP Member, **Russ Doern** sitting as an Independent, the standings were NDP — 33; P.C. — 23; Ind. — 2.

The Speech from the Throne promised longer-term priorities for ensuring stability and growth in the economy. Main sources of growth identified were, first, the traditional areas such as agriculture, manufacturing, the service sector, small business and resource industries, and, second, expansion of new opportunities in technology and domestic and international trade. Focal points for initiatives were identified as the Manitoba Jobs Fund and improved private sector consultation. The maintenance of high standards of health care was also cited as a main objective for the session.

The Leader of the Opposition, **Gary Filmon**, criticized the Speech for a lack of detail and charged the government with failing to provide a rational long-term view in dealing with the province's economic and fiscal affairs, an inability to attract private

sector investment for long-term job prospects, and a lack of commitment to deal with problems in the agricultural sector. He also chastized the government for passing by order-in-council a \$1.5 billion special warrant in late March, which pre-empted an interim supply bill.

Premier **Howard Pawley** responded to Opposition criticism by quoting several provincial economic indicators and initiatives as evidence that an active response by government to challenges was more effective than the do-nothing approach which he charged was advocated by the Official Opposition.

Government and opposition members co-operated in limiting the traditional eight day debate in the Throne Speech to six, in order to deal with the Budget and the general economic programs of the government.

Before the Throne Speech Debate was concluded, the Energy and Mines Minister, **Wilson Parasiuk**, announced signing of a Memorandum of Understanding with the Northern States Power Company of Minneapolis for the supply of 500 megawatts of hydro-electric power for 12 years between 1993-2005 which would generate \$3.2 billion in revenues. The Opposition called on the government to table the details of the agreement, before a final deal was made.

The budget was introduced by Finance Minister **Vic Schroeder** on April 24th, immediately on conclusion of the Throne Speech Debate. Calling it "both a consolidation and development budget," Schroeder announced a 6% Manufacturing Investment Tax Credit on buildings, machinery, and equipment to encourage modernization, expansion and creation of new Manitoba businesses, exemption from

the 1.5% levy for Health and Post-Secondary Education of the 18,000 employers with payrolls of less than \$50,000 and a reduction in the levy for another 2,000 employers, as well as tax reductions for low income earners. Tax increases were applied to diesel fuel and tobacco.

The estimates were tabled at the same time as the budget. A spending increase of 3.9% over the previous year was estimated, with about 6% increases for health and education. Expected revenues were estimated at 8% above last year's. "The result," Mr. Schroeder said, "is a major decrease in the province's net operating deficit of \$127.3 million, or 43% from last year's budget estimate of \$294.8 million to \$167.5 million for 1984-85."

Mr. Filmon labelled the Budget as a counterfeit conservative document, arguing that the government had come to its senses by reducing the rate of spending growth, but had not gone far enough to restore the confidence of the private sector. He also attacked the use of tax dollars to advertise budgetary policies, as a blatantly partisan practice.

On April 26, the government announced it had signed a Letter of Understanding with the Aluminum Company of America that could lead to the construction of an aluminum smelter in the province. Financing would be shared on an approximately equal basis and could amount to a combined total investment of \$700 million. Manitoba Hydro would retain ownership of the hydro electric facility required for the project, unlike an earlier proposal by the former Conservative government which suggested partial ownership by Alcan. Opposition critic, **Harry Enns**, welcomed the announcement but assured the government that it would carefully examine the proposal as progress was made.

Report of Rules Committee

During its second session (1982-1984) Manitoba's legislature was frustrated in the carrying out of its responsibilities by frequent and sometimes lengthy bell-ringing incidents.

The longest of these lasted from February 16 to 27 and only concluded when the division was interrupted to permit the Lieutenant Governor, acting on the request of the Government, to prorogue the House. In an attempt to avoid a recurrence of the events of last session, the rules committee has recently recommended to the House the adoption of the following amendments to the rules:

10(3) Not more than fifteen minutes after directing that the Members be called in, the Speaker shall order that the division bells be turned off and shall again state the question and shall immediately order the recording of the division.

10(4) Notwithstanding sub-rule (3) the Speaker, after consultation with the Government Whip and the Official Opposition Whip, may direct that the division bells continue to ring beyond fifteen minutes to a specific time set by the Speaker for the exclusive purpose of permitting absent Members who may do so within a reasonable length of time to travel to the Legislative Building to attend the service of the House.

10(5) Where, pursuant to sub-rule (4) the Speaker has directed that the division bells continue to ring beyond fifteen minutes, no such extension shall exceed twenty-four hours."

As of May 5 these amendments had yet to be considered by the Committee of the Whole and concurred in by the House. Furthermore the Official Opposition has indicated that it was opposed to the application of time limits on bell-ringing with respect to constitutional matters.

Gordon Mackintosh



Ontario

The fourth session of Ontario's Thirty-Second Parliament opened on March 20, 1984 with the reading of the Speech from the Throne by the Lieutenant Governor. At the outset, the Honourable **John B. Aird** noted that 1984 is the bicentenary of Ontario's first major settlement and will be celebrated by communities "as one giant fair" this summer across the province.

The Throne Speech reviewed Ontario's leading position in the Canadian economic recovery last year according to a number of key indicators (manufacturing shipments, retail sales, increase in employment, strength in automotive and mining industries). The Speech then stressed that the province's central task "is to take full, fair and durable advantage of the recovery presently underway." This challenge was coupled with two cautionary notes: (1) the major changes currently transforming Ontario's economy raise questions that "cannot merely be answered by traditional economic policies"; and (2) government cannot reach its goals by "forcing the rate of growth, generally, or exceeding (its) financial and practical limits."

Within this context, the government pledged "selective and supportive measures" in pursuit of its goals:

- improve access for young people and women to the benefits of economic growth and challenging work;
- re-inforce the ability of industries and mature workers to meet and master change; and
- ensure steady improvement in our quality of life and in the quality of government services.

Policy announcements included: increased funding for job-creation programs and employment counselling centres for youth; encouragement of Crown agencies, municipalities and school boards to set up affirmative action programs for women; expansion of skills training and retraining programs for all age groups; reform of the Workers' Compensation system; greater support for high technology research and marketing, and for industrial modernization; strengthened assistance for export development. As well, a Conference on Ontario's Economic Future is to be convened with business and labour.

In justice and social policy areas, the Throne Speech indicated the Government's intentions to: amend the *Family Law Reform Act*; devise a province-wide testing program for schools; support the Ontario Censor Board in upholding community values and protect against exploitive film and video productions.

Finally, previous commitments were reaffirmed: "to recognize the right of every French or English-speaking pupil to an education in his or her own language"; and "to work with other governments to confirm aboriginal rights in our Constitution, consistent with the economic development goals of all citizens of Ontario."

The motion for an Address in reply to the Speech from the Throne was moved and seconded by Progressive Conservative members **Jim Gordon** and **Noble Villeneuve** respectively. Mr. Villeneuve is the Legislature's newest member, elected in the by-election of December 15, 1983.

In his response, the Leader of the Opposition, Liberal **David Peterson**, criticized the Throne Speech for lacking substance and specifics. He addressed himself instead to the "grim realities" facing Ontario, to the Ontario Liberal Party's own agenda of priority issues, and the management and accountability of the present government.

The "realities", Mr. Peterson said, include: a profound industrial restructuring "right under our feet"; massive unemployment ("500,000 unemployed, 163,000 of those being young people"); pressures of an aging population; abuse of pension funds; a dismal research and development record; ruthless competition in trade; ero-

sion of physical infrastructure; and environmental problems.

First on the Liberal agenda, Mr. Peterson continued, is the area of education, skills training, unemployment, university training, apprenticeship and vocational training. Other priorities outlined included agriculture and the loss of farmland, Ontario's changing ethnocultural makeup, women's issues and health care.

New Democratic Party leader **Bob Rae** interpreted the 1984 Throne Speech in terms of Orwellian doublethink and Newspeak, noting that, "Political language is often an instrument for concealing or preventing thought rather than expressing it." In his commentary, Mr. Rae set the words and phrases of the Speech against the "tough reality" of Ontario "in the middle of an economic life change . . . the like of which we have not seen since the 1930's."

The NDP leader criticized the absence of any reform of the social security system to deal with unemployment, plant closures and lay-offs, or the "tremendous explosion in pure and simple poverty in Ontario." He called for a "return to a sense of the importance of public investment as well as of private investment", and referred to his party's proposals on early retirement, work sharing, and equality between men and women in the workplace. Mr. Rae was also critical of lax prosecution of polluters; selective and elitist education policies; and a major nuclear power project investment. Terming "astonishing" the Speech's silence on the *Canada Health Act* and extra billing, Mr. Rae challenged the Government to call an immediate election on the issue.

Emergency Debates

In the month following the Legislature's return, three separate "emergency debates" were held, at the instigation of the opposition parties, on matters of "urgent public importance." Topics of debate were: the lack of financial and political accountability of Ontario Hydro as evidenced by its decision to undertake costly (estimated \$700 million) retubing of incapacitated nuclear reactors; the precarious economic future of Ontario's flue-cured tobacco industry; and the need for response by the Legislature to local community hostility toward the establishment of group homes for handicapped and disabled people.

Douglas Arnott



New Brunswick

Tuesday, March 27, 1984 saw the opening of the second session of New Brunswick's fiftieth Legislative Assembly. Lieutenant-Governor **George F. Stanley** began the session by reading the brief seven and one-half page Speech from the Throne. It drew attention to the fact that this is New Brunswick's bicentennial year — a time to celebrate.

Some of the highlights of the speech include: renewed efforts to attract venture capital and encourage the expansion of existing industries, particularly in the small business sector; creation of a Women's Directorate and the implementation of an affirmative action program to raise the profile of women in the public service; the continuation of initiatives in the area of government reform; amendment of the *Crown Lands and Forests Act* to facilitate reforestation; and aid towards the establishment of a trust fund for the publication of a French language daily newspaper in the province.

Premier **Richard Hatfield** told the newsmedia that his government's promise to attract new industries and expand existing ones would include the spending of more than \$30 million on job creation in New Brunswick.

Opposition leaders were quick to pounce on the vague and brief qualities of the Throne Speech and denounce what they perceived as the government's failure to address unemployment, a major problem facing the province. **Ray Frenette**, Liberal Leader, said he was appalled that

the speech totally neglected the plight of the young people who face a serious employment problem. **George Little**, NDP Party Leader, who does not have a seat in the House, was most fierce in his criticism, saying that it is on the backs of the poor that the government is trying to drag itself and the province out of the mire. He would have liked to see the government drop hospital user fees, drop the ten percent tax on labour and introduce legislation guaranteeing women equal pay for work of equal value.

Further bills were introduced in the New Brunswick Legislative Assembly the day following the opening of the session. Among them were two promised in the Throne Speech: an act which will allow the Speaker and Deputy Speaker to retain their positions after the dissolution of the legislature; and an amendment to the *Silicosis Compensation Act*. The latter allows the lieutenant-governor-in-council to periodically increase compensation to those who contracted the disease prior to June 1st, 1948. An act tightening regulations regarding the operation of trust, building and loan companies in the province was introduced as was an act changing the method of making Queen's counsel appointments.

Jocelyne LeBel



Yukon

The fourth session of the 25th Legislature opened on March 13, 1984. In the Speech from the Throne the government pledged that "The emphasis of legislation, policies and programmes will be economic stability, economic and resource development, employment, social development, land claims and related issues."

By the end of April a total of 22 bills had been introduced, 7 of which were budget related. There are a number of important and contentious legislative initiatives in the remaining bills.

The *Employment Standards Act*, which has received only first reading at the time of writing, covers a whole range of employment issues, such as hours of work, wages and vacations. It prohibits paying a male more than a female for similar or substantially similar work; it allows female employees 17 weeks of maternity leave, without pay, after one year of employment; and it requires employers to give one week's written notice to an employee who is being dismissed (an employee must give the same notice if he is going to quit).

The *Legal Profession Act*, which has been passed, gives the Yukon Law Society the power to regulate and discipline the 40 or so lawyers practising in Yukon. Members on both sides of the House were of mixed minds as to whether this constituted a progressive or a retrograde step.

Amendments to the *Mental Health Act* have been passed which deal with the procedure for committing a person and set out the rights of a patient. The legislation also establishes a review board to examine the detention, care and custody of mental patients. Members of the Official Opposition opposed the bill because they felt its provisions infringed on human rights. For example, it gives police officers the authority to put suspected mental patients in jail if the police judge them to be a danger to others. The Act also increases the amount of time a person can be held against his will for assessment and treatment from three to five days — the Opposition argued that one day would be sufficient.

Bill 19 entitled *The Children's Act* engendered the lengthiest debate and the greatest emotional fervour associated with any bill in recent memory. A similar bill had been introduced in the spring of 1983 but it had touched off such a firestorm of public controversy that the government felt compelled to hold community hearings before proceeding further. Following those hearings and separate meetings with the Council for Yukon Indians and other interested groups, the earlier bill was redrafted and introduced as Bill 19.

During second reading debate **Andy Philipson**, Minister of Health and

Human Resources, said that this legislation "affects our most precious resource, our children. As a government, it is incumbent upon us to support the family unit and the children within it. . . . This Act is essential to enable us — all of us — to ensure that all the children of Yukon receive the care and nurturance which is their right." Mr. Philipson said that the Act would: (1) establish in Yukon a body of private law about establishing parentage, and about custody, access and guardianship that is based on the most recent reforms in provincial jurisdictions; (2) revise and clarify the law affecting adoption and taking into care and caring for children in need of protection; and (3) establish appropriate mechanisms for the effective implementation of the *Young Offenders Act (Canada)* and a similar scheme, including diversion as an alternative to prosecution, in relation to Territorial offences.

Roger Kimmerly, the opposition critic on *The Children's Act*, took the position that the underlying principles in the Act are wrong. During debate, he stated "I wish to precisely state that the real issue here is not who is in favour of protecting children and avoiding child abuse. You will find nobody who disagrees with that principle. . . . The real issue is: how do we best achieve it? When we interfere with the bonds between parents and children, we should only interfere, in our judgment, when minimal standards, defined with attention to cultural diversity, are not met. We do not support the principle that a bureaucrat has general superintendence over our children."

Clause by clause study of Bill 19 took ten days in Committee of the Whole. What appeared to be a stalemate on the bill was broken when the government brought forward a number of amendments of a substantive nature. Mr. Kimmerly stated that, although the opposition concerns had not been satisfied, the members of that caucus felt that the government was moving as far as it would go and that there was no use in delaying further the passage of the bill. Third reading was given to *The Children's Act* on May 1.

The 1984-85 Operation and Maintenance Budget was placed before the House on April 18 by **Chris Pearson**, Government Leader and Minister of Finance. The total budget of \$148.2 million is an increase of 12.8% over the estimates for 1983-84. In explaining the increase, Mr.

Pearson said "During the past year, the transfer payments [from the federal government] were increased to enable us to improve services in Yukon to a level comparable with neighbouring jurisdictions which accounts for a sizable proportion of the increase in this year's budget. We believe very firmly that Yukoners should be first class Canadians, and while our constitutional endeavours in that regard may be fraught with difficulties, I am happy to be able to show Yukoners that certainly in the area of improved services, we are making positive and identifiable strides."

While there are no changes proposed to the tax structure, Mr. Pearson said that he expects an increase of four percent in revenue sources to a total of \$38.3 million. Other sources of income include Recoveries (\$24.7 million), Established Programs Funding (\$5.9 million), and transfer payments from the Government of Canada (\$83.4 million).

Tony Penikett, Leader of the Official Opposition, described the budget as being largely "neutral" and said that it should have contained some necessary economic planning. "Simply, I think we need more local control over our economy; not just control by local business interests, but a voice for workers, consumers and the community as well. We need an economic strategy, or plan, to give effect to these voices. I think we have already waited too long for government action on such a plan."

The Language Issue

Following the first week of the session **John Munro**, Minister of Indian Affairs and Northern Development, arrived in Whitehorse to announce that a bill would be introduced in the House of Commons to apply the official languages provisions of the *Charter of Rights and Freedoms* and the *Official Languages Act* to Yukon and the Northwest Territories. Bill C-26, *An Act to Amend the Northwest Territories Act* and the *Yukon Act* was given first reading on March 21, 1984. Mr. Munro stated that introduction of Bill C-26 "was necessitated by a recent Yukon court case which challenged a traffic violation on the grounds that it was in English only" and, that, "in order to be fully consistent with the federal position on official languages in other parts of Canada, action was required prior to the court case, which is to be heard before the Yukon Supreme Court March 22-23."

This action was condemned by all members of the Yukon Legislative Assembly when the following motion was debated and adopted by unanimous vote:

THAT the Yukon Legislative Assembly possess the responsibility for ensuring the development of minority language services in Yukon;

THAT the Government of Yukon has been diligent in developing and presenting to the Yukon Legislative Assembly programs and services which enhance the use of French and aboriginal languages in Yukon;

THAT the Yukon Legislative Assembly has been consistent in its support of these initiatives which further bilingual development;

THAT the introduction into the House of Commons, on March 21, 1984, of Bill C-26, which proposes to apply the official languages provisions of the *Charter of Rights and Freedoms* and the *Official Languages Act* to Yukon, was done without prior consultation with the Government of Yukon or the Yukon Legislative Assembly;

THAT Bill C-26 does not recognize the rights and responsibilities of the Government of Yukon and the Yukon Legislative Assembly for the ongoing development of French language services in Yukon; and

THAT the Yukon Legislative Assembly urges the Minister of Indian Affairs and Northern Development to withdraw Bill C-26 from consideration in the House of Commons.

Mr. Pearson informed the House that there had been no advance consultation with the Government of Yukon prior to Mr. Munro's public announcement. He said "The Government of Yukon condemns Bill C-26 as direct political interference in the judicial process and as a blatant denial of the fundamental rights of Yukoners to their own democratic institutions. I wish to emphasize that the Government of Yukon is not opposed to bilingualism, we are proud of our record of achievement in this regard. We already have in existence a rational, well-balanced approach to bilingualism as well as for native languages in the schools."

Mr. Penikett expressed the position of the Official Opposition that, if the *Yukon Act* is to be amended, the highest priority should be given to recognizing in legislation the institution of responsible government and enshrining the "essence of the Land Claims agreement-in-principle." He said there is a far stronger argument for the enshrinement of native language rights in the *Yukon Act* than there is for French language rights and he concluded, "I think it is regrettable, after all that we went through — all of us — in the patriation of our Constitution, it is regrettable after all the affirmations of the rights of people everywhere in the country to a voice, in such a process, that this profound constitutional change for Yukon should be proposed by a federal minister, the federal minister responsible for this area, with so little in the way of consultation or the normal courtesies to the people of this area."

Patrick L. Michael



Quebec

The fourth session of the 32nd Legislature of the National Assembly resumed its activities on March 13 and will continue sitting until the summer recess expected to begin at the end of June.

The commissions of the Assembly had begun sitting as early as January 10 to

consider Bill 40 respecting public primary and secondary education. The Commission on Education held 20 meetings for a total of about 170 hours of sittings, during which time it heard nearly 100 briefs of this subject.

Highlights of the first part of the parliamentary year in Quebec City were: the testing of new procedural rules introduced in the spirit of ongoing parliamentary reform; the consideration of budgets within a three-week period by the eight new parliamentary commissions (from April 4 to 19); the celebration of the 100th anniversary of the first sitting of the Assembly in the present day legislative buildings (March 27, 1984); and the publication of a major report on electoral representation.

The Budgetary Estimates

On March 20, the government tabled budgetary estimates totalling \$25.6 billion for 1984-85. Estimates are up 7.7% over the previous fiscal year, although they remain 2% below the expected rate of growth for the Quebec economy for 1984-85. The Treasury Board document reveals that the government intends to allocate \$311 million for the recovery plan announced in mid-November 1983. This amount will be added to the nearly \$200 million for initiatives to be carried out by departments with economic or social mandates. Michel Clair, President of the Treasury Board, called to mind during a press conference that \$220 million of the total moneys earmarked for the recovery plan are the direct results of savings through rationalization of budgetary activities. The budget also discloses the government's decision to eliminate 807 positions over the course of the year, namely 391 temporary and 416 permanent positions, which represents a manpower reduction of 1.2%, including departures and retirements.

Centennial of Legislative Buildings

On Tuesday March 27, members began their week in the Assembly by marking the 100th anniversary of the first sitting of the National Assembly in the present legislative buildings. Speaker Richard Guay compared the two eras. He spoke of the differences between the assembly halls. The first sitting took place on the ground floor of the present day building and the Speech from the Throne was read in the first library of the legislative complex. Back

in 1884, there were only 65 Members sitting in the Assembly, whereas today there are 122 Members. A century ago, most members were lawyers by profession, whereas today, their backgrounds are a great deal more varied. The then Premier, **John Jones Ross**, was not member of the Assembly, but rather of the Legislative Council. He sat in the other House and was represented in the Assembly by his spokesman, **Louis-Olivier Taillon**.

In 1884 and for many years thereafter, all Assembly and departmental offices were located in the legislative buildings. The present day National Assembly occupies the entire legislative complex. Moreover, space is at such a premium that the effectiveness of its services is somewhat compromised.

The day ended with a reception hosted by Speaker Guay and a banquet honouring the centenary of the parliament buildings. The festivities also marked the official opening of the partially restored Parliament with a new speaker's gallery, open archways, eight gleaming display windows, two renovated committee rooms, upgraded lighting and chandeliers, a new

decor, restored woodwork and stained glass, etc.

The week's festivities continued on Wednesday March 28 with a reception at the parliamentary restaurant for the Assembly staff and on Thursday March 29 at Place des Art for members of Montreal's society who honoured the centenary of *La Presse* and the Assembly buildings. A two-day open house on March 31 and April 1 provided 15,000 people with the opportunity to tour the newly restored legislative buildings.

Electoral Representation

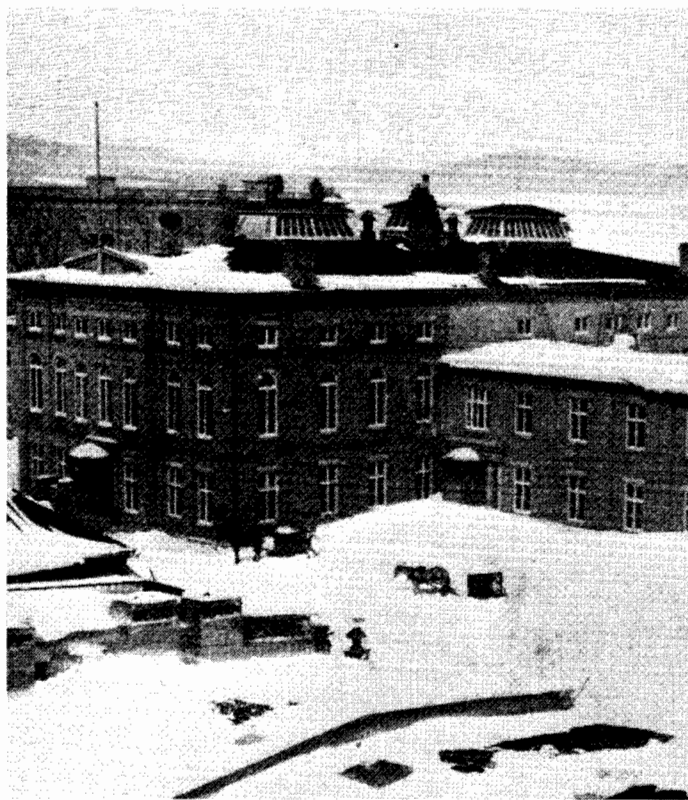
On March 28, Speaker Guay tabled in the Assembly a report prepared by the Commission on Electoral Representation entitled *Pour un mode de scrutin équitable, la proportionnelle territoriale*. The electoral system proposed in the report (proportional territorial representation) is aimed at narrowing the present gap between the percentage of seats and the percentage of votes obtained by each political party. By dividing the province into territories corresponding to regional characteristics, the number of constituencies would be re-

duced from the current 122 to about twenty. Certain urban territories would elect several members. The Commission, which was chaired by Mr. **Pierre F. Côté**, also recommended that the Inuit and Amerindian, Cree and Naskapis elect a representative to the National Assembly.

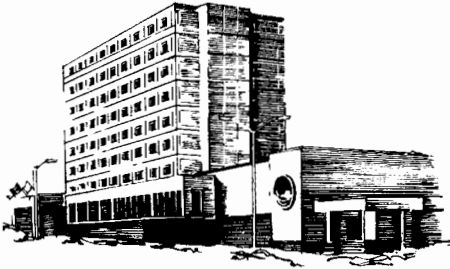
As for the new voting procedure, the Commission recommended a list system which would enable voters to elect several representatives for the same territory. Lastly, the Commission recommended that by-elections be abolished and that members not be allowed to become independents during the course of their mandate. A vacant seat would be filled by the first candidate whose name appears on the list of the same political party.

Reaction to the report, was decidedly mixed outside the legislature. The Liberals, with the exception of Mr. **Claude Ryan**, have already publicly expressed their opposition to the electoral reform proposals. Nor is there a consensus among governing party members on the electoral reform project.

Yvon Thériault



On the left the old legislative building where the Quebec Conference was held in 1864. On the right the present building as it looked shortly after it opened in 1884. (Public Archives of Canada)



Northwest Territories

The first session of the Tenth Legislative Session reconvened on Friday, February 3. After listening to more replies to the Commissioner's address the 24 Members began the work of reviewing Main Estimates for sixteen departments, secretariats and corporations of the territorial government. Over the next nineteen sitting days, members questioned, recommended changes, and finally approved a total budget of more than \$550 million for the 1984/85 fiscal year.

Several reports were tabled during the session: the Annual Report of the Government of the NWT, a review of long-term care for the elderly and disabled in Yellowknife, a discussion paper on Affirmative Action with the public service, the Auditor-General's Report and a paper on Cultural Needs.

Motions carried included one by **Samuel Gargan**, MLA for Deh Cho, to consider increasing the Territorial supplement to the Old Age Pension; MLA Yellowknife Centre **Bob MacQuarrie's** motion to endorse and encourage Prime Minister Trudeau's peace initiative; another motion by Mr. Gargan requesting the Executive Council to table its position on the Committee for Original Peoples' Entitlement (COPE) agreement for discussion and direction by the Assembly and one by Minister of Renewable Resources **Nellie Cournoyea** (MLA Nunakput) to strongly protest the boycott of Canadian fishery products by imposing a boycott on United Kingdom products.

As well, Mr. MacQuarrie moved that there be an increase in the percentage of the total annual budget allotted to the Department of Economic Development and Tourism, while MLA for Yellowknife South, **Lynda Sorensen**, moved that the Assembly institute a youth leadership training program. **Nick Sibbeston** (MLA Deh Cho

Gah) and Mr. MacQuarrie were appointed to represent the Legislative Assembly on the Western Constitutional Forum, while **Dennis Patterson** (MLA Iqaluit) and **Elijah Erkloo** (MLA Foxe Basin) were appointed to the Nunavut Constitutional Forum.

Several Ordinances received third reading and final assent:

Bill 1-84(1) An Ordinance respecting expenditure for the Public Service for the financial year ending the 31st day of March, 1985,

Bill 2-84(1) An Ordinance respecting financial agreement between the Northwest Territories and the Government of Canada,

Bill 3-84(1) An Ordinance to authorize Commissioner to borrow funds and make loans to municipalities in the NWT during 1984-85,

Bull 4-81(1) Ordinance respecting additional expenditures for public service,

Bill 5-84(1) Ordinance respecting young offenders and the *Young Offenders Act of Canada*, and

Bill 6-84(1) Ordinance to amend Territorial Parks Ordinance.

The ordinance to amend the Petroleum Products Tax Ordinance and the ordinance to establish the Science Institute of the N.W.T. died on the Order Paper.

Other Business

Minister of Indian Affairs and Northern Development **John Munro** addressed the 10th Assembly and made a statement on federal policies for the North. Members took the opportunity to question the Minister on division, constitutional development, land claims agreements and various other matters.

The Executive Council announced its decision to lower interest rates on all high interest business loan funds to 14 per cent.

A Special Committee on Housing was struck to look into the operations of the NWT Housing Corporation. Three Eastern members and three Western members were appointed to the Committee, and terms of reference were agreed upon. The Clerk of the Legislative Assembly, **David Hamilton**, was instructed to look into the possibility of holding a field session in a

Central Arctic community. Upon researching the capability of the communities, however, Mr. Hamilton reported that the Assembly had grown to such a size, with accompanying staff, media and witnesses, that a larger centre was required, and it was decided the Spring session would be held in Fort Smith.

Judy Wilson



Saskatchewan

The third session of the current Legislature resumed sitting on March 21, 1984 with the presentation of the provincial budget as the first item of business. Finance Minister, **Bob Andrew** brought in his third deficit budget detailing expenditures of nearly \$3.3 billion, a 4.9 per cent increase over the preceding year. While this was the smallest percentage increase in eighteen years, it still resulted in a deficit of \$267 million, 20 per cent lower than the 1983-84 deficit. Committing the government to further reducing the yearly deficits in the future, Mr. Andrew described his budget as a "forward-looking, responsible fiscal plan" while the Leader of the Opposition, **Allen Blakeney**, decried the third "massive" deficit of the "red ink Tories". Features of the budget included tax credits and incentives in the small business, manufacturing and agriculture sectors. Restraint was emphasized through promised welfare reform, a zero salary scale increase for public service managers and other measures.

The current session also saw the tabling of the report of the first select committee appointed under new procedures in-

troduced in 1981/82. Chaired by veteran MLA, **Ralph Katzman**, the Select Committee on Fire Prevention-Protection which was established in November 1983, held hearings in all parts of the province in January and tabled its report in March 1984. The committee's recommendations reflected the input of firefighters throughout the province. The main emphasis was on the need for better training of firefighters particularly in the rural volunteer fire departments and also in the emergency response fields. During the debate on the report, members agreed that the committee had proven to be a good example of how the select committees could play an effective role in the legislature. This was enhanced by the response to the report by the Minister responsible for the Office of the Fire Commissioner, **Lorne McLaren** when he undertook to "begin the framework so that the recommendations in this final report can be implemented as quickly as possible".

On April 5, 1984, the Legislature was stunned by the announcement by **Bill Sveinsson**, Conservative MLA for Regina North West, that he was crossing the floor to join the Liberal Party. Following endorsement by the Liberal Party of Saskatchewan, lead by **Ralph Goodale**, Mr. Sveinsson became the only provincial Liberal member west of Ontario. A member since 1982, Mr. Sveinsson has given very few details about the reasons for his decision.

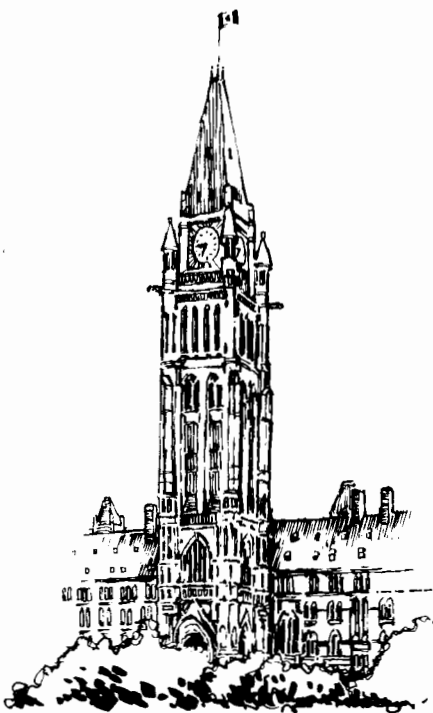
Question of Privilege

The current session was marked by a landmark privilege case when a court action was launched against the NDP member of Regina Centre, **Ned Shillington**, for words spoken by him in the Assembly. Mr. Shillington raised the matter in a question of privilege in the House.

The Speaker, **Herb Swan**, ruled that a *prima facie* case of privilege existed. (The text of this decision will appear in the next issue of the Review). While the House was in agreement that the action constituted a serious breach of privilege there was disagreement about what action the House should take. The government felt that declaring the matter a grave breach of privilege and demanding an apology, was sufficient. The opposition felt that some further action was required to ensure that this attempted interference with a member was not repeated.

During a division on a government amendment to the opposition motion, opposition members declined to vote letting the division bells ring for five days and two hours. An avenue to a solution was found when the court action against Mr. Shillington was dropped and the lawyer apologized to the House through Mr. Speaker. The bells were silenced after 122 hours but the question of whether the rules need to be changed to somehow limit the bells will reverberate throughout the legislature for days and weeks to come.

Gwenn Ronyk



Senate

Two government bills were introduced during the period under review. Bill S-11, which would implement income tax conventions between Canada and a number of countries for the avoidance of double taxation was sponsored at second reading by Senator **Sid Buckwold** on April 3. Some senators questioned whether the bill constituted a money bill and the constitutionality of its being introduced in the Senate. Other problems, such as whether the bill permitted the raising of taxes by Order-in-Council, and the bill's impact on provincial taxation, particularly for those provinces which did not have tax agreements with the

federal government, were also raised. It was felt, however, that the bill should proceed to committee stage for a more in-depth study. The bill was given second reading and referred to the Banking, Trade and Commerce Committee on April 4.

Bill S-12, an *Act to amend the Shipping Conferences Exemption Act, 1979*, was sponsored at second reading by Deputy Government Leader **Royce Frith** on April 5. The Bill proposed to continue until 1989 the exemption of shipping conferences, which virtually control liner traffic in Canada, from the *Combines Investigation Act*. The bill specified important changes in Conference practices. Shipping groups will now be required to submit annual reports to the CTC on their operations while Conferences will be required to give 90 day notices of freight rate increases. In addition, the CTC will now be authorized to lift exemptions from the *Combines Act* where appropriate after holding public hearings. Opposition spokesman Senator **Martial Asselin** felt that the bill was more technical than controversial but did suggest that the CTC be given a wider mandate to intervene in disputes, especially when the public interest was at stake. On April 17, the bill was given second reading and referred to the Banking, Trade and Commerce Committee.

Eight private bills to provide exceptions from the public law relating to marriage in the case of couples related by consanguinity or affinity, were introduced by Senator **Fernand Leblanc** and passed at all stages. In a lively debate on February 2, Senator Leblanc explained the legal situation behind prohibited degrees of marriage. Although each provincial legislature has the exclusive authority over the solemnization of marriage, the Parliament of Canada has the exclusive legislative power in respect of prohibited degrees. While Senator Leblanc acknowledges that he may be opening the "proverbial floodgates" for bills of this type, he suggested that an amendment to the general law on prohibitions against marriage was needed so that Parliament would not have to enact a special law each time a couple required an exemption from the general law. Senator **Richard Donahoe** opposed in principle the approval of the kind of general law suggested by Senator Leblanc. He felt its passage could only be interpreted as an encouragement of

moral relaxation within Canadian society. While he was prepared to listen to individual cases, he could not support "the kind of act that has been suggested, which is just one further step towards the erosion of our moral standards".

The Senate, however, felt that the subject-matter of a public general law throughout Canada with respect to prohibitions against marriage between related persons should be studied and the appropriate order of reference was given on February 9 to the Legal and Constitutional Affairs Committee. On April 3, Senator **Richard Stanbury** presented to the Senate Bill S-13, the *Prohibited Degrees of Marriage Act*, as a private members' bill. The bill proposed that, with the exception of certain couples, persons related by consanguinity, affinity or adoption are not to be prohibited from marrying each other. Those prohibited from marrying are persons related lineally by consanguinity, or as brother and sister by consanguinity, whether by whole blood or by half-blood. The bill was given second reading on April 5 and referred to the Legal and Constitutional Affairs Committee, headed by Senator **Joan Neiman**.

New Committees Proposed

On April 5, the Senate approved a request sent by the House of Commons to unite with them in the creation of a Standing Joint Committee on Official Languages policy and programs. The proposal stemmed from a recommendation made last session in the Fifth Report of the Special Joint Committee on Official Languages, tabled in the Senate on April 23, 1983. The special joint committee felt that it would be given permanent status so that there could exist a permanent public forum for examining the validity of language policies. The new committee will be composed of 15 members from the Commons and 9 senators.

On April 10, the Senate approved a motion by Senator **Jacques Hébert** to establish a Special Committee on Problems Facing Canadian Youth. The Committee will be made up of 12 senators and will examine such problems as unemployment among young people and its psychological impact and will evaluate the efficiency of existing government employment programs. The Committee is to submit its report no later than March 1, 1985.

Proposals were also made for the establishment of two other special committees. Senator **Charlie Watt** moved that a committee on the problems and issues facing Aboriginal Peoples be created, while Senator **Jack Marshall** proposed that a committee of five senators on Veterans Affairs be set up. At the time of writing, neither proposal had been approved.

Gary O'Brien

House of Commons

Much of the recent business of the House of Commons has been effected by the announcement by **Pierre Elliott Trudeau** that he is stepping down as Leader of the Liberal Party of Canada and as Prime Minister. The news came Wednesday, February 29, when the House was adjourned. Spokesmen for all the parties paid tribute to Mr. Trudeau for his many years of service when the House resumed its sittings March 5. **Brian Mulroney**, Leader of the Opposition, described him as "a strong leader and an honourable man who cared for his country, saw its future threatened, and sought to make it right". Speaking on behalf of the New Democratic Party, **Ian Deans**, expressed the judgment that Mr. Trudeau "will be remembered for his burning commitment to a Quebec within Canada, a Quebec which was understood by the rest of Canada, and a Quebec which understood the aspirations of the rest of Canada". Perhaps the most moving accolade came from **Stanley Knowles** who acknowledged that the Prime Minister "has done a good job; he has worked hard; he has done his best to make this an effective country".

Several days later (March 13) Mr. Knowles himself was the recipient of a unique honour and distinction. As proposed by the Prime Minister and seconded by the opposition party leaders, the House unanimously adopted a motion which designates Mr. Knowles "an honorary officer of the House of Commons with an entrée to the Chamber and a seat at the Table" effective upon his impending retirement as a member. This mark of appreciation recognized the long service of Mr. Knowles, his expert knowledge of procedure and his abiding love for the House of Commons.

Budget

Two weeks before the Prime Minister's statement of resignation, the attention of the House was focused on **Marc Lalonde**, Minister of Finance, who presented his second budget February 15. In his address, the Minister stated that his proposals were designed to build a strong and growing economy and to create jobs. Any success in achieving these objectives, he said, was dependent on four basic factors: reducing and controlling inflation, increasing investment, reducing the government's deficit, and increasing competitiveness and productivity. Among the specific measures put forward, the Minister announced that \$150 million will be added to the \$1 billion Youth Opportunity Fund proposed in the Speech from the Throne. The government will allow the resumption of bargaining in the public service, but remains committed to its restraint policies. Other measures will seek to improve pensions for Canadians, increase security for homeowners and simplify the tax system for small business.

As the lead-off spokesman for the Tories, **John Crosbie** sought to demonstrate that the government's policies have helped to destroy investor confidence in the Canadian economy because the government has been unable to control the deficit. **Nelson Riis** of the New Democrats put forward policies which he felt the government should pursue. These included rescinding increased consumer taxes, reforming the personal income tax system and reducing interest rates. This year, debate on the budget coincided with the tabling of \$98.2 billion of Main Estimates for 1984-85 by **Herb Gray**, President of the Treasury Board. The documents laid before the House February 21 included sixty-five volumes of departmental expenditure plans.

Legislation

The activity of the House in the consideration of legislation and other business has been effected by the Liberal leadership race and the prospects of a general election before the end of the year. The government has continued to introduce bills and the House to debate them but few have obtained final passage during these past months. Of these perhaps the most important and the least contentious (within the House), was Bill C-3, the *Canada Health Act*, put forward early in the current session

by **Monique Bégin**, Minister of National Health and Welfare. Third reading of the bill, which seeks to curb extra billing by doctors and hospital user fees, was given April 9. Despite objections raised by several provincial governments and some professional medical associations. The bill had strong support from all sides of the House as is evident from the recorded division on the third reading motion, 213-0. The previous week, the House passed Bill C-21 authorizing the government to borrow an amount not to exceed \$24.5 billion during the current fiscal year. These funds are to help the government meet expected expenditures. As in recent years, the Opposition challenged the need to borrow sums which exceed the government's stated requirements and sought to block passage until they obtained a reduction. After some negotiations, and an aborted time allocation debate, an agreement was reached among the parties which reduced the original borrowing authority request by approximately \$5 billion dollars and, in return, guaranteed third reading of the bill by April 2.

Only two other bills (aside from two appropriations bills) received third reading during this period. The first was Bill C-18, the *British Columbia Indian Cut-Off Lands Settlement Act*, which went through its three readings within ten days of being introduced February 7. The primary objective of the bill, as explained by **André Maltais**, the Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, is to allow the Indian bands of British Columbia to enter into agreements with the federal and provincial governments in order to settle claims for lands cut off from their reserves, without their consent, in 1920.

The second legislative measure to be adopted, Bill C-12, amended the *Federal-Provincial Fiscal Arrangements and Established Programs Financing Act, 1977*. This amending bill was designed to bring certain fiscal transfers to the provinces into conformity with the government's six-and-five anti-inflation programme, specifically by limiting the annual increase of federal assistance to each province for post-secondary education to six and five percent through 1985.

Early in April, **Judy Erola**, Minister of Consumer and Corporate Affairs, in-

troduced Bill C-29, amending the *Combines Investigation Act* permitting control of mergers if they "significantly lessen competition" for a particular product and if they do not offer substantial net savings of resources for the Canadian economy. Other legislation introduced included Bill C-32 to establish the Canadian Institute for International Peace and Security and Bill C-30 amending the *Bank Act* to allow foreign banks greater participation in the financial community.

Among other bills which by mid May had yet to obtain second reading or be reported back from committee are Bill C-9, establishing the Canadian Security Intelligence Service, Bill C-10 amending the *Divorce Act* and Bill C-19 on the *Criminal Code*. While several of these bills have been considered at length, it is increasingly uncertain that they will gain final approval before the summer adjournment.

The Language Resolution and Other Matters

In late February, while the Manitoba Legislature was paralyzed by a procedural impasse, the House of Commons adopted a second resolution urging the provincial government to stay the course in its proposal to entrench French-language minority rights. This resolution, like the first adopted last October, was supported by all three parties. **Lloyd Axworthy**, Minister of Transport, was the principal government spokesman on this occasion. He was joined by Mr. Mulroney and **Rod Murphy** who spoke on the resolution for the Tories and New Democrats respectively. The very day that the House adopted the resolution, however, the Manitoba Legislature prorogued and their proposed constitutional amendment automatically died on the Order Paper.

Other subjects to occupy the House recently include the allegedly harsh tactics of Revenue Canada in obtaining back taxes. Accusations were also made against the government and its funding of job-creation projects in the federal ridings. The opposition charged that the programme was no more than a pork barrel operation with the funds being unfairly disbursed on a partisan basis. **John Roberts**, Minister of Employment and Immigration flatly denied these allegations.

The financial woes of Canadair and DeHavilland also proved grist for the opposition mills and formed the subject of numerous exchanges during the Question Period. Other problems touching different sectors of the economy such as tourism, voluntary organizations, small business, and especially farmers, formed the theme of supply day motions presented during this period. One Conservative motion charged that "the economic problems facing Canadian farmers today are largely the result of Government inaction . . ." Another motion, this one proposed by the NDP, condemned "the Government for abandoning farmers who are having problems with credit costs and falling commodity prices".

Committee Reports

The Special Committee on the Participation of Visible Minorities in Canadian Society reported the findings of its nine-month cross-country investigation to the House at the end of March. Under the chairmanship of **Bob Daudlin**, more than four hundred individuals or groups appeared as witnesses before the committee and more than five hundred and fifty submissions were received. Eighty specific recommendations were proposed covering six broad categories including employment, public policy, justice and the media. Among these the task force urged the federal government: to establish a Ministry of Multiculturalism to function mainly as an ombudsman for ethnic minority interests; to promote the hiring of visible minorities in the private sector; and to amend the *Criminal Code* with respect to the problem of hate literature. One particular recommendation advised Parliament to officially acknowledge the mistreatment of the Japanese in Canada during World War II. In answer to a question on this specific problem posed April 4, the Prime Minister indicated that the government will prepare a response to the committee's report. Several formal replies to other committee reports have been presented recently. One addressed the report of the Public Accounts Committee with respect to Canadair, another dealt with the report of the Special Committee on Indian Self-Government.

Charles Robert



Alberta

The second session of the Twentieth Legislature opened with the Speech from the Throne, delivered by the Honourable **Frank Lynch-Staunton** on March 15, 1984.

The speech predicted that the Alberta economy would "strengthen considerably in 1984", depending on world market conditions; that certain sectors of the economy would continue to have problems due to previous overbuilding; and that Alberta should continue to have the highest level of employment among all the provinces in relation to population.

The Speech emphasized the goals of deregulation and of privatization of parts of government operations. In it, the government revealed plans to introduce an economic strategy paper during the spring sittings.

His Honour noted that the oil and natural gas industries should strengthen and that job security for many Albertans has already improved as a result of the improved forecast for those industries. He noted that incentives may be put in place in 1984 to increase natural gas sales to industrial Canadian users. He also reported that the agricultural industry will remain stable this year and that efforts are continuing to help create a national red meat stabilization program to help livestock producers.

On March 16, Independent Opposition Leader **Ray Speaker** proposed an emergency debate to address the problem of unemployment. However, Speaker **Gerard Amerongen** ruled that the issue did not qualify as an emergency under the Standing Orders of the Assembly.

During the debate on the Speech from the Throne, opposition members criticized the government for interference in the administration of justice and for not addressing the serious unemployment problem. Objections were presented to the government's position on medicare on the basis that hospital user fees and extra billing by doctors are unpopular with hospital boards, Conservative MPs and the general public.

On March 27, 1984, Provincial Treasurer **Lou Hyndman** tabled the provincial budget. Fiscally conservative, the new budget continues the 1983 restraint policy and proposes that expenditures be reduced slightly below those projected in last year's estimates, the first such proposed reduction in forty years.

In his budget address, the Provincial Treasurer noted that the 1983/84 budget forecast called for a deficit of \$566 million. He noted that during the previous fiscal year \$1.5 billion of income on the Heritage Savings Trust Fund was transferred to general revenues to reduce the provincial deficit, which would otherwise have been \$2 billion. He indicated that during the present fiscal year funds diverted from the income of the Trust Fund will cover approximately 1/6 of the province's \$9.6 billion operating budget.

Most government departments received little or no increase in funding for 1984/85. Government grants are being frozen in most cases or are being reduced below last year's levels. The per pupil operating grants to school boards and grants to post-secondary institutions, hospital boards and municipalities have been frozen. Two of the areas that received an increase in funding include the Alberta Home Care Program and Financial Assistance for post-secondary students.

The Provincial Treasurer announced that one of the government's goals is to have a leaner and more efficient public service. To that end, 237 permanent full-time positions were eliminated in 1983/

84 and over 1100 permanent full-time positions will be eliminated from government departments and crown corporations in 84/85. He also noted that some government services will be contracted out to the private sector. The Corporate Name Registry in the Department of Consumer and Corporate Affairs and Temporary Staff Services in the department of Personnel Administration are two agencies earmarked for privatization.

At the beginning of the session, opposition criticism centered on the government's administration of justice in the province. The opposition questioned the government policy regarding police investigations of senior civil servants and security checks on senior civil servants at the time of hiring. The questions arose as a result of an R.C.M.P investigation into the bankruptcy of Dial Mortgage Company, the former chief executive officer of which, **George deRappard**, is Deputy Minister of Executive Council.

The government was also questioned about the long-standing dispute between Alberta Government Telephones and the city-owned Edmonton Telephones regarding long distance revenues. On February 14, 1984, Edmonton Telephones began scrambling computer data needed by A.G.T. for long distance billings. This was an attempt to force the government to alter legislation in order to give Edmonton Telephones a larger share of long distance revenues. A.G.T. responded by intercepting long distance telephone calls and asking for the caller's number for billing purposes.

Bob Bogle, Minister of Utilities and Telecommunications, reported that legislative changes may be introduced this spring. The City of Edmonton applied to the Canadian Radio Television Telecommunications Commission (C.R.T.C.) to hear the dispute, but the province responded by taking legal action to prevent the reference to the C.R.T.C. However, the Federal Court of Canada refused to intervene because to do so would be tantamount to indicating that the C.R.T.C. had no jurisdiction in the case.

The government continued to voice its objections to the *Canada Health Act* and made a submission before the House of Commons Standing Committee on Health, Welfare, and Social Affairs. The provincial government objected to the Act on the basis that it infringes on provincial jurisdic-

tion and threatens the basis of Canada's health care system. The government also objected to the Act's inclusion of provision for non appealable rulings by the federal Cabinet regarding provincial compliance with the Act. **David Russell**, Minister of Hospitals and Medical Care, indicated that he would not rule out a legal challenge to the Act. In addition, the government has said it will allow doctors to continue to extra-bill and hospitals to charge user fees, despite the penalties provided for in the new federal Act. The official opposition criticized the

government for considering such actions, since they could cost Alberta taxpayers millions of dollars but the government responded by saying that the amount saved by extra-billing and user-fees would far outweigh the federal penalties.

Major legislative initiatives include: a new *Child Welfare Act*, and *Public Health Act* and the *Young Offenders Act*. A major discussion paper was released to encourage public input into the process that is expected to result in a rewrite of the School

Act. A review of junior and senior high school curricula will also be undertaken.

The Alberta Home Mortgage Corporation and the Alberta Housing Corporation are being combined into one due to slowdowns in the housing construction industry. The Heritage Fund Interest Reduction Program, which shielded over 150,000 families from high mortgage interest rates, will end this August.

Beth Reimer
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