



# Reports on Legislative Activities

(August 1 — November 1, 1984)



## British Columbia

The Legislative Assembly was not in session during the fall but its Select Standing Committee on Standing Orders and Private bills continued to review the rules and procedure of the House. Established in March 1984 its objectives, as adopted at the second meeting are:

- to improve public understanding of our work;
- to create interest by better debate;
- to encourage more meaningful participation by more members in the House and its committees;
- to provide opportunities for members to raise important issues other than through Question Period or Estimates;
- to establish a better balance between the Government's right to govern, and the Opposition's right to oppose;
- to make more predictable the calling of sessions and the timetabling of Government business;

- to develop means to hold members and ministers more accountable for what is being said in debate;
- to ventilate and examine current rules and procedures, and to evaluate how each contributes to or frustrates the above objectives.

The Committee, chaired by **Austin Pelton**, has held more than twenty meetings and received submissions from many sources including the media, the Chief of Hansard, the Legislative Library and the Sergeant-at-Arms. Other members of the Committee include **Garde Gardom, Harvey Schroeder, James Neilson, Bruce Stachan, Elwood Veitch, Frank Howard, Lorne Nicholson, and Mark Rose**. This group includes three Ministers, one of whom, Mr. Schroeder, is a former Speaker; the present Deputy Speaker; the Government Whip; the Opposition House Leader; and a former federal Member of Parliament.

The Committee has examined the 129 Standing Orders of the House, and the appendices to the Standing Orders, considering each rule in detail with a view to recommending changes where appropriate. It has also examined television facilities in the Legislatures of Saskatchewan and Ontario, and the Parliament in Ottawa.

Committee members had the opportunity to exchange views with the Ontario Procedural Affairs Committee, whose members paid a visit to Victoria in mid-August.

It is expected that Committee recommendations will be presented to the House at the beginning of the new year, and if dedication to hard work and objectivity in dealing with procedural matters has merit, the product of this Committee's labours will be well received by the public and all Members of the Assembly.

**E. George MacMinn**



## Quebec

Quebec's social and political climate was the subject of the Inaugural Address of the fifth session of the 32nd legislature which began on October 16, 1984.

Both the Lieutenant-Governor, **Gilles Lamontagne**, and the Premier, **René Levesque**, stressed the search for ways to improve the situation of young people in Quebec. Mr. Lamontagne said he hoped a new atmosphere of dialogue that seemed to be emerging would be conducive to inter-governmental relations and would enable Quebecers to experience economic recovery through honourable and constructive compromises.

Mr. Levesque made it clear that economic talks must precede the re-opening of

constitutional negotiations in the "new climate" resulting from Mr. Mulroney's landslide in the federal election. Mr. Levesque cited some examples of what made him hopeful that Quebec would henceforward find in Ottawa an administration willing and able to join his efforts to obtain the best conditions for all citizens. He assured the federal government that Quebec is prepared to maintain harmonious relations with Ottawa. He added that this was in accordance with his party's policies, which stipulate that until the people of Quebec decide democratically to change the system, a government formed by the *Parti québécois* must act to protect and defend Quebec's interests within Confederation.

With respect to the employment situation, the Premier asserted that the fight against unemployment would remain his government's chief objective. Action directed at helping young people would however be coming less from the government than from other forces in society. He saw the government's role more as creating an environment favourable to private initiative and joint action by other social forces. Concrete measures in this line are to be announced later.

This session's legislative agenda will include consideration of a number of bills left on the Order Paper in June, notably those dealing with work-related accidents and illnesses, highway safety, the office of Auditor General, and workers earning tips. Three bills on reform of the Civil Code will be consolidated into one new bill. Reform of the school system will be introduced in a new version approved by the provincial cabinet last month. Legislation governing municipalities, which is spread over some forty texts and more than 260 special charters, will be revised.

He said the government will be announcing its fiscal policy in a White Paper shortly. The tax reform as proposed may, however, have to be altered to encourage job creation. A Green Paper on the family and another on housing will also be published as consultative documents. The controversial reform of the voting system may go to the electorate for approval by referendum.

According to the Prime Minister, the session will last for the normal 12 to 18 months, which means a provincial election would not be held in the spring of 1985 and perhaps not before 1986.

### The Opposition Reply

In his speech in reply the leader of the Opposition **Gérard D. Lévesque**, threw

down a gauntlet to the Premier and his government. If the *Parti québécois* is serious about turning more toward Ottawa, it should start by explicitly rejecting the goal of independence. After speaking for an hour and a half, Mr. Lévesque concluded by accusing the other Mr. Lévesque of having delivered an Inaugural Address totally lacking in real, new, concrete measures for economic growth and job creation. His motion of censure also accused the *Péquistes* government of electioneering, in trying to make people believe it could change its attitude to Canadian federalism without repudiating independence, which remains the *raison d'être* of the party. The Opposition leader also listed a large number of government flipflops, including the Inaugural Address itself. He expressed scepticism about the P.Q.'s possible conversion to federalism.

According to Gérard Lévesque the current government has for the past eight years deprived Quebec of its role as a major partner in the Canadian federation. Moreover, he added, they had done considerable harm to Quebec by agreeing in April of 1981 to the opting-out formula with regard to constitutional amendments, which made Quebec a province like the others, on the same footing with Prince Edward Island; and by depriving Quebec of its political right to veto, which Ottawa was then offering; and still more by boycotting subsequent federal-provincial conferences.

The Opposition leader had many other complaints against the government, which he accused of having provoked higher unemployment, especially among young people, lower investment, and higher taxes. He made fun of them for knowing about only one industry, the advertising industry, on which they had spent millions of dollars in an effort to restore a tarnished reputation. He said that although the Premier affirmed in every Inaugural Address that priority would be given to job creation, in his view the government had no idea where it was headed.

According to the Opposition, there are almost two million Quebecers of working age who are not part of the labour force. This represents 30 per cent of the population. The rate of investment in the economy has declined from 20 per cent to 15, the lowest rate in the Western World. The *Parti québécois* clumsiness and lack of realism on language issues was one factor in the loss of jobs, added the Opposition leader. Taxes are too high for the Quebec economy to remain competitive. The Liberal leader said the main priority should be to rebuild Quebec's economic strength, develop fully all its human resources and redefine the

role of the government to make it less ponderous and omnipresent.

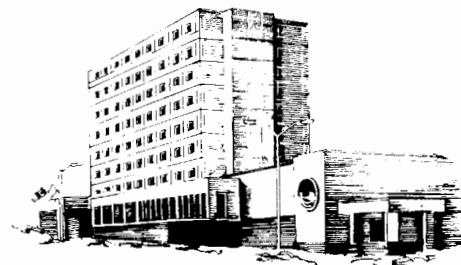
These points were argued in the Assembly during 25 hours of debate on the Inaugural Address. Seventy MNAs took part in the debate which wound up on October 30 after ten Opposition censure motions.

### Other Business

The daily Oral Question Period might be said to have extended the debate on the Inaugural Address. The Opposition questioned the government on its constitutional option. They also bombarded the government with questions about job creation programs for young people. The Premier's recent trip to the far east and an interview with him published in a major Tokyo daily paper provoked a variety of reactions among the MNAs.

The inquiry into last August's publication of a list of federal MPs in trouble with the Quebec Ministry of Revenue is continuing. On October 25, the standing subcommittee on election reform began consideration of the protection of witnesses appearing before parliamentary committees.

**Yvon Thériault**



## Northwest Territories

In September, the Legislative Assembly of the Northwest Territories moved into new facilities in Yellowknife. The newly constructed building attached to the Yellowknife Inn includes offices for staff and members year-round and accommodation for the Chamber, meeting rooms, caucus rooms and members' area as required during sessions. Speaker **Donald Stewart** explained that this facility will house the Legislative Assembly for approximately five years, until a permanent legislative building is constructed.

The legislative assembly convened in the new chamber for the first time on October 31. To mark the occasion, decorations included the ceremonial chair built of indigenous northern materials by well-known carver **Sonny MacDonald** for the visit of Pope John Paul II to Fort Simpson, NWT.

In his address opening the third session of the tenth assembly, Commissioner **John Parker** announced he would no longer sit with elected members in the House or participate in debates "as one further step toward responsible government and in recognition of normal parliamentary practice".

Debate during this session focussed on the interim report of the Assembly's Special Committee on Housing. Formed earlier this year to review the state of housing in the north and the operations of the NWT Housing Corporation, the committee's six members travelled extensively, holding hearings in more than 40 communities.

In its report, the Special Committee recommended that housing be designated as the most urgent priority of the territorial government and that funding be increased to allow the construction of at least 200 new public housing units in 1985-86, rather than the 62 planned. The assembly adopted 19 interim recommendations of the committee and approved an extension of the committee's mandate to complete further research and develop recommendations to be included in a final report for tabling at the spring 1985 session.

Motions approved at this session included one inviting the Royal Commission on Seals and the Sealing Industry in Canada to hold hearings in two Arctic coastal communities and another extending an invitation to Premier **Jonathan Motzfeldt** of the Greenland Home Rule Government to visit the Northwest Territories and appear before the Assembly to discuss matters of common interest.

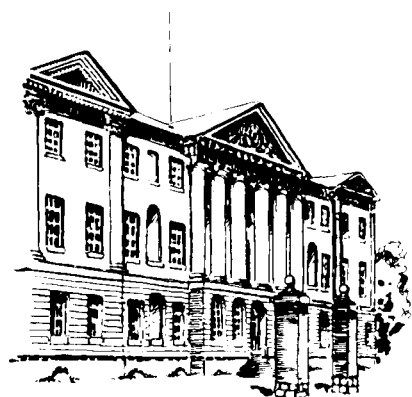
Members also approved a strongly worded motion supporting the Canadian delegation's stand in opposing the application of the Greenpeace Organization for membership in the prestigious International Union for the Conservation of Nature and Natural Resources.

Among legislation approved was an ordinance establishing a business loans and guarantees fund administered by six regional boards; additional expenditures for the public service for the 1983-84 and 1984-85 financial years; and, amendments

to several bills including the Public Health, Consumer Protection, Regional and Tribal Councils and Labour Standards Ordinances.

In proroguing the eight day session, Commissioner Parker announced the fourth session of the assembly would be in Yellowknife on February 6.

Ann Taylor



## Nova Scotia

**L**ed by Premier **John Buchanan** the Progressive Conservative Party increased their already large majority in the House of Assembly by winning forty-two of the fifty-two seats in the provincial election held on November 6, 1984.

Eight seats formerly held by Liberals went Conservative including Guysborough where Liberal leader **Sandy Cameron** was the incumbent. The New Democratic Party, led by **Alexa McDonough**, picked up two seats from the Conservatives giving them three members in the new House. Complete election results will be found elsewhere in this issue.

Premier Buchanan ran on his record over the past two terms and made leadership the central issue. His party took approximately 51% of the popular vote compared to 31% for the Liberals, 16% for the NDP and 2% for the Cape Breton Labour Party.

The Editor



## Alberta

**T**he fall sittings of the second session of the Twentieth Legislature commenced on October 17, 1984. Premier **Peter Lougheed** delivered his annual "State of the Province" address to the Legislative Assembly. The Premier focused his attention on Alberta's economy, making frequent references to the government's new White Paper: "Proposals for an Industrial and Science Strategy for Albertans, 1985 to 1990".

In his address, the Premier outlined the strengths and weaknesses of the Alberta economy. He identified as strengths the oil and gas sector, petrochemicals, engineering, industrial and institutional construction, the disposable income of Albertans, and investor confidence. The weaknesses enumerated included excess inventory of apartments and offices, unemployment – in particular, youth unemployment – and the drop in net farm income.

The Premier then referred to the various external forces which constrain the expansion of the Alberta economy: the international market and extraprovincial organizations which determine the price of Alberta's exports, the fragile state of the world oil market, the continuation of high interest rates, the increase in government deficits in both Canada and the U.S., and the protectionist tendencies of Alberta's trading partners. Therefore, the Premier emphasized, Albertans must "recognize that the provincial government's scope and capacity to influence economic and industrial strategy are significantly constrained".

In order to return to a period of steady economic growth, the Premier stated, the government will concentrate on building on the province's economic strengths; for example, maximizing the

benefits of Alberta's comparative advantage in the resource industries, encouraging the expansion of agricultural processing industries, encouraging high technology manufacturing industries, and expanding the tourism industry.

The Premier concluded with an optimistic assessment of Alberta's prospects: "The key issue in this province is confidence, confidence in ourselves and in the view that the prospects for our young people are better than they've been, prospects that Alberta truly will have its best days ahead of us".

In his reply to Premier Lougheed's opening address, **Grant Notley**, Leader of the Official Opposition, rejected the Premier's optimistic outlook for the people of Alberta. In particular, Mr. Notley referred to the desperation of the average Albertan faced with unemployment. He also noted the growing number of personal bankruptcies and foreclosures which have afflicted Alberta recently. Mr. Notley referred, as well, to the increasing incidence of suicide, wife-battering and other social problems which result from this desperation.

Mr. Notley criticized the government's White Paper for "ignoring, or at least downgrading, the renewable resource sector of the economy". He emphasized that "we've got to get away from the notion that the engine of growth is the oil and gas industry. It's going to be a factor, but surely the emphasis has to be placed on diversification and especially on the renewable resource industries". Mr. Notley also expressed his regret that the government failed to consult Alberta's municipalities when developing its industrial and science strategy, and that "nowhere in the entire text of the government's White Paper is there the merest mention, let alone substantial cognizance taken, of either the major role of women in the Alberta economy or the unique problems currently faced by women in their attempts to secure greater participation in our provincial economy".

On October 18, 1984, Provincial Treasurer **Lou Hyndman** announced two new tax initiatives designed by the provincial government "to broaden the base of the Alberta economy, create jobs, and increase manufacturing and processing". The existing general corporate tax rate of eleven percent will be reduced to five percent on all manufacturing and processing income earned in Alberta. In addition, the existing

small business tax rate of five percent will be reduced to zero for companies with manufacturing and processing income earned in Alberta.

The Provincial Treasurer announced that he will propose legislation early next spring to implement these rates for a five-year period beginning April 1, 1985. Mr. Hyndman stated that these initiatives will encourage manufacturing and processing activity by a wide range of businesses and industries in Alberta, by stimulating not only the expansion of existing firms, but also the establishment of new operations. Moreover, the five-year tax holiday for small manufacturing and processing businesses is designed to assist entrepreneurs and create new employment.

With these new tax incentives, Alberta's tax rates for manufacturing and processing become the lowest in Canada. The cost of the program, in terms of tax revenue foregone by the government, is estimated at approximately \$65 million for a full year, or \$325 million over the life of the program.

**John Brennan and  
Priscilla Schmidt**



## Ontario

The major political event of the fall was the October 8 announcement of Premier **William Davis's** impending retirement. At a press conference widely expected to begin a provincial election campaign, Premier Davis surprised many observers with his call for a Progressive Conservative leadership convention in January 1985. "Having decided to leave politics," he declared, "it would be less than honourable, and certainly less than honest for me to seek a

mandate unless I was personally committed to serving a full term". He would, he said, continue to serve as MPP for his constituents of Brampton, as he has for the past 25 years, until the next provincial election.

The next day, at the opening of the fall session of the Legislature, members of all parties paid tribute to the Premier. **Robert Welch**, the Deputy Premier, called Bill Davis "a great Canadian who happens to live in Ontario," and "a man who represents the highest ideals of public service and conduct." Official Opposition leader **David Peterson** lauded Premier Davis for "one of the truly courageous hallmarks of a very distinguished career," his support for the patriation of the Constitution. NDP leader **Bob Rae** praised the Premier's "great public talents, great standards of integrity and deep sense of this province."

During the first month of the fall session, the House was engaged primarily in consideration of Ministry estimates and debate on Committee reports. Among the reports adopted was that of the Standing Committee on Procedural Affairs dealing with premature disclosure of Committee reports. Members were concerned about several instances wherein the contents of reports were revealed before tabling in the House. The Committee's report concluded that "such disclosure may be found to be a breach of privileges of the House and may constitute a contempt of Parliament."

The Legislature also considered several bills, including Bill 93, the *Public Libraries Act*, introduced by Citizenship and Culture Minister **Susan Fish**. This represented the first major review of the public library system in fourteen years. In addition to ordering the relationship between library boards and municipal councils, the Bill provides that library board meetings and records must be open to the public (excepting financial and personnel matters, or individual patron records). During debate, NDP member **Mike Breagh** raised the possibility of censorship or pressure by municipal councils to influence the kinds of books held by a local library.

In Question Period, the Premier's continuing absence left Opposition members to focus on the P.C. leadership contest and prospective or announced candidates. New Democrat **Mel Swart** asked both the Deputy Premier and the Honourable **Frank Miller**, Minister of Industry and Trade (and the first declared candidate) to support amendments to the *Ontario Election Finances Reform Act* to limit expenditures and require full disclosure of contributions to all party leadership campaigns. Mr. Miller

also came under fire from Liberal leader Mr. Peterson for appointing as his campaign chief the part-time chairman of a Crown agency, the Toronto Area Transit Operating Authority.

### Uproar in the House

On October 30, three MPPs were ejected from the House and the division bells rang for two hours before the Premier and the Treasurer attended question period to respond to questions concerning Ontario's credit rating. It was the first time since October 9th, when he announced his intention to resign, that the Premier had been in the House.

The chain of events began the previous day when Treasurer **Larry Grossman** explained that he and Premier William Davis had a routine meeting in the New York offices of Standard and Poor's to discuss a review of the Province's triple-A credit rating which was being done as part of a total review of the credit rating of each province and Canada as a whole. The Premier was quoted the following day as saying that he had appeared before an "appeal tribunal" of Standard and Poor's. Citing discrepancies between the two accounts of the New York visit, Opposition members demanded that the Premier and the Treasurer come into the House to answer their questions on the issue.

During the ensuing uproar, the deputy leader of the Liberal Party, **Sean Conway**, and the leader of the New Democratic Party, **Bob Rae**, were named by Speaker **John Turner** for disregarding his direction to resume their seats. Following this, there were a number of calls for the Speaker to recess the House until either the Premier or the Treasurer appeared to answer questions.

In the midst of these procedural arguments, the member for Sudbury East, **Elie Martel**, accused the Minister of Correctional Services, **Nicholas Leluk**, of uttering an obscenity. At this point, the situation in the House had degenerated to such an extent that the Speaker suspended the proceedings for fifteen minutes. When the sitting resumed, the minister denied uttering an obscenity. The Speaker, not having heard the alleged remark, reminded members that he could not make a judgment on something he had not heard and stated that he had to accept the minister's denial. Mr. Martel subsequently accused the minister of lying and, having refused to withdraw the unparliamentary language, was named by the Speaker, and ejected from the House.

A motion to recess the House was then made but ruled out of order by the Speaker whose ruling was challenged. The Opposition parties walked out, refusing to return for the division until the Premier and the Treasurer came into the House. During the following two hours, while the division bells continued to ring, the House leaders met to resolve the impasse. Finally, members returned for the division after which the House unanimously agreed to re-admit Messrs. Conway and Rae, and both the Premier and the Treasurer came into the House to answer questions concerning Standard and Poor's review.

The next sitting day, the member for Sudbury East returned to the House and read into the record the names of several members from both Opposition parties who supported his claim that the Minister of Correctional Services had uttered an obscenity. The Speaker declined to hear any further arguments on the matter saying that the issue had been closed. The Speaker did, however, agree that parliamentary language was a matter which should be reviewed and referred the subject-matter to the Standing Committee on Procedural Affairs for its consideration and report.

### Committees

Through September, the majority of Committees were engaged in review of legislation or various studies. As part of its ongoing acquaintance with workers' compensation issues, the Standing Committee on Resources Development completed clause by clause consideration of Bill 101, *An Act to amend the Workers' Compensation Act*. The Social Development Committee conducted extensive public hearings on "the principle and terms" of the *Day Nurseries Act*. The Committee also considered Bill 77, *An Act respecting the Protection and Well-being of Children and Families*.

Representatives of the Public Accounts Committee travelled to the Parliament at Westminster to review the operation of the new *Audit Act*, as well as the handling of the sale of Crown agencies. The Procedural Affairs Committee adjourned to Victoria to meet with the British Columbia Legislature's Standing Orders and Private Bills Committee. The Committee also carried on with its mandate to review the operations of Ontario agencies, boards and commissions. The Select Committee on the Ombudsman met to examine the Annual Report of the Ombudsman and, for the second time in its history, considered the Estimates of the Ombudsman. With the

return of the legislature in October, Committee hours were mainly consumed by the review of Ministry estimates.

The Procedural Affairs Committee undertook for the first time an examination of a prospective private bill application upon referral by the Clerk of the House. The regional municipality of Hamilton-Wentworth wished to change by private legislation certain municipal election procedures and the composition of its Police Commission. The Committee decided that the subject matter should properly be dealt with through public and not private legislation.

### Human Rights

On October 25, New Democrat **Jim Renwick** brought forward as his Private Members' Resolution a motion identical to the key recommendation of the 1983 Special Report of the Select Committee on the Ombudsman. That Report (which was not debated in the House) proposed authorizing the Select Committee to review international human rights abuses on its own initiative, to make recommendations to the Legislature and to "establish formal relationships with and provide actual support to government and non-governmental organizations dedicated to the elimination" of such abuses.

In the ensuing debate, Progressive Conservatives **David Rotenberg** and **Bob Mitchell** questioned whether members were able to obtain all evidence and subpoena witnesses, or qualified to sit in judgment on such controversial matters. Mr. Rotenberg asserted that in many cases the situation is not clear: "... one man's terrorist is another man's freedom fighter; one man's prisoner of conscience is another man's criminal; one man's political killing is another man's legitimate execution." Liberal **Ron Van Horne**, Vice-Chairman of the Select Committee, spoke against the motion as presented, saying "it takes the authority away from the House."

In the end, Mr. Renwick's resolution was blocked from coming to a vote.

### Security

Following the May shootings in the Quebec National Assembly, Speaker **John M. Turner** ordered a review of security arrangements at the Ontario Legislature. In September, the recommendations of an Ontario Provincial Police Report on Security were considered by the Board of Internal Economy (the Legislature's seven-member management committee, chaired by the Speaker). The Board approved \$40,000 for the purchase and installation of electronic security equipment at the doors to the pub-

lic galleries of the Legislative Chamber, video surveillance of Queen's Park entrances, and an emergency telephone system.

The Board also recommended establishment of a specially-trained six-person Queen's Park detachment of the Ontario Provincial Police as well as an increase of six in the Legislative staff of the Ontario Government Protective Service.

#### **Office Automation**

After 13 months of trial and study, the Legislature has embarked on an ambitious and expensive project, the development of a "Members' Office Automation/Networking System" (MOANS). The purpose of the

System is to provide Members and their staff with word-processing, filing and archival facilities, and access to selected databases. Electronic mail transmission will also be available to Members' offices, Hansard, the Office of the Clerk and the Legislative Library, with a future tie-in possible to Members' constituency offices. The system, to be supplied by Datapoint, is scheduled to extend to all 125 Members' Queen's Park Offices and up to 25 support offices by April 1, 1986. Total costs in the 1984-85 fiscal year alone are estimated at \$1,490,163.

To oversee the installation and operation of the System, the Board of Internal

Economy has set up a Legislative Information Systems Management Committee. This body will consist of a representative of each party caucus as well as Legislative administration staff, and will be chaired by the new Co-ordinator of Legislative Information Systems. A training centre will be established at Queen's Park to instruct members and staff in the use of the equipment.

The Board of Internal Economy was not unanimous in its approval of Datapoint as providers of the automation/networking system. Official Opposition House Leader **Robert Nixon** opposed the move.

**Doug Arnott**

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