

Reports on Legislative Activities



While politicians and commentators assessed the results of the May 2 election (Progressive Conservatives 52, Liberals 48, New Democrats 25), moves began within days which were to shift the balance of power in Ontario and dramatically change Ontario's political landscape.

On May 6, the New Democrats met all day in caucus to consider the election results and to decide whether to support the minority government of **Frank Miller** or the Liberal Party under **David Peterson**. Committing itself to making a minority Parliament work, the caucus decided to ask both the Progressive Conservatives and the Liberals to negotiate a written agreement which would include a timetable for bringing in certain legislation, "sunshine" reforms to open up the legislative process and a means to guarantee stability and no elections for at least two years.

After several days of meetings between the parties, New Democratic Party leader **Bob Rae** told a Queen's Park press conference that "in the life of this province, 42 years is enough" and that his party would "focus efforts to reach an understanding with the Liberal Party . . . which (would) make a new government possible in Ontario." Premier Miller argued that the agreement proposed by the Liberals and New Democrats to provide at least two years of stability in the minority Parliament was "inconsistent with the fundamental tenets of the parliamentary system" and would spell the "death knell of our democratic form of government." Mr. Miller stated that despite the agreement, he would meet the Legislature on June 4 to present "the most industrious, innovative and far-reaching legislative programme this province has seen in many, many years." Mr. Peterson said that he was prepared to form the first Liberal

government in Ontario since 1943 and that he could see nothing wrong with limiting votes of confidence. He rejected Premier Miller's suggestion that the agreement would subvert the democratic process.

On May 28, Mr. Peterson and Mr. Rae signed a four-page "agreement for a reform minority parliament". In the interests of making minority government work, the two leaders pledged a programme of public policy reforms which would improve the quality of life for the citizens of the province and a package of legislative reforms designed to improve public access to and information about the legislative process in Ontario.

Under the agreement, Mr. Peterson undertook not to request a dissolution of the Legislature for two years except if defeated on a specifically-framed motion of non-confidence. Mr. Rae undertook to neither move nor vote non-confidence during the term of the agreement. The agreement stated that individual bills, including budget bills, would not be treated or designated as matters of confidence. However, votes on the overall budgetary policy of the government, including the votes on Supply, would be treated as matters of confidence. Mr. Peterson stated that the New Democrats would "still have a great deal of freedom to exercise their responsibilities as an opposition party" but that he would "have the responsibility of governing."

Part 1 of the agreement dealt with legislative reform. It called for the introduction of legislation on freedom of information and protection of privacy, the reform of the House by strengthening and broadening the role of committees and individual members and increasing public involvement in the legislative process. The establishment of committees to investigate the commercialization of health and social services, to report on bilateral environmental issues affecting Ontario, to oversee Ontario Hydro and other energy matters and to recommend changes in the recruitment

and selection of appointments in the public sector were also covered in the agreement.

Part 2 contained eleven "proposals for action in (the) first session from common campaign proposals, to be implemented within a framework of fiscal responsibility". These included the extension of public funding to Grade 13 in Roman Catholic high schools, programmes to create employment and training opportunities for young people, banning extra billing by medical doctors, proclaiming sections of the *Environmental Protection Act* dealing with spills, reforming tenant protection laws, introduction of legislation for equal pay for work of equal value in both the public and the private sector, inclusion of a first-contract law in Ontario labour legislation, reforms to the *Occupational Health and Safety Act* with respect to toxic substances, and the provision of full coverage of medically-necessary travel under OHIP for residents of Northern Ontario.

Part 3 outlined a programme for additional reforms. These included affirmative action and employment equity for women, minorities and the handicapped; the establishment of an Ontario housing programme to fund 10,000 co-op and non-profit housing units; new enforceable mechanisms for the control of pollution to deal effectively with acid rain and to establish the principle that the polluter pays; reforms of services for the elderly.

Meeting of the Legislature

On June 4, the House met for the first session of the thirty-third parliament. **Hugh Edighoffer**, the Liberal member for Perth was elected Speaker. Addressing the House following his election, Mr. Edighoffer noted that the office of Speaker was an essential feature of the parliamentary system. He pledged to serve in a "fair, impartial but firm manner." **Richard Treleaven**, Progressive Conservative

member for Oxford, was named Deputy Speaker and Chairman of the Committees of the Whole House, and **Gilles Morin**, newly-elected Liberal member for Carleton East, was appointed Deputy Chairman of the Committees of the Whole House.

In the Speech from the Throne the Lieutenant-Governor, **John Aird**, placed before the Assembly Premier Frank Miller's agenda for "renewal and social progress". Responding to the conditions in which it found itself, the Government adopted many of the policies enunciated by both the Liberals and the New Democrats during the election campaign and in the May 28 agreement. Initiatives were proposed to strengthen employment and economic growth, to improve working conditions and eliminate barriers in the work place especially for women, young people, visible minorities, native people and the disabled, to protect the environment, to maintain and expand social services, and to improve the openness and accountability of all public institutions.

Replying to the Speech from the Throne, Mr. Peterson, noted that there was little in the Speech that his party had not said or called for. The one fundamental problem with the Throne Speech was that it should have been delivered years before and many of the promises should have been acted upon years before. The reality of May 2, Mr. Peterson said, was that the people of Ontario voted by a margin of more than two to one a mandate for real change in the government. He concluded by moving an amendment to the Address in Reply to the Speech from the Throne which stated, "That it is our duty to respectfully submit to Your Honour that Your Honour's present government does not have the confidence of the House."

In a more provocative speech, the Leader of the New Democratic Party, noted that the Speech from the Throne contained many things that he and his Party had been saying for a long time. While claiming a sense of achievement that many of his party's policies had found their way on to the political agenda of another party, Mr. Rae stated that it also spoke of the desperation that existed on the Government side of the House. He said the people had spoken and his party was determined to respect the choice and be the instrument of change. He moved an

amendment to the amendment by Mr. Peterson.

On Tuesday, June 18, the two Opposition amendments carried by a vote of 72 to 52. The Progressive Conservative Government formally lost the confidence of the House. The following day, Premier Miller tendered his Government's resignation. The Lieutenant-Governor subsequently called upon Mr. Peterson to form a new government.

The New Government

On June 26, Mr. Peterson was sworn into office as Ontario's twentieth Premier, along with a 22 member cabinet (ten of whom had not sat in the House prior to the May 2 election). The impressive outdoor ceremony in front of the Legislative Building was symbolic of the new Premier's desire to open up the government process. Following the ceremony, the doors of the Legislative Building were literally thrown open and people were invited in to see the building, meet the people who work in it and enjoy strawberry tarts and apple juice. Premier and Mrs. Peterson greeted those wishing to see the Premier's Office and the Cabinet Room.

In the official records of the House, July 2 was just another day. The only notice of the dramatic change in the politics of the province was the Speaker's brief announcement that Mr. Miller was recognized as Leader of Her Majesty's Loyal Opposition. Premier Peterson then delivered a ministerial statement which outlined 43 initiatives that his government proposed. These included limiting rent increases to 4 per cent and extending controls to all private rental dwellings, legislation to guarantee equal pay for work of equal value in the public sector and a task force to prepare a discussion paper on similar measures for the private sector, elimination of extra-billing by Ontario doctors, proclamation of part of the *Environmental Protection Act* to allow victims of pollution spills to sue for compensation, freedom of information legislation, a legislative committee to review patronage appointments, a freeze on government advertising, a task force to review all assets of Crown corporations, and television in the legislature.

The first item of business for the new government was to secure the passage of a motion for Interim Supply to meet the expenses of the government. The Miller Government had been prepared to bring forward such a motion before its defeat in the House but the then Official Opposition had opposed it coming forward at the time. It had been suggested by some constitutional experts consulted by the Liberals that if such a motion was adopted, the government might successfully argue that this was an indication of support and confidence in the government by the legislature.

On June 6, Premier Peterson moved the following motion, "That the government enjoys the confidence of the house." The Premier stated that it was important that the new government ask the house for its support at the earliest available opportunity in order that the government could proceed with its legislative programme. Following adoption of the motion the government introduced three bills and adopted twenty of twenty-one bills which had been introduced by the Miller Government.

Bill 30, *An Act to amend the Education Act*, was introduced on June 4 by Education Minister **Sean Conway** to extend full public funding to Roman Catholic secondary schools. Mr. Conway stated that the government felt that full public discussion of the issues and concerns involved must take place without the imposition of an arbitrary deadline. As well, the extension of funding had to proceed immediately to ensure that the education of some 6,300 students was not jeopardized while the legislation was considered in the House. The bill provides among other things that a student may choose to have access to either the public or the Roman Catholic secondary schools, subject only to the limitation of space available. The bill guarantees that no teacher or employee will lose his or her job as a direct result of the policy regarding full funding, and also provides for the transfer of use or ownership of real and personal property between public boards and Roman Catholic school boards. As an interim arrangement to ensure that funds were available to eligible Roman Catholic school boards ready to proceed in September, the general grant regulations were to be amended.

Attorney General **Ian Scott** announced that the bill would be referred to the Ontario Court of Appeal under the *Constitutional Questions Act* to determine if its provisions were inconsistent with the Constitution of Canada, including the *Canadian Charter of Rights and Freedoms*. The Government undertook not to call the bill for third reading until the courts had reached their decisions on the bill.

The motion for second reading of Bill 30 was debated for three days before it was sent to the Standing Committee on Social Development. The Committee has scheduled thirteen weeks of extensive public hearings over the summer in Toronto and in various locations throughout the province.

On July 12, Attorney General **Ian Scott** introduced Bill 34, *An Act to provide for Freedom of Information and Protection of Individual Privacy*. The freedom of information part of the bill is based on three principles:

(1) government information should be more readily available to the public; (2) the necessary exceptions to access to government information should be limited and specific; and (3) decisions by ministers and government officials on what information will be disclosed should be reviewed by an independent commissioner accountable only to the legislature. The legislation also provides for the regulation of the collection and disposal of personal information and the circumstances under which such information is to be used. As well, provision is made for organizing personal information into indexed data banks and for noting how personal information may be used. The individual to whom the information related is given a right of access and a right of correction.

Three items of legislation, Bill 15, *An Act to amend the Creditors' Relief Act*, Bill 26, *An Act to amend the Municipality of Metropolitan Toronto Act*, and Bill 32, *An Act to amend the Workers' Compensation Act*, were all given second and third readings and Royal Assent on July 12 the last day of the Spring Sitting. Thirteen standing and select committees were struck. All but four of these committees planned to meet in what will be one of the busiest summers for committees since the period of minority government from 1977 to 1981.

The Standing Committee on Members' Services met to consider

allowances for members' staff. The Public Accounts Committee is expected to begin a review of the financing arrangements for the domed stadium in Toronto. The Standing Committee on Procedural Affairs and Agencies, Boards and Commissions will consider guidelines for the televising of the proceedings of the House and its committees, review the operation of ten agencies, boards and commissions of the Government of Ontario, propose changes to the Standing Orders and procedures of the House, and begin preliminary work on the methods by which appointments should be made to government agencies, boards and commissions.

The renamed Committee on Regulations and Private Bills will consider several items of private legislation. The Resources Development Committee will review the 1984 Annual Report of the Workers' Compensation Board and will hear public submissions on the operation of the Board. The Standing (formerly Select) Committee on the Ombudsman will meet to consider the Annual Report of the Ombudsman. A Select Committee on Economic Affairs will meet throughout the summer to examine and prepare an interim report to the House on bilateral trade options and negotiations between Canada and the United States. Finally, the Select Committee on Energy will begin hearings on Ontario Hydro.

Before the House adjourned for the summer, it departed from tradition to pay tribute to Lieutenant-Governor John Aird, whose term of office would end in September. Following the Royal Assent in the Chamber and in His Honour's presence, Premier Peterson, **Bette Stephenson**, the member for York Mills, and the Leader of the New Democratic Party, Mr. Rae, spoke of the diligence, integrity and humour the Lieutenant-Governor brought to his job and spoke in particular of the very special relationship His Honour has developed with the handicapped and those with special disabilities. The Lieutenant-Governor thanked the members for their remarks and stated: "when I come here today, I suppose on an historic occasion, I do so with a little bit of a song in my heart because the past five years have been perfectly wonderful for me. I have seen the people and the province, and that is an experience not many people truly have

... If I might add a very personal note, it is a pleasure to come in here, not to read somebody else's speech, not to nod my head in solemnity, but to be with people I truly regard as my friends." His Honour then shook hands with the Premier, Miss Stephenson and Mr. Rae. It was a very emotional moment as he turned and waved goodbye to the members before the doors to the Chamber closed.

Smirle Forsyth



The third session of the fiftieth legislature prorogued on June 27, 1985. It had sat for forty-four days and considered 96 bills. During the session the Legislative Assembly used the new Standing Orders for the first time and the adoption of these rules was a fitting climax to a lengthy review process involving all members of the Assembly.

For the first time the Assembly operated with two days of private members' public business. On each day, two hours were set aside to deal with matters of interest to the Opposition members.

A Standing Committee on Estimates was also appointed and ten departmental estimates were dealt with by the Standing Committee. This enabled the Assembly to conclude consideration of the estimates in a much shorter period of time.

On June 23 the Assembly celebrated its 200th anniversary. The Speaker of the Assembly, **James N. Tucker** recognized the importance of the occasion with an informal reception for past and present Members of the Assembly and Officers of the House. The occasion was also marked by a visit from His Royal Highness **Prince Andrew**.

David L.E. Peterson



The Legislative Assembly of the Northwest Territories travelled to Rankin Inlet June 5 to 13 for its annual spring Field Session.

The entire Assembly with members, translators, support staff and equipment, including the Speaker's Chair, travels each year to a community outside Yellowknife for the Session. For this occasion, the Assembly took over the gymnasium of Maani Ulujuk School in Rankin. The Assembly met previously in this community in October 1976.

The field session, a unique event among Canadian legislatures, allows members to see parts of the vast Northwest Territories outside their own constituencies and gives residents of smaller communities an opportunity to view the Legislative Assembly in action.

The session was opened by Commissioner **John Parker**. In his address, Commissioner Parker noted that "the Legislative Assembly's practice of holding sessions in major communities throughout the Territories provides legislators the opportunity to see, first-hand, the results of their deliberations and decisions as they apply at the local level. It provides all with the opportunity to learn, participate and plan for the future".

The major item of business during this session was discussion of the final report of the Legislative Assembly's Special Committee on Housing. The Committee was established by the Assembly to inquire into current problems and public concerns about housing and to examine the operations of the NWT Housing Corporation. Since its formation in February 1984, the Special Committee has held over 60 hearings in 40 communities, received 56 written submissions and heard more than 1,000 witnesses.

The Committee's report contains 82 recommendations designed to "improve the delivery of housing in communities across the NWT and to make the Territorial government and the Housing Corporation more responsive to the needs of northerners", according to Committee

co-chairman **Arnold McCallum** (MLA Slave River).

To ensure its recommendations are implemented, the Special Committee also suggested formation of an Implementation Review Committee, consisting of its two co-chairmen, to report to the Tenth Assembly on progress in implementation of the Special Committee's recommendations.

Because of the brevity of this Session, members agreed not to examine the report in detail but to "accept in principle the Final Report; to recommend to the Executive Council it prepare and table at the Fall Session of this year a proposed timetable for implementation of the recommendations; that the Executive Council act on those recommendations that can be readily implemented; and the Final Report and response prepared by the Executive Council be considered in detail during the Fall Session".

Twelve bills received final assent including the *Mentally Disordered Persons Act*, which provides a legal framework for the voluntary and involuntary committal of mentally disordered persons, which establishes the committal procedure and which outlines the civil rights of a mentally disordered person.

Concerns among native members led to a motion in Committee of the Whole by **Sam Gargan** (MLA Deh Cho), carried unanimously, recommending to the Minister of Health inclusion of a provision in the Act "requiring the justice and the Territorial judge, as well as the medical officer doing the psychiatric assessment of a native person, to consult with and get the opinion of a community elder who knows the person and who is of the same cultural background as the person apprehended or assessed, as to whether indeed the native is mentally disordered.

Other legislation enacted changes the title of "Executive Member" to "Minister"; allows for issue of a residency certificate for a person born outside the NWT to a parent normally resident in the Territories; amends the *Child Welfare Act* to allow adoption of a person who had reached the age of majority; and, expands the provisions for eligibility of Members for the Legislative Assembly's Retiring Allowances.

During debate on the *Legislative Assembly and Executive Council of the NWT Act*, Members voted to rename three constituencies as recommended by the three sitting members to better reflect the character of these areas. The riding of Deh Cho Gah becomes Nahendeh (Our Land); Kitikmeot East is renamed Natilikmiot (people of seals); and, Foxe Basin becomes Amittuq (a long, narrow land formation).

Amendments to the *Education Act* providing for compulsory school attendance in some communities were tabled for consideration at the next session, along with draft legislation designed to bring NWT legislation into line with the Canadian Charter of Rights and Freedoms.

In response to a growing problem in the NWT, Yellowknife North MLA **Michael Ballantyne** made a motion calling on the Territorial government to introduce an awareness program, within the education system and other media, to alert and educate children and parents to the dangers of sexual abuse and to teach children how to avoid potentially dangerous situations.

Among the documents tabled during this session was "Equality for Women - A five year Plan of Action 1985-89", presented by the Minister Responsible for the Status of Women **Dennis Patterson**, and the Final Report of the Government's Task Force on Spousal Assault.

Appearing before the Assembly were witnesses from the Canada Post Corporation who were questioned on problems and proposed changes in the NWT's postal system. These witnesses appeared in response to a motion passed at the previous session of the Assembly.

In proroguing this session, Commissioner Parker thanked the people of the Keewatin for their warmth and hospitality and announced the next session of the Legislative Assembly would open in Yellowknife on October 16, 1985.

Ann Taylor



On Wednesday, June 26, 1985 Premier **Peter Lougheed** announced his retirement. Mr. Lougheed's announcement resulted in the Progressive Conservative party's first leadership race in over two decades. Several candidates including, **Don Getty, Ron Gitter and Julian Koziak** indicated that they will seek the leadership in a convention which will be held in Edmonton, October 11 – 13, 1985.

The Spring sittings of the third session of the twentieth Alberta Legislature were extremely productive. Seventy-one separate pieces of government legislation and thirteen private bills were passed through the Assembly and received Royal Assent. In addition, Members of the Legislative Assembly discussed eight other government bills and forty-two private members' public bills.

The province has amended the *Electoral Divisions Act* to provide for an increase of four constituencies, for a total of eighty-three, to take effect at the time of the next provincial election. For the first time in Alberta's history there will be more urban than rural constituencies. The Act also provides for a more even distribution of voter population. Written submissions were invited by the Electoral Boundaries Commission in early 1984 and public hearings were held in areas slated for significant change after the commission's interim report was released.

The Legislative Assembly amended the province's liquor statutes to allow for a liberalization of the drinking laws. Licensed pubs, where customers can consume beer brewed on the premises, specialty wine stores, and the consumption of alcoholic beverages with picnic meals at designated park sites may soon be permitted. It is expected that these measures will help Alberta's growing tourist industry.

An initiative has been started to review and regularize the statutes governing the various professions. Eight such acts were introduced, although some were held over for further study. It is expected that this work will continue for some time to

come. The province has also continued the process of bringing its statutes into line with the *Canadian Charter of Rights and Freedoms*.

The Assembly debated and passed two motions of some importance: one dealing with Senate reform and the other promoting Métis self-determination. The Alberta Committee on Senate Reform reported to the Assembly after years of hearings and deliberations. The Members of the Assembly essentially accepted their recommendations for what has been called a "Triple E" Senate: equal, elected, and effective. The Province of Alberta is advocating a Canadian Senate with six elected senators from each of the ten provinces and two from each

of the territories which would be organized on provincial rather than party lines. The Senate would have specified time lines for dealing with legislation sent up from the House of Commons: ninety days for money bills and 180 days for any other bills. It would have an executive committee consisting of the Speaker and the Chairman of each provincial and territorial caucus.

Alberta presently has a number of Métis settlements on Crown lands. The Assembly resolved to negotiate with the Métis for a mutually agreeable formula to turn the absolute ownership of these lands over to those living on them while still safeguarding the heritage of future generations.

Leslie O'Donoghue
and Joanne Stiles



Senate

Senate committees were quite active during the period under review. One June 26, **George van Roggen** tabled the long awaited report of the Foreign Affairs Committee on Canada's Relations with countries of the Middle East and North Africa. The report dealt with such issues as Canadian peacekeeping in the Middle East,

Canada's trade and representation with countries of the area, immigration links, and the Arab-Israeli dispute. The Committee made a number of recommendations with regard to Jerusalem, the Golan Heights, Lebanon and how Canada should relate to the PLO. One of the more controversial observations was the Committee's comment that the "PLO's political institutions function in a relatively democratic manner, given the constraints imposed by the dispersal of their membership". The observation was not shared by all committee members. **Nathan Nurgitz** felt that the report's treatment of the Arab-Israeli conflict was "offensive, in that it is characterized by the use of much ill-deserved rhetoric directed against a country, Israeli, with which Canada has enjoyed an important, longstanding and mutually beneficial relationship". He believed that the mandate of the Committee had been abused and that the report contributed very little to Canada's relationship to the Middle East and even less in terms of North Africa. Debate on the report was adjourned until the Senate reconvenes on September 17.

Also on June 26, **Dalia Wood** presented the Report of the Joint Committee on Official Languages, containing preliminary recommendations with respect to priorities for action arising out of its discussion of the Annual Reports of the Commissioner of Official Languages. The Committee recommended that the budgetary envelope for all official languages programs in the Public Service be maintained, that the Court Challenges Program be reconfirmed and extended with an assurance of adequate financing, and that the Government encourage and assist the private sector to serve Canadians in either of the official languages. The Committee affirmed the need for a renewal of linguistic reform and called for the vigorous application of the *Official Languages Act* and the linguistic provisions of the *Constitution Act, 1982*.

On June 27, **Leopold Langlois** presented the report of the Transport and Communications committee on its review of the subject-matter of the new Transportation of Dangerous Goods Regulations. It dealt with three matters: the possible postponement of the Regulations' implementation date, the reciprocity of regulatory requirements

between the U.S. and Canada, and the enforcement of the Regulations. The Committee felt that the July 1, 1985 implementation date should not be changed but did recommend that the problem of enforcement be given a high priority by the government. The Committee intended to continue its study of the Dangerous Goods Regulations by reviewing the second set of proposed amendments, published in June 1985.

Gil Molgat, Chairman of the Standing Rules and Orders Committee, presented the Committee's Third Report on June 27. The committee had been considering proposed rule changes whereby senators would be allowed to comment briefly on the speeches of other senators and make brief statements prior to the Orders of the Day, and whereby committees could initiate enquiries through the automatic referral of annual departmental reports. Such rules are in existence in the House of Commons. Senator Molgat reported that after its review, the Committee had concluded that the current application of the Rules of the Senate was satisfactory and that no formal procedural change was required.

Gary O'Brien



Manitoba

The fourth session held since the election of **Howard Pawley's** NDP administration in November 1981 recessed indefinitely on July 11. It is expected to be the last session before the dissolution of the Legislature for a general election.

The session was marked by a roster of bills and resolutions that proved to be generally non-contentious. Extra-billing by doctors was banned, a plan for instituting equal pay for work of equal value in the government administration was enacted, freedom of information legislation passed, and wide-ranging omnibus amendments to Acts were approved to help ensure compliance with the *Canadian Charter of Rights and Freedoms*. Furthermore, classification of video tapes was agreed to, as were significant changes to

municipal assessment, teachers' pensions, child and family services, and heritage preservation.

In late June, the Assembly had to deal with the judgement of the Supreme Court of Canada regarding the use of French and English by the House. Notably, the Court stated that all bills had to be passed at each stage in both languages and that mere translation and publication of the statutes after enactment was unsatisfactory. All bills passed in one language were declared invalid although temporary validity was nonetheless granted to allow time for translation. The Province will soon present its arguments to the Court regarding the specific time period which should be allowed for this task.

The procedures for passing bills in the Assembly in both languages were quickly determined and the unilingual bills on the Order Paper were rescinded and replaced by bilingual bills; the Assembly found itself in the unique situation of enacting bilingual amending bills respecting unilingual Acts.

The House unanimously agreed to two government-sponsored resolutions. One, incorporating concerns raised by both sides of the House, declared Manitoba a nuclear weapon free zone and the other called on the federal government to re-instate full indexation of the old age pension.

Debate dealing with the timing and start-up of a major hydro electric project, and departmental spending estimates took a significant amount of sessional time. Procedural changes were also approved including a prohibition on smoking in Committees by members and the public, and explicitly allowing the government to call private members' orders during the time for government business.

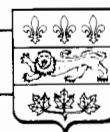
On June 17, Their Excellencies, Governor General **Jeanne Sauvé** and Mr. **Maurice Sauvé** paid their first visit to the members of the House. Mme Sauvé was welcomed to the Chamber by Speaker **D. James Walding**, after which Mme Sauvé addressed the House.

Six university graduates were selected in July to serve in Manitoba's first Legislative Internship Programme for a ten-month period beginning in September. Each of the interns work with one of the party caucuses for the duration of their tenure, participate in

series of seminars on Manitoba's political process, and each will prepare a research paper on an aspect of the legislative process.

Standings in the Assembly are currently: NDP – 31, PC – 23, Ind – 2 and Vacant – 1.

Gordon Mackintosh



Québec

Mr. René Lévesque resigned as Leader of the parti québécois on June 20, just a few hours after the Assembly had risen for the summer recess. Throughout the summer and fall a number of persons including present and former cabinet ministers **Pierre-Marc Johnson**, **Bernard Landry**, **Jean Garon**, **Pauline Marois** and **Francine Lalonde** announced their intention to seek the leadership. The selection process, unique in Canada, allows all members of the party (as of August 15th) to vote for the leader in a special province-wide election to be held on September 29. If no candidate receives a majority, a run-off election will be held one week later.

Spring Session

The spring session was largely devoted to the study of allocations and the government's budgetary policy for the coming fiscal period.

Yves Duhaime presented his first budget as Minister of Finance on April 23. He forecast expenditures of \$27.2 billion, revenues of \$24.1 billion, a deficit of \$3 billion and loans of \$1.6 billion. Mr. Duhaime proposed a series of budgetary and fiscal measures aimed at balancing the government's budget and reducing Quebecers' tax burden, notably by a reduction of personal taxes totalling \$313 million in January 1986. Among these provisions were: establishment of a minimum personal income tax for taxpayers who limit their total tax shelters to 40% of modified net income for those claiming over \$20,000; abolishing inheritance and gift taxes; and selling up to 10% of Hydro-Quebec shares.

On the other hand, the Duhaime budget also announced: a 9% sales tax on insurance premiums; an increase in

the price of cigarettes equalling 1 cent a cigarette; taxes on pet foods, the sale and rental of video cassettes and on mint coins and stamps. These various taxes should contribute an additional \$425 million to the Quebec treasury in 1985-86. In regard to exemptions he said the married exemption will be increased from \$3960 to \$4560 on January 1. Either parent will be eligible to claim child care expenses for children under six. While the maximum deduction allowed for child care expenses will be increased from \$2,000 to \$3,510. The exemption for wholly dependent children will be \$1,870 for the first child, and \$1,370 for each additional child.

On March 19, **Michel Clair**, presented budgetary estimates of \$27.4 billion for 1985-86. Cost increases of 5.1% over the preceding period have remained below the expected growth in gross domestic product for the same period. Mr. Clair said he expects to be able to recover \$150 million in savings from the difficulties of converting unused credits into new government programs. Apart from the economic renewal plan (\$667 million), and all the Youth programs (\$181.8 million), only \$152 million are available for new programs. The government foresees reducing the number of government employees from 66,525, and of the 610 jobs which will be lost, 246 are permanent positions.

Quebec's Constitutional Proposals

The government's constitutional agreement project was debated in the National Assembly on May 21. The Quebec proposals were made public in the Salon Rouge on Friday, May 17, after Prime Minister **Brian Mulroney**, had been informed of them.

The document reiterates that Quebec was not a party to the November 1981 Constitutional agreement which led to repatriation of the Constitution. This agreement was rejected by Quebec which continues to refuse to recognize its legitimacy.

The 1982 *Canada Act* will not be accepted unless Quebec can arrive at a new constitutional agreement with the rest of Canada. As a prerequisite to any agreement the government seeks the recognition of the Quebec nation and of its necessity to create for itself, institutions able to meet its needs and aspirations.

The conditions of such an agreement imply the specific recognition of Quebec's sovereignty in matters related to rights and freedoms, specifically, acceptance of the primacy of Quebec's Human Rights Charter. They also imply changes to the Constitutional amending formula with the recognition of Quebec's right of veto over federal institutions as well as amendments to the distribution of responsibilities.

The document concludes that the proposals concern the whole Canadian population. The will to find common ground as expressed by Canada's Prime Minister, has created the hope for a better future. "In response to this opening up of the political spectrum, the Quebec people and its government extend the hand of friendship to their neighbours. Quebec believes that through mutual respect, good faith and honest negotiations we can together create better conditions for our collective future."

Legislation

Sixty-two bills were tabled in the Assembly during the Spring session. Of these, 52 were sanctioned. Among the pieces of legislation presented in the Spring, three were particularly important: Bill 29, amending the *Public Education Act*, in the light of a December 27, 1984 Supreme Court decision relating to certain powers of school boards to levy taxes; Bill 37 on the negotiation plan for collective agreements in the public and parapublic sectors; and Bill 42 on work accidents and occupational diseases. Bill 42 institutes a new plan for compensating bodily harm under the administration of the Work Safety and Health Board. It will settle claims of victims of silicosis and asbestosis.

On June 18, a non-confidence motion moved by the new Leader of the Opposition, **Robert Bourassa**, on his first day in the Assembly, was defeated 61 to 57.

Yvon Thériault



House of
Commons

After several hectic weeks featuring a budget, a ministerial statement altering one of the budget's key

provisions, a landmark report on parliamentary reform, several other important committee reports and passage of much legislation, the House of Commons adjourned for the summer on June 28.

The Budget

Reduction of the deficit was the principal focus of the Mulroney administration's first budget, as presented by the Minister of Finance, **Michael Wilson**, on May 23. Mr. Wilson said that federal spending would be curtailed in many ways including a reduction in industrial subsidies, closure of two heavy water plants in Nova Scotia, and reductions in departmental, agency and Crown Corporation budgets.

The budget also proposed a special surtax on high income earners in the 18 months beginning July 1, 1985. On the corporate side he announced a one year surtax of 5 per cent of federal income tax for some 60,000 corporations which do not qualify for the lower small business rate.

Other changes included elimination of the tax deductible Registered Home Ownership Savings Plan (RHOSP), increase in the excise tax on fuels and cigarettes; higher federal taxes on construction goods and various consumer goods.

The Minister fulfilled a longstanding promise of his party by proposing a new capital gains policy that would allow a lifetime annual exemption of \$500,000 which is to be phased in over a six year period.

The most controversial part of the budget was a cap on the indexation of Old Age Security Pensions received by senior citizens. This set off a wave of protest in the country and a month later, on June 27, the Minister of Finance announced that the payments would remain fully indexed to the Consumer Price Index. He added that the cost would have to be made up by extending the surtax on corporations from 12 to 18 months and the addition of 1 cent per litre excise tax on gasoline effective January 1, 1987.

Reform of the House

On June 18 a Special Committee of the House of Commons presented its third and final report. Chaired by **James McGrath** the committee made numerous recommendations designed to strengthen the role of the private

member of parliament. It called for stronger committees with independent budgets and powers to undertake their own inquiries; it suggested that committees be given the right to hold hearings to consider the appropriateness of many order-in-council appointments and in the case of three important regulatory agencies, the Canadian Transportation Commission, the Canadian Radio-Television and Telecommunications Commission and the National Energy Board, to "veto" government appointments.

A number of specific reforms were suggested including changes to the petition procedure and a new approach to private members' business. The Special Committee recommended that cameras from the television networks be allowed into the committee rooms to televise proceedings from fixed positions.

The Special Committee recognized the need for attitudinal change if the House is really going to operate differently. For example it argued that party discipline has become too strict in Canada and urged the government to permit private members to have more input into the policy process. (Further information on this report is found elsewhere in this issue).

The Government House leader, **Ray Hnatyshyn** announced the government's intention to study carefully the entire report over the summer and to make a more detailed response in the fall.

A matter arising out of the committee's first report was adopted on the day before the summer recess. The House of Commons passed an amendment to the *House of Commons Act* establishing a Board of Internal Economy (replacing the Commissioners of Internal Economy) as the ultimate decision-making body for the House of Commons. The Speaker will remain Chairman of the new group, but unlike the Commissioners who were always drawn from the government side, the new Board will include representation from opposition parties as well as from private members of the House. This change should facilitate adoption of other recommendations outlined in the second and third reports.

Other recommendations of the first report were also adopted including a new method of electing the speaker and creation of legislative committees

to study bills. These and other changes to the rules take effect on September 9, 1985 for a trial period of one year.

Legislation

During the two months before the summer recess nearly 30 bills received Royal Assent, most of them on June 28. The bill attracting the most publicity was C-15, *Investment Canada Act*, which puts emphasis more on attracting foreign investment than in scrutinizing it.

Other important, if less controversial bills, increased the penalty under the *Criminal Code* for drunken driving, amended the *Indian Act*, *The Fisheries Act* and cleared up a number of housekeeping items. Several other bills were introduced but not passed before the summer recess including an amendment to the *Criminal Code*, to make it easier for police to obtain convictions against prostitutes by broadening the definition of a public place to include automobiles and to permit charges to be filed against clients. Changes to the *Divorce Act* would allow "no fault" divorces after a one year separation period instead of three years. The changes also envisage tougher penalties for persons who default on alimony payments.

An amendment to the *Indian Act* was adopted which returned Indian status to some 16,000 women who had lost the benefits of Indian status when they married non-Indians. The Act also now leaves it up to individual Indian bands to decide whether to extend membership to some 50,000 first generation children as well as several thousand other persons who lost Indian status through circumstances other than marriage.

Committees

In a report to the House the Public Accounts Committee chaired by **Aideen Nicholson** criticized the government's system of cash management as being highly fragmented and inefficient. It proposed the *Financial Administration Act* be amended to give the Controller General full responsibility in this area. The committee also criticized the Department of Finance for the way it re-negotiated the government's banking arrangements and proposed that the Comptroller General be responsible for future negotiations with financial institutions.

The Standing Committee on Miscellaneous Estimates chaired by **Bill Kempling** tabled a report recommending introduction of a new dollar coin to replace the present paper dollar. Although the change would be phased in over a three year period and would result in savings to both government and private enterprise, some members of the committee opposed the change and urged the government to keep the dollar bill in use.

In June a Special Committee was established to look into the question of acid rain. The committee, chaired by **Stan Darling**, and consisting of five Conservatives, one Liberal and one member of the New Democratic Party, will continue work started by a subcommittee during the last Parliament. The new committee will look at the effects of acid rain on the health of people, forests and buildings.

This fall the Transport Committee, chaired by **Pat Nowlan**, will look into northern transportation services and consider criteria which should be used to define the adequacy of a transportation service in the northern context.

The Standing committee on External Affairs and National Defence, chaired by **William Winegard**, will study Canada's future relationship with the United States in the North American Aerospace Defence Agreement (NORAD) and report back to the House by February 1986.

The government also announced creation of a special Joint Committee to study the Government's Green Paper "Competitiveness and Security: Directions for Canada's International Relations". The co-chairmen of the committee are **Thomas Hockin** and Senator **Jacques Flynn**. The committee was asked to begin immediately by holding hearings on bilateral trade and on Canadian participation in the American Strategic Defence Initiative (Star Wars).

The two subjects were related in that both demanded answers by the end of the summer and, as some witnesses suggested, the decision about participation in the Strategic Defence Initiative would have a bearing on Canadian-American relations in general and on any negotiations on future trade relations.

In the area of bilateral trade the

committee called for immediate discussions with the United States beginning with non tariff barriers to trade. The committee felt strongly that liberalization of bilateral trade must take place within the framework of the General Agreement on Trades and Tariffs (GATT) and that Canada should not enter negotiations with a view to joining either a common market or a customs union.

In a statement of dissent members of the New Democratic Party disagreed with the recommendation for immediate freer trade discussions which "would distract us from resolving current bilateral disputes and from building a more diversified and self-reliant economy."

Concerning the Strategic Initiative the committee agreed the issue had to be discussed in the context of arms control, the cohesion of the NATO Alliance, technological considerations, as well as potential economic benefits for Canada. A number of possible options were discussed ranging from unqualified acceptance of the American invitation to participate in the initiative, to unqualified rejection.

The committee was unable to reach a consensus on a number of issues including the effect of Canadian participation on Canada's efforts in arms control, the size of commitment Canada would be expected to make and which technological program would best provide a clear focus for the Canadian space industry.

A majority of the committee concluded that the government was best equipped to gather the additional information required to make a decision. "Therefore the majority of the

Committee recommends that the government not take a final decision on participation in the research phase of the SDI until it has been able to acquire the required additional information related to the strategic, financial and economic implications of the invitation."

In a statement of dissent the Liberal Party Members of the Committee said the committee had abdicated its responsibility by deciding not to answer the issues simply passing the matter back to the government without a firm recommendation. The New Democratic Party Members also issued a dissenting statement accusing the Conservative majority of disregarding the evidence presented to the Committee.

Amendment to the Constitution

On May 9 the government gave notice to introduce a resolution that would amend the constitution regarding the powers of the Senate with respect to bills passed by the House. The resolution states that money bills which pass the House shall be presented to the Governor General for Royal Assent after 30 days of passing the House regardless of whether they are passed by the Senate. In the case of non money bills the period is 45 days. In case of dispute over what constitutes a money bill the resolution provides some guidelines but the signature of the Speaker of the House of Commons shall indicate whether a bill falls into the category of a money bill. The resolution was debated on June 7 but no final decision was taken. If the resolution is ultimately passed it will still require the consent of 7 provinces

with 50% of the population before it can become law.

Other Matters

A parliamentary commission composed of two former Members of Parliament, **Bill Clarke** and **Coline Campbell**, proposed a rationalization and upgrading of allowances for members in a document tabled in the House of May 12.

Among other things they called for a flat annual allowance of \$69,000 plus a \$100 per day living allowance for MPs outside the National Capital Region. (Current indemnities are \$54,600 plus and \$18,200 tax free allowance). The pay of Senators would be frozen at \$54,600 until such time as that equaled 60% of the salary of members of the House after which it would be adjusted to keep that ratio. Other changes in travel allowances, pension plan and severance pay were also recommended by the committee. The report will be studied by the Commons Committee on Management and Members' Services.

The question of remuneration was also dealt with indirectly in a document prepared by the Government House Leader, Mr. Hnatyshyn. It noted that under present legislation the size of the House of Commons will increase to 310 by the end of this century. This will cost an additional \$90 million according to projections. The document suggested that an increase to 295 members would cost less than half that amount. The matter is being studied by the Standing Committee on Elections and Privileges.

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