

# CPA: The Canadian Scene

## *Tenth Parliamentary Seminar*

The 1985 seminar on Parliamentary Practice and Procedure was held in Ottawa from November 25 – 28. Every jurisdiction sent at least one delegate to the seminar and some former members and outside experts were also in attendance.

The first session dealt with Courts and Legislatures in the Age of the Charter. The panelists were **Roy Romanow**, former Attorney General of Saskatchewan, professor **Donald Smiley** of York University and **Lawrence Greenspon**, an Ottawa attorney. As one of the negotiators of the charter Mr. Romanow said that he and other participants in the process had realized that the charter marked a theoretical shift from a system of parliamentary sovereignty to one based on judicial intervention. However, he doubted if anyone foresaw the extent to which the basic rules of society would be changed.

Professor Smiley said he was more favourably disposed to the charter than he used to be. He saw it as a nationalizing document that would tend to counter balkanizing forces in this country. It was also more extensive than the American charter having been drafted in an age with

more consciousness of rights although he agreed with Mr. Romanow that there was a down side to "rights consciousness".

Mr. Greenspon said courts look at remedies which are "appropriate in the circumstances." He thought parliamentary sovereignty had suffered a blow but only a mild one. The Charter was particularly useful in cases where the law overlook reality. He said the Cruise missile case was important because the Supreme Court had stated its willingness to consider whether the government was answerable to a body other than Parliament.

The next session looked at the very topical question of choosing a party leader and featured two legislators from provinces where there have been leadership conventions in the past year: **David McFadden** MPP, President of the Conservative Party of Ontario, and **Sheila Embury** MLA of Alberta. Professor **George Perlin** of Queen's University spoke about his experience studying federal leadership conventions.

Based on his experience presiding over two conventions, Mr. McFadden

felt they were the best way for a party to choose its leader. (An article by Mr. McFadden on this subject will appear in the summer issue of the Review). Mrs. Embury outlined the numerous factors which go into making a successful convention. Professor Perlin described some of the functions formed by conventions aside from the simple act of choosing of a leader.

Perhaps the most controversial session turned out to be on redistribution of seats. **Patrick Boyer** MP and two provincial legislators **John Newell** of Nova Scotia, and **Rick Swenson** of Saskatchewan examined the question of Representation by Population: Do We have it? Do We Want It?

Mr. Boyer described recent changes to the method of distributing seats in the federal House. Mr. Swenson and Mr. Newell outlined the practices in their provinces. The controversy began when the delegate from Newfoundland, Mr. Morgan, pointed out that the proposed federal changes meant that his province would get no more seats whereas under the old formula it would have one more. Mr. Boyer explained some of the reasons behind the federal legislation.

The final session considered Parliament and Television. The panelists were **Jack Ellis** MP, **Conrad Santos** of Manitoba and **John Warren** of CBC Television's Parliamentary network. Mr. Ellis, a member of the special committee on Reform of the House, outlined some of the proposals in that report relating to broadcasting and televising committees. Mr. Santos raised some problem with the television — the emphasis on form over content, style over substance. Television might lead to people wanting to replace traditional parliamentary government with direct representative democracy. Mr. Warren thought television was more likely to be a positive force because it was creating closer ties between citizens and their representations. The ensuing discussion proved to be most interesting.



*Roy Romanow far right addressing the 10th Canadian Regional Parliamentary Seminar. From (l. to. r.) Professor Donald Smiley, Lawrence Greenspon, Bruce Carson and the Chairman of the Seminar, Albert Cooper, MP. (Martine Bresson)*



**T**wo new presiding officers have been elected during the past few months.

In Quebec, the new Speaker is **Pierre Lorrain**. Mr. Lorrain, a lawyer, was elected to the National Assembly for the first time on December 2, 1985. Less than three weeks later the member from Saint-Jean was elected Speaker. The former Speaker was defeated in the general election.



*Pierre Lorrain*

In New Brunswick the new Speaker is **Charles G. Gallagher**. Mr. Gallagher, 60, was born in Centreville, New Brunswick and studied at the Truro Agricultural College and MacDonald College in Montreal where he received a Bachelor of Science degree. He was actively involved in the farming business for thirty years.



*Charles Gallagher*

First elected to the Assembly in 1970 he was re-elected in 1974, 1978, and 1982. He has served previously as Chairman of the Public Accounts Committee, Whip and was appointed as Minister of Education in 1976. He became Minister of Health following the 1982 election and held that portfolio until 1985. He replaces former Speaker **James Tucker** who was named to the cabinet by Premier Hatfield.

### By-elections

Vacancies in several provincial legislatures have been filled as a result of by-elections held recently. Two of the new members, **Robert Bourassa** and **Don Getty**, were already Premiers of their province.

Mr. Getty replaced Peter Lougheed as Leader of the Progressive Conservative party in November 1985. Although he was a former cabinet minister he did not have a seat in the Alberta Legislature. Following the resignation of **Keith Alexander** a by-election was held in Edmonton Whitemud, the riding represented by Mr. Getty from 1967 to 1975. Some 33% of all eligible voters cast a ballot with Mr. Getty taking 60% of the popular vote. The closest opposition came from the New Democratic Party but several other parties also put up candidates including the Liberals, the Representative Party of Alberta, the newly formed Alberta Political Alliance (a fusion of the Social Credit Party and the Western Canada Concept) and the Heritage Party of Alberta.

In Quebec Premier Bourassa led his party to an overwhelming victory at the polls but was defeated in his own riding of Bertrand (see election results). The member for St. Laurent, **Germain Leduc** resigned and on January 20 Mr. Bourassa was elected to the National Assembly with nearly 85% of the vote. The Parti Québécois did not put up a candidate on grounds that it wanted to measure itself against Mr. Bourassa in the House and not in a by-election.

Mr. Bourassa previously led the Quebec government from 1970-1976. Following defeat in 1976 he retired

from politics. After several years of study and teaching abroad he returned to Quebec and was eventually elected Leader of the the provincial Liberal Party.

In Prince Edward Island the provincial Liberal party took two seats from the Conservatives. In 4th Prince the new member is **Stavert Huestis**. Mr. Huestis is partner in a potato and cereal farm operation and is a member of the P.E.I. Federation of Agriculture and many other clubs and organizations. In his third attempt to win a seat in the legislature, he succeeded by some 100 votes over his Conservative opponent.



*Stavert Huestis*

The other new member of the P.E.I. legislature is **Ron MacKinley**, 39. He was born in North River on August 24, 1947 and received his early education at York Point School and Charlottetown Rural High School. After high school, he joined his father and uncle in a mixed farming operation, specializing in dairy, beef and potatoes. As a volunteer he has been active on several local, provincial and national Boards including the Federation of Agriculture, the P.E.I. Farm Centre, the Canadian Horticultural Council Labour Board, the P.E.I. Potato Producers Association and the P.E.I. Potato Processing Council.



*Ron MacKinley*

In Saskatchewan the resumption of the session on November 26, 1985, coincided with polling day in a by-election in Regina North East. The seat formerly held by the Progressive Conservatives had been vacant since April 4. The by-election was won by **Ed Tchorzewski** of the New Democratic Party. Mr. Tchorzewski is a former senior cabinet minister in the Blakeney administration prior to being defeated in the 1982 general election.



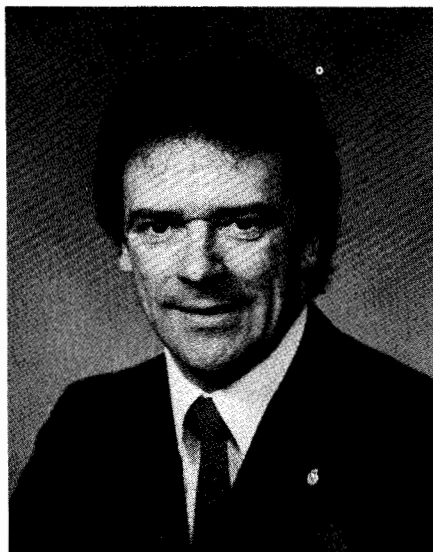
*Ed Tchorzewski*

On February 10 the Progressive Conservatives retained the seat of Whitehorse Porter Creek West in the Yukon. The winning candidate was **Alan Nordling**, a lawyer, who took 418 votes. The New Democrats were second and the Liberals placed third. As a result of the by-election the standings are NDP 8, PC 6 and Liberals 2.



*Alan Nordling*

On the same date in New Brunswick a seat held formerly by the Progressive Conservatives was won by **Roland Beaulieu** of the Liberals. Mr. Beaulieu took 57% of the vote. Mr. Beaulieu, 41, holds a certificate in Economic Development and is a former manager of the Northwest Industrial Commission.



*Roland Beaulieu*

### Appointments

On September 9, 1985 **Bill Goodhand** was appointed Sergeant-at-Arms by the Speaker of the Legislative Assembly of Saskatchewan. The appointment followed a realignment of responsibility for security within the legislative building which previously has been divided among several jurisdictions.

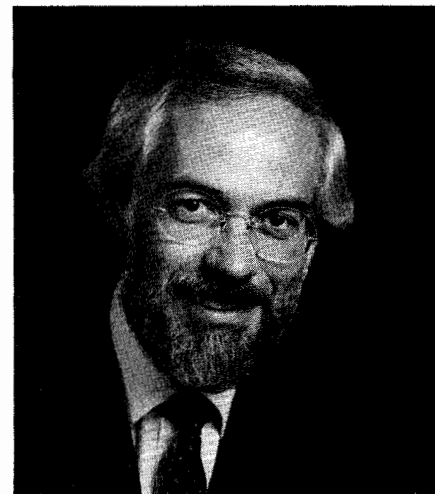
In addition to the traditional responsibility, for security within the Chamber, the Sergeant-at-Arms is now

a full-time employee of the legislative assembly and will serve as Chief of Security for the whole building. Mr. Goodhand is a former member of the Royal Canadian Mounted Police and the Wascana Police.



*Bill Goodhand*

**Pierre Duchesne** was named Secretary General of the Quebec National Assembly on December 19, 1985. A native of La Malbaie, he was educated at Chicoutimi, and at Laval University. He practised as a Notary from 1967-1974 when he became Assistant Secretary General. Mr. Duchesne has been active in many community and professional associations including the Chamber of Commerce, the Richelieu Club, the Association of Clerks-at-the-Table in Canada and the American Society of Legislative Clerks and Secretaries. He had been interim Secretary General since October 1984.



*Pierre Duchesne*

## Resignations

Aside from Mr. Leduc and Mr. Alexander who resigned to open seats for their party leaders, there was two resignations at the federal level.

**Jean-Paul Deschâtelets** announced his resignation from the Senate in January 1986. At age 74 Senator Deschâtelets could have remained in office for another year but chose to retire for health reasons. First elected

to the House of Commons in 1953, he was re-elected in 1957, 1958, 1962 and 1963 when he was made Minister of Public Works. He was named to the Senate in 1966 and was Speaker of the Senate from 1968 to 1972.

The retirement of Mr. Deschâtelets left the standings as 71 Liberals, 26 Conservatives, 4 independents and three vacancies (in Quebec, Ontario and Newfoundland).

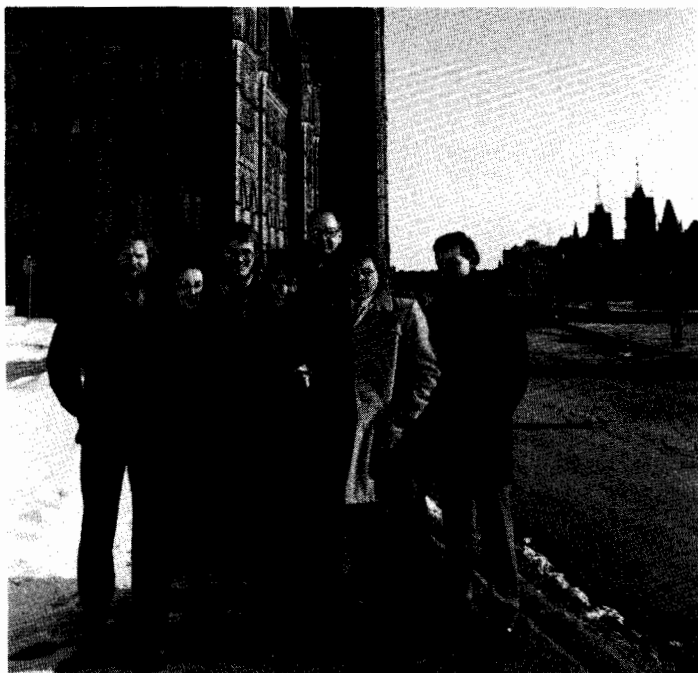
On February 27 **Jean Chrétien** resigned as member for Saint-Maurice.

The resignation ended months of speculation about Mr. Chrétien's future in the Liberal Party after he finished second in the leadership convention held in 1984 to replace **Pierre Trudeau**. Leaders of the three parties and many private members expressed their regret at the departure of Mr. Chrétien who had held numerous important portfolios under Mr. Trudeau. Opposition Leader **John Turner** said "his name, presence and personality will never be forgotten in this House."

## Legislative Intern Programmes in Nova Scotia and Manitoba

The oldest legislative assembly in Canada has become the most recent body to establish a legislative intern program. The first interns took up their duties on January 6, 1986. Implementation of the program followed passage by the Nova Scotia Legislature of a resolution approving establishment of such a program in principle. Details of the program were worked out by an all party Special Committee on Rules and Procedures.

The four interns will spend the first two months of their six month appointment doing research in one of the departments of the provincial government. The remaining time is spent working for the party caucuses in the Assembly. The academic Director of the program is **Agar Adamson** of Acadia University.



*The Manitoba interns visited Ottawa in February 1986. (Martine Bresson)*



*Speaker of the House Arthur Donahoe, centre, with the new parliamentary interns, from left, Patti Towler and Dave Black both of Halifax and Paul Burton of Sydney River and Louise Ring of Mahone Bay. (Wamboldt and Waterfield, Halifax)*

In Manitoba a legislative intern program was established in 1985 and the six interns, **Kenneth Michael Bessey, Randy Colwell, Sharon Erlichman, Anna-Marie Konopelny, David Glenn Joynt** and **Byron J. Williams** visited Ottawa in February where they had an opportunity to meet politicians, parliamentary officials, journalists and academics.

Six provinces and the House of Commons now have Intern programmes. Although the operation differs slightly from one assembly to another, according to **Paul Thomas** academic Director of the Manitoba programme, all have essentially the same objective — "to create a group of people within the community who have a deep understanding and feel for the legislative process, essentially an appreciation that the legislature is a vital institution.."