

# Reports on Legislative Activities



The first session of the twenty-first legislature adjourned on Thursday, September 18th, after sixty-three days and twenty-eight evenings of sittings. The sitting marked the first summer session of the legislature in Alberta history, and was characterized by legislation aimed at strengthening the province's beleaguered economy. By the time Lieutenant Governor **Helen Hunley** had recessed the House exhorting MLAs to get some "rest and relaxation", the Legislature had passed fifty-one of a total of fifty-four government bills before it. During the same period, MLAs approved fourteen private bills which were given Royal Assent on September 18, 1986.

Legislative activity over the past few months concentrated on the economic difficulties facing the province due to low prices in two mainstays of the provincial economy – agriculture and the energy sector. Consequently, Albertans saw their government make good on a number of Throne Speech promises, spending an unprecedented amount on job creation and shoring up the provincial economy, while pushing the deficit to the highest level in the province's history.

## Legislation

Early in the new session (mid-June) Provincial Treasurer **Dick Johnston** introduced a budget update of \$10.8 billion with an initial overall record general revenue deficit exceeding \$2.5 billion. Similar to the budget introduced by his predecessor, **Lou Hyndman**, before the May 8 election, the budget was predicated on the assumption that small business would be the locomotive to push diversification. With Premier **Don Getty** calling it "the largest job creation effort in the history of Alberta", the budget included large increases in funding for all four pillars of the provincial economy – energy, small business, agriculture and tourism.

Despite the record deficit, the government introduced the *Financial Administration Amendment Act* on August 18, increasing the government's allowable debt limit from \$2.2 billion to \$5.5 billion. The legislation enabled the government to protect itself against a growing deficit due to plummeting oil prices, while allowing the province to cover its spending deficit and capital funding requirements for schools and hospitals.

As part of its budget, the government made good on two of the promises it made in the Speech from the Throne in the form of the *Farm Credit Stability Fund Act*, and the *Small Business Term Assistance Fund Act*, both receiving Royal Assent on August 1. The former legislation emphasized refinancing existing debt and reducing and stabilizing the cost of credit for farms. Under the legislation, \$2 billion was provided for farm families at 9% over a maximum of 20 years to refinance farm debt and purchase, construct or improve farm property and implements. The *Small Business Term Assistance Fund Act* establishes a \$75 million fund in similar fashion for the small business sector of Alberta.

In concert with these two pieces of legislation, the government also passed the *Alberta Stock Savings Plan Act* which received Royal Assent on September 18. The legislation is designed to strengthen the private sector by providing expansion capital; assessing diversification through new plants and industries in the province; attracting more Albertans to the Alberta Stock Market; and also strengthening the Alberta Stock Exchange and financial environment.

The government has also been quite active in providing aid to the province's hard-pressed oil industry. This has come by way of an added \$500 million in aid to that sector in the form of drilling and exploration incentives, as well as royalty credits. In addition, Energy Minister **Neil Webber** successfully lobbied for the removal of the Petroleum Gas Revenue Tax which will free an estimated \$1.5 million in additional funding. Meanwhile, the government also passed a number of legislative initiatives in preparation the de-regulation of natural gas piping on

November 1.

Declining oil revenues also played an indirect part in the government's passage of the *Alberta Health Care Insurance Act*, banning extra billing by physicians. This frees about \$24 million in previously withheld federal funds. The agreement, which Alberta Medical Association president **Doug Perry** called "the best possible compromise" will increase the cost of the Alberta Health Care Insurance Plan 1.3% or \$9 million per annum, while saving Albertans an estimated \$12 million a year in extra billing payments. Following a referendum in which 84% of all Alberta doctors approved of the agreement, the legislation was made law on September 18, 1986.

Another piece of legislation given Royal Assent on September 18, the *Highway Traffic Amendment Act*, was the focus of a good deal of attention. Partly in response to the legislation which, among other things, legalized the use of radar detectors in the province, Dr. **Stan Cassin**, MLA for Calgary North West introduced a Private Members' Bill making the use of seat belts mandatory. Despite Premier Getty's intimations of a free vote on the matter and three government members joining a unanimous opposition in supporting the Bill, the government blocked a vote on the bill. As a result, it moved to the bottom of the Order Paper to await possible renewed debate in the spring session.

Another particularly controversial business item on the Legislature's agenda concerned the Labour Legislation Review Committee. The twelve member Committee, headed by Labour Minister Dr. **Ian Reid**, was formed in response to the unprecedented labour unrest facing the province in recent months. The Committee returned from a seventeen day fact-finding tour to West Germany, England and the United States on October 7, 1986. With Reid claiming that "what we learned will greatly enhance the Committee's task in reviewing Alberta's labour legislation", the Committee left for the second leg of its mission on October 18 to Japan, Australia, and New Zealand. On its return, the Committee will issue an interim report in preparation for a

series of public meetings to be held throughout the province in December to amend the province's labour legislation.

Lindsay Parcells

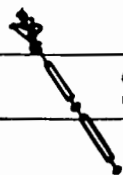


## Nova Scotia

The Nova Scotia Legislature met on October 31, 1986 for a special one day session to adopt a bill expelling former cabinet minister, **Billy Joe MacLean**. Mr. MacLean had pleaded guilty to four charges of uttering forged documents relating to his expenses as a member of the House.

The Bill, entitled *An Act Respecting Reasonable Limits for Membership in the House of Assembly* was introduced by Management Board Chairman **George Moody**. It authorizes expulsion of any member convicted of an offence which is punishable by a jail term of more than five years.

Mr. MacLean argued the Bill was unconstitutional under the *Canadian Charter of Rights and Freedoms*. The Leader of the Official Opposition **Vincent MacLean** (no relation) and NDP leader **Alexa McDonough** also predicted the Bill would be challenged in the courts. It was, however, passed without division after several hours debate.



## Senate

On October 2, the Interim report of the Fisheries Committee on the marketing of fish in Canada was tabled. The report concentrated on the freshwater fishing industries of the Western and Ontario regions and examined the problems of marketing fish and fishing products as well as the resource management system. The Committee, chaired by **Jack Marshall**, identified a number of issues which needed further study and evaluation including an investigation of the economic viability of local processing and the alternative uses for rough fish species.

On October 8, the Senate agreed to the establishment of a Special Committee on Terrorism and Public Safety. The Committee is to make recommendations of the effectiveness of existing statutes pertaining to the combatting of terrorist activity and on the role of the media in reporting terrorist incidents. The Committee, to be chaired by **Bill Kelly**, is to report no later than June 2, 1987.

On October 9, the National Finance Committee, headed by **Fernand LeBlanc**, was authorized to continue its examination of the activities of the Government of Canada in its financial support of post-secondary education and is to report by February 26, 1987. On October 30, the Social Affairs, Science and Technology Committee, chaired by **Arthur Tremblay**, was authorized to study the Department of Employment and Immigration's Consultation Paper on Training. The Committee is to report no later than December 1, 1987.

Gary O'Brien



## House of Commons

The first session of the thirty-third Parliament resumed on September 30, 1986 for the purpose of electing a new Speaker. (For the background and results of this election see the article elsewhere in this issue).

The second session began the following day with the Speech from the Throne read by Governor-General **Jeanne Sauvé**. Among other things the Speech promised a parliamentary review of corporate concentration, emphasized the government's commitment to fighting drug abuse and pornography and called for an overhaul of Canada's refugee programs.

The Speech alluded to the need to begin negotiations that would lead to Quebec's signing a constitutional accord. In the international area it reaffirmed Canada's commitment to active internationalism particularly in the area of arms control. The Government promised initiatives in the area of science and technology including a National Advisory Board for Industrial Technology and establishment of a Canadian Space Agency.

Opposition Leader **John Turner** and NDP Leader **Ed Broadbent** criticized the Speech as noncommittal, bland and lacking in credibility. During the course of the eight day Throne Speech Debate the traditional amendment and subamendment were moved by the opposition and defeated by the Conservative majority. Several days were devoted to other opposition motions including one that criticized the government for confusion and lack of direction and secrecy in its trade policy. Another motion criticized the government for addressing "the problems of the national transportation system with insensitive measures based on frivolous ideological decision-making."

During October a few bills were re-introduced from the previous session. These include: Bill C-8 toughening-up the regulation of insurance companies; C-9, changes to the *Trust Companies Act*; legislation to dissolve the Canagrex agricultural marketing crown corporation; legislation to update the *Radio Act*; and legislation to amend the *Railway Act* to change the role of the Canadian Transport Commission.

By unanimous approval other items were revived at the same status they held when Parliament was prorogued. These include: Bill C-92, amendments to the *Canada Oil and Gas Act*, returned as Bill C-5 at the report stage; C-94, legislation to implement the offshore accord with Newfoundland, returned as Bill B-6 at committee consideration stage; and C-95, changes to the *Archives Act*, returned as C-7 at the referral to committee stage.

Gary Levy



## Ontario

During the summer adjournment the legislative chamber was renovated to accommodate television broadcast and simultaneous translation facilities. Similar facilities were also installed in the Amythest Room to broadcast committee proceedings. Improvements to the sound system in the chamber and renovations to accommodate additional members are expected in the new year.

The legislature resumed on October 14 and several initiatives were announced in the first week of the

session. **Ronald Van Horne**, Minister without Portfolio Responsible for Senior Citizens' Affairs, tabled the annual report of the Ontario Advisory Council on Senior Citizens. The Advisory Council made recommendations to the Minister in the areas of health promotion and prevention, Alzheimer's disease, abuse of the elderly and made a proposal for a Bill of Rights for residents of long-term care facilities. The Minister stated that the Advisory Council's "knowledge and wise counsel are very important as this government addresses issues affecting the quality of life of our senior citizens". Progressive Conservative Party critic **Gordon Dean**, stated that the Advisory Council's Report simply emphasized needs that are already known, and chastised the government for its inaction in fulfilling seniors' needs.

**Gregory Sorbara**, Minister of Colleges and Universities, introduced a new funding mechanism for a revised University Research Incentive Programme. The Minister stated that "under the new program, every \$1 invested in an approved research project by a corporation from the private sector will be matched by \$1 drawn from the fund. The incentive fund will be used to subsidize the costs of approved research projects that have potential economic benefit for Ontario and that strengthen the partnership between industry and our universities". New Democratic Education critic, **Richard Allen**, while welcoming the program, pointed out that Ontario ranks 10th out of 10 provinces in the area of research funding and called on the government to improve and enhance funding to Ontario's universities.

The Minister of Agriculture and Food, **Jack Riddell**, announced a review of the province's crop insurance program. The Minister had established an advisory sub-committee made up of Crop Insurance Commission of Ontario officials and Ontario Federation of Agriculture and federal government officials, which recommended certain changes to the crop insurance scheme. Based on this report, the provincial minister and the federal minister, **John Wise**, have agreed to initiate a public review to consider the larger matters of concern. Many of the smaller matters can be acted upon immediately.

On October 16, the Minister of Consumer and Commercial Relations, **Monte Kwinter**, introduced amendments to the *Liquor Licence Act* and to the *Liquor Control Act* to permit the sale of beer and wine in corner stores in the province. One of the significant features of the legislation

allowed municipalities to opt out of the provisions of the Bill by a resolution of Council or a referendum. After a two-day debate, the legislation was defeated on October 29 by a vote of 53 to 28.

On October 23 the Minister of Tourism and Recreation, **John Eakins**, announced that the government had agreed in principle to sell Minaki Lodge to Four Seasons Hotel Ltd. The proposed sale followed the recommendation, in January 1986, of the Standing Committee on Procedural Affairs and Agencies, Boards and Commissions that every effort be made to sell the company.

In response to a request to review the daily meeting times of the House, the Standing Committee on the Legislative Assembly recommended that the House meet in the afternoon at 1:30 p.m. instead of 2:00 p.m. and adjourn at 6:00 p.m. instead of 6:30 p.m. The new hours came into effect on October 27. Under the provisional Standing Orders adopted in April, the House met in the afternoon from 2:00 p.m. to 6:30 p.m.

#### Committee Activity

Standing and Select Committees continued to play an important role in the work of the Ontario Legislature.

The Standing Committee on Administration of Justice, chaired by **Andrew Brandt**, held hearings on Bill 105. This Bill provides for the redressing of systemic gender discrimination in compensation for work performed by employees in predominantly female groups of jobs in the Ontario public service. The Committee held public hearings on the Bill during the summer and had commenced clause-by-clause consideration. At the beginning of committee review the Chairman ruled out of order a number of proposed amendments which he found were beyond the scope of the Bill and would impose a charge on the Consolidated Revenue Fund, contrary to Standing Order and the *Legislative Assembly Act*. The Chairman's ruling was appealed to the Committee and it was not sustained. The Committee then commenced with clause-by-clause of the Bill.

The Standing Committee on Finance and Economic Affairs, chaired by **David R. Cooke** (Kitchener), held hearings on corporate concentration in the financial industry and reported on October 31 requesting more time to investigate the subject fully. On October 23, *An Act to Amend the Retail Sales Tax Act*, was referred to the Standing Committee for public hearings. On November 3 the

Treasurer, **Robert Nixon** tabled an Economic and Fiscal Review of the Finances of the Province. This paper has been referred to the Standing Committee for a review and as part of the Committee's pre-budget hearings.

During the summer adjournment the Standing Committee on General Government, chaired by **George MacGague**, held public hearings on a Private Members' Bill. This is the first time in several years that such a bill has been considered by a Standing Committee. Bill 71, an *Act to Protect the Public Health and Comfort and the Environment by Prohibiting and Controlling Smoking in Public Places*, was introduced by **Norman Sterling**. It prohibits smoking in indoor public places, public vehicles and in certain areas of health care facilities and authorizes the prohibition of smoking in the workplace. The Committee held two days of hearings on the Bill in September and further meetings are planned.

The Standing Committee on the Legislative Assembly, chaired by **Michael Breagh**, held hearings throughout the summer into the alleged conflict of interest concerning **René Fontaine**. During its investigation into the matter, the Committee requested a Speaker's Warrant to compel an individual resident in Quebec to appear to give evidence. However, the Speaker declined to issue his Warrant on the basis that the individual was beyond the jurisdiction of the legislature. The Committee reported that Mr. Fontaine had violated guidelines established by the Premier on conflict of interest. It recommended that he not be re-appointed to cabinet.

The Standing Committee on Public Accounts, chaired by **Robert Runciman**, reviewed the allegations of conflict of interest concerning **Elinor Caplan**. After hearing evidence throughout the summer, the Committee presented its report which criticized Mrs. Caplan for failing to ensure that her spouse was not involved in a conflict of interest situation. After further deliberations, the Committee released a second report which stated that "Elinor Caplan was in breach of the Premier's own guidelines governing conflict of interest," and that Mrs. Caplan should not be re-appointed to Cabinet. In conjunction with its review of the alleged conflict of interest the Committee requested a Speaker's Warrant to compel Premier **David Peterson** to release a report commissioned by him from the law firm of Blake, Cassels with respect to holdings of ministers of the Crown. The Speaker issued his Warrant and

the Premier subsequently produced the document to the Committee. This is the first time that a Speaker's Warrant has been issued to a Premier.

The Committee also reviewed the operation of the Workers' Compensation Board's funding of the Safety Associations involved in occupational health and safety education, the 1985 Provincial Auditor's Report on opportunities for increased economy in election administration, the Office of the Assembly, and the lack of tendering contracts and cost analysis with respect to the purchase of security services in the Ontario Housing Corporation.

In August, the Standing Committee on the Ombudsman, chaired by **Ronald K. McNeil**, travelled to Northern Ontario to meet with native people and native leaders. The meetings were held in Fort Severn, Sioux Lookout, Big Trout Lake and Thunder Bay. For the first time, the Committee's hearings on the Ombudsman's Annual Report were divided among Sioux Lookout, Thunder Bay and Toronto. At the request of the Committee, the Ombudsman tabled a discussion paper on the possible expansion of the Ombudsman's jurisdiction. In the document, the Ombudsman recommended to the Committee expansion of his services in the areas of public hospitals, children's aid, and the Ontario New Home Warranty Plan, among others. The Committee will consider this matter in more detail at a later date.

The Standing Committee on Resources Development, chaired by **Floyd Laughren**, met to consider an Act to provide for the establishment of a rent registry and contains formulae for the determination of allowable annual rent increases. The Committee held public hearings in Thunder Bay, Kingston, Ottawa, London, Windsor and Toronto. The Committee has commenced clause-by-clause consideration of the Bill.

The Select Committee on Health, chaired by **Robert Callahan**, met in August to consider, its terms of reference dealing with the commercialization of health and social services. The Committee identified many areas which it wants to investigate, including nursing homes, children's services, mental health and laboratory services. The Committee proposes to present an interim report on these matters after the winter recess.

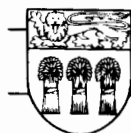
The Standing Committee on Government Agencies, chaired by **Bud Gregory**, met to review four Agencies. They were the Ontario Land

Corporation, the Ontario Development Corporation, the Ontario Lottery Corporation and the Ontario Arts Council.

### Aird Report

During the investigations into the alleged breach of conflict of interest guidelines by Mr. Fontaine and Mrs. Caplan, Premier Peterson appointed former Lieutenant Governor **John Black Aird** to review the present conflict of interest guidelines and to make recommendations for improvement. After a lengthy review, Mr. Aird released his report on September 24. It noted that there were some technical breaches of the guidelines by ministers. However, none of the ministers examined personally benefitted in any way from the breach of the guidelines. He recommended that the present, sometimes ambiguous conflict of interest guidelines, be replaced by legislation, a draft of which he included in his report. The report has been referred to the Standing Committee on the Legislative Assembly.

Franco Carrozza



Saskatchewan

**T**he fifth session of the twentieth legislature adjourned on Thursday, July 3, 1986, and was dissolved on September 19, 1986. The standings in the Legislature were forty-nine Progressive Conservatives, nine New Democrats, two Independents and four vacancies.

A provincial general election was called for Monday, October 20. The Progressive Conservatives, New Democrats and Liberals each fielded candidates in all sixty-four ridings. The Western Canada Concept Party and the Alliance Party entered the election campaign with several candidates. The results of the election appear elsewhere in this issue.

The platforms of the Progressive Conservative and New Democratic parties were similar in certain respects. Both pledged financial assistance to current and prospective homeowners in the form of grants and low interest (subsidized) loans for renovations and down payments of 9¾ per cent mortgages in the case of the Progressive Conservatives and 7 per

cent by the New Democrats. The Western Canada Concept party campaigned for zero per cent interest on the first \$50,000 mortgage.

The farming community found itself in a rather ironic situation at election time. Many farmers were harvesting "bumper crops" exceeding their wildest expectations but they had neither the market in which to sell their product nor the bins to store it in reserve. Low world-wide commodity prices inflicted by the subsidy initiatives of the United States government and the European Economic Community in an effort to enhance their respective market shares have further eroded the financial position of Saskatchewan farmers. The effect of low grain prices was the major agricultural election issue throughout the campaign.

Deficiency payments to farmers were urged by the major political parties in varying degrees – from a one billion cash injection via the federal government to a higher price per bushel proposed by the New Democrats.

### New Coat-of-Arms

In a ceremony outside the Legislature on September 16, 1986, Governor General **Jeanne Sauvé**, signed a Royal Warrant on behalf of the Queen approving a new crest, supporters and motto to the original shield of arms adopted in 1906.

The additions to the original shield and their symbolic meaning are as follows: Immediately above the shield is a *helm* (or helmet) facing left, representing the co-sovereign status of the Province in Confederation. The helm is decorated with *mantling*. Above the helm is a *wreath* which supports a *beaver* – Canada's national animal representing the North, the fur trade and our Native people. The beaver holds a *western red lily*, Saskatchewan's floral emblem. The beaver is surmounted by the *Crown*, symbol of the Province's direct link with the Sovereign through the Lieutenant Governor.

To the left of the shield of arms is a royal *lion*, a traditional heraldic symbol; and to the right a white-tailed *deer*, an animal indigenous to Saskatchewan. Both supporters wear *collars* of Prairie Indian beadwork, from which are suspended *badges* (mullets) in the form of the six-pointed star (stylized lily) of the Saskatchewan Award of Merit (instituted as the Province's highest honour in 1985). The badge worn by the lion displays Canada's emblem, the *maple leaf*; that worn by the deer displays Saskatchewan's official flower, the *western red lily*.



Below the shield is a *compartment* of western red lilies, supporting a *scroll* with the provincial *motto* *MULTIS E GENTIBUS VIRES* – Latin for “From Many Peoples Strength”. The motto expresses Saskatchewan’s multicultural heritage, the contribution of the Indian and Native cultures, and the key role of immigration in the Province. The root meaning of the Latin “gens” (from which “gentibus” is derived) is “people” in the sense of race or origin. The word “vires” connotes vigour, energy and mental strength. The Latin rendering was suggested by words of a poem by the Roman poet Catullus.



The augmented armorial bearings of Saskatchewan were designed by **Vic Sotropa**, Manager of the Province’s Visual Identity Office, and **Larry Bachiu**, Consultant. The Latin rendering of the motto was by **Annabel Robinson** of the Department of Classics, University of Regina. The official drawings and preparation of the Royal Warrant were undertaken by the College of Arms in London under the direction of Dr. **Conrad Swan**, CVO, Her Majesty’s York Herald of Arms. The project was coordinated by Dr. **D. Michael Jackson**, Chief of Protocol of Saskatchewan.

**Craig James**



The fall session of the Legislative Assembly prorogued October 29 after sitting for only 12 days.

During the brief session, MLAs approved nine bills, including: the *Arctic College Act*, establishing a college system to deliver adult and post-secondary education, establishing a Board of Governors to manage the College and providing for a student association and student council; the *Elections Act*, establishing the framework and procedures for holding elections for Members of the Legislative Assembly. Territorial elections are presently administered by the Chief Electoral Officer for Canada; the *Forest Management Act*, providing for the conservation and management of forests in the Northwest Territories; amendments to the *Income Tax Act*, increasing foreign tax deductions in cases where the taxpayer receives a stock option from his or her employer, exempting charities from filing returns and requiring individuals receiving a share purchase tax credit or scientific research tax credit to file returns; amendments to the *Public Service Act* requiring Executive Council (the Northwest Territories’ Cabinet) approval for direct appointments from within or outside the public service; and, amendments to the *Workers’ Compensation Act* increasing the maximum amount of compensation that a worker may be paid for a disability.

In Committee of the Whole, MLAs considered the government’s response to the recommendations of the Task Force on Aboriginal Languages, tabled at the previous session. The government outlined its present activities and future plans for

preserving and developing aboriginal and culture in the Northwest Territories.

A consultant’s report on the proposed reorganization of the Territorial government’s Fort Smith Region was also considered by the committee.

A motion to give priority to “the establishment of childcare facilities in communities faced with serious economic problems and conditions” and recommending the Executive Council table a childcare policy at the next session was passed. Another motion endorsed by members called in the government to consider alternatives for the administration of alcohol and drug problems and to present a proposed plan of action at the next session.

The third report of the Special Committee on Rules, Procedures and Privileges was deferred until the next session to allow members to prepare responses to a paper on “Matters of Confidence in the Legislative Assembly of the Northwest Territories”, written by Professor **Graham Eglington**. The Committee’s terms of reference include an examination of “the accountability of the Executive Council to the Legislative Assembly”. Several members expressed concerns that Professor Eglington’s paper could have a profound importance for present and future legislative assemblies and requested additional time for its study and consideration.

As well, during this Eighth Session of the Tenth Assembly, the Executive Council tabled draft legislation for a new *Residential Tenancies Act*, an amended *Education Act* and several draft bills dealing with municipal governments. This legislation will be considered at the next session of the Legislative Assembly, scheduled to open Wednesday, February 11, 1987 in Yellowknife.

**Ann Taylor**

## Contributors

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