

Reports on Legislative Activities



Saskatchewan

The Fourth session of the Twentieth Legislature was prorogued on the morning of March 17, 1986. It had been the longest single session in calendar days since the Legislature opened in 1905. Following prorogation the Fifth Session opened on the afternoon of the same day.

The Throne Speech referred extensively to the economic problems plaguing Saskatchewan farmers and measures the government is going to implement to counteract the effects of pest infestation, unseasonal weather and the international predatory marketing tactics of the United States federal government and the European Economic Community with respect to agricultural subsidies.

Other major priorities mentioned in the Throne Speech included the reduction of farm input costs, telephone service enhancement to more rural communities, assistance to the small business sector, an increased financial commitment to health care in the province, expanded opportunities for employment (particularly among the youth of the province), making available a range of investment vehicles to Saskatchewan residents to participate in capital ventures, new offshore marketing opportunities for Saskatchewan business, expansion of the role of tourism in the province, a new freedom of information and privacy act to be introduced, initiation of a partial decentralization of the Saskatchewan Public Service, public participation in Crown enterprises through public offerings of bonds or shares in selected Crown corporations.

Both opposition parties viewed the Throne Speech as a precursor to a Spring provincial general election and used the address-in-reply as an opportunity to reveal elements of their campaign platform. The official opposition directed their criticism of

the Conservative government to its record since 1982.

On March 21, 1986, **Herb Swan**, presented a statement to the House clarifying the practice of oral notice – particularly oral notices of questions. The Third Party had by this date provided notice orally of some 150 questions. The Speaker ruled that oral notice in the Saskatchewan Legislature had always been extended to Members as a courtesy and was not part of the notice procedure. The Assembly's Rule 38, in conjunction with paragraph 395 of Beauchesne's were, in the Speaker's opinion, sufficient to curtail the member's obstructive practice of providing numerous and repetitive oral notices and was directed to table the notices. The argument from the Chair was that extended oral notices are an abuse of the Legislature's courtesy and unnecessarily delay the orderly flow of the business in the House.

On Wednesday, March 26, 1986, the Minister of Finance, **Gary Lane**, delivered his first and the Government's fifth budget speech to the Assembly. It set a precedent for the Legislature in that a budget speech came immediately on the heels of the Address-in-reply to the Throne Speech without any other House business being acted upon.

The Budget Address complemented the Throne Speech by providing specific financial measures the government will be taking in all of the province's economic and social sectors. The Government estimated its budgetary transactions with respect to revenues for the fiscal year 1986-87 at \$3,201,409,000 with expenditure levels increasing to \$3,660,555,000 resulting in a provincial deficit of \$459,146,000. The province's application of the Consolidated Fund and Saskatchewan Heritage Fund estimated combined budgetary expenditure for the year ending March 31, 1987, will be for Program Services – 30.8 per cent; for payments to or on behalf of individuals – 15.7 per cent; for income security – 5.9 per cent; for grants to local authorities and other third parties – 43 per cent; and for other capital and non-capital projects – 4.6 per cent. The Minister of Finance concluded his

remarks by stating that the leading economic indicators for Saskatchewan revealed an upturn in the provincial economy which will result in more employment.

The Leader of the official Opposition, **A.E. Blakeney**, concluded that the provincial deficit as an outcome of the budget reflects the government's inability to properly manage its fiscal affairs and, further, that agricultural and job creation programs need more money than that allotted by the budget.

Though most Members of the Legislative Assembly expected an election call at the Premier's nominating meeting at the beginning of April the House remained for the most part, engaged in its routine spring business. The Estimates went before the Assembly, Legislative Committees were active in their deliberations and various pieces of legislation emanating from both sides of the House were taken up.

Bill No. 27 – *An Act respecting The Institute of Chartered Accountants of Saskatchewan and to repeal the Chartered Accountants Act and the Certified Public Accountants Act*, was introduced as a consequence of the Report of the Special Committee on Regulations tabled in the Legislature in April 1985. The Bill is modelled after the proposed draft included in the Report and reflects the nationwide trend to structural changes to the Association.

On February 24, 1986, the Member for Canora, **Lloyd Hampton**, and the Member for Regina North West, **William Sveinson**, were recognized as a Third Party in the Legislative Assembly. Since December 23, 1985, both Members had been petitioning the Speaker to recognize their status as members of the Western Canada Concept Party. The ensuing debate revolved around a WCC Party internal conflict between the president and the leader who were at odds over the acceptance of Messrs. Hampton and Sveinson into the organization. At a Party meeting in February, 1986, a new executive was elected which expressed a clear indication that both members would be accepted into the WCC Party. With no opposing views arising from the new executive Speaker Swan

was able to recognize the Third Party according to the criteria set out in *The Legislative Assembly and Executive Council Act*.

Craig James



The Second Session of the Twenty-sixth Legislative Assembly reconvened on March 13, 1986. A number of committee reports were presented and the Assembly gave third reading to a bill establishing a new set of Revised Statutes for Yukon. After this bill received assent the Second Session was prorogued.

The Third Session opened an hour later with the Speech from the Throne read by Commissioner **Doug Bell**. The Speech focused on the economic direction of the Government and its plans for dealing with the immediate economic problems facing the Yukon:

"Our Government is acting to prevent economic hardship and to overcome the Yukon's social and regional disparities by increasing the participation of Yukon residents in the economic life of the territory. We will do this through support for the evolution of local government, through a territory-wide training strategy, through a positive employment program, and through a Yukon hire policy. The government is working toward a Yukon development strategy that will involve all sectors of our economy in creating a long-range plan that will guide the territory's economic development into the next century. This strategy will be based on the Yukon's increased political and economic self-reliance. This means promoting the local manufacture of our natural resources as finished products and the increasing use of local labour to provide local services. As well, it means working with our communities to help them meet their own economic needs."

On March 18, **Tony Penikett**, Government Leader and Minister of Finance, placed the 1986-87 Operation and Maintenance Budget before the House. (In Yukon the Capital Budget is dealt with during the fall sitting of the Legislature. This allows the Government and the private sector time for planning and provides the ability to take full advantage of Yukon's short construction season). In the 1986-87 O&M Estimates, expenditures of \$171 million were

proposed, an increase of 6.8 percent over the previous year. The themes developed in the Throne Speech were expanded upon in the budget address. New monies were allocated to the formulation of a Yukon Economic Development Strategy, to programs with the aim of fostering further economic development, to increased tourism advertising, and to the establishment of a separate agriculture branch for the purpose of furthering Yukon's agricultural development.

It was also announced that the government would be introducing legislation to eliminate medicare premiums by April 1, 1987. As well, a new Home Care Program was unveiled which will provide for the integrated delivery of such services as home nursing, medical and social work, and occupational therapy for those in need of assistance in their daily living.

During his budget speech Mr. Penikett stated that he would be introducing amendments to the *Liquor Tax Act* and the *Tobacco Tax Act* for the purpose of raising the taxes on alcohol products, on cigarettes and on cigars.

The Leader of the Official Opposition, **Willard Phelps**, was critical of the direction taken by the Government: "We wonder, along with a lot of Yukoners, where this government is going to come up with the money to pay for abolishing medicare premiums, and what the deficit is going to be next year, the year following and the year after that as a result of the huge expenditures of this government; expenditures which mean more taxes or that the government starts and expands and continues to mortgage our future and the future of our children."

Roger Coles, Leader of the Liberal Party, while generally supporting the budget, expressed a cautionary note about his Party's future support: "I will conclude by advising the government that the next time we sit in this House to discuss a new budget, they will have to show results and not just a continuance of planning projections. We must go somewhere. Yukoners want to see results. Words and ideas are one thing, but actions speak louder."

Seventeen bills had been introduced by May 7. Six of these bills were budget-related and the remainder were largely non-controversial.

The Yukon Legislative Assembly is relatively unique in the number of private members' motions it is able to deal with each session. Wednesday afternoons are devoted to such motions and, as of May 7, there had been 37 private members' motions

placed before the House. Of these 31 came to a vote and six were dropped from the Order Paper as they had been twice called and not proceeded with. A total of 25 motions were carried (four as amended) and six were defeated. Government private members had slightly better luck in getting motions agreed to in nine out of ten cases. In the tenth instance a motion was ordered dropped from the Order Paper by the Speaker after the House had dealt with a substantially similar motion. Opposition MLAs, although not as fortunate as those across the floor, still managed to get agreement to 16 of the 21 motions they introduced.

The subject matter of the motions varied in the extreme. The House, by the narrowest of margins, supported a motion stating the opposition of the Yukon Legislative Assembly to the testing of Cruise missiles in or near the Yukon. It defeated a motion asking that highway signs utilize both miles and kilometres. A motion was passed supporting Yukon and Canadian trappers in "their fight for survival against a powerful and inhumane (anti-fur) lobby." The House agreed to a motion calling for the transfer of responsibilities for freshwater fisheries from the Government of Canada to the Government of Yukon. It did not agree to the call for an independent inquiry into Yukon's judicial system.

On May 8 the House was entering the thirty-first day of the spring sitting. Expectations were that the business before the House would be completed within two to four weeks.

Epilogue – Residency Requirement

In a previous report on legislative activities (Spring 1986) it was noted that the Government of Yukon was appealing a decision by Judge Maddison of the Supreme Court of the Yukon Territory who found the one year residency requirement for voters in Yukon elections to contravene section 3 of the Canadian Charter of Rights and Freedoms.

The Court of Appeal for the Yukon heard the case on March 18, 1986 and gave its decision the same day. The Court did not uphold the decision made in the Supreme Court of the Yukon Territory which means the one year residency requirement once again has force and effect. The crux of the ruling, as expressed by Chief Justice Nemetz, was that: "[I]t is my view that a short qualifying period is a reasonable limit since it is prescribed by law and is demonstrably justified in a free and democratic society."

Patrick L. Michael



The thirty-second legislature was dissolved February 11 when Premier **Howard Pawley** announced that an election would be held on March 18, 1986. The New Democratic Party maintained its hold on government with a reduced majority. It now has thirty of the fifty-seven seats. The Progressive Conservatives have twenty-six and the Liberals have 1. (See election results in this issue). On April 14, Premier Pawley announced a new cabinet which included several new members and a restructuring of duties among members of his previous cabinet. The first session of the thirty-third legislature began on May 8.

Susan L. Dion



The National Assembly has approved a budget for the 1986-87 fiscal year totalling \$28.7 billion. More than half that amount is earmarked for social services and education.

In his budget speech of May 1, 1986, Finance Minister **Gérard D. Lévesque** announced that the deficit would be \$2.9 billion but there would be no increase in personal income taxes or direct taxes. He said the anticipated deficit is \$257 million lower than last year's and for the first time in ten years the current operations accounts will balance.

A \$250 million surtax was imposed on businesses to compensate for the loss of an equivalent amount from the federal government. Mr. Lévesque hoped the surtax would be temporary. User-fees for certain services and a tax on heating oil and gas are other measures taken to ensure a balance. There are no new services in the government's programs, apart from the extra funds already promised to emergency wards and hospitals. The measures announced by the Minister include tax exemptions for new businesses; new rules regarding share issues by small and medium sized businesses; tighter rules governing QSSPs; reform of accounting practices; liquidation of what the Minister calls

the "mortgages" incurred by the Péquiste government i.e. amortization over five years of the \$260 million deficit accumulated by the hospitals; writing-off of hundreds of millions in bad debts; and entering of losses incurred by crown corporations in the budget.

Among the other measures announced by the Finance Minister, the *Régie de l'assurance automobile* will reimburse the government \$40 million for medical services received by insured parties in past years. This year the total cost for these services will be \$100 million, of which \$60 million is recurrent; the deductions of \$1,000 on interest or dividend income and \$1,000 on retirement income were reduced to \$500, except for retired persons. In addition, the special allowance for children under 16 is to be re-examined; escalator taxes on gasoline and tobacco will be replaced by specific taxes, although the current rates will remain in force; abolition of the 9% sales-tax exemption on heating oil and natural gas, except for industry.

In his response **Jean Garon**, MNA for Lévis, pointed out that far from being abolished, the escalator tax on gasoline would remain at 37.5% instead of 30%, which will give the government an additional \$220 million in revenues. In addition, he said, the capital gains exemption favours the wealthy and speculators, while a number of measures penalize low-income earners. While the government prides itself on eliminating loopholes by revising accounting practices, continued Mr. Garon, it is after all recovering \$106 million by so doing. Worse still, though the government is increasing appropriations to the regions, which the Treasury had reduced, it is leaving them at a lower level than they were last year; this is the case with respect both to roads and to the *Fonds de développement régional*.

Mr. Garon continued that what Mr. Bourassa is calling the worst financial crisis in Quebec's history is giving him an excuse to lay hands on the reserves held by the *Régie de l'assurance automobile* and the *Commission des normes du travail*, after which he will complain that Quebec's Crown corporations lack capital.

Mr. Garon noted that the government anticipates the creation of only 62,000 jobs this year, or 22,000 fewer than last year and two years ago. He expressed a wish that the budgetary and tax choices be debated openly in a public forum.

Yvon Thériault



The period from February 1 to April 30 is always a busy one in the House and in committee. Members considered departmental estimates, a budget, numerous items of legislation and committee reports. New provisional rules were adopted which provide for a time limitation on division bells, new powers for standing committees, a new procedure for private members' business, and new procedures for considering some order-in-council appointments, delegated legislation and a number of other changes arising out of reports of the Special Committee on Reform of the House.

Private Members Business

The time allowed for the consideration of private members' usually receives little publicity. However, the new rules have generated considerable interest in this area. While some fine tuning may still be necessary, the idea that selected private members' bills and motions be allowed to come to a vote appears to have widespread support.

The new system provides for a draw at the outset of each session to establish an order of precedence for up to twenty items. Of these, six are designated votable by the new Standing Committee on Private Members' Business chaired by **Bill Kempling**. The Committee called those members whose bills or motions had been drawn and gave them an opportunity to convince the committee why their items should be so designated. After hearing these representations, the Committee decided which would be voted upon. The first bill chosen to come to a vote was one proposed by **Jim Fulton** to reaffirm Canada's claim to the Alaska Panhandle. Some members were disappointed that a bill calling for return of capital punishment sponsored by **Bill Domm** was not designated as votable. Nevertheless the process went part way towards obtaining the objective of the Reform Committee which was to spread responsibility for what transpires in the House among a greater number of individuals.

Before the new rules were adopted, and perhaps in anticipation of their spirit, the House adopted a private members' bill by **Paul McCrossan**. It requires the government to give a regular public accounting of its

financial commitments to public pensions. Such reporting had been recommended by the Auditor General and the Special Committee on Pension Reform.

Budget

The budget of February 26 by Finance Minister **Michael Wilson** was tabled just three weeks after the Canadian dollar fell to an historic low of 69.24 cents against the American dollar. This added considerably to speculation about the budget which was designed to reduce the deficit by increasing taxes and reducing spending. Among other things a personal income surtax of 3% and a 1% increase in basic federal sales tax was announced. Excise taxes and duties on alcohol rose by 4% while they went up 6% on tobacco products.

On the expenditure side Mr. Wilson committed the government to lower spending across the board but singled out foreign aid as one area where restraint would have to be exercised. He said the government was not prepared to dismantle social programs but his next budget would propose measures to reform the system of social expenditures.

Opposition spokesmen **Raymond Garneau** of the Liberals and **Nelson Riis** of the NDP criticized the budget for reducing corporation taxes at the same time as it raised personal income tax. They also questioned his projections for real economic growth, unemployment and inflation for the coming year.

Committee Activities

Standing Committees were occupied primarily with the estimates, however, a few interesting reports were tabled. For example the Standing Committee on Management and Members Services, chaired by **Marcel Prud'homme**, presented a report relating to the establishment of a Register of Members Interests. After reviewing current guidelines, the Standing Orders of the House, and relevant legislation it concluded "A Register of Members' Interests, as set out in the Order of Reference, is not warranted and that current guidelines concerning conflict of interest are adequate. It was concluded that such a register would accomplish little save intrude on a Member's privacy."

When new rules of procedure are adopted, it takes a while to work out some problems and establish some precedents. This was certainly true of the new standing committee system. For example at one point the chairman of the Standing Committee on

Elections, Privilege and Procedure, **Albert Cooper**, was requested by some committee members to undertake an investigation into allegations of conflict of interest against **Sinclair Stevens**. Mr. Cooper ruled that the right of this committee to investigate matters on its own initiative did not extend to issues of privilege which remained a question for House as a whole.

One of the committee's which scrutinized an appointment as provided under the new rules was the Standing Committee on Culture and Communications. The chairman, **Gabriel Fontaine** ruled that members should not ask appointees about their political affiliation. He asked them to limit their questions to matters relating to the competence and qualifications of individuals. The ruling did not find much favour among opposition members of the committee.

The new standing committee system was intended to alleviate the need for special committees which have proliferated in recent years. This may prove more difficult than originally anticipated. For example notwithstanding the new committee system at least one new special committee has been established: on the pricing of domestic wheat chaired by **Arnold Malone**. Together with various special committees established before the present rules went into effect and the ten or so legislative committees meeting at any one time some members find themselves with more committee assignments than they can reasonably be expected to handle.

Gary Levy



The budget session of the Legislative Assembly of the Northwest Territories was adjourned March 13 after a sitting lasting almost five weeks.

In his opening address Commissioner **John Parker** noted the significant constitutional steps taken regarding the leadership and responsibilities of the Executive Council since the last Legislative Assembly session in October 1985. On January 30, 1986 Commissioner Parker turned over chairmanship of the Executive Council, the NWT's cabinet, to **Nick Sibbeston**, recently elected

Government Leader. "The act of transfer was the culmination of many years of planning, of step-by-step political and constitutional advancement and the progressive assumption of ever-increasing responsibility by elected members of the Executive Council and, indeed, by all past and present Members of this House", the Commissioner explained. Commissioner Parker, a federal appointee, also transferred control and management of the Public Service to the Government Leader.

During the session Members approved the government's 1986/87 budget of \$714 million for 23 departments and agencies. In his budget address Finance Minister **Tom Butters** told the Assembly that the 10.6 per cent increase in expenditures over the 1985/86 budget was justified in light of deficiencies in housing, health care, education facilities, municipal infrastructures and other services in the NWT. "It is far easier to tighten your belt when your basic needs are already met", Mr. Butters said. "It is much more difficult when you are still striving for basic levels of housing, education and jobs". Spending priorities announced in the budget were largely in the areas of housing, education and employment development.

Before adjourning, the Assembly also approved four other financial bills. These included two supplementary appropriations for 1985/86 and 1986/87; amendments to the *Petroleum Products Tax Act*; and an act authorizing loans to territorial municipalities.

Legislation not considered before adjournment – including amendments to the *Jury Act*, allowing the selection of jurors who speak neither French nor English, and to the *Official Languages Act* extending the date for implementation of French as an official language to 1989 – will be considered when the session resumes in June.

Other items for consideration in June are the First Report of the Special Committee on Rules, Procedures and Privileges; the report of the government's Task Force on Aboriginal Languages; and Constitutional and Political Development in the Northwest Territories, a sessional report tabled by the Minister of Aboriginal Rights and Constitutional Development **Dennis Patterson**.

Motions passed during the February session included: a request to Health and Welfare Canada to relocate its Keewatin Region medical services from Churchill, Manitoba to a community in the Keewatin; a request for increases in the incentives paid to trappers by the

government; a motion recommending the present tax collection agreement between the federal and territorial governments be amended to provide a more equitable allocation of personal income tax to the province or territory where the income was earned; support for the Executive Council in its approach to the Northwest Territories' aboriginal groups and in its aboriginal claims negotiations with the federal government; a motion urging the Executive Council, when responsibility for the Northern Canada Power Commission is transferred to the Government of the Northwest Territories, to consider splitting the administrative and operational functions, giving priority to locating them in communities other than Yellowknife; and a re-affirmation of the Legislative Assembly's opposition to the testing of cruise missiles in Canada and in particular over Northern Canada.

Ann Taylor



Senate

Senate Committees were quite active during the period under review. On February 13, **Jack Marshall**, of the Agriculture, Fisheries and Forestry Committee tabled the report on Herbicide Pricing. The Committee had been authorized by the Senate to review and update its earlier report "Soil at Risk - Canada's Eroding Future". After hearing many witnesses from farm groups, chemical companies and the government, it concluded that registration of herbicides as it is now enforced is no longer acceptable. The Committee recommended that the product - specific registration of herbicides be altered and that competition in the farm chemical industry be increased through the introduction of compulsory licensing and a system of royalties. Such a policy, the Committee believed, would reduce costs to farmers and allow smaller companies to participate in the herbicide market.

On March 10, in response to the Government's announcement that it would no longer fund Katimavik,

Senator Hébert began his well-publicized hunger strike on the floor of the Senate lobby. Many senators expressed concern for the senator's health. On March 26 **Jacques Flynn** moved that the Senate constitute itself into the rarely-used Committee of the Orders and Customs of the Senate and Privileges of Parliament to examine the action taken by Senator Hébert inasmuch as that action affected the said Orders, Customs and Privileges of the Senate of its members collectively or individually. **Royce Frith**, Deputy Leader of the Opposition, replied that the Opposition Liberals opposed the motion on the grounds that Senator Hébert's gesture was a personal one and therefore did not affect the said orders and customs of the Senate or its privileges. The motion was negated on division 14 to 39. On March 31, Senator Hébert ended his hunger strike when a 16 member Committee of prominent businessmen was established to search for funds to revive Katimavik.

On February 19, **Léopold Langlois** tabled the Transportation and Communications Committee's report on the Transportation of Dangerous Goods. After hearing evidence from many federal and provincial officials as well as representatives of fire and police services, the Committee concluded that the present regulations still need to be completed and improved. The regulations did not cover all dangerous goods being handled and some of their parts were described as skeletal parts. The Committee felt that a satisfactory solution with regard to financial responsibility of the persons involved in the handling, offering for transport and transporting of dangerous goods has yet to be worked out.

Paul Lafond tabled the report of the Special Committee on National Defence on Military Air Transport on February 20. Among its many recommendations, the Committee urged that a national mobilization plan be completed without delay. The Committee welcomed the assurance of the Associate Minister of National Defence that such a plan is close to being finalized and would be outlined for Committee members upon completion.

On April 15, **Arthur Tremblay** tabled the report of the Social Affairs, Science and Technology Committee on the production and distribution of the National Film Board Production "The Kid who Couldn't Miss". Many Senators felt that the film had unduly questioned the integrity and reputation of Billy Bishop, one of Canada's foremost veterans and

military heroes. Discharge of the mandate was assigned to the Subcommittee on Veterans Affairs, chaired by **Jack Marshall**. The report concluded that the film was a highly dramatized and one-sided account of Billy Bishop's life and exploits. While the NFB had every right to express reservations about Bishop's record, the report questioned whether the public interest was served, as required by the Act establishing the NFB, by representing rumours. The Committee unanimously recommended that a disclaimer be added to the film stating that it is a docu-drama and combines elements of both reality and fiction.

Gil Molgat tabled three important reports of the Standing Rules and Orders Committee. On March 5, the Committee reported on new procedural guidelines for the financial operation of Senate Committees. On May 6, its report on the Message from the House of Commons to their Standing Orders was tabled. The Committee agreed with the recommendation of the House that a Joint Committee on Parliament be established but only on the basis of equal memberships between the House and the Senate. The proposed Joint Committee would be an advisory Committee on the affairs of the Library of Parliament, the Restaurant of Parliament and other joint services. The Commons had originally proposed that membership on the Joint Committee be proportional to the number of members in both houses.

On May 7, the Rules Committee presented its report on the establishment of a Register of Senator's Interests. It did not support establishment of a register of senator's interests at the present time since the policy considerations underlying existing laws are at best unclear. However, it recommended that the entire question of conflict of interest as it applies to parliamentarians be reviewed.

Finally, on May 1, **Lowell Murray** tabled the final report of the Banking, Trade and Commerce Committee on the regulation of Canadian financial institutions entitled "Towards a More Competitive Financial Environment". The Committee made a number of recommendations regarding consumer protection and financial institution stability, including deposit insurance and self-dealing with a conglomerate, enhancing competition and broadening sources of credit and customers' options, and proposals relating to federal-provincial considerations.

Gary O'Brien



The nine-week Recess between the First and Second Sessions was one of the busiest on record for committee activity. Eight of nine standing committees held meetings and two of four select committees also met.

Committee Activity

The Standing Committee on Administration of Justice, chaired by **Andrew Brandt**, continued its hearings on Bill 7, An Act to amend certain Ontario Statutes to conform to section 15 of the Canadian Charter of Rights and Freedoms. The Committee heard the representations of a large number of witnesses on the proposal to repeal section 19(2) of the *Human Rights Code*. This proposal would abolish segregation on the basis of sex in sports. The Committee also received briefs with respect to another section of the *Human Rights Code* which permits adult-only apartments. Further concerns were raised with respect to the lack of rights for mental health patients and with respect to discrimination based on sexual orientation.

The Standing Committee on General Government, chaired by **George McCague**, considered the referral, by petition of twenty members, of the Annual Report of the Ontario Institute for Studies in Education. The Committee's work was the result of the announcement in the 1985 Budget of the Treasurer, **Robert Nixon**, that the Institute would be transferred to the University of Toronto to eliminate duplication in the public sector.

The General Government Committee also considered Bill 75, An Act to amend the Education Act. The Bill provides for governance of French-language instruction where English is the language of the majority and for governance of English language instruction where French is the language of instruction.

The Standing Committee on Members' Services, chaired by **Bud Gregory**, considered constituency office allowances and air travel provisions within members' constituencies. The Committee also considered a special reference from the House on the provision of simultaneous translation services to the House and its committees.

The Standing Committee on the Ombudsman met for several weeks in February and April. Under the

chairmanship of **Ron McNeil**, the Committee reviewed the financial and administrative arrangements of the Office of the Ombudsman. In April, the Committee tabled with the Clerk its Thirteenth and Fourteenth Reports. The Thirteenth Report dealt primarily with the Committee's review of the Twelfth Report of the Ombudsman and the Committee's opinion that it, rather than the Standing Committee on Procedural Affairs (now the Standing Committee on the Legislative Assembly), should be the Committee which, under the *Freedom of Information and Protection of Privacy Act*, would undertake a review of all confidentiality provisions contained in the various Provincial Acts and which would, within three years of the Act coming into force, undertake a comprehensive review of the Act.

The Standing Committee on Procedural Affairs and Agencies, Boards and Commissions, chaired by **Michael Breagh**, continued public hearings on appointments in the public sector. The Committee met with representatives of the Centres for Disease Control in Atlanta, Georgia, to discuss freedom of information and privacy legislation and its effect on medical records and medical research. The Committee also met in Austin, Texas, with representatives of the State and Legislature of Texas to discuss the Senate confirmation of appointments process and freedom of information legislation. In Austin, the Committee attended the meetings of the Assembly on the Legislature organized by the National Conference of State Legislatures. Upon its return to Toronto, the Committee commenced public hearings on Bill 34, An Act to provide for Freedom of Information and Protection of Individual Privacy. These public hearings are expected to continue well into June.

The Standing Committee on Public Accounts under the chairmanship of **Michael Harris**, the Committee adopted a motion requesting the Premier to appoint an impartial third party to evaluate the four bids that had been submitted for the construction of the domed stadium. The Committee also continued its review of particular sections of the Annual Report of the Provincial Auditor.

In December, 1985, the Annual Report of the Ministry of Transportation and Communications was referred to the Public Accounts Committee on a petition of twenty members. The Committee used the Annual Report as a means to review the proposed sale of the Urban Transportation Development

Corporation.

The Standing Committee on Resources Development, chaired by **Floyd Laughren**, held public hearings in February, throughout March and into April on Bill 65, An Act to amend the Labour Relations Act. This legislation provides for the settlement of first collective agreements by arbitration where collective bargaining has been frustrated. The Bill was amended by the Committee and reported to the House where it now awaits third reading debate.

The Standing Committee on Social Development continued to be the busiest committee, dealing throughout the Recess with three controversial bills. The Committee, chaired by **Richard Johnston**, held public hearings on Bills 54 and 55 early in the Recess. This legislation regulates the amounts that may be charged for prescription drugs. In March, after the parties had released their proposed amendments, five major groups were allowed to return and make final submissions outlining their concerns with respect to the bills. Clause-by-clause consideration of the two bills began in mid-April and concluded soon after the beginning of the Second Session. The Bills have been reported with amendments to the House and were referred to the Committee of the Whole House for further consideration.

In March, the Committee began public hearings on Bill 94. This legislation regulates the amounts that persons may charge for rendering services that are insured under the Ontario Health Insurance Plan. During the course of its hearings in March and April, the Committee heard representations from over 140 organizations and individuals.

The Select Committee on Economic Affairs, under the chairmanship of **David Cooke** (Kitchener), met briefly to continue its examination of bilateral free trade with the United States and its implications for Ontario. The Committee is expected to issue its final report early in July.

The Select Committee on Energy met during March and April to hear witnesses from such groups or corporations as Ontario Hydro, the Natural Resources Defence Council, Synergic Resources Corporation, Lawrence Berkeley Laboratory, Consumers Gas, the Canadian Nuclear Association, the Ontario Energy Board, and the Ontario Natural Gas Association. Chaired by **Philip Andrewes**, the Committee is examining the supply and demand of electricity in Ontario and will make its

final report to the House at the end of May.

Second Session

On April 22, in the first Speech from the Throne prepared by a Liberal government in forty-three years, the Lieutenant Governor, **Lincoln Alexander**, stated that the Government would focus particular attention on the fundamental challenges Ontario must face in order to fulfill its potential and ensure its place as a world-class society of the 21st Century.

To achieve this goal, the Government will establish a Premier's Council, chaired by the Premier, **David Peterson**, and include as active participants several cabinet ministers and leaders of business, labour and post-secondary education. The Council will direct a \$1 billion, 10-year special technology fund to support, complement and encourage science and technology research in the private sector and post-secondary institutions. One of the first tasks of the Council will be to endow distinguished chairs in science and entrepreneurship at Ontario universities. A centre of information technology will also be established to increase public awareness and understanding of information technology and to assist Ontario information technology industry in product development.

The Speech from the Throne also announced incentives to stimulate the creation of a range of employee share ownership plans, a major government mission, led by the Premier, to the Pacific Rim, the appointment of an Agent-General in Tokyo, the establishment of a trade office in Seoul, the opening of a science, technology and cultural centre in China, and the implementation of graduate student exchange programmes with Pacific Rim nations. The Government will also enhance programmes offering financing and marketing support for Ontario farmers, give priority to a tourism strategy specifically tailored for the needs of northern and eastern Ontario, increase funding for TVOntario to produce more educational programming, especially in the field of science, open a high school of science and technology in northern Ontario, and offer programming to support skills training and upgrading.

Initiatives in health care were also announced, as were greater resources to be committed to cancer treatment and care, greater emphasis on programmes to allow senior citizens to live independently in their own homes

and communities and to reduce the demand on nursing homes and hospital beds, the creation of regional geriatric units in selected community hospitals, the establishment of a multi-disciplinary department of geriatrics at an Ontario university, support the development of recreational services and activities for the elderly, and a review of Ontario's social assistance system.

The Government committed itself to introduce amendments to improve election expenses legislation, to open up the budget process by asking a committee of the Legislature to consider and report on the fiscal and economic circumstances of the Province as part of the 1987 budget process, to expand assistance programmes to the victims of crime and physical abuse, and to update consumer protection laws.

Responding to the Speech from the Throne, the Leader of the Opposition, **Larry Grossman**, stated that the Speech represented a programme of so little substance, so little new direction that after one year in office the public legitimately has to ask, "What is it that this new administration stands for?" Mr. Grossman said that the Throne Speech had no new approaches, no new ideas, and that instead of firm promises and specifics, the Speech provided buzzwords such as "knowledge worker", "world class" and "excellence".

Mr. Grossman reviewed many of the initiatives and programmes outlined in the Speech from the Throne. He called these initiatives and programmes a "kind of smoke-and-mirrors reassembly of previous programmes put together by the previous Progressive Conservative government (the BILD, Enterprise Ontario, AgriNorth and Break the Silence programmes, etc.) and of proposals made by candidates for the leadership of the Progressive Conservative Party. He said that the Speech did not attempt to deal with reality nor did it attempt to deal with real current problems. Citing the failure of the Speech from the Throne to address the most serious problems facing the Province (i.e. the continuing unemployment crisis, the urgent need for affordable housing, the preservation of Ontario's health, social and education sectors, support for hospitals, day care, services for the elderly and post-secondary institutions and the problems facing the farmers) and the lack of government initiative, leadership and policy necessary to resolve those concerns, the Leader of the Opposition moved an amendment to the motion for an address in reply

to the Speech from the Throne that for these reasons the "House declares its lack of confidence in the government."

The Leader of the New Democratic Party, **Bob Rae**, stated that it was important that members not be diverted from what is going to be on the real legislative agenda for the Spring. That agenda, said Mr. Rae, would deal with legislation that flowed from the accord negotiated between the Liberal and New Democratic Parties in May, 1985. Mr. Rae said that it was exceedingly strange that the Speech from the Throne, the first part which dealt with the economy and the government's sense of where the economy is, failed to mention or discuss the issue of free trade. He went on to say that simple pursuit of international competition would not solve the Province's problems. A productive economy would be created, he said, by generating an economy committed to fairness, just as it is committed to efficiency.

Mr. Rae called for an agenda which would include first-contract legislation, equal pay for work of equal value in the private and public sectors, pension reform, Workers' Compensation Board reform, a genuine shift in the recognition of the needs of child care programmes, affirmative action, not only for women but also for the minority and the handicapped, and insurance reform.

In addition to this agenda, Mr. Rae stated that there was another programme and another agenda which had to be addressed. "Rather than a tired and pretty fatuous technocracy, we need a tough-minded populism, a populism from government that understands what the people of this province are going through, what they really want and aspire to and look to see in their government." Mr. Rae concluded by saying that his party looked forward to the day when "we have a government that is prepared to be tough, that is prepared to be the people's advocate and not simply the apologist for a corporate and economic order that has lost its sense of its own morality and its sense of where it wants to go."

New Rules

On April 28, the House adopted amendments to the Standing Orders. These amendments were the culmination of five years work and several reports by the Standing Committee on Procedural Affairs and Agencies, Boards and Commissions and several months of negotiations between the House Leaders and Whips of the three Parties. The new

Standing Orders will be in effect from April 29 to December 18, 1986, unless extended or made permanent by the House. The new rules fixed the hours of sitting from 2.00 p.m. to 6.30 p.m. on Mondays, Tuesdays, Wednesdays and Thursdays, with a sitting from 10.00 a.m. to 12.00 noon on Thursdays for Private Members' Business. The House will not meet on Fridays. This new timetable contains the same number of hours as the old timetable, does away with evening sittings and gives all members the opportunity to spend additional time in their constituencies. The quorum bell was increased from four to five minutes and the bells are to be turned off if a quorum is present before the expiration of five minutes.

The rules have also been changed to add a ten-minute "Members' Statements" period as the first item of the routine proceedings. Members, other than Party leaders and ministers of the Crown, may make statements for not more than ninety seconds. Members are recognized in rotation beginning with the Official Opposition, followed by members of the New Democratic Party and then members of the Party forming the Government. The maximum time allotted for ministerial statements has been set at twenty minutes after which a representative or representatives of

each recognized Opposition Party may comment for up to a total of five minutes for each Party.

Upon the request of a committee, the Government shall, within 120 days, table a comprehensive response in reply to the committee's report. Statutory annual reports are deemed to be permanently referred to the appropriate standing committees. The provisions with respect to emergency debates were amended to relieve the Speaker of making the political decision as to whether a matter is of urgent public importance requiring immediate consideration. This decision is now left to the House. The requirement of seconding motions has been done away with except for the nomination of the Speaker, the motion for an address in reply to the Speech from the Throne and the budget motion. The Private Bills rules have been amended to clarify certain procedures and to require the filing of a compendium of background information before a bill is given first reading. Where the purpose of a Private Bill is to amend a section of an existing Private Act or the Private Bill would have the effect of amending a section of an existing Private Act, the Private Bill shall re-enact the section in its entirety. A ten-minute question and comment period has been provided for following certain items of debate.

A number of rules with respect to the committees of the House were also adopted. For the most part, these new rules codify procedures which have been followed by committees for some time. The terms of reference of each standing committee were also incorporated in the new Standing Orders. A new committee on Government Agencies was created to review the operation of all agencies, boards and commissions of the Government of Ontario. This was previously an area of responsibility of the Standing Committee on Procedural Affairs and Agencies, Boards and Commissions which has been abolished, along with the Members' Services Committee. A new committee, the Standing Committee on the Legislative Assembly, has been created with responsibility for reviewing the rules and procedures and administration, services and facilities of the House and the television broadcast system. Another new committee, the Standing Committee on Finance and Economic Affairs, has authority to consider the fiscal and economic policies of the Province and it is anticipated that the Committee will hold pre-budget hearings in the Fall.

Smirle Forsyth

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