

OTTAWA REPORT

Jousting on CBC over property rights

Most of us watch the TV news, and don't think that hard about what goes on behind the camera. So, let me share a small experience with you.

A month ago I started to organize a one-day conference on property rights, after the government announced its intention to put them in the Constitution. That meeting took place a few days ago - with over a dozen national organizations and two dozen MPs (from four parties) there.

Well, the CBC's Journal decided to do an item on property rights. I received a call from a Journal producer to discuss an interview, and agreed. Over the next week there were three or four more calls, each more detailed. The day before the show was to be taped, I was sent a one-page fax outlining what to expect, and some subject areas to be discussed. That's when I learned I'd be debating a law professor.

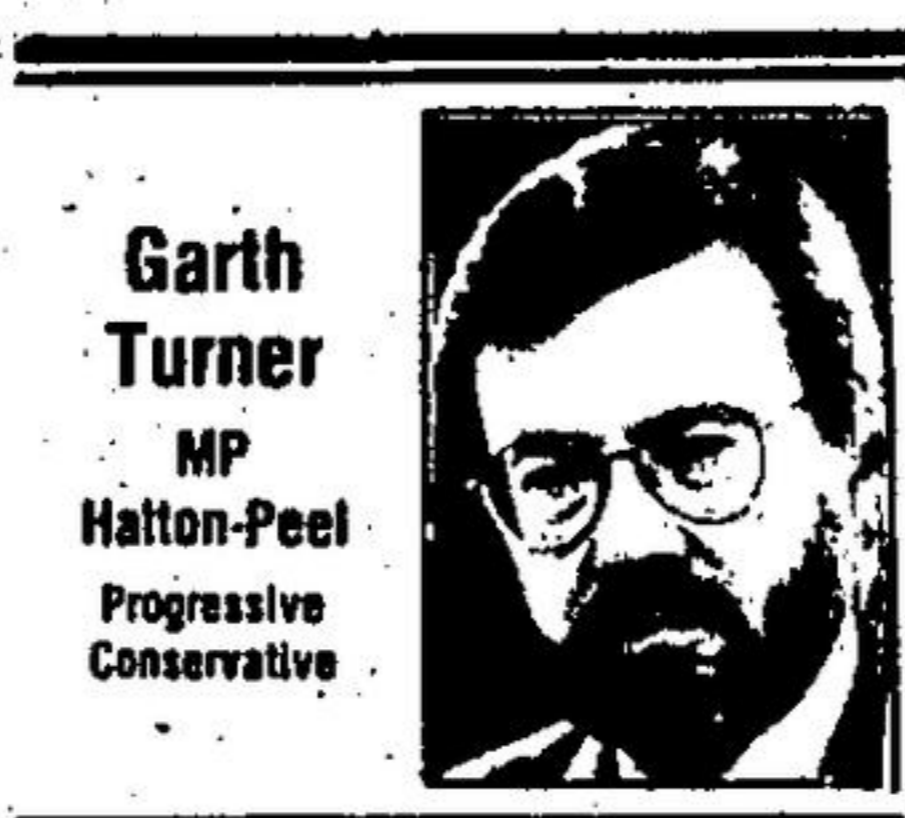
When I arrived at the Journal's Ottawa studio - across the street from Parliament Hill - I was ushered into a room, and told that the law professor was already in the studio. After a nice lady powdered my nose, I was led into the studio to meet Prof. Jack Lon-

don, while the whole incident was being recorded. The CBC had flown Jack London into Ottawa from Winnipeg, where he'd cancelled classes that day at the University to come and take me on.

The set had been elaborately prepared. A small square table was set under a couple of bright lights. The top of the table had been covered in black felt, and three old, important-looking law books were placed on top. The professor had a wad of at least 30 pages of handwritten notes he was studying. I felt somewhat inadequate laying out the three-by-five inch piece of note paper that had my whole argument on it.

The doors closed, the producers and technicians disappeared into the control room; the two of us sat at the table, each with a camera and an operator behind us. The signal was given, and we went at each other for about 10 minutes. There was no pause, no editing, no re-doing anything. And here I was debating constitutional law!

The professor tried to argue that property rights are dangerous. They could cause laws on rent control or the en-



Garth Turner
MP
Halton-Peel
Progressive Conservative

vironment or division of assets in a marriage to be challenged. He said society could be fundamentally altered if we gave the courts this new area to explore.

But I argued that every right we have is defined and restricted by the Charter of Rights and Freedoms itself. Article one says all our rights are subject to "reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society."

That means laws passed by governments to prevent pollution are more important than an individual's right to own the land being polluted. This right would

be equal to other rights - to life, liberty and security of person. And the definition of property should be broad - so that a tenant getting unfairly evicted, or a woman losing matrimonial property, could use it in defence.

I called the professor a scare-monger for suggesting property rights would hurt the environment or encourage the spread of weapons. And he suggested I was

promoting something that would benefit only the rich and corporations.

In the end, I don't know who was more convincing. Personally, I was happy to have survived. Even Prof. London looked relieved when it was over.

He took the 2:45 flight to Winnipeg. I walked back to my office, wondering just how it is I get myself into these things.

Turner pressing for referendum

By RENNIE MacKENZIE
Thomson News Service

OTTAWA - A loose coalition of property rights advocates was told Monday there is a "distant possibility" the federal government will hold a referendum on constitutional proposals to overrule objecting provinces.

Halton-Peel Conservative MP Garth Turner told the group the referendum is possible after concerns were raised that the three NDP governments in Ontario, Saskatchewan and British Columbia could unite to defeat the proposal to entrench property rights in the Constitution.

Turner said at the conclusion of the mini-conference in Parliament Hill's historic East Block he and other Conservatives have been pressing the government for a referendum.

"Personally, I hope that we do have a referendum," Turner said. "The legislation exists to enable it and the government is not ruling it out."

Most of the government's September proposals to amend the Constitution and its Charter of Rights and Freedoms will require the approval of Parliament and any seven provinces representing 50 per cent of the population.

Until now, Quebec and measures to create a "distinct society" of the province have been regarded as the only major stumbling blocks on the road to approval. The property rights proposal has been seen by many as a "bargaining chip" that could be abandoned or traded in exchange for consensus on the distinct society clause. And an Alberta delegate to the half-day conference organized by Turner suggested the three new NDP governments could gang up to crush the property rights amendment.

At several points in the

meeting, it was made clear that the main objections to a property rights provision in the Charter have been voiced by left-wing governments and organizations. Most of the delegates to the conference were realtors and homebuilders.

The government has admitted that it is preparing plebiscite-able legislation, but Government House Leader harvie Andre has said only that he wants a bill before Christmas. Several cabinet ministers have argued the referendum bill is an instrument the government should have in its drive for national unity. Strategists have said the unity debate could ultimately be settled after a national referendum.

The 15 delegates representing 14 organizations at Turner's conference agreed to circulate a national petition urging the government to proceed with its property rights proposal. They also agreed their proceedings should form the basis for a formal presentation to the joint Senate-Commons committee that is airing the constitutional proposals at hearings across the country.

While the delegates unanimously endorsed the principle of enshrining property rights in the Constitution, they avoided any attempt to define the term.

Turner said the task of defining the vague reference in the constitutional documents should be left to the courts and they should be allowed the widest possible latitude in future cases involving the Charter's property provision.

But he dismissed the complaints of property rights opponents who have said constitutional rights could put social rights and environmental protection laws at risk.

Individual rights to hold and enjoy property will not override society's rights, he said in a statement at the end of the conference.

QUEEN'S PARK REPORT

Changes to teachers' pension plan

A few days ago, the new Education Minister, Tony Silpo, announced changes to the Teachers' Pension Act which will end a long and difficult dispute between the teachers and the provincial government. His announcement signalled the outcome of a series of negotiations aimed at improving the teachers' pension fund and at creating a 50/50 partnership between teachers and the government for the administration of the Ontario Teachers' Pension Plan.

Decisions about the pensions will be made by a board composed of nine members - four appointed by the teachers and four by the government. And at the request of both partners, Gerald Bouey, the current chair of the Ontario Teachers' Pension Plan Board, has agreed to stay on in that capacity. Mr. Bouey is also the current fund administrator for the plan.

These changes will take effect at the beginning of next year and involve 166,000 active teachers and another 38,000 retirees. The legislation will give teachers an equal say in the investment decisions of the pension plan and an equal share of future surpluses or deficits. They will now have a real vested interest in seeing the fund properly managed.

In other news from Queen's Park, I'm really pleased that the Employee Wage Protection Program (EWPP) finally became law on October 18. Bill 70 was one of the pieces of legislation delayed back in May by the



Noel Duignan
Halton North
MPP
New Democratic Party

obstructionist tactics of the Conservative members at Queen's Park. Royal Assent for the EWPP means that more than 17,000 workers will soon get the back pay they've earned and claimed. Up to 9,000 cheques will be in the mail before the New Year.

The focus of the program is to help employees recover money that they've earned but haven't been paid by their employer because of bankruptcy, insolvency, or similar reasons. You may be interested in the following key points about the Employee Wage Protection Program:

- the EWPP covers workers for up to \$5,000 in unpaid wages, vacation, termination and severance pay.
- the program is retroactive to October 1/90.
- the program is administered through the Ministry of Labour's Employment Practices Branch and funded through general tax revenues.
- a radio and print ad campaign was scheduled to begin on October 24 to provide more information. And brochures will soon be ready for employers and employees.
- special information lines include the following toll-free number for your use: 1-800-268-9036.

How Do Employees Apply?

- to make a claim, call or visit the Ministry of Labour Office nearest you. Bring proof of where you worked such as wage slips or company ID card.
- the Employment Practices Branch will investigate each claim for validity.
- employees will receive their cheques as soon as possible. To date, there is a backlog of 17,000 claimants so it might take a few months to receive a cheque. The Ministry has already processed over 6,000 of these claims and

cheques began going out a few days ago.

- an employer's responsibilities for payment of wages is no different than it used to be. There has always been liability for directors under the Ontario Business Corporations Act.
- the only difference in the liability under the EWPP is how the liability is enforced. It means that the Employment Practices Branch can now take action to recover employees' owed wages from company directors.
- as a result of amendments about another important matter - I recently received a letter from the program coordinator of the Legislative Page Program and I would like to encourage Grade 7 and Grade 8 students with a minimum scholastic average of 80 per cent or equivalent to consider applying for this unique experience. A special pamphlet has been mailed out to Halton North Schools but if you would like your own copy or more information, please call my Milton office at 878-1729 Tuesdays through Fridays.

Optimist winner

The Optimist Club of Georgetown has announced the winners of the Optimist Trip of the Month draw for October are Robert Marlow and Norm Guthrie.

The winners will receive an expense-paid trip to any destination of their choosing said Optimist member, John Fendley.

The draw, called the Trip-of-the-Month is running for five more months and half the proceeds are used to pay for costs of the trip while the other half goes back into the community.

For more information or to buy a ticket, call Mr. Fendley at 877-6901.

WELCOME TO HALTON HILLS

11 ARMSTRONG AVE.
GEORGETOWN
453-8911 877-2293
FOR ALL YOUR PLUMBING NEEDS

216 Guelph St.
Georgetown

Want the best things in life for free?
CLUB

Read All The Local News In...
the HERALD
Home Newspaper of Halton Hills
Established 1866
877-2201

877-5281
POMPEI PIZZERIA & SUBS
Mon. to Wed. \$1.00 off small or medium pizzas and \$2.00 off large and jumbo pizzas.
PIEN UP ONLY

The Town of Georgetown welcomes Gordon and Carole Hunt to town. The couple had lived in Mississauga for 22 years and moved to Georgetown to live with their daughter, Suzanne Cherniak and her son David when Carole got a job at Park Lincoln Mercury in Georgetown. Gordon is retired.

Courtesy of these fine businesses - and -

Hostesses: Cathy Dooley 877-8653
Debbie Butler 877-8591

BRAMPTON MEMORIAL GARDENS
(Cemetery)
Chinguacousy Rd. & Hwy. 7 West
• Serving Families • Complete Cremation
• Traditional Burial • Pre-Arranged Services
In-Home Counselling Service On Request
TRANSFERABLE THROUGHOUT CANADA 840-3400