



# Reports on Legislative Activities

(November 1, 1982 — January 31, 1983)



## Northwest Territories

Acceptance in principle of division of the Northwest Territories, support for the principle of responsible government, and greater financial independence for the government of the Northwest Territories were promised by the federal government as the ninth session of the Ninth Legislative Assembly of the NWT ended.

The long-awaited cabinet decisions were announced to the Assembly by Indian and Northern Affairs Minister **John Munro** during a special evening sitting November 26, the last day of a productive but sometimes disputatious nineteen day session which began November 2.

Mr. Munro said the government of Canada accepted division of the Territories as long as comprehensive native land claims were settled; residents continued to support division; and a northern consensus was reached on boundaries, location of any new administrative centres, and distribution of powers among different levels of government in the NWT.

The minister pledged federal support for "the principle of responsive and politically accountable government" in the NWT, with the form of that government being worked out in the North. To back up the commitment, he announced a new system of financing which "will confirm that planning and political accountability rests with . . . the government of the Northwest Ter-

ritories", and said he had been authorized by cabinet to develop ways to offset some of the extra costs resource development places on the NWT.

He noted that "the agenda for political and constitutional change is not open-ended". Mr. Munro ruled out provincial status at this time, and added that the federal government will maintain its ownership and control of land and non-renewable resources in the North, in keeping with its priorities and obligations to protect the national interest.

After the speech, the minister answered questions from MLAs and was complimented on the announcement by members of the Executive Committee, the territorial equivalent of a provincial cabinet. Mr. Munro also confirmed that the Northwest Territories will be represented equally with other jurisdictions at the First Ministers' Conference on aboriginal rights which is scheduled to be held in the spring of 1983.

That Conference was on MLAs minds throughout the session. The Assembly passed a motion supporting the principle that aboriginal peoples have special rights and recommending that a charter of aboriginal rights be included in the new Canadian Constitution. Later in the session, the Assembly accepted in principle a paper discussing aboriginal rights items which might be included in the Constitution; the Executive Committee, which prepared the paper, was directed to refine it further for the winter session. The Assembly also unanimously approved a motion suggesting that the First Ministers' Conference be held in Yellowknife.

### Education Report Debated

Eight days of the session were taken up with debate and discussion on the report of the Special Committee on Education, set up two years ago to review the educational system and to suggest changes to that sys-

tem. Debate on the report, which was presented to the Assembly during its May session in Inuvik, had been delayed until this session to allow MLAs to consult their constituents about the report's forty-nine recommendations.

The recommendations, which now go to the Executive Committee for consideration, call for the creation of a system of divisional boards to administer education from kindergarten to grade ten. An Arctic College with campuses in the eastern and western NWT would be set up to look after programs from grade ten onwards. The recommendations also cover curriculum and school programs; language programs; teaching staff; special services; and adult education.

### Electoral Boundaries Commission

A motion proposing the creation of a three-member Electoral Boundaries Commission to study the existing twenty-two constituencies was narrowly passed 10-9 following three days of often heated debate. Some MLAs felt that division should be the priority, not changing the boundaries of current constituencies or adding more (the NWT Act allows for an Assembly of up to twenty-five members); other MLAs felt that some constituencies were too big and should be divided, or that population shifts since the 1979 boundaries adjustment made a new look at the constituencies necessary. There was some concern about whether the Boundaries Commission could complete its work in the allotted four months.

On the last day of the session, the Assembly agreed to recommend the appointment of Fort Simpson Chief **James Antoine** to the three-member Commission and to strongly recommend that the third member be a resident of the Eastern Arctic. The Commission will be chaired by a Judge of the NWT Supreme Court.

## Legislation

Twenty-four bills, including eight new Ordinances, were passed and assented to during the session. The bills included a new Ordinance which restricts increases in public sector compensation to six and five per cent over two years, and an amendment to the Council Ordinance restricting increases in MLAs' compensation to six and five per cent during the next two years.

The public sector compensation restraint legislation, along with amendments to the Public Service and Education Ordinances intended to clearly define who is a government employee, sparked some debate. Some MLAs were concerned about the impact of restraint legislation on employees of municipalities, housing and education associations. Finance Minister **Tom Butters** told the House that he expected the government would have some flexibility in dealing with employees of any government-connected agency who might face financial jeopardy as a result of the legislation.

Other new bills considered during the session provided for a fine option system which will allow offenders to do community service work instead of being jailed for failure to pay a fine; regulated transportation of dangerous goods on roads; provided for mining safety in the NWT; and provided for the regulation, training and certification of apprentices and tradesmen.

## Committee Reports

The Legislature made an important advance in the area of legislative financial accountability during the session, when it agreed to expand the mandate of the Standing Committee on Finance to include the functions of a Public Accounts Committee.

The committee will be re-named the Standing Committee on Finance and Public Accounts and it will be chaired by two MLAs, one of them being Chairman of the Finance Committee and the other being Chairman of the Public Accounts Committee. The unique structure was arrived at by the members of the Finance Committee after two years of study, and reflects the consensus nature of the Assembly and the limited number of MLAs available for committee work. Most meetings of the committee when it is sitting as a Public Accounts Committee will be open to the public and a verbatim record of its public proceedings will be kept.

The Standing Committee on Legislation, which received expanded terms of reference during the May session in Inuvik,

felt it had not been given sufficient time to study one of the bills put forward by the government at the ninth session. The bill, which would have amended the *Wildlife Ordinance*, was studied and amended in Committee of the Whole but was not put forward by the government for third reading.

The Standing Committee on Rules and Procedures made its first report to the House, but the changes it proposed to the Assembly's Rules died on the Order Paper as the session ended.

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## Alberta

**P**remier **Peter Lougheed** was expected to call a fall election after a short sitting of the Legislature, slated to begin October 20, 1982. However, the sitting did not take place; the Progressive Conservatives explained that "it would not be appropriate to recall the Alberta Legislature to make major changes to the Heritage Savings Trust Fund Act announced on September 7, 1982, without a fresh mandate from the people of Alberta to do so." To this end, a writ of election was issued designating November 2 as election day.

The election campaign focussed on the use of the Alberta Heritage Savings Trust Fund and proposals for economic recovery. A record 345 candidates sought to become members of Alberta's 79-seat Legislative Assembly. The New Democratic Party and the Progressive Conservative Party each ran seventy-nine candidates, while the Western Canada Concept fielded seventy-eight. Thirty-four Independents

sought election in thirty of the province's ridings. Of these, twenty-one were associated with the Provincial Rights Association, a coalition of independent candidates which does not have the status of a political party.

Opposition parties focussed on government expenditure, accountability, and the need for a strong opposition. Nonetheless, Premier Lougheed's Progressive Conservative team won 75 of the 79 seats. The remaining four were won by Dr. **Walter Buck** (Ind.), Mr. **Ray Martin** (NDP), Mr. **Grant Notley** (NDP), and Mr. **Ray Speaker** (Ind.). Incumbents Mr. **Gordon Kesler** of the Western Canada Concept, and Mr. **Tom Sindlinger**, Independent, who ran as leader of the Alberta Reform Movement, were both defeated by the Progressive Conservatives. Some observers attributed Mr. Kesler's defeat to his decision to run in his home riding of Highwood instead of in Olds-Didsbury, the riding in which he won his seat in the Nineteenth Alberta Legislature. Nineteen of the members elected will be sitting in the Assembly for the first time.

The granting of Official Opposition status has become a controversial issue. The title, its accompanying status and funding, have been claimed by the two NDP members and by the two Independent members. The NDP members (Messrs. Martin and Notley) are claiming the right on the grounds that they ran as NDP representatives, and their party captured 18.75 percent of the popular vote, second only to the Progressive Conservatives. The Independent members (Messrs. Buck and Speaker) together are claiming the right on the basis of seniority and incumbency. Together with Mr. **Fred Mandeville**, the two former Social Credit members had formed the Official Opposition in Alberta's Nineteenth Legislature. Both groups have submitted arguments to Mr. **Gerard Amerongen**, the present Speaker, who has informed them that no decision can be made until a Speaker of the Twentieth Legislature is elected by the new Legislative Assembly, which is scheduled to begin sitting March 10, 1983.

In November 1982 Premier Lougheed announced his cabinet appointments. Fourteen Cabinet Ministers remain in their previous portfolios, seven changed portfolios, and eight were named to Cabinet positions for the first time. The Honourable **Lou Hyndman**, Provincial Treasurer, was re-appointed to serve as Acting Premier.

Some departmental responsibilities were redistributed. A separate Department of Housing was created, and responsibility

for public works and government services was merged under the Department of Public Works, Supply and Services. Utilities and Telephones were consolidated under one minister and titled the Department of Utilities and Telecommunications. Manpower and Advanced Education became separate departments.

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## Ontario

In addition to concerns over the general economic climate, the attention of the Ontario Legislature during the Fall sitting focussed on two issues: Bill 179, the Government's public sector restraint legislation and the sale by Cadillac-Fairview Ltd. of some 11,000 Toronto apartment units.

### Restraint Legislation

Introduced on September 21st, Bill 179's principal feature was a 5 per cent freeze on wages and salaries in the Ontario public sector (including teachers and municipal employees). Following a protracted second reading debate, on October 19th the bill was referred to the Justice Committee for thirty-three hours of public hearings and clause by clause study. The Committee hearings were bitter and partisan as unions and employees' groups protested vehemently against the bill while employers described it as a regrettable but necessary measure. Dozens of groups and organizations remained unheard when the allotted

time elapsed, and attempts by NDP members to extend the hearings came to naught.

The New Democrats, who had declared themselves unalterably opposed to the bill at the very outset, then proceeded to employ every possible means of delaying the bill. They introduced hosts of amendments to the bill, which they debated at length, and hit upon the device of calling for the maximum (20 minute) wait before voting on amendments, procedural motions, and the numerous challenges to the rulings of Chairman **Richard Treleaven**. After eight days of clause by clause consideration, the Committee had reached section 1(c) of the 37 section bill, and on November 24th, **Terry Jones**, Parliamentary Assistant to the Treasurer, moved that the bill be immediately reported to the House; the motion carried 6 to 5 with both Opposition parties opposed.

With little progress being made on the bill in the Committee of the Whole, Government House Leader **Tom Wells** gave notice, on December 7th of a guillotine motion permitting a maximum of one day's debate on each of the three remaining stages of the bill. This time allocation motion was entirely unprecedented in the Ontario Legislature. Following two days debate on the motion, Chief Government Whip **Bud Gregory** moved "The previous question", thus terminating debate. The bill received third reading on December 15th. As the final division was being held, a large, vocal demonstration was staged in the public gallery and government members showered with papers. (This incident gave rise to talk of installing plexiglass barriers between the gallery and the House.)

Much of the debate in the final days was on the possible long-term implications of the tactics and procedures brought on by the bill and of the rights of the minority to oppose versus the duty of the majority to govern. The Government maintained that it had been extraordinarily tolerant in permitting debate on such an important measure to drag out as long as it did; as Tory Deputy Whip **Jack Johnson** put it "delay is the worst form of injustice". If the Opposition insists on obstructing House business with unconscionable delay, the Government spokesman said, the Government has no choice but to use its majority power to pass its legislation. By contrast, the Opposition parties warned that an extremely dangerous precedent was being set which would be used to curtail the right of the Opposition to express its views fully. While admitting that his party had used extraordinary

means to fight the bill, NDP Labour critic **Bob Mackenzie** said this was justified, since "we've never had such a bad bill". The Liberals supported the principle of the bill, but had serious reservations about many of its specific provisions; accordingly, Liberal House Leader **Robert Nixon** said he objected not only to the Government's use of the guillotine, but also to the NDP's tactics which effectively precluded his party from placing any amendments to the Bill.

The amount of time consumed by Bill 179 meant that other business was badly delayed, so that for the first time since 1975, the House did not prorogue at Christmas, but was called back for mid-January to complete the work of the session.

### Committee Activities

During the Fall, Ontario's Committees were principally concerned with estimates and with legislation.

The Social Development Committee released a major report on wife battering, which it described as "an intolerable act of criminal violence". Committee Chairman **Yuri Shymko** said that while immediate action was required from police, government and social service agencies, the Committee felt it essential that "society itself must reject unreservedly the notion that violence against women is permissible within the family". Among the report's more important recommendations are that the onus of laying charges in cases of family violence rest with the police rather than with the victims; that separate legislation deal with standards and funding for emergency shelters; that, since so many aspects of the problem raise jurisdictional issues, a federal-provincial conference be convened on family violence; that medical, legal and other professionals receive better training to recognize and treat wife battering; and that advocacy services for abused women and counselling programmes for men who batter their wives be expanded.

The report on wife battering was the first from an Ontario Legislative Committee issued in both French and English.

The Procedural Affairs Committee issued an omnibus report on standing orders and procedure. The Committee proposed a number of changes to private bill procedure and to other practices, for example a requirement that, on request of a committee, the Government be required to table a "comprehensive response" to a substantive committee report within 120 days of the report's presentation. The Committee also dealt with the question of wit-

nesses before legislative committees and recommended a number of changes to the *Legislative Assembly Act* and to committee practices to clarify the position of persons who appear before committees. Among other things, the Committee proposed that all legislative committees be empowered to go directly to the Speaker with a request for a warrant to compel a witness' attendance, rather than report to the House seeking authorization of a warrant.

### Trust Companies

Late in October, it became known that Cadillac-Fairview Ltd. had sold nearly 11,000 apartment units in Toronto to Greymac Ltd., a Toronto trust company. This sale occasioned widespread concern of possible large rent increases to cover the "pass-through" of mortgage costs.

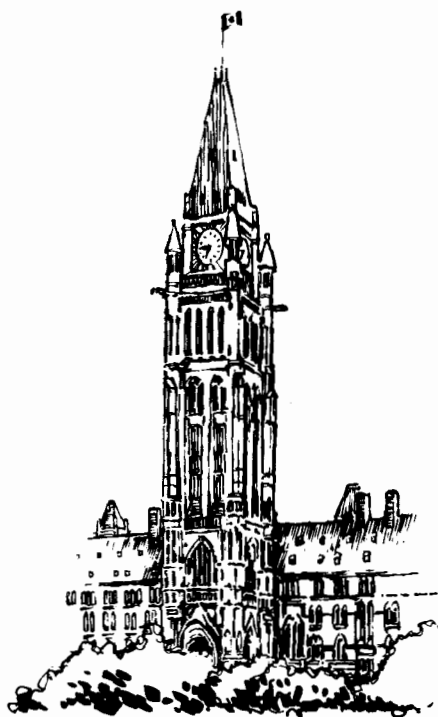
In following weeks a bizarre, confused tale unfolded, featuring rapid resales — "flips" — mysterious Saudi Arabian investors, holding companies registered in Lichtenstein, and reports that in the course of several flips, the price had escalated from \$270 million to over \$500 million. On November 16th, Consumer and Commercial Relations Minister Dr. **Robert Elgie** announced a special audit of the entire transaction and introduced a bill to limit the extent to which mortgage costs from resales could be passed on to tenants in rent increases.

The Leader of the Opposition, **David Peterson**, and newly-elected NDP Leader **Bob Rae** continued to press the issue daily in Question Period, accusing the Minister of being naive in his dealings with the financiers involved and unresponsive to the needs of tenants. Controversy centred primarily on the rent implications and the adequacy of the province's rent review mechanisms.

On December 21st, the final day before the Christmas break, Dr. Elgie brought forward a bill which gave the province sweeping new powers to control and regulate trust companies. As a result of meetings with Premier **William Davis** and Dr. Elgie the day before, Mr. Rae and Mr. Peterson agreed to permit the bill to receive all three readings on the 21st. Little more than two weeks later, under the provisions of the new act, the province took possession of three trust companies, Greymac Trust, Crown Trust and Seaway Trust, all of which were involved in the apartment transaction. As the House resumed in mid-January the takeover of these companies, and the government's responsibilities for safeguarding investment in provincially-

regulated loan and trust companies promised to be a hotly disputed issue for some time.

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### Senate

**F**our Senate bills were considered during the period under review. Bill S-32, *An Act to amend the Penitentiary Act and the Parole Act*, dealt primarily with the release of an inmate from custody for the last one-third of his sentence, and was sponsored by Senator **Earl Hastings**. The Bill was given second reading on November 23 and referred to the Legal and Constitutional Affairs Committee. Bill S-33, *An Act to give effect, for Canada, to the Uniform Evidence Act adopted by the Uniform Law Conference of Canada*, was sponsored by Senator **Derek Lewis** and was given second reading and referred to the Legal and Constitutional Affairs Committee on December 7. Bill S-30, *An Act to amend certain Acts in relation to Canada Day*, was consequential on the amendments made earlier to the *Holidays Act* by Bill C-201 and was subjected to a lively debate. Senator **Jacques Flynn** claimed that the Bill violated the rule that a question cannot be decided twice in a session and was out of

order since the Senate had rejected the same consequential amendments during the debate on Bill C-201. Speaker **Jean Marchand**, however, ruled that the Bill was in order. Two opposition amendments were proposed and rejected during debate and the Bill was given third reading and passed on December 22.

The controversial Bill S-31, *An Act to limit shareholding in certain corporations*, sought to limit provincial public ownership of transportation and pipeline companies to 10 per cent. On November 18, the subject-matter of the Bill was referred to the Legal and Constitutional Affairs Committee chaired by Senator **Joan Neiman**. The Committee heard a number of witnesses, including Quebec's Finance Minister, **Jacques Parizeau**. In its report tabled on December 16, the Committee questioned the constitutionality of the Bill in respect of provincially incorporated companies. It recommended that the Government more clearly define those types of enterprises to which it wishes Bill S-31 to apply. The Committee was divided as to whether the restrictions placed on voting rights attached to shares acquired by provincial governments were necessary to achieve the stated objectives of the Bill. When debate was resumed on second reading, Senator **Martial Asselin** proposed that the debate be adjourned until the Minister of Consumer and Corporate Affairs reports on his meetings with those provinces which objected to the Bill. The amendment was rejected and the Bill was given second reading and referred to the Banking, Trade and Commerce Committee on December 22.

### Rule Changes

On December 8, Senator **Charles McElderman** presented a report from the Standing Rules and Orders Committee proposing certain changes to Senate committees which would come into effect with the next session of Parliament. The Special Committee on the Northern Pipeline would be reconstituted as the Standing Committee on Energy. It would examine all matters relating to energy such as the production and marketing of hydrocarbons and electricity and the import and export of energy resources. The Health, Welfare and Science Committee, chaired by Senator **Lorne Bonnell**, would be renamed the Social Affairs, Science and Technology Committee. To it would be referred all matters relating to veterans, Indians and Inuit, cultural affairs, social and labour matters and health and welfare. The Rules Committee report was adopted on December 9.

### Joint Committee on Senate Reform

The long and protracted debate on the reform of the Senate took an important turn. On December 20, the Senate approved a motion introduced by Government Leader **Bud Olson** asking the Commons to unite with the Senate in the establishment of a special joint committee to consider ways by which the Senate could be reformed in order to strengthen its role in representing people from all regions and to enhance the authority of Parliament to speak and act on behalf of Canadians in all parts of the country. The Commons agreed with the request on December 22. The joint committee is composed of 12 members from the Commons and eight from the Senate and will present its final report no later than December 1, 1983.

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## House of Commons

**J**anuary 17, when the House came back from its Christmas adjournment, marked the inauguration of new Standing Orders. These had been proposed by the Special Committee on Standing Orders and Procedure set up last Spring following the episode of the bells and were accepted by the House without dissent. These new rules, which are only provisional at the moment and are due to expire next December, represent the most substantial changes to procedural practice since 1968-69 when the business of supply was completely overhauled. The new rules are intended to meet two objectives; to streamline the legislative process and to give the members an opportunity to participate more effectively in the formulation of legislation.

A notable change made through the new rules is in the time for most speeches which has been reduced from 40 and 30 minutes to 20 with an optional 10 minutes for strictly relevant questions, answers or comments between the member speaking and his colleagues. This is to provide greater spontaneity and more cut and thrust in debate. The time allotted for speeches by the Prime Minister, the Leader of the Opposition as well as others, depending on the occasion, is not affected by these changes. In addition, during second reading stage, after approximately two full days of debate, the time for speeches is to be reduced to 10

minutes, the same amount of time as allotted for debate at the report stage.

The size of standing committees has also been reduced. Under the old system, committees had as many as 30 members, and there was also provision to make substitutions quite easily. Both factors tended to hamper the work of committees. Now, however, the standing committees have been limited in size to between 10 and 15 members and substitution will be restricted in the first instance to a list of alternates drawn up for each committee. Moreover, committees have been granted the authority to initiate enquiries – by virtue of the automatic referral to them of annual reports by departments, Crown corporations and other agencies.

Wedged between the Prayers and the Question Period under the former practice were motions without notice due to "urgent and pressing necessity" and known as 43s after the Standing Order. The Committee believed that this procedure was incomprehensible to the public and often abused by the members. As an alternative, under provisional Standing Order 21, members not of the ministry, will be recognized to make a statement which does not exceed 90 seconds, on virtually any subject so long as it is not frivolous. As with the old 43s, the period allotted for these statements is fixed at 15 minutes.

These statements and the Question Period, together with the Routine Proceedings, will still take place in the early afternoon every day except Friday as before, but they will no longer mark the beginning of the sitting. The hours of the House have been completely revamped. The evening sittings have been abolished in favour of a sitting set to begin at 11 a.m. Mondays, Tuesdays, Thursdays and Fridays.

The new schedule adopted by the House is not confined to changes in the daily routine, but includes a fixed calendar for the year which has been divided into three semesters, the Fall, the Winter and the Spring. The purpose of this proposal is "to ensure a reasonable certainty as to the dates and duration of the periods during which the House would sit." The Spring sitting is set to end June 30, a date coincidental with the conclusion of the business of Supply. To insure some flexibility for the completion of government business, allowance has been given to extend the hours of sitting during the final ten sitting days of the Spring semester. In addition, the Speaker, following consultation with the government, is permitted to recall the House at any time.

When the House returned in January, it resumed debate on measures introduced by the government during the previous summer or autumn. Three of the bills are part of the six and five budgetary restraint programme. Of these, Bill C-133 was passed by the House January 25 only after the government had obtained a time allocation order to cut off debate. The measure is intended to limit the cost-of-living increases to public service pensions to 6.5 percent in 1983 and to 5.5 percent in 1984. The .5 percent increase was added by an amendment moved by the sponsor of the bill, the hon. **Herb Gray**, the President of the Treasury Board, who explained that the revised limits take into account the 10 percent paid by civil service employees to index their pensions to inflation. Despite this change, four Liberals voted against the bill on third reading, which was nevertheless handily carried by the government 132 to 107.

The National Health and Welfare Minister, the hon. **Monique Bégin** also used the guillotine to limit 3rd reading debate on C-131 which amends the *Old Age Security Act* in accordance with the six and five policy. Early in December, the same procedure was used to call the vote on the bill's second reading. The third piece of legislation which is part of the 6 and 5 program – Bill C-132 dealing with family allowances had by early February reached report stage which was concluded only by a guillotine order which will also limit third reading debate.

### Committee Reports

The Standing Committee on External Affairs and National Defence presented to the House on November 30 the final two reports of its sub-committee charged with the examination of Canada's relations with Latin America and the Caribbean. The first report, which is on South America, presents a brief analysis of the various countries, assessing their political and economic conditions. Based upon the testimony of numerous witnesses, and their own experience in visiting most of the countries, the subcommittee proposed various recommendations to guide Canada's foreign policy in the region. A paramount priority, according to the committee, should be the promotion of human rights, particularly in such countries as Argentina, Chile, Guyana and Uruguay. The report also recommended that the government assist Canadian businessmen competing for markets in such countries as Brazil and Venezuela. The government was also encouraged to give strong support to Canadian and in-

ternational organizations and programmes that provide direct help to the poorest people in South America.

With regard to Latin America and the Caribbean, the subcommittee report found that political stability, together with human rights, was of the upmost importance to the proper development of the region. The key question for Canada at the moment, however, was whether or not it should join, as a full member, the Organization of American States. The subcommittee was conscious of the weaknesses of the OAS, as evidenced in its inability to act as broker during recent war over the Falkland Islands. Nonetheless, the subcommittee felt that there was no other organization likely to take place of the OAS and, for its part, Canada could no longer allow itself such a negligible role in western hemisphere affairs.

On December 8, the Standing Committee on Health, Welfare and Social Affairs under the chairmanship of **Marcel Roy**, presented the report of its inquiry into urea formaldehyde foam insulation. The report recommended that the federal government investigate possible links between the foam insulation and nasal cancer, the evidence of which remains inconclusive. It also proposed that the deadline for assistance to UFFI homeowners be extended to the end of 1983. Based upon the hearings it conducted during October, the committee went further to suggest that the government should examine the possibility of requiring compulsory testing of a greater number of chemical products and give more attention to the potential health hazards of indoor air pollutants.

Finally, the Special Committee on Standing Orders and Procedure issued its fourth report just days after the House had given approval to its recommendations for new Standing Orders. This report deals with the Speakership and proposes that the Speaker be elected by a secret ballot of the Members at the beginning of each new Parliament. Such a novel scheme, it was felt, would increase the opportunity for all sides of the House to participate in the selection of the Speaker and would enhance the authority and independence of the Chair.

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## Saskatchewan

**T**he first session of Saskatchewan's 20th Legislature resumed on November 22, 1982. The initial item of business was the introduction of the Progressive Conservative administration's first budget. The Minister of Finance, **Robert Andrew**, predicted a \$220 million deficit. Andrew laid the blame for the deficit largely at the feet of the former government while opposition members declared it the result of expensive election promises.

Following the Budget Debate the House directed its attention to consideration of estimates and legislation. Of the twenty-seven bills passed during the 18-day sitting perhaps the most significant was legislation establishing a farm-loan program which will make money available at 8 percent interest to farmers whose net worth is less than \$300,000 and whose off-farm income is less than \$35,000 per year. A related bill effectively abolished the Saskatchewan Land Bank Commission, sparking a large-scale protest by farmers holding existing leases from the Land Bank. Other noteworthy legislation included an amendment to *The Legislative Assembly and Executive Council Act* giving a 6.5 percent salary increase to all MLAs except the Premier, cabinet ministers, Opposition leader, Speaker, Deputy Speaker, legislative secretaries and committee chairmen, all of whom will have their salaries frozen. An amendment to the *Election Act* which gives prisoners in remand the right to vote in provincial elections.

Among the issues which arose during the session was a controversy over remarks made by a government backbencher during a meeting of the Public Accounts Committee. **Lloyd Hampton** (PC — Canora) caused the government a degree of embarrassment when his casual comments were deemed to be derogatory to natives and certain immigrants. Following

the incident Premier **Grant Devine** removed Mr. Hampton from all legislative committees.

Most commentators now agree that the transition period in Saskatchewan politics is coming to a close, with the new government approaching one year in power and settling comfortably into office, and with the NDP Opposition having made the break from government and the necessary adjustments to perform its role as a watchdog on the Tory administration.

The fall legislative session, adjourned on December 17, 1982.

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## Yukon

**T**he second session of the Twenty-Fifth Legislature opened on November 1, 1982. A total of 19 bills were passed including the 1982-83 budget legislation which had been interrupted in mid-stream by the spring call for a general election. Other bills of some import were the *Agriculture Development Act*, the *Land Planning Act* and *An Act to Amend the Motor Vehicles Act*. The latter was relatively controversial in that it made a three month licence suspension mandatory for first time impaired drivers with no provision for conditional operating licences. Although the government was willing to crack down on impaired drivers it was not willing to support an opposition motion advocating legislation making it illegal to drink while driving.

Much of the members' attention during the session was turned to what the Throne Speech described as the "dark, economic shroud which now envelopes us." A great deal of concern centered on attempts to get the Cyprus Anvil Mine at Faro back into operation. This world-scale lead-zinc mine is owned by Dome Petroleum and is closed for an indefinite period awaiting agreement on a Federal-Territorial aid package or a drastic improve-

ment in world metal markets or some combination of the two.

Permanent closure of Whitehorse Copper in December and the earlier temporary shutdown of the United Keno Hill silver mine leaves Yukon without an operating hardrock mine for the first time in living memory. The economic effects of this situation are severe. Yukon is the only jurisdiction in Canada which had more corporate than consumer bankruptcies in 1982. Layoffs and paycuts are common and many people are leaving the Territory to search out warmer temperatures and brighter job prospects elsewhere. The major transportation company, White Pass, has announced that it will not even run trains for the tourist trade in the summer of 1983 and its train freight operation has long been shut down.

The government put a great deal of effort into working out programs and obtaining funds which could be utilized for keeping manpower in the Yukon where it would be available once an economic turnaround takes place. In that context the Minister responsible for Manpower, Hon. **Bea Firth**, made several announcements during the session relating to the Federal Job Creation Program, a Training Program Agreement, a Yukon/Canada Employment Bridging Assistance Program and a job retention program for small businesses.

Government revenues obviously took a downturn and, in an attempt to find some cushion to apply to job creation programs, a nine-day fortnight was instituted by the government for its employees in August of 1982. The government chose to follow the lead of the federal "6 and 5" program not only in spirit but in legislative detail. This was done in a bill entitled the *Public Sector Compensation Restraint* (Yukon) Act which limited increases in public sector wages, including municipal employees, and in electrical rates from exceeding increases of six and five percent over the next two fiscal years.

Politicians were not exempt from the exercise and, in a separate bill, members cut back their salaries by ten percent which was the increase they had received on April 1, 1982.

The second session of the Twenty-Fifth Legislature was adjourned on December 9, 1982, following 23 sitting days.

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Whitehorse



## Manitoba

The second session of the legislature opened on December 2, 1982 with **Henry Carroll** (Brandon West) sitting as an Independent, having resigned from the NDP caucus in September. This left the standings as NDP-33; PC-23 and Ind-1.

The Speech from the Throne highlighted government intentions to create and expand job creation programs worth about \$40 million; to empower the Manitoba Public Insurance Corporation to enter into competitive marketing of life insurance and pension management services; to enhance royalty and tax incentives for oil companies and to create a Manitoba Oil and Gas Corporation to enable public participation in resource development along with the private sector. It promised consideration of seal belt legislation, a revision of statutes in conflict with the Charter of Rights and Freedoms, and the introduction of legislation to restrict acquisition of farm lands by non-farm corporations and non-residents of Manitoba. Plans for legislation affecting transportation of dangerous goods, elections, freedom of information, and conflict of interest provisions regarding municipal and provincial elected officials were also announced.

During the ensuing debate, **Sterling Lyon**, Progressive Conservative Leader, led his caucus in charging the government with incompetence and misleading Manitobans, concentrating on its inability to fulfill its election promises, the failure to obtain agreement with Alberta and Saskatchewan for a hydro power inter-tie, and the recent

imposition of a 1.5% tax on payrolls. Mr. Lyon urged that property tax burdens should be eased, a lending program for young farmers implemented, a commitment made to affordable public service wage settlements and the implementation of an economic strategy. He also condemned government involvement in oil or gas development and life insurance and pension management, and the proposal to restrict farm land purchases by Canadians.

By the end of the Throne Speech debate, vitriolic speeches and frequent acrimonious outbursts were the order of the day. Premier **Howard Pawley**, while defending the government's program of "building the basis for recovery" in difficult times, lamented daily "pointless, baseless and vicious attacks" from the Opposition.

Meanwhile, Finance Minister, **Vic Schroeder**, had tabled the government's Quarterly Financial Report which indicated an expected year-end deficit of \$498.4 million, \$155 million higher than previously forecast. Mr. Schroeder blamed the increase on a significant revenue loss while Mr. Lyon laid blame on the government's "gross negligence." Finance critic **Brian Ransom** specifically blamed a lack of spending control.

Highlights of the twelve pre-Christmas sitting days were five Speaker's rulings, three debates on privilege motions, the suspension of a member, and an unsuccessful motion by Mr. Lyon to censure the Speaker, **James Walding**. Twenty-three government bills were introduced, notably, The *Farmlands Ownership Act*, which solicited instant Opposition criticism.

It should also be noted that, for the first time, a simultaneous interpretation facility became operational for members wishing to have speeches in French interpreted.

During the January and February adjournment, the Standing Committee on Municipal Affairs held several well-attended hearings throughout the province to hear the views of citizens regarding proposed changes to property assessment as recommended by the 1982 Report of the Manitoba Assessment Review Committee.

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## Quebec

The National Assembly sat for twenty-five days last autumn. Most debate centered on the government's proposals for handling the economic crisis.

As soon as the Assembly reopened on November 9, the Premier, **René Lévesque**, tabled a motion requesting support for the steps the government intended to take to reduce the impact of the crisis. Several days later Mr Lévesque announced that guidelines would shortly be tabled regulating negotiations with the 300,000 employees in the public and parapublic sectors. The Official Opposition supported the Premier in his call for social responsibility and respect for the law, while suggesting that the government was responsible for Quebec's budgetary difficulties. On December 1, the government issued its regulatory guidelines designed to end six months of negotiations with public employees. Eight days later the President of the Treasury Board, **Yves Bérubé**, introduced Bill 105 on working conditions in the public sector. Like Bills 78 and 70, which were adopted last June, the new bill provided for an adjustment in the salaries of certain public sector, university and subsidized private school employees for the period from January 1, 1983, to March 1, 1983. The bill included 109 provisions regulating collective agreements.

The Assembly was deeply divided over this approach to Quebec's budgetary problems, and particularly over the proposed salary cuts, which for 145,000 em-

ployees went as high as 19.5 per cent for the three months. Seventy MNAs (38 Liberals, 31 Péquistes and one independent) took part in the debate on Bill 105, which passed second reading by a vote of 67 to 44 and third reading by 67 to 39.

### New National Assembly Act

Even the bill on the National Assembly, reprinted and tabled on December 9, did not receive unanimous support in the House. It was finally divided into Bill 90, on reform of the administration, and Bill 110, on parliamentary working conditions and a pension plan for MNAs.

After consideration in committee, Bill 90 was passed unanimously. Its aim was an up-dating of the organization and functioning of the legislative branch. It enshrined the supremacy of the Parliament of Quebec as constituted by the National Assembly and the Lieutenant-Governor. It also solemnly asserted the special character and the prerogatives of the National Assembly.

Bill 110 established working conditions for the members of the National Assembly. It set the annual salary and the expenses to be allocated to each member and the additional allowances that the incumbents of certain parliamentary positions would receive. It established the right of a member to a transition allowance when he or she ceases to be a member, and the way such an allowance should be calculated and paid. The bill also contained a new pension plan, applicable to every person who becomes an MNA after January 1, 1983, and who is not already covered by a pension paid under the *Legislature Act*. Despite opposition to the bill, which included a 6 per cent salary increase to April 1, 1983, it was passed by a vote of 62 to 39.

### Legislation

In addition to Bills 90, 105 and 110, the Quebec National Assembly also adopted an emergency measure on November 5. Bill 84 was designed to end a public transit strike in the Quebec City Urban Community and to set working conditions for public transit employees in metropolitan Quebec up to December 25, 1983. Bill 87 provided for supplementary estimates of \$257,181,000, to go to nine departments.

A Department of External Trade was set up under Bill 89, tabled by **Bernard Landry**, who became Minister of State responsible for external trade in the cabinet shuffle of September 2, 1982. The Department of Labour was reconstituted by Bill 95 while the Department of Financial Institutions and Co-operatives Act was re-

pealed by Bill 94 which created the position of Inspector-General of financial institutions.

Bill 88 united the Quebec Highways Board with the provincial Department of Transport. Bill 96 centralized the administration of the electoral system under the authority of the Director-General of elections by giving this official certain additional responsibilities. Bill 93 abolished the compulsory retirement age in public and parapublic pension plans, starting January 1, 1983.

### Committees

On Tuesday, November 16, 1982, the Assembly set up a commission to study parliamentary control of delegated legislation. The commission, which is made up of eight MNAs, will be chaired by **Denis Vaugeois** (Trois-Rivières). It is to submit its report by March 31, 1983, at the latest.

**Jean-Pierre Charbonneau**, MNA for Verchères and chairman of the Special Commission on Youth Protection, tabled the Commission's report on November 23, 1982. The Commission was established in December 1981 to prepare recommendations for the Assembly on the required legislative and regulatory amendments and on the applications that are or should be in force. The report itself is 650 pages long, with four annexes containing 252 recommendations subdivided into 105 thematic blocks. The annexes tabled by Mr Charbonneau are innovative in that they contain a draft bill intended to give a legislative formulation to the whole of the Commission's recommendations. The proposed bill would amend the *Youth Protection Act*.

The first three members of the Commission on Access to Information were proposed by Mr. Lévesque and agreed to unanimously by the Assembly on December 16, 1982. They were: **Marcel Pépin**, journalist, the Commission's chairman, **Caroline Pestiau**, economist and **Thérèse Giroux**, lawyer. The Commission's mandate is to supervise the implementation and application of Bill 65 on access to documents held by public bodies and the protection of personal information. It will begin work early next year. Its regular staff will comprise 25 to 30 employees but over time it will acquire some 250 "agents" in various departments and public bodies. Its head office will be in Quebec City.

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