



# Reports on Legislative Activities



The first session of the twenty-sixth Legislature opened on July 15. The purpose of the four day session was to determine whether Mr. **Tony Penikett** and his newly elected government held the confidence of the House and to gain interim spending authority for the government until a full budget could be presented in the Fall.

Prior to the Speech from the Throne the Assembly elected **Sam Johnston** as its Speaker. Mr. Johnston, a New Democrat representing the electoral district of Campbell, is believed to be the first native Indian to be Speaker in a Canadian Legislative Assembly. He designed and adopted a Speaker's robe incorporating emblems faithful to his Tlingit ancestry and, in the case of the raven and fireweed, depicting Yukon's bird and flower.

Following a brief Speech from the Throne, four Bills were introduced. Mr. Penikett then gave a short budget speech on second reading of the *Interim Supply Appropriation Act* which he described as being a "holding action" giving the government time to undertake the development of a budget reflecting its policies and priorities. He said that although rates of unemployment were not available for 1984 and 1985, they were likely in the range of 14% which he viewed as being "intolerable." He went on to say "It is the government's intention to aid and accelerate economic growth with specific emphasis on local employment, maximum use of local materials and enlarged opportunities for native Yukoners."

In speeches the following day on the Address in Reply and the *Interim Supply Appropriation Act*, **Willard Phelps**, Leader of the Official Opposition, attacked the government for having created "a territory-in-waiting" because the citizens "do not know what kinds of policies or actions this new government is going to take." He also accused the government of being secretive, inconsistent and arrogant and said that if it was really

committed to open government, it would not have entered into "some kind of secret deal with the Liberal party."

In his speech on the Address in Reply, **Roger Coles**, Leader of the Liberal Party, responded that "Liberals in this Legislature will be doing all in their power to help fulfill and restore Yukoners' faith and expectations in our government....The only alliance the Liberals have made is the alliance with all Yukoners. The Liberals represent the balance in this House, where the extreme views of left and right are represented."

The only recorded division on a government sponsored motion occurred on third reading of the *Interim Supply Appropriation Act* at which time the two Liberal Members voted with the government side. Three recorded divisions took place under Private Members' Motions. On one occasion the House voted unanimously to pass a motion, on another the Liberals voted with government members to defeat a motion sponsored by Mr. Phelps and, on yet another occasion, the Liberals voted with the Official Opposition to defeat an amendment proposed by a Minister to a Private Member's motion.

An old and, in some circles, revered tradition was put to rest with the passage of *An Act to Amend the Liquor Act*. Although it was illegal to drive a vehicle while intoxicated it was not, in the past, illegal for either the driver or passengers in a vehicle to imbibe alcoholic beverages. This bill ended all that. The Minister of Justice, **Roger Kimmerly**, said in his second reading speech "It is clearly demonstrated that drinking while driving is dangerous and it is not acceptable to the Yukon public. It is a restriction on individual freedom and that is regrettable as are all restrictions on freedom. In balancing the restriction on freedom and public safety, the response of the government is clear in this instance. We feel that the public safety has a greater public interest and greater public importance."

On the fourth and final day of the sitting the Assembly passed a motion introduced by Mr. Phelps under Standing Order 28 (Motions of urgent

and pressing necessity). The subject was the referral of the off-shore northern boundary between Yukon and Northwest Territories by the NWT Government to the Supreme Court of the Northwest Territories. The final paragraphs of the motion read:

Whereas the delineation of the boundary has serious ramifications with regard to the application of Yukon territorial laws and the economic future of Yukon;

Now Therefore, this Legislative Assembly is of the opinion that the Minister of Indian Affairs and Northern Development, the Hon. David Crombie, should introduce in the House of Commons appropriate amendments to the schedule of the Yukon Act to clearly delineate the off-shore boundaries between the two territories, and thereby clarify that the Yukon territorial laws apply to that part of the Beaufort Sea adjacent to Yukon.

In his speech on the motion Mr. Phelps said "The Beaufort Sea is one of our most important areas in terms of future economic development potential.... It is critical that our northern boundary be clarified so that we can clearly demonstrate our jurisdiction over the off-shore, and so that we will have an ethical right to share in the revenues that may be generated by the gas and oil discoveries there."

Following Assent to the four bills which had been introduced by the government and passed by the House the Yukon Legislative Assembly adjourned on July 18.

## Second Session

The second session opened on October 1 with the Speech from the Throne which emphasized the themes of building and diversifying the Yukon economy and of open government: "Our government will be an open government and it will work with Yukoners from every corner of the territory to build an economy where jobs are plentiful and consistent with the cultural traditions Yukoners embrace. Yukoners are entitled to feel secure and at home in their own land."

Mr. Phelps was not impressed. In his speech on the Address in Reply he

said, in reference to the Throne Speech: "I am saddened by it — saddened because the people of Yukon deserve more. The Throne Speech confirms that the members opposite are unable to lead and have no new policies. . . . The government has really done nothing so far but to administer our previous initiatives."

Mr. Coles was not as critical but thought there could have been more: "Although I am pleased with some of the initiatives that have been taken, this new government is a long way from fulfilling its past campaign promises."

In the session which followed a total of 39 bills were introduced, of which 37 were passed and received Assent. The remaining two bills were referred to committees of the House for review prior to the 1986 spring sitting. One of those bills, the *Human Rights Act*, will be subject to Yukon-wide public hearings.

Much of the legislation fell within the "housekeeping" category. The majority of the House's attention was focused on three budget bills and on the *Yukon Development Corporation Act* and the *Loan Guarantee Act, 1985*. In second reading on the *Yukon Development Corporation Act*, which was supported by all parties in the Assembly, Mr. Penikett explained: "This act provides for a corporation that will acquire the Northern Canada Power Commission's current Yukon assets, then perhaps, in conjunction with the private sector, ensure that electrical power is provided to Yukoners in a manner that reflects Yukoners' needs."

The *Loan Guarantee Act, 1985* was introduced following Mr. Penikett's announcement on October 28 that Curragh Resources had made arrangements to purchase and reopen the former Cyprus Anvil lead-zinc mine in Faro. The mine has been closed since June, 1982 due to low world metal prices and the financial difficulties of Dome, its owner. The package leading to Curragh's purchase was agreed to in lengthy negotiations between Dome, Curragh, and the Governments of Yukon, Canada and Alaska. Commitments from the Government of Yukon included the purchase of 122 real estate properties in Faro, year-round opening and maintenance of the Skagway-Whitehorse road and a possible \$3 million incentive contribution under the Yukon Mineral Recovery Program. The *Loan Guarantee Act, 1985* contained the Government's other major commitment, that being the guarantee of 85 percent of the \$15 million line of credit that Curragh Resources had

obtained from its banks. The Government of Canada, in turn, is committed to re-guaranteeing 90 percent of the Government of Yukon's obligations.

In his ministerial statement on the subject, Mr. Penikett said: "It is my view and the view of this government that the above arrangements are unequivocally beneficial for the Yukon. The largest and most visible benefit from these arrangements will be the jobs. When the mine is fully operational, over 1,000 jobs, including 450 at the minesite, will be created in the Yukon. This figure represents an eleven percent increase in the total number of full-time jobs in the Yukon. . . . There is no single project that I can think of that can do for our economy, for our people, what this project is capable of accomplishing." Although the Bill and the agreement received all party approval, Members of the Official Opposition did raise a number of concerns. Many of these concerns were related to the urgency of the matter (which required the House to pass the bill in one day), the level of Government involvement in the deal and to the damage which would be inflicted on the Yukon if the mine were to reopen and then be closed down again in the near future.

### Casting Vote by the Speaker

During the session there were a total of nine recorded divisions. The Liberal members voted with the government in the two divisions which would have been considered "matters of confidence", these being the third reading stage of two budget bills. In the other seven divisions two resulted in tie votes and the Speaker, Hon. **Sam Johnston**, was, therefore, required to give a casting vote. In the first instance the Speaker voted against a government sponsored amendment to a private member's motion on the basis that the House had not clearly expressed itself and he was, accordingly, inclined to retain the main motion in its original form. The second tie occurred on a motion placed before the House by a private member and the Speaker voted against the motion saying: "An important principle is that important decisions should not be taken except by a majority and it is, therefore, my duty to vote against the motion."

Following Assent to the Bills passed by the House the Yukon Legislative Assembly adjourned indefinitely on October 28.

**Patrick Michael and  
Missy Follwell**



Three weeks after being sworn in as Premier of Quebec, **Pierre-Marc Johnson** announced that a general election would be held on December 2, 1985.

### New System for Choosing the Party Leader

The Parti québécois set a precedent on September 29, 1985, when it elected Mr. Johnson president of the party by direct universal suffrage of its members. Mr. Johnson replaced the founder and only president of the party **René Lévesque**, who announced his resignation on June 20, 1985.

Mr. Johnson was elected leader on the first ballot with 58.5% of the vote. The Minister of Manpower and Income Security, **Pauline Marois**, placed second with 20% of the vote. Third with 16.2% was the Minister of Agriculture, Fisheries and Food, **Jean Garon**, followed by **Guy Bertrand** with 2.8%, **Francine Lalonde** with 1.5% and **Luc Gagnon** with 1.1%.

This new system of electing a leader drew a turnout of 63% of party members. Mr. Johnson led the polls in all regions and 118 out of 122 ridings. In some ridings he captured more than three-quarters of the votes: (78% in Roberval, 77% in his own riding of Anjou and 76% in Johnson named after his father, former Premier Daniel Johnson).

The rules for the election by direct universal suffrage were laid down by the ninth national congress held in Montreal in January 1985. They covered election procedures, voting method, appointment of an electoral officer and the regulation of expenditures by the party and the candidates.

Under the rules any member in good standing may stand as a candidate provided he obtains the signatures of at least 250 other party members. Between the forty-fifth and seventh day before the election date, the electoral officer organizes a candidates' meeting in each of the ten regions of Quebec. There is also a final public meeting on the Friday preceding the vote. The election is held on the Sunday following the end of the ninety-day campaign. Members present their identification documents and vote by secret ballot in their home ridings, in one of the 734 polling stations in Quebec's 122 electoral districts. Votes are counted and results released on the same day, under the control of the electoral officer.

A candidate is declared elected to the position of party president after he has obtained over half of the votes cast.

If there are three candidates and none obtains over half of the votes a second ballot is held for the two candidates who have received the most votes. If there are more than three candidates and none receives more than half the votes on the first ballot, only the three candidates who have received the most votes are retained. On this second ballot, a vote by preference is conducted: eligible voters must indicate their first and second choice; to be valid, the ballot must show two different choices. Candidates eligible for the second ballot have forty-eight hours after the polls close to withdraw their candidacy. If no candidate receives over half the first-choice votes, the one who has received the fewest is eliminated. The second choices of the voters who supported that candidate are transferred to the other two candidates.

The party's national council appoints the electoral officer and determines his responsibilities. He arranges with the council to allocate the material, financial and human resources that are required for the election. He ensures that the party's statutes and the by-laws adopted for the election are observed. To discharge his mandate, he submits a report on the presidential election campaign to the national council.

The electoral officer chosen June 23, 1985 was **Francine Jutras**, a member of the Drummondville municipal council and a former member of the national executive of the party.

According to the rules of procedure, the budget allocated by the party to electing its president by universal suffrage must not exceed \$500,000 (or \$600,000 if a second ballot is required).

Yvon Thériault



Alberta

On Sunday, October 13, 1985 former cabinet minister **Don Getty** was elected leader of the Alberta Progressive Conservative party replacing **Peter Lougheed** who retired. He outdistanced rivals **Julian Koziak**, Municipal Affairs Minister, and Calgary lawyer **Ron Ghitter**, and won on the second ballot. Mr. Getty was sworn in as Alberta's 11th Premier on November 1, 1985. A by-election to

allow Mr. Getty to seek a seat in the Assembly was called for December 11, 1985.

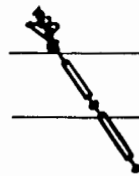
Mr. Getty has promised to act quickly on pressing agricultural problems and to deal with the unemployment situation in Alberta.

As a result of the leadership race the Legislative Assembly did not sit this fall. However, the normal convening of the Heritage Trust Fund Committee did take place.

On the opposition side of the House the New Democratic Party has become simply the "New Democrats". Opposition leader **Ray Martin** also unveiled new party colours replacing the traditional orange and brown with burgundy. Both moves are designed to give the New Democrats an enhanced image. At present, the official opposition consists of two seats in the 79 seat Legislature.

In response to last year's White Paper: "An Industrial and Science Strategy for Albertans, 1985 - 1990", two position papers have been produced. The first one came out in June, 1985 and deals with Tourism. The second one outlines the provincial government's position on "Enhancing the Alberta Capital Market" and was released in September of this year. A number of others will be released in subsequent months.

Brad Faught



Senate

Senate committees were very active during the period under review. On September 27 the Energy and Natural Resources Committee's interim report on Canadian Energy Policy was tabled. Headed by **Earl Hastings**, the committee conducted a thorough review of the fiscal arrangements and structure of the domestic petroleum industry and considered energy policy-making from a "national interest" perspective. The report supported the deregulation of crude oil prices and the phased withdrawal of both the Petroleum and Gas Revenue Tax and the Petroleum Incentives Program. A number of recommendations were made with respect to energy conservation and substitution, energy alternatives and energy security. The committee made clear its support of the "Canadianization" of the petroleum industry.

On October 29, the government tabled its response to the Second

Report of the Joint Committee on Official Languages, presented June 26. It reaffirmed its commitment to promoting official bilingualism. In accordance with the committee's wish, it announced that the Court Challenges Program would be maintained and broadened. The government accepted the recommendation that official language obligations be included in all contracts under which a private contractor is judged to be providing a public service. However, the recommendation that the government maintain the budgetary envelope for official languages programs at current levels was not accepted. The government assured the committee that when reviewing language programs, the primary emphasis would be on improving their quality and adapting them to the needs of Canadians.

On November 6, the Standing Rules and Orders Committee chaired by **Gil Molgat**, presented three reports. They dealt with changes to the Royal Assent Ceremony, amendments to the Senate Rules so that they better reflect the use of male and female genders and granting committees the power to request comprehensive government responses to their reports. With regard to Royal Assent, the committee recommended that while the present formal procedure be retained, a simpler procedure also be established based on the following principles: it involve representation from both Houses, it be public, and the declaration of Royal Assent be subsequently reported to both Houses. Certain senators disapproved of the report. Senator **Henry Hicks** felt "there is a good deal of value in traditions that have governed our proceedings for more than 100 years" and believed that the formal Royal Assent process should not be lightly abandoned. Debate continued on the adoption of the report.

Several committees began new studies. On September 26, the National Finance Committee, chaired by **Fernand Leblanc**, was authorized to examine the Government's financial support of post-secondary education and vocational training. On October 29, **George van Roggen's** Foreign Affairs Committee was empowered to examine Canada's participation in the international financial system and institutions. Also on October 29, the Social Affairs, Science and Technology Committee, chaired by **Arthur Tremblay**, was authorized to study the Consultation Paper on Employment Training, issued by the Employment and Immigration Department.

One of the more controversial orders

of reference dealt with an examination of the National Film Board's activities with respect to the production and distribution of the documentary film on Billy Bishop entitled "The Kid Who Couldn't Miss". The motion was moved by **Hartland de Molson** who questioned whether the film should be released by the NFB as a documentary. He claimed "it is shameful that the Canadian Government endorses and circulates a documentary that harms our national image. Equally distressing is the fact that \$400,000 of taxpayers' money was spent on the destruction of a hero's credibility without proof or even accurate information". **Phillippe Gigantès** opposed the inquiry feeling it "may further damage the reputation of Billy Bishop and may be harmful to the Senate itself". He felt the inquiry would be an attempt at censorship. On October 8, the motion was adopted, on division. The study will be carried out by **Jack Marshall's** Sub-Committee on Veterans Affairs.

Gary O'Brien



Ontario

Upon the return of the House in mid-October, members resumed the adjourned debate on proposals for redistribution of provincial electoral districts. With regard to municipal voting procedures, the Legislature approved with despatch Bill 38, *An Act to amend the Municipal Elections Act*, in time for the November 12 elections. The Act enfranchises all psychiatric patients, inmates of penal or correctional institutions not serving a sentence, and all judges.

The first budget of an Ontario Liberal government in 42 years was presented to the House on Thursday, 24 October 1985. Treasurer **Robert F. Nixon**, son of the last Liberal Premier **Harry C. Nixon**, promised a balance of social responsibility with fiscal responsibility. He set as his top priorities jobs for young people and growth for the provincial economy.

The budget predicted a slower rate of real growth, 2.4% in 1986 compared to a current estimate of 4.5% for 1985. Average annual employment was expected to rise by 108,000 jobs in 1986, bringing a reduced unemployment rate of 7.7% (compared to an average 8.2% in 1985). The Treasurer forecast provincial expenditures would rise by 7.8% to \$28.99 billion, while revenues would increase by 8.4% to \$27.3 billion. The

projected deficit of approximately \$2.2 billion would thus represent an increase over the previous budget's estimates of \$2.04 billion.

To pay for new initiatives in the areas of rental housing, child care, agriculture, Northern Ontario development, and youth employment and training, the Treasurer proposed a wide range of tax increases and reforms. These included: a 2 point rise in Ontario personal income tax, to 50% of Basic Federal Tax for 1986 and subsequent years; a one year surtax of 3% of Basic Ontario Income Tax over \$5,000, an increase in land transfer taxes; a ½% rise in corporations income tax, to 15%. The budget also contained a number of cost-cutting and accounting reforms, including: elimination of the Ontario Economic Council; transfer of the prestigious independent research body, Ontario Institute for Studies in Education, to the University of Toronto; and removal from the province's accounts of the previous government's controversial \$650 million investment in Suncor, with an accompanying pledge to sell the shares "as soon as financially prudent".

A measure that generated criticism both in the budget debate and in subsequent Question Periods was the proposed increase in gasoline and fuel taxes. The statement by both opposition parties that they would not support this particular legislation promised an early test of the commitment in the Liberal-NDP accord that defeats on budget bills would not be considered votes of non-confidence.

In his budget debate response, the Progressive Conservative critic, **George McCague**, termed the Treasurer's document "a budget without any clear sense of direction", a budget of half-measures and half-kept promises reflecting a government "uncertain about how it might best exercise the authority it so tenuously holds." While finding evidence in the budget to defend the previous Conservative government's economic management, Mr. McCague attacked the increased deficit and taxes, and predicted a possible loss of Ontario's triple-A credit rating, and a future retail sales tax increase. Mr. McCague concluded with a twelve-point motion of non-confidence in the government.

New Democratic critic **Jim Foulds** on the other hand stated, "I want to indicate right off the top that our party will support the Budget". He praised the document for its modest, honest style and found it to be, "like the Treasurer himself, ... workmanlike, well-intentioned, straight-forward ... mildly reformist and fiscally

conservative". While claiming credit for the achievements of the Budget as resulting directly from the NDP accord with the Liberals, Mr. Foulds also saw major flaws: (1) lack of direct job creation for those over 25; (2) absence of an economic or industrial strategy; (3) failure to set up an environmental protection fund; and an inadequate (4%) increase in social assistance payments.

In addition to the Budget statement, Treasurer Nixon tabled a discussion paper entitled *Reforming the Budget Process*. The paper reviews the pre-budget consultation process, the convention of budget secrecy, and the role of the legislature, and suggests reforms to allow greater involvement by the public and by Members. In particular, it is proposed that the Treasurer provide an annual statement each fall on Ontario's economic and fiscal outlook. This statement would have wide distribution, and would be referred to the proposed new Standing Committee on Economic and Fiscal Affairs for open pre-budget hearings and a report to the Legislature. The new Committee would review all budget bills, prepare a recommendation on the overall level of provincial revenues, expenditures and net cash requirements, and generally advise on reform of the budget process. The Treasurer's proposals appear to dovetail with those of the Procedural Affairs Committee which recommended that all Estimates be referred to a proposed Standing Committee on Finance and Economic Affairs.

### Committees

Legislative Committees were active through August and September, until the return of the House on October 15. Committee work reflected the priorities of the new Liberal government and the accord signed by Premier **David Peterson** and NDP leader **Bob Rae**.

The Standing Committee on Social Development, under the Chairmanship of New Democrat **Richard Johnston**, did exhaustive work on Bill 30, to grant public funds to Roman Catholic secondary school programs. The bill introduced by Education Minister **Sean Conway**, and carried on the promise by former Premier **William Davis** to extend such aid. The Social Development Committee, in turn, honoured the commitment by Premier Peterson that all wishing to speak on this controversial bill would be heard. From July 16 until mid-October, the Committee devoted 300 hours,

morning to evening and even weekends, hearing over 450 scheduled presentations by witnesses in 8 cities of Ontario. Approximately 900 exhibits were received. The Committee's proceedings in Toronto were broadcast live, gavel to gavel, by a cable television company. The hearings continue through the fall sittings.

The renamed Standing Committee on Procedural Affairs and Agencies, Boards and Commissions held hearings in August on televising of Ontario legislative proceedings. The Committee visited the House of Commons in Ottawa and the Legislative Assembly in Saskatchewan to examine their television systems. The Committee's report recommended that a "state of the art" television broadcast system similar to Saskatchewan's be in place during the second session (early 1986). The report also recommended amending the Committee's terms of reference to designate it an advisory and review body on matters related to the television system. Early in the fall sittings the Legislature debated and adopted the Committee's Report.

The Procedural Affairs Committee also ventured afield — to Albany, New York, Washington D.C., and Sacramento, California — in considering its new Order of Reference to examine procedures governing Cabinet appointments to Agencies, Boards, Commissions and certain corporations. As well, the Committee continued its review of Legislative Assembly procedures and the Committee structure, with a report proposing major reforms finally hammered out on October 31.

Among its extensive recommendations, the Committee proposed: election of the Speaker by all Members of the Assembly, and be secret ballot with two or more candidates; adoption of a Parliamentary Calendar; limits on ringing of division bells; reform of Committees and the Board of Internal Economy; and ground rules delineating matters of confidence.

The newly-established Select Committee on Energy was set up as a result of the Liberal-NDP accord and the pledge to revive the old Select Committee on Ontario Hydro (1977-81). The Committee met to consider the cost and future of the Darlington nuclear generating station.

The Select Committee on Economic Affairs met for three months in the first phase of its Ontario Trade Review, focussing particularly on Canada's and Ontario's trade relations with the United States. In fulfilling its lengthy mandate, the Committee travelled to

Ottawa, Washington, D.C., Kitchener and Sault Ste. Marie, as well as meeting at Queen's Park to hear seventy-eight presentations. The Committee's Interim Report, tabled in early November, recommended: reduction of international trade barriers through GATT; reduction of inter-provincial barriers in conjunction with any agreement to reduce Canada-US trade barriers; Ontario involvement in any Canada-US trade discussions touching provincial jurisdiction or interest. The Committee also recommended establishment of an international joint commission to arbitrate trade disputes between Canada and the US, and the setting up of an Ontario House in Washington, D.C.

In addition to the above reform activity, three Committees carried on with their usual assignments from the House. The renamed Standing Committee on the Ombudsman (no longer "Select") reviewed the 1985 Annual Report of the Ombudsman. The Procedural Affairs Committee continued its study of the operation of selected agencies, boards and commissions of the Ontario government.

The Resources Development Committee undertook its review of the Workers' Compensation Board's Annual Report for 1984, as required by the *Workers' Compensation Act*. Unusual, this time, was the Committee's approach. Rather than engage only in dialogue between Committee and Board, the Committee Members for the first time agreed to hear presentations by employer and employee representatives. Furthermore, the Committee sought and received special authorization from the House to report its recommendations based on its hearings

Doug Arnott



Northwest  
Territories

The highlight of the Sixth Session of the Tenth Assembly, which began October 16 in Yellowknife, was the review of the Executive Council and selection of a new Government Leader.

When the Tenth Assembly took office two years ago, members agreed

to a review of the eight-member Executive midway through the Assembly's four-year term. The Executive Council has responsibilities and performs duties similar to a provincial Cabinet.

Members of the Assembly named **Nick Sibbeston** Government Leader in a motion carried unanimously. Mr. Sibbeston, a lawyer, has been an MLA since 1979 and was previously a Member of the Territorial Council from 1970 to 1974. Before his nomination as Government Leader, he was Minister of Local Government and Associate Minister of Aboriginal Rights and Constitutional Development.

Also named to positions on the Executive Council were Yellowknife North MLA **Michael Ballantyne** and **Red Pedersen**. They replace former Government Leader **Richard Nerysoo** and former Minister of Renewable Resources **Nellie Cournoyea** on the Executive. During the session, Mr. Sibbeston announced the portfolios he had assigned to Executive Council members.

Among the 12 bills passed during the ten-day session were revisions to the *Coroners Act* to reflect the modern role of the coroner in investigating sudden or unexplained death and to reform the investigation procedures; amendments to the *Education Act* providing for appointment of school attendance counsellors and setting out procedures to be followed when a child does not attend school regularly; amendments to the *Labour Standards Act* setting standard hours for seismic workers, increasing the minimum wage from \$4.25 an hour to \$5.00 and eliminating differences in minimum wage based on age; amendments to the *Liquor Act* establishing a liquor commission and requiring that the liquor licensing board report on its activities to the Legislative Assembly annually; and a bill amending and repealing certain NWT acts to comply with the Canadian Charter of Rights and Freedoms.

Members unanimously approved a motion by **Sam Gargan** directing the Executive Council to continue its efforts and support for the hunting and trapping activities of the aboriginal people of the NWT.

A motion calling on the federal government to rescind the nine per cent tax on air travel in the NWT and reinstate the \$30 maximum tax for this region was also carried unanimously.

To mark the United Nations' International Year of Youth, a forum bringing together 50 young people from across the NWT was held at the same time as the Assembly session. Following a week of meetings, the

youth delegates presented a brief to a special sitting of the Assembly recommending increased government action to involve and enhance the role of young people in the North. A motion by **Ted Richard** was passed directing the Executive Council to review the recommendations made by the youth representatives and prepare a formal response for consideration at the next Legislative Assembly session.

A motion establishing a Special Committee on Rules, Procedures and Privileges was approved. The Special Committee will examine the powers, rules, procedures, practices and organization of the Legislative Assembly and make its final report to the Assembly during the first Session in 1987.

The Assembly's Standing Committee on Legislation recently completed a review of the NWT *Elections Act* and, during this session, presented its recommendations. The 45 recommendations, including provisions for the NWT to take over administration of Territorial elections from Ottawa, were considered and adopted with some amendments.

During debate on a motion to establish a Special Committee on Economic and Social Development, MLAs agreed instead that the Department of Economic Development and Tourism should sponsor a regional economic development conference before the end of the 1985-86 fiscal year and a major territorial economic conference early in the new fiscal year.

Commissioner **John Parker** prorogued the session October 29. The Seventh Session of the Tenth Assembly will begin in Yellowknife February 12, 1986.

The Clerk of the Cayman Islands Legislative Assembly, **Gaye Jackson**, spent five days in Yellowknife observing the NWT Legislative Assembly in operation. Ms. Jackson visited Yellowknife at the invitation of NWT Hansard Editor **Marie Coe** after attending the CPA Conference in Saskatoon. The Assemblies of the NWT and the Cayman Islands, a small Caribbean country, are similar in size and operations, with both having consensus-style government. Ms. Jackson, who is also Hansard editor in the Caymans, observed the use of word processors in the NWT's Hansard production and was guest Clerk at Table on the opening day of the Legislative Assembly Session.

**Ann Taylor**



## House of Commons

The weeks following the summer recess were highlighted by a determined opposition attack on the government over two issues, the collapse of the Canadian Commercial Bank and the sale of contaminated tuna.

In the former case the Minister of Finance, **Michael Wilson**, and the Minister of State (Finance), **Barbara McDougall**, weathered concerted opposition questioning although they did agree to establish an independent judicial inquiry headed by Justice **Willard Estey**.

In the other matter, the Minister of Fisheries, **John Fraser**, eventually resigned over his decision to over-rule fisheries inspectors and allow cans of tainted tuna to be shipped and distributed. Mr. Fraser resigned as the opposition was escalating their criticism claiming the Prime Minister had been aware of the decision.

In an unrelated incident a few days later the government lost a second minister when **Marcel Masse**, Minister of Communications, told the House that the RCMP was investigating a possible infraction of the *Election Expenses Act*. He said he was confident he would be exonerated but preferred to resign pending the result of the investigation.

### Parliamentary Reform

On October 9 the President of the Privy Council, **Ray Hnatyshyn**, tabled the government's response to recommendations of the Third Report of the Special Committee on Reform of the House. Among other things the reforms proposed by the government include: new rules spelling out which votes are matters of confidence; more scope for Standing Committees to review the operations of government departments; new power for the Speaker to suspend MPs who violate the rules of the House; broadcasting of committee hearings; authority for the Joint Committee on Regulations and Statutory Instruments to recommend cancellation of regulations adopted by the Cabinet.

The government also said it will give parliamentary committees the right to scrutinize most government appointments but, unlike the reform committee's recommendations, it will not allow any veto of appointments.

### Establishment of Legislative Committees

Pursuant to earlier recommendations of the Special Committee on Reform of the House a new method of considering legislation was introduced during the fall session.

As each bill receives second reading in the House it is referred to a legislative committee consisting of twenty members and chaired by a person named by Speaker **John Bosley** from a Panel of Chairmen consisting of members drawn from all parties as well as the only independent member of the House of Commons **Anthony Roman**. The actual operation of legislative committees will be similar to standing committees when they examined legislation, however, once a bill is reported back to the House the legislative committee automatically ceases to exist.

From September 19 when the first legislative committee was established until November 8 when the House recessed for one week, more than a dozen legislative committees were established. All but three managed to report the bills back to the House by the time the members adjourned for a week. Among the bills reported in this way were C-77 an amendment to the Criminal Code relating to pari-mutual betting, C-77 *The Canada Development Reorganization Act*, C-64 an amendment to the *Seed and Grains Act*, C-49 an amendment to the Criminal Code relating to prostitution and C-79 the *Financial Institutions Depositors Act*.

During this period some legislation was still being studied by Standing Committees. The result was a certain overloading of Members, particular from the opposition parties who were hard pressed to man all the committees. With the start of a new session in 1986 the new system should result in more effective work by the standing committees which have been reduced in size and which will be able to concentrate on studies of broad areas of government policy. Legislative committees, as envisaged by the reform committee, will spread responsibility for getting legislation through the House among many more individuals than has traditionally been the case.

Until members and staff become familiar with the new system a certain amount of duplication and frustration was bound to occur. For example at one point there were four inquiries into the Commercial Bank collapse — the Standing Committee on Finance, which had been examining a government Green Paper on Financial Institutions, the Legislative Committee

on Bill C-79, the Senate Banking Committee and the Estey Inquiry. Many of the key witnesses repeated their story three or four times as they went from committee to committee.

### Standing Committees

Virtually all of the standing committees have been active during the period under review. For example the Standing Committee on Transport, chaired by **Pat Nowlan**, held hearings related to the government paper "Freedom to Move — a Framework for Transportation Reform". The Committee on National Resources and Public Works, chaired by **Barbara Sparrow** looked into the feasibility of full scale production and distribution of a substitute gasoline product. The Standing Committee on External Affairs and National Defence held hearings on the proposed renewal of the 1958 North American Air Defence

Command (NORAD). The Standing Committee on Privileges and Elections looked into the proposed redistribution of seats in the House of Commons.

A sub-committee of the Standing Committee on Justice and Legal Affairs presented its report on Equality Rights in October. Chaired by **Patrick Boyer**, the sub-committee noted that of the various guarantees under the Charter, the assurance of equality and non-discrimination (Section 15) is most likely to effect Canadians on a day to day basis.

The report focused on federal regulations, policies and statutes and held hearings in 12 centres across Canada. The report is organized on a thematic basis reflecting areas of concern rather than particular kinds of equality or discrimination (i.e. maternity and parental benefits, mandatory retirement, sexual orientation, marital and family status,

women and the armed forces, immigration, the disabled etc. The report includes some 85 recommendations including changes to the *Unemployment Insurance Act* making benefits related to childbirth available to both parents. Mandatory retirement, according to the report, should be abolished. It also calls for "federal laws to be drafted in non-sexist language" and makes many other suggestions in the areas mentioned above.

### Conflict of Interest Guidelines

On September 9 Prime Minister Mulroney tabled new conflict of interest guidelines for cabinet ministers as well as a proposed new code of ethics for all members of Parliament. The code for private members is to be worked out in consultation with opposition parties.

Gary Levy

## Contributors

Doug Arnott is Assistant Clerk of the Ontario Legislative Assembly.

Gary O'Brien is Director of Committee's Branch of the Senate.

Brad Faught is a Legislative Intern at the Alberta Legislative Assembly.

Patrick Michael and Missy Follwell are respectively Clerk and Assistant Clerk of the Yukon Legislative Assembly.

Ann Taylor is Public Affairs Officer with the Northwest Territories Legislative Assembly.

Yvon Thériault is a member of the Indexing and Bibliographic Service of the Legislative Library, Quebec National Assembly.