



# Reports on Legislative Activities



## Ontario

The lion's share of activity during the spring session of the Ontario Legislature related directly to economic conditions and to the budget, brought down on May 13.

In presenting his fourth budget, Treasurer **Frank Miller** emphasized job creation, public sector restraint and measures to promote confidence among the province's business investors. Predicting an increase of 125,000 jobs by year-end and an annual real growth rate of four per cent in the second half of 1982, the Treasurer indicated optimism in the underlying strength of the Ontario economy in what he admitted are troubled economic times.

Plans were announced for short-term job creation, which is expected to result in 31,000 new temporary jobs as "a needed bridge over troubled economic waters, particularly for many of our young people." Part of this programme involves agreements with the federal government to supplement unemployment insurance benefits for jobs in the resource sector. To stimulate the housing industry and to reduce pressure on the rental market, in-

terest-free loans of up to \$5,000 for first-time home buyers were proposed.

Responding to concern over the situation of small business, Mr. Miller announced that he intended to remove the corporate income tax on small business, foregoing thereby some \$250 million in tax revenue in 1982 alone. The Treasurer noted his basic preference for spending cuts over increased taxation as a control on the deficit, while recognizing that "we cannot always find all the required savings on the expenditure side of the ledger without cutting too deeply into the social and economic programs that are needed." In consequence of projected increases of 11.6 per cent in provincial spending and 9 per cent in revenue, the Treasurer planned a deficit of \$2.2 billion in 1982-83, up by \$672 million over 1981-82.

The need for Ontario to remain internationally competitive and for the climate of confidence to be restored within the business community, Mr. Miller said, precluded any increase in corporate income tax. Similarly, he decided against raising personal income tax. To produce additional revenue, the Treasurer therefore increased health insurance premiums, alcohol and tobacco taxes, and, in the most controversial feature of the budget, widened the base on which the 7 per cent retail sales tax applies.

Sales tax was thus to become payable on a wide range of previously exempt goods and services, including household and personal hygiene products; plants and pets; building materials; labour content on repair of personal property (car repairs, dry cleaning and the like); confections under 49 cents; and prepared meals costing less than six dollars.

"A pickpocket budget ... a very mean, petty budget", was the response of the Official Opposition Treasury critic, **Patrick Reid**, the Liberal-Labour Member from Rainy River. Mr. Reid contended that even

the Treasurer's basic assumptions were incorrect; for example, whereas the Treasurer planned on nine per cent real growth in late 1982, the Conference Board predicted a growth rate of minus 2.1 per cent. Worse than that, Mr. Reid said, was the inflationary and regressive nature of his proposed tax changes, by which the Treasurer "has already thrown a bucket of gasoline on the flames of inflation."

The budget not only failed to deal with the problems in the Ontario economy, in Mr. Reid's view, but it also failed to prepare the province for the opportunity before it. Despite all the expertise at the Treasurer's disposal, Mr. Reid charged, "the best he could come up with was to hammer the poor".

In addition to setting out the Liberals' industrial strategy and his party's proposals in areas such as pension reform, alternate energy resources, manpower training and agriculture, Mr. Reid detailed what he saw as the budget's contradictions. Prime among these, he suggested, was the government's criticism of federal cutbacks in health and post-secondary financing, while in effect passing along to municipalities, school boards, hospitals and universities the warning that they can no longer count on provincial funding "at or above inflation rates". Similarly, Mr. Reid castigated the government for imposing severe restraint on social services while squandering \$650 million on minority interest in an oil company and nearly \$11 million on an executive jet which can only land at a small proportion of the province's airports.

NDP Treasury critic **David Cooke** referred to a "classic Tory budget", offering help to those who didn't need it while increasing the taxes of those already struggling to make ends meet. Mr. Cooke was strongly critical of what he considered the woeful inadequacies of the budget in addressing the crisis of unemployment facing Ontario, particularly that caused by the

structural imbalance of the province's economy and the dominance of foreign branch plants in the manufacturing sector.

Mr. Cooke categorized the Treasurer's musing that public sector salaries and wages should not necessarily be expected to keep pace with inflation in consequence of the high job security enjoyed by persons in the public sector as "one of the most misdirected attacks ever". Mr. Cooke strongly rejected the implied choice between job insecurity and reduction of real wages.

The only response of the Conservative government to the recession, said Mr. Cooke, was to increase taxes on the people and to further damage the financial position of municipalities, hospitals and universities. "Instead of beginning the process of reform," declared Mr. Cooke, "this budget leaves us deeper in the inequities of the past."

### The Bells

Before the formal responses to the budget by Mr. Reid and Mr. Cooke, the Liberals mounted an untraditional, noisy response to the budget – a three-day crisis of the bells. The morning after the budget, Revenue Minister **George Ashe** rose to introduce the half-dozen tax bills necessary to implement the tax changes proposed in the budget. The Liberals and New Democrats forced a division on first reading of a bill to amend the Retail Sales Tax Act and then refused to participate in the vote. Ontario has no time restrictions on most divisions and traditionally the vote is not taken until the Whips of the three parties agree to proceed and so indicate to the Speaker. Accordingly, following hurried inter-party meetings, frantic flipping through the Standing Orders and widespread uncertainty, the normal (Friday) adjournment hour of 1:00 p.m. passed with the bells still ringing.

Unlike the earlier "bells crisis" in Ottawa, the impasse reflected not a refusal on the Government's part to accede to a specific opposition demand, but a symbolic protest against a proposed policy change. Newly chosen Liberal Leader **David Peterson** indicated that with so few arrows in the Opposition quiver, the bell standoff was a legitimate means of demonstrating the Liberals' "violent displeasure" at the budget. "Its good theatre, but it doesn't affect my taxes" was the Treasurer's comment, while NDP House Leader **Elie Martel** dismissed the entire episode as "grandstanding".

The bells – or rather a single, symbolic bell outside the Chamber – continued

to ring all weekend, with a corporal's guard of government members, clerks and attendants on duty inside the Chamber. The Liberals called a special caucus for Monday morning to plan further strategy; the normal opening time of 2:00 p.m. passed with the Liberal caucus still underway. Shortly after 4:00 p.m. Mr. Peterson held a press conference to announce that his party, having forcefully made its point while remaining a "responsible opposition", would return to the House to vote at 6:00 p.m.

Within a few days, the Procedural Affairs Committee met to review the entire question of time limits on divisions. Following some heated exchanges, the Committee decided to recommend to the House that in the event of the Whips' failure to report, the bells ring for eight hours and the vote then be taken. The Committee further recommended that its report not be dealt with by the House until the Fall, so that the full implications of its proposal could be carefully thought through by all Members.

### Sales Tax Controversy

The resolution of the bells crisis marked only the beginning of the political wrangling over the budget. Question Period invariably featured sharp exchanges on the budget, with attention quickly coming to focus on the removal of the sales tax exemptions. The Opposition seized on the unusual degree of public outcry against the tax measures (on one day traffic in the immediate vicinity of the Legislature was entirely halted when several hundred irate catering truck owners encircled Queen's Park and abandoned their vehicles to attend a protest rally).

The Opposition began to demand public hearings on the tax bills. The Government refused, pointing out that tax legislation in Ontario has traditionally been dealt with in the Committee of the Whole House. The Liberals then threatened to filibuster each separate tax bill and the interim supply motion, thereby keeping the House sitting well into August (normally the House adjourns for the summer in late June). Ontario has fewer time limits on debate than on division bells, and Mr. Reid's seven-hour speech on just one of the bills demonstrated that the threat of a prolonged filibuster was not an idle one.

After much discussion via the "usual channels" an agreement was reached: the tax bills would be given speedy second readings, and the principal focus of controversy, the *Retail Sales Tax Act* amendment referred to the Resources Development Committee for two weeks of public hearings and reported back to the House

and read a third time by July 7. Over the course of 25 hours of meetings the Committee heard from dozens of witnesses, almost all of whom, not surprisingly, were critical of the tax changes, particularly those directly affecting them. Among the more unusual witnesses was an eleven-year-old Mississauga paperboy who complained to the Committee how the new tax measures put a serious crimp in his burger-and-fries socializing.

In the end, the bill was reported to the House, without amendment, on the appointed date. Shortly thereafter the House began its summer adjournment, which was slated to last until October 12.

### Legislation

Not all the House's time was devoted to the budget, the sales tax and matters economic. Two of the more significant bills were introduced by Health Minister **Larry Grossman**. The first would require all Ontario school children, save those objecting on religious grounds, to be immunized against diphtheria, measles, mumps, polio, rubella and tetanus. Although most children receive protection against these diseases without compulsion, the Minister indicated that the numbers of children who are not being so immunized is sufficiently large that the legislation was necessary.

The second major health bill proposes a major revamping of the standards and the administration of public health in Ontario. In addition to the administrative reforms, the bill will, in the Minister's words, "guarantee to all citizens of Ontario a basic core of preventative health services". Under the legislation, the province's 43 local public health units are required to provide, to province-wide standards, services in the following areas: community sanitation; communicable disease control; preventative dentistry; family health, home care; nutrition; and public health education. Liberal health critic **Sheila Copps** indicated her party's basic support for the bill, while noting serious reservations about some of the bill's specific provisions. **Ross McClellan**, health critic for the NDP, contended that the bill was so fundamentally flawed as to warrant its defeat. The bill, he suggested, was good 19th century legislation, but was not adequate for 1982; he specifically mentioned the bill's lack of attention to the issues of occupational and environmental health. After second reading, the bill was referred to the Social Development Committee for five weeks of public hearings in September and October.

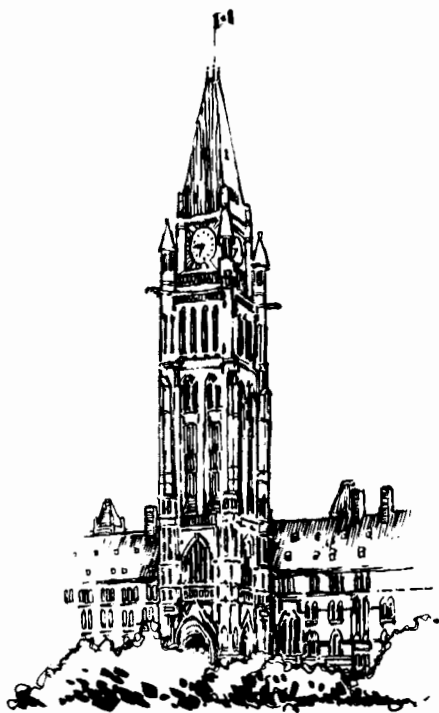
Two unusual private Members' bills received second reading, an unusual event

in itself. Liberal **Herb Epp** sponsored a bill which would guarantee the legality of municipal elections at which a question relating to nuclear disarmament was on the ballot. With many municipalities contemplating plebiscites on this issue at the November municipal elections, concern had been expressed that this might provide grounds for contesting or invalidating the election.

**Mike Breugh** (NDP, Oshawa) put forward as his bill a simple amendment to the *Legislative Assembly Act*, prohibiting firearms from the Chamber. This occasioned a wide-ranging debate on security at the Legislative Building and in the Chamber itself.

Neither bill appeared likely to progress beyond Committee stage when the House adjourned in July.

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## House of Commons

**T**he first session of the 32<sup>nd</sup> Parliament, already the longest in Canada's his-

tory, will not prorogue until at least late October when the House returns from its summer recess. The recess began on August 5 long after the House had been expected to rise because the Government was determined to proceed with measures to improve the national economy following presentation of a new budget. In addition, the House gave final approval to several major pieces of legislation dealing with such matters as freedom of information, sexual assault and UFI grant assistance.

### Budget

The new budget presented on June 28 by the Minister of Finance, **Allan MacEachen**, contained a series of proposals intended "to break inflation, to boost confidence, to create jobs and to hold the line on the deficit." Among the specific goals announced, the Government wanted to ease the tax burden, to restrain pay increases in the federal civil service and to develop programmes targetted to employment creation, housing, small business, farming and fishing. At the same time, the Minister revealed that the federal deficit had climbed to just under \$20 billion, almost double that originally forecast the previous November. This, as he explained, was a direct consequence of falling tax revenues and increasing expenditures.

The Conservative finance critic, **Michael Wilson**, was cautious in his approval of certain measures and harsh in his criticism of others. He claimed the size of the deficit was a direct result of Government bungling while the tax relief measures were due to pressure exerted by the opposition. To restore the health of the economy, he proposed a shift in government policy towards less regulation and more tax incentives.

The leadoff spokesman for the NDP, **Nelson Riis**, described the budget as a betrayal. He argued that many of the economic hardships faced by Canadians had not been adequately considered in the budget. On the contrary, the Government had missed the opportunity to satisfy expectations by failing to reduce interest rates, to lower fuel costs, to stimulate housing and to create jobs.

Once the House had given its endorsement of the Government's general budgetary policy, attention was focused on two major financial bills, namely the *Public Sector Compensation Act* and the *Supplementary Borrowing Authority Act*. The purpose of the latter is to give the Government the financial resources required to meet expenditures. As explained by the Minister of

State (Finance), **Pierre Bussières**, the Government wanted the \$11 billion in order to have some financial flexibility so as to take advantage of market opportunities, but the opposition objected to the bill because the sum exceeded the Government's financial needs and threatened to forestall its passage. An agreement was ultimately reached among the three parties whereby the sum of the borrowing authority was reduced to \$7 billion and given speedy approval by the House. In addition, Members gave their consent to a Standing Order amendment, 72A, which would limit debate on any subsequent borrowing authority request below \$4 billion made before the end of the current fiscal year.

As might be expected, consideration of the *Public Sector Compensation Act* was also contentious. It limited salary increases of federal civil servants over a period of two years to six and five per cent. Initially, the measure also restricted the rights of public employee unions to negotiate contracts and to strike. However, the President of the Treasury Board, **Donald Johnston**, successfully put forward an amendment which restored collective bargaining provided that any package settlement respects the "six and five" limits. An additional change extended wage restraints to the staff of Ministers and MP's.

### Legislation

In order to obtain passage of the wage restraint bill the Government resorted to a time allocation rule, 75C, and limited debate for consideration of the report stage and the third reading stage to one day each. More frequently used during the final weeks before the summer adjournment were agreements among the three parties to expedite business by special order adopted in the House by unanimous consent. The arrangement on the *Borrowing Authority Act* was such an instance, as was the consideration of the eight separate energy bills which were part of the compromise solution to the bells crisis of last March. This series of bills went through the House in May and June, well ahead of the June 30 deadline.

Two other important bills adopted by the House through this technique were the *Ureaformaldehyde Insulation Act* and *An Act to amend the Criminal Code in relation to sexual offences*. The first had been introduced by the Minister of Consumer and Corporate Affairs, **André Ouellet**, at the end of April. The Act provides grants up to \$5,000 to homeowners seeking to replace the now banned insulation. The progress of the bill through the House had been im-

ped by the NDP opposition which wanted a committee investigation into the matter. On July 7, an attempt to secure speedy passage of the bill failed. Under pressure of the upcoming adjournment, an agreement was reached on July 26 whereby the Standing Committee on Health, Welfare and Social Affairs was empowered to report on the subject by December 2, while the bill itself was referred to the Committee of the Whole for immediate study prior to a vote on its final passage the following day.

The second bill to be adopted through a special order dealt with amendments to the Criminal Code which in effect substituted sexual assault for rape and also made child abduction by a parent a possible criminal offence. Consideration of the original version of the Government proposal, C-53, had been blocked in the Justice and Legal Affairs Committee because some Members expressed opposition to the Government's controversial request for expanded powers to deal with the problem of child pornography. In order to get approval for amendments on sexual assault before the House adjourned a new bill was introduced, C-127, and by unanimous consent the House agreed on August 4 to a special order that permitted consideration of the bill in all its stages that same day. It went to the Senate but was not passed before the summer recess.

Unanimous consent was also the means by which passage was secured of a Private Member's bill to change the name of *Dominion Day* to *Canada Day*. The bill had been introduced early in the session by **Hal Herbert** but it was not until the afternoon of Friday July 9, that it came up again for debate. Once it had received second reading, the Parliamentary Secretary to the President of the Privy Council, **David Smith**, asked for the unanimous consent of the House to have the bill referred to the Committee of the Whole. This having been given, the bill was very quickly reported back to the House and received third reading. This all took place within the span of about five minutes. The following Monday, **Gordon Taylor** rose on a point of order to complain of the tactics which had been used to get the bill adopted quickly. But because there had been no actual breach of parliamentary practice, the objection was not pursued. The bill is now before the Senate.

Another measure adopted by the House was *An Act to amend the Access to Information Act*... sponsored by the Minister of Communications, **Francis Fox**. It took almost two years before Parliament

gave approval to this freedom-of-information law which will come into effect upon proclamation. The twofold purpose of the new statute is to give citizens greater access to government files and, at the same time, more fully protect personal information in departmental data banks. There are, however, exemptions to the Act, among them defence and national security plans and also the broad category known as "cabinet documents".

### Committee Activities

On July 31, the Standing Committee on Finance, Trade and Economic Affairs under the chairmanship of **John Evans** tabled its much awaited report on bank profits. Ordered by the House to investigate the issue last February, the committee concluded that the earnings of the banks were neither excessive nor were they gained to the detriment of the Canadian consumer. The committee recommended that action be taken to encourage business to rely more on equity capital financing rather than on loans, to limit the amount a bank may loan to any single client, to foster bank competition and to raise insurance deposits to \$60,000. The two NDP members on the committee, **Nelson Riis** and **David Orlikow** did not agree with the limited mandate given the committee and they issued their own "report" at a press conference on July 22.

Two subcommittees of Finance, Trade and Economic Affairs completed reports during June. In a study on import policy, one subcommittee, headed by **Bryce Mackasey**, concluded that Ottawa should have greater power to suspend or withdraw trade privileges granted to other countries. It also advocated changes to the procedure of anti-dumping investigations. The second subcommittee report investigated profit-sharing and the role the Government might play in promoting such schemes. After three months of study, the four member subcommittee, led by **Céline Hervieux-Payette**, advised that a parliamentary task force be established to examine the issue more thoroughly.

Another Standing Committee which reported was that of Health, Welfare and Social Affairs. Unfortunately, the report on wife-battering attracted attention as much for its reception in the House as for its content. To the consternation of **Margaret Mitchell** and **Judy Erola**, the Minister responsible for the Status of Women, several male colleagues laughed when the report on wife-beating came up. Two days

later, May 14, the House accepted a motion proposed under S.O. 43 by **Ursula Appoloni** assuring the women of Canada that wife-battering is indeed considered by all Members to be an extremely grave and alarming issue. How serious it really is was made evident by the report which found that perhaps as many as 1 woman in every 10 is beaten or abused by the man with whom she lives.

A progress report of the Special Committee on the Disabled and the Handicapped was released in June. It examined the success of the Government in implementing recommendations originally submitted by the committee in February 1981. While admitting that the Government, and certain departments in particular, had made considerable progress, the report recognized that it will be necessary to overcome obstacles built into the very structure of bureaucracy, if the problems of the disabled are to be fully understood and addressed.

In an interim report submitted in late July, the Standing Committee on External Affairs and National Defence expressed the hope that the federal Government would use its influence to secure political changes in the troubled countries of Central America and the Caribbean. The Committee suggested that Canada should withhold development assistance to Guatemala and El Salvador until there is a reduction in human rights violations. Furthermore, the committee emphasized the need for Canada to establish better trade links with the whole region.

By an order of the House adopted May 31, a special committee of 20 Members was authorized to consider reform of the rules and procedure of the House and in committees. Testimony has been received from various witnesses including **Alistair Fraser**, former Clerk of the House, **James Jerome**, former Speaker and former members such as **John Stewart**, **Robert Stanfield** and **Douglas Fisher**. The latter two appeared on behalf of the Canadian Bar Association. The committee decided to retain the services of Mr. Fraser to assist members in dealing with the difficult subject of parliamentary reform.

### Resignation of Denis Ethier

The Deputy Chairman of Committees of the Whole House, **Denis Ethier** announced his resignation on the floor of the House just prior to the final vote on the budget debate. For such a scheduled vote the Standing Orders provide that the bells ring for fifteen



minutes. Unknown to Mr. Ethier, the Speaker had consented to wait a short time after the bells had stopped before proceeding to the vote. In apparent frustration with what he believed to be obstruction by the Progressive Conservatives, Mr. Ethier immediately offered his resignation. Several days later, when it was still uncertain whether he had in fact resigned, **Ian Deans**, the acting House Leader for the NDP expressed the hope that Mr. Ethier would soon resume his duties, a sentiment promptly rejected by Conservative House Leader **Eric Nielson**. Some days subsequent, Madam Speaker informed the House that Mr. Ethier had indeed resigned. The new Deputy Chairman of Committees is **Rod Blaker**, who is succeeded in his former position as Assistant Deputy Chairman by **Eymard Corbin**.

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## Senate

Three important committee reports were presented during the period under review. On June 22, Senator **Herb Sparrow** from the Agriculture Committee, tabled *Industry in Turmoil: Report on the Long Term Stabilization of the Beef Industry in Canada*. It was the committee's second report dealing with the beef industry; the result of two years of study and hearings across the country. The report recommended establishment of a national beef producers' agency, composed of producer representatives in close co-operation with provincial governments, to act in a coordinating, informational and advisory role. The agency could serve as the basis for a marketing board if producers chose to take the step. The committee also recommended that the government investigate the possibility of establishing income averaging programs which would create a capital pool for beef operation financing at favorable interest rates.

Senator **Lowell Murray** presented on June 30, the Fourth Report of the Special Joint Committee of the Senate and House of Commons on language of work and equitable participation within the Public Service. The report dealt with the historical background and definition of language of work and the need to amend the *Official*

*Languages Act* in regard to the principle of language of work. The Committee made a number of recommendations regarding the use of French and English in the Public Service. One of these was that Treasury Board develop clearer guidelines to help departments set targets to rectify certain imbalances in representation of both official language groups and thereby move more quickly toward achieving Parliament's objective of equitable participation. The Committee also recommended that December 31, 1983, be re-established as the date beyond which conditional appointments with regard to bilingual appointments should no longer take place.

On July 6, Senator **G.I. Smith** presented the Interim Report of the Transport and Communications Committee on passenger rail service provided by VIA Rail Canada Inc. The study was established in the wake of the government's November order in council reducing passenger rail routes and services provided by VIA Rail by some 20 per cent. After thirteen meetings and hearing the testimony of many witnesses, the committee recommended that a special joint committee be created to analyze future options for passenger transportation services for the current and following decade. It also recommended that any future decisions on rail service reorganization that involve cancellations be preceded by public hearings. The committee also proposed that there be a clear and all-encompassing legislative framework for VIA Rail. The Leader of the Government, Senator **Ray Perrault**, welcomed the report as an excellent summary of the major issues confronting the rail passenger system. He announced the government is not contemplating any further service reductions by order in council. The government is considering the possibility of releasing in the fall a discussion paper on the legislative requirements of the rail passenger program.

### Procedural Changes

Certain rule changes with respect to the deputy speakership were adopted. On May 6, Senator **Carl Goldenberg**, from the Legal and Constitutional Affairs Committee, reported that the Senate did not have the authority on its own to create the position of Deputy Speaker and that legislation would be required. He suggested as an alternative that the Senate elect a Speaker *'pro tempore'* at the beginning of each session. The senator so elected would then regularly replace the Speaker when he is unavoidably absent. The Speaker *pro tempore* would not have the title of Deputy Speaker nor would he or she be entitled to

renumeration. The report was referred to the Rules Committee chaired by Senator **Hartland de M. Molson** which recommended that at the commencement of each session, the committee of selection nominate a senator to preside as Speaker *pro tempore* and that Rules 10 and 66 be amended accordingly. The Senate agreed to the recommendation on June 9.

The committee also proposed a rule change regarding the method of abstaining from voting during a recorded division. The rules had previously stipulated that any senator declining to vote had to explain his reasons and be formally excused from voting. The committee recommended that Rule 49 be changed so that when a standing vote is called, the Speaker shall call the 'yeas' and 'nays' and then the abstentions. The recommendation carried and hence forth Senators will no longer have to ask permission not to vote.

### Legislative Activity and Membership Changes

One of the most lively debates was at second reading stage of Bill C-201, *An Act to amend the Holidays Act*, a Commons private member's bill proposing to change the name of *Dominion Day* to *Canada Day*. Over twenty senators took part in the debate. Senator **Florence Bird** favoured the bill in that it recognizes the fact that on July 1 we will be celebrating the national day of Canada as a completely independent country. Opposition to the bill centred around how it was drafted, the procedure followed in the Commons and the feeling that it was another step in the chipping away of Canada's heritage. By special order of the Senate, it was agreed that the subject-matter of the bill be referred to the Legal and Constitutional Affairs Committee with an instruction to report on October 25. All stages of the bill would then be disposed of that night. The Senate also agreed that the subject-matter of Bill C-127, "An Act to amend the Criminal Code in relation to sexual offences and other offences against the person", would also be referred to committee over the summer and that all stages of the bill be completed by October 26.

There were four vacancies created during the period. The Senate was greatly saddened by the deaths of Senator **Harry Hays** and Senator **John Connolly**. In October, Senators **Guy Williams** and **Carl Goldenberg** will retire at the mandatory age of 75. Senator Williams is past president of the Native Brotherhood of British Columbia and was summoned to the Senate in 1971. One of his last activities in the Senate was to sponsor Bill S-28, "An Act

establishing Indian-Inuit Week and Inuit-Indian Day". Senator Goldenberg also became a Senator in 1971 and served as Chairman of the Legal and Constitutional Affairs Committee. He served as special counsel to the Prime Minister on the Constitution from 1968 to 1971 and is acknowledged as one of Canada's foremost constitutional experts. He also served on many federal, provincial and municipal commissions of inquiry and as an arbitrator in major labour-management disputes in Canada and the West Indies. The retirements of these senators brings the number of vacancies in the Senate to 17.

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## Quebec

Parliamentary business got off to a rather slow start when the Assembly reconvened in April, but became very intense in the weeks that followed. In May, thirty-three parliamentary committee sittings were held concurrently with the

Chamber sittings and most dealt with the study of budgetary appropriations. There were fifty-nine committee sittings in June, mainly to study public or private bills after their first or second reading in the Assembly.

Ordinary business was suspended on June 21 in order to pass a special bill to force the return to work of general practitioners, who had begun a general strike a few days earlier. Following passage of Bill 91, the Chamber sat without a break until 5:36 the next morning in order to complete the regular orders of the day. The House adjourned for the summer recess on June 22.

### Budget Policy

The government's budget policy received majority support after the defeat of Opposition non-confidence motions following the Minister of Finance's May 26 budget speech. In the budget, Mr. **Jacques Parizeau** announced the rollback in 1983 of pay raises granted this year to public employees and introduced the following measures, which were made effective immediately: an increase from 8% to 9%, until March 31, 1983, in the sales tax and the tax on telecommunications; an increase from 45% to 50% in the tax on cigarettes, cigars and tobacco; and an increase in the prices of wine and liquor, raising by \$25 million the *Société des alcools du Québec's* contribution to the government.

On January 1, 1983, personal income tax exemptions will increase 7.5%, resulting in three hundred million dollars less income tax. The basic personal exemption will be \$5030; the exemption for a married person, \$3770; and the extra exemption for those 65 and over, \$2100.

Mr. Parizeau forecast a maximum deficit of \$3 billion and expenditures of \$22.7 billion. He expected this deficit to shrink in the years ahead to not more than \$2.7 billion in 1984-85.

The Opposition vigorously criticized the Parizeau budget. Recalling the other severe measures brought in last fall, the finance critic, Mr. **Daniel Johnson**, stated that taxes for this fiscal year would rise by \$800 per family in Quebec.

### Public Sector Salaries

Bill 70 embodied the government's decision to recover \$641 million from the public and parapublic sectors for the public treasury. The draft legislation presented by Mr. **Yves Bérubé**, Minister of Administration and Chairman of Treasury Board, sparked lively discussion but was passed by a

majority in third reading. In reaction to the bill, a number of petitions urging postponement were submitted by public employees.

The bill sets out salaries to be paid, if no agreement is reached, to public sector employees for three months following expiry of their collective agreements and limits pay increments for 1983, unless the parties come to an understanding. In addition, the status quo will be maintained with regard to working conditions until new collective agreements are in place.

This new legislation is to come into effect only upon proclamation and the government hoped to reach a settlement with the unions.

In addition, the MNAs adopted Bill 68, aimed at reducing government budget expenditures for pension plans in the public and parapublic sectors by instituting equal contributions by employers and employees toward the cost of the plans and indexing pensions under the Quebec Pension Plan at three per cent below the consumer price index.

### Amalgamation, Obstruction and Protest

Ironically, the most vigorous opposition and the most dramatic incidents of the session centered on a bill regarding the amalgamation of two municipalities. The proposal to join Baie-Comeau and Hauterive, under Bill 37, was battled at length by the Opposition at every stage of the bill's journey through the Chamber. The Liberal MNAs called for consultation of the towns' residents through a referendum. They were unsuccessful in their efforts, but did convince the Government House Leader, Mr. **Jean-François Bertrand**, to allow representatives from the two municipalities to be heard again in parliamentary committee before the clause-by-clause study of the bill began. The hearings were held, but failed to change the minds of the participants.

The heated discussion between PQ and Liberal parliamentary committee members at the beginning of the clause-by-clause study emboldened some Baie-Comeau residents attending the debates and a few gave unexpected vent to angry views and even went so far as to make offensive remarks to Minister **Lucien Lessard**, who they felt was the true author of the bill. National Assembly security staff had to step in to quiet and eject from the committee room those protesters who were disruptive.

The incident naturally caused a great deal of concern. Mr. Lessard, MNA for Saguenay, reported it in the Chamber and

asked the Speaker what action could be taken when members' privileges, especially the right to sit freely, were obstructed. At the Speaker's request, an investigation into the incidents was undertaken. Certain persons were identified as being the major participants and the Assembly passed a motion to transfer the case to the Attorney General so that he could start appropriate proceedings in a court of law.

Meanwhile, the Chamber ordered the municipal affairs committee to submit its report on the study of Bill 37, which was passed by a majority vote in third reading at the final sitting.

### Special Committees

The Assembly received the report of the special committee chaired by Mr. **Guy Bisailon** and created to examine the Quebec public service, in particular the productivity of public employees, the need for accountability and the optimal use of human resources.

Some one hundred and fifty recommendations were contained in the report. The special committee was composed of four cabinet ministers and three opposition MNAs, assisted by a research team.

Mr. **Jean-Pierre Charbonneau**, MNA for Verchères, submitted an interim report on the work of another special committee, which is studying youth protection. The committee is to submit its final report on December 1.

In both cases, cabinet and opposition representatives have stressed the non-partisan nature of the committee studies and discussions.

### Access to Documents of Public Bodies

Bill 65 is considered one of the session's most important pieces of legislation. It permits access to documents of public bodies and ensures protection of personal information in their possession. However, restrictions are made on the right of access to information affecting intergovernmental relations, negotiations between public bodies, the economy, the administration of justice and public security, administrative or political decisions and auditing.

Under the bill, personal information held by these bodies is considered confidential, but the person concerned is entitled to have it released to him and to have it corrected. The main task of the access to information committee, composed of three members appointed by the National Assembly, will be to hear applications for the review of decisions made under the act.

The 1982 *Constitution Act*, assistance for industrial development, the Charter of Human Rights and Freedoms, incentives for housing construction, political party financing, quality of the environment, and essential services and the right to strike were other subjects of bills passed by the National Assembly.

### Mr. Guy Bisailon, Independent MNA

Mr. **Guy Bisailon**, PQ, MNA for Sainte-Marie since 1976, was admitted as an independent member on June 21, the day before the Chamber adjourned. Mr. Bisailon disagreed with the government's public sector pay policy, and the next day voted with the opposition against the third reading of Bill 70.

Mrs. **Louise Harel**, PQ, MNA for Maisonneuve, was also against the bill, and abstained from voting.

**Paul-Emile Plouffe**  
Chief, Revision Section  
Journal of Debates  
National Assembly  
Quebec



## Saskatchewan

**T**he first session of Saskatchewan's Twentieth Legislature was opened on June 17, 1982, about six weeks after a provincial election which dramatically altered membership of the House and gave the province an overwhelming Progressive Conservative majority government. The Speech from the Throne, delivered by the Lieutenant Governor, **C. Irwin McIntosh**, offered a brief outline of the forthcoming legislative program and, with statements like: "It is possible for government to be reliable without being remote, suffocating or paternalistic." — the Speech confirmed

that Saskatchewan was now under the stewardship of an administration with a decidedly different ideological inclination than that which prevailed during the previous decade.

With almost two-thirds of the Legislature's sixty-four Members sitting in the House for the first time the session got off to a hesitant, cautious and sometimes humorous start. For instance, during Question Period new Ministers often answered questions by referring to the Opposition as the "Government opposite". Former Premier **Allan Blakeney** was oftentimes referred to as "the Premier." Slowly, but surely, both sides adjusted to their new roles and the level and tone of debate accelerated as the session progressed.

During the month-long session, twenty-seven Bills were passed into law including: retroactive legislation confirming the new government's move to fulfill an election promise by eliminating the provincial gas tax; an Act establishing the Mortgage Interest Reduction Plan which gives all Saskatchewan residents the benefit of 13 1/4% mortgages; an Act establishing the province's first-ever Public Utilities Review Commission, amendments to *The Legislative Assembly and Executive Council Act* eliminating any specific limit to the number of Private Members who can be appointed to serve as Legislative Secretaries to Cabinet Members, and amendments to *The Interpretation Act* giving new administrations the right to replace any member of a government board or commission.

The Legislature's first experience with its new Rule 16 — Private Members' Day Debate — has proved an interesting and successful procedural innovation. Adopted as a consequence of a recommendation of The Report of the Special Committee on the Review of Rules and Procedures of the Legislative Assembly (1981), the special 75-minute debate takes place at the commencement of every second Private Members' Day on a topic chosen alternately between Government and Opposition Members. Devised as an attempt to increase interest in Private Members' Day, the consensus seems to be that the experiment has been a success.

### Questions of Privilege

The session was marked by two serious questions of privilege. The first was raised on July 9 by **Jerry Hammersmith** (NDP — Prince Albert-Duck Lake) to the effect that a reply to an oral question by **Colin Thatcher**, Minister of Mineral Resources, was inaccurate and misleading. On the next sit-

ting day, July 12, the House heard from the Minister on the question. On July 13, Speaker **Herb Swan** ruled that, on the basis of the information in front of him, a *prima facie* case of privilege had been established. He stated that the Minister's answer to the oral question was indeed misleading and left it up to Members to decide if there was a deliberate attempt to mislead the House. At the time, the Minister of Mineral Resources was not present in the legislature.

Following the Speaker's ruling, Mr. Hammersmith moved a motion which referred the matter to the Standing Committee on Privileges and Elections. When Acting House Leader, **Bob Andrew** spoke to the motion and moved adjournment of the debate, Opposition Members called for a recorded division and departed from the Chamber. Almost four hours later, when the Opposition returned, Mr. Thatcher, was also in his place. The motion to adjourn debate was defeated, and the Minister thereupon rose and offered an unequivocal apology to the House, stating: "I was at no time attempting to mislead the Assembly, deliberately or otherwise." The House decided to accept the Minister's apology and the question of privilege was thereby disposed of. However, later that evening the news media reported Mr. Thatcher as saying he only apologized because he was forced to and he questioned Speaker Swan's ruling on the matter. The following day, July 14, Mr. Hammersmith directed an oral question to Premier **Grant Devine** asking if the statements attributed to the Minister outside the House reflected the views of the Government. The Premier requested leave for his Minister to make a statement; leave being granted, Mr. Thatcher stated: "Mr. Speaker, last evening in the corridor I made an off-the-cuff remark that was stupid, inappropriate and inexcusable. . . Mr. Speaker, it is my sincere wish that you accept my apologies with my additional assurances that such will not be repeated." The Minister's further apology was accepted and the matter was finally laid to rest.

The second question of privilege was raised on July 15 by **Jo-Ann Zazelenchuk** (PC — Saskatoon-Riversdale) who claimed that a representative of a law firm was in contempt of the House for his actions in posing as an official or employee of the Legislative Assembly and thereby interfering with the proper access that the Legislative Assembly Office ought to have to Members. The issue arose after Miss Zazelenchuk was summoned from the Chamber by a note signed "Leg-

islative Assembly Office." When she stepped out into the corridor she was met by a former Saskatchewan Deputy Minister who served her with a petition notifying her of former Attorney General **Roy Romanow's** intention to have the election result overturned in her constituency under the *Controverted Elections Act*. Mr. Romanow lost by 19 votes on a recount in Saskatoon-Riversdale. The following day, Mr. Speaker Swan ruled that a *prima facie* case of privilege had been established, and Miss Zazelenchuk moved a motion which, amended by **Murray Koskie** (NDP — Quill Lakes), declared that the individual who impersonated an employee of the House was "guilty of a grave contempt of this Assembly."

**David Mitchell**  
Clerk Assistant (Procedural)  
Saskatchewan Legislative Assembly  
Regina



## Yukon

**T**he Progressive Conservative Party, led by **Chris Pearson**, won the Yukon election held on June 7, 1982. Mr. Pearson had called the election during the Spring sitting of the Legislative Assembly.

More than seventy-eight percent of the electorate turned out to elect 9 Progressive Conservatives, 6 New Democrats, including Leader **Tony Penikett**, and 1 Independent. No Liberal members were elected. The Progressive Conservatives took 45.8% of the popular vote, the New Democrats 35.4%, the Liberals 15%, and Independents 3.8%. Eight new members were elected to the House, including three women.

**Missy Follwell**  
Clerk Assistant  
Yukon Legislative Assembly  
Whitehorse



## Northwest Territories

**W**hen the eighth session of the Ninth Assembly opened in Inuvik on May 12, it was the first time since the autumn of 1973 that the Legislature had travelled to the Mackenzie Delta community to hold one of the field sessions which make it unique among Canadian legislatures.

Commissioner **John Parker** noted in his Opening Address that nine years earlier, many people thought Inuvik and the Delta were on the threshold of massive hydro-carbon development. That boom did not last, but the region again is in the middle of major activities, with oil and gas exploration in the Beaufort Sea to the north and the Norman Wells oilfield expansion and pipeline to the south.

"Southern attention is focussing on the north's energy resources as one of the means of reaching energy self-sufficiency and, of late, to provide a partial solution to Canada's unemployment problems," the Commissioner said. "Faced with this national perspective, it is crucial that this Assembly and the Government take concerted action to ensure that the communities and people of the Northwest Territories are better able to meet the impacts of non-renewable resource development."

Some projects to help impacted communities had been approved by the Executive Committee, Mr. Parker said. Norman Wells will receive \$554,000 in 1982-83 for new residential and industrial lots, as well as funds for a new community plan which copes with the growth expected as the Imperial Oil operation is expanded and a pipeline is built south to Zama Lake, Alberta. Tuktoyaktuk, which bears the brunt of Beaufort Sea oil and gas exploration, will receive \$3.5-million worth of water and sanitation projects over the next two years.

The Executive Committee also approved a new Resource Development



Policy aimed at making sure the Northwest Territories receives "meaningful and equitable benefits" from development of its resources.

Actions taken by the Executive Committee at the Assembly's direction included an expanded program of Dene language development, creation of a Dene interpreter unit, assistance with high food costs in Pelly Bay, and a review of policy on purchasing and contracting goods and services from Northern suppliers and contractors.

"Over-all, through the directions of this Assembly, Northerners and their government are taking increased control of their own affairs," Mr. Parker concluded.

Key items on the Assembly's spring session agenda included the report of the two-year-old Special Committee on Education, which proposed major changes to the NWT education system, and responses to the plebiscite on division of the Northwest Territories which was held April 14, 1982. In the plebiscite, residents voted 56 per cent in favour of dividing the Northwest Territories into two territories.

A legislative program of six bills was set out and approved with some changes by the Assembly during the session. One major bill set out a new financial assistance program for Northwest Territories students taking post-secondary education, developed following recommendations made by the Special Committee on Education a year earlier.

Another bill introduced major revisions to the current *Financial Administration Ordinance* to reflect the evolution of financial management in the NWT government to highlight accountability of program managers for financial administration, and to reflect current accounting principles for public sector reporting and disclosure.

Other bills amended the *Forest Protection Ordinance* to allow for emergency forest fire fighting conscription of 16- and 17-year-old males and to remove discrimination against women; increased the minimum hourly wage in the NWT to \$4.25 from \$3.50, and the minimum hourly wage for workers under 17 to \$3.75; and allowed the Minister of Education to lower the school year from 190 days to a minimum of 170 days. Supplementary appropriations for the 1981-82 financial year also were approved.

### Special Committee on Education

The five-member Special Committee looked at all aspects of educational policy in

the Northwest Territories during its two-year mandate, concluding with 49 recommendations on administrative structure, the school program, language, teaching staff, special services, adult education and how the recommendations should be implemented. Detailed explanations of each recommendation made up the body of the colourful 172-page report.

After debate on whether the recommendations should be voted on as well as discussed during the spring session, a compromise was reached between those who wanted immediate action on the report and those who wanted more time for discussion by their constituents.

A motion was passed unanimously recommending to the Executive Committee that legislation be prepared before the next session to allow changes within the education system, taking into account the principles and recommendations of the report and comments made during the debate in the Assembly. The motion also recommended that the Minister of Education appoint a task force to monitor projects started by the special committee, to consult with residents, and advise the Executive Committee about the proposed legislation.

The new post-secondary financial assistance legislation, which Education Minister **Dennis Patterson** said introduced the first affirmative action program for aboriginal peoples in Canada, passed following some debate.

The program, which takes effect in the 1982-83 school year, provides a basic grant for full tuition costs, two return trips a year between home and school, and books and supplies for all students who meet residency and schooling requirements. Dene, Inuit and Metis students receive a supplementary living-allowance grant. Loans, forgivable if a student returns to work in the NWT, and scholarships also will be available. Decisions on financial assistance will be made by a Financial Assistance Review Board, based on the recommendations of four regional boards.

### Division of the NWT

The Assembly accepted the Report of the Chief Plebiscite Officer on the plebiscite on division of the Northwest Territories held April 14, 1982, in which 56 per cent of residents who had lived in the North for three years or more voted in favour of dividing the NWT into two territories.

The motion of acceptance also recommended that the report be sent to the Prime Minister, the Minister of Justice, the Minister of Indian and Northern Affairs, the

Premiers and Attorneys-General of all provinces, and the Yukon government leader and Yukon Minister of Justice.

The Assembly, with one abstention, passed a motion asking the Government of Canada to divide the Northwest Territories and to name a federal boundaries commission to recommend boundaries for a new eastern territory. The motion suggested that this commission should report on its final recommendations in time for their consideration at a special session in the spring of 1983.

A motion setting up a Special Committee on Division, including all MLA's in its membership, also was approved. This committee will be responsible for making recommendations on "how existing and future legislation, policies and practices of the Government of the Northwest Territories might be amended or developed to reflect the duality of interests between the eastern and western parts of the NWT", as well as on possible modifications to budgetary and capital planning to reflect eastern and western interests and prepare for the impact of division. The committee also is authorized to recommend transitional measures in preparation for division.

### Ministerial Statements

It was "to ensure that northerners bear fewer costs and receive greater benefits from resource development" that the Energy and Resource Development portfolio and secretariat was created, Hon. **Richard Nerysoo** told the Assembly in presenting the new Resource Development Policy.

The policy, designed to allow the Government to effectively influence the decisions of resource developers, sets out guidelines for assessment and review of each project and monitoring requirements for government and industry. Extensive public participation is part of the policy.

"Resource development in the North must do more than provide jobs and business opportunities for northerners," Mr. Nerysoo said. It also must provide a greater share of revenues to the North. The Minister added that, because of the cost of development to the Government of the NWT, he is preparing a resource revenue sharing strategy "encompassing both royalty sharing negotiations with the federal government and a position paper outlining other revenue options."

The recognition that 25 cents of every dollar spent in the Territories is spent on energy in some form has made energy a key concern for the government. Mr. Nerysoo said an energy policy based on a strat-

egy tabled in the House last February is being prepared, and he added that the Executive Committee plans to explore the advantages of an NWT Power Corporation to replace the Crown-owned Northern Canada Power Commission in an attempt to keep power costs down.

During the session, the Assembly unanimously supported a motion expressing its support for the recommendations of the Report of the Parliamentary Subcommittee on the Northern Canada Power Commission, chaired by **Keith Penner**.

Changes were made in various areas of health and social services as a result of recommendations made by the Assembly in its previous session, Hon. **Arnold McCallum** said in a statement on his portfolio. Social assistance zones have been changed, the food allowances have been raised by 10 per cent, assistance to the aged and handicapped has been increased, and the foster care system has been re-organized.

#### **Eastern Arctic Air Carriers**

Representatives of the key air carriers in the Eastern and Central Arctic appeared at the Assembly's request during the eighth session to explain their policies, prices and services. Witnesses included **Paul Casey**,

regulatory affairs director with Air Canada; **Kurt Peiffer**, executive vice-president with Nordair Ltd.; **Dominique Prinnet**, vice-president of marketing, Nordair; **Eric Smith**, divisional manager, Nordair; and **Bob Engle**, president of Northwest Territorial Airways.

The airlines explained their policies, their charges for passenger and freight traffic and the services they offered.

#### **Committee Activities**

The Assembly agreed to an expanded scope of activity for the Standing Committee on Legislation. As well as reviewing draft legislation prepared by the government, the Committee now will review orders and regulations to make sure they comply with the Ordinances under which they are issued, and will monitor motions adopted by the Assembly which require legislative action. The Committee may undertake travel if it is required, an addition to its previous terms of reference.

The Constitutional Development Committee reported to the Assembly that a second Western Arctic Constitutional Conference will be held in Yellowknife in mid-September to continue discussion of constitutional development and change. The Committee also recommended the NWT

Association of Municipalities should be added to the membership of the NWT Constitutional Alliance, which includes four Members of the Assembly and representatives of all Northern native organizations.

The Standing Committee on Finance presented its sixteenth report to the Assembly, concerning the *Financial Administration Ordinance* and the supplementary appropriations bill.

#### **Uranium Mining and Production**

The Assembly adopted a motion put forward by Keewatin North MLA **William Noah** that calls for the Assembly to resolve into Committee of the Whole during the fall session which begins in Yellowknife November 2, 1982, to "finally determine its position on the mining and production of uranium in the Northwest Territories."

The Assembly engaged in a lengthy debate on this topic in the fourth and fifth sessions, but did not reach any final position at that time.

**Rosemary Cairns**  
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Northwest Territories  
Legislative Assembly  
Yellowknife NWT