



Legislative Reports



Northwest Territories

The Prime Minister of Canada, **Jean Chrétien**, was in attendance as Commissioner **Daniel L. Norris** opened the fourth session of the Twelfth Legislative Assembly of the Northwest Territories on November 17. It was the very first session in Canada's newest Legislative Building overlooking Frame Lake in the heart of Yellowknife. Construction of the 46,000 square foot building began in the summer of 1991 and official opening ceremonies with invited guests from nearly every other Parliament in Canada took place a few hours before the session began.

It was a homecoming of sorts for Prime Minister Chrétien who had participated at the opening of the NWT Legislative Assembly session in 1972 and 1974 when he was the Minister of Indian Affairs and Northern Development.

The 4th session was marked by the presentation of the government's 1994-95 Capital budget, the resignation of a Cabinet Minister and extensive discussion of a number of major committee reports.

Capital Budget

On November 19, Finance Minister, **John Pollard**, introduced his \$180 million dollar plan for capital spending in the fiscal year 1994-95. He told MLAs that the provision of housing to residents of the NWT remains the number one priority of the government. An extensive survey identified the need for 3,500 new housing units in the Territories, but Mr. Pollard said that because of a decrease in federal funding the shortfall of housing will continue to increase. Mr. Pollard also outlined plans to spend more than \$37 million on the construction of education facilities, more than \$35 million to address infrastructure requirements and replace aging facilities and more than \$37 million for the continued development of roads, marine services and airports. In 1992, the government decided to move the presentation of its capital budget to the fall session so that contractors and government departments have adequate time to prepare for the short northern summer construction season. The Operations and Maintenance budget continues to be presented each spring.

Speaker's Ruling

The Member for Thebacha, **Jeannie Marie-Jewell**, raised a point of order on December 1 about whether Members were able to ask questions of Ministers about what happens during Cabinet discussions. The next day, Speaker **Michael Ballantyne** declared that the rules do not

prevent Members from asking questions pertaining to issues involved in Cabinet deliberations. "Without cabinet secrecy, the executive simply could not continue to govern with any degree of solidarity or effectiveness," said the Speaker. He added, "Cabinet secrecy is only a political convention and is not a rule of this Legislature, nor does it attract the protection of the law of parliamentary privilege. Any Member may ask a question of a Minister, eliciting information on Cabinet deliberations. It will be the responsibility of the Minister to whom the question is asked, as to whether they invoke Cabinet secrecy and refuse to answer the question."

Minister Resigns

Premier **Nellie Cournoyea** announced to the House on November 22 that she had asked for and received the resignation of the Minister of Municipal and Community Affairs, **Titus Alloo**. He had been under intense questioning over his decision to remove the Iqaluit Town Council and replace it with a Municipal Administrator. Premier Cournoyea said Mr. Alloo made statements in the House about Ministerial travel during this questioning that were not true.

Legislation

Three of the six bills introduced during this session were passed:

- *Appropriation Act, No. 1, 1994-95*; authorizes the Government

of the Northwest Territories to make capital expenditures for the fiscal year ending March 31, 1995;

- *Supplementary Appropriation Act, No. 5 1992-93*; provides for additional appropriations of approximately \$1 million not previously authorized;
- *Supplementary Appropriation Act, No. 2 1993-94*; revises the amount of money needed to cover operations and maintenance expenditures not previously authorized.

Committees

After nearly two years of work, involving more than 200 meetings and public events, an opinion survey of 280 frontline workers and receiving more than 250 presentations the Special Committee on Health and Social Services presented its final report *Talking and Working Together*. The report contains 32 recommendations aimed at making the delivery of health and social service programs more suitable to the needs of community residents. In presenting the report, Committee Chairman, **Charles Dent**, urged the government to develop a system that shifts its focus from institutional care to home-based programs and services in an effort to place less emphasis on the treatment of problems and more on their prevention.

The Standing Committee on Finance presented its report on the government's capital 1994-95 expenditure budget. The Committee recommended the government pursue the objective of maintaining an accumulated surplus. Although agreeing with the Finance Minister's stated priority of providing housing, Committee Chairman, **Jim Antoine**, said education could become the main priority if federal funding was forthcoming for aboriginal housing

programs. Mr. Antoine also said there is still room for improvement in the consultation process the government uses in developing its budget.

The Standing Committee on Legislation tabled its report dealing with the *Workers Compensation Act*. The Committee held public hearings in Yellowknife in September to review the Act. Chairman, **Silas Arngna'naaq**, said the Committee wants amendments to the *Workers Compensation Act* to be an immediate priority of the government. The committee made 7 recommendations, including increasing the size of the Board of Directors to include at least one member of aboriginal descent.

The Standing Committee on Agencies, Boards and Committees produced three reports during the fourth session. It held two years of public hearings and informal consultations with Board members, staff and students of Arctic College. Prior to the establishment of two College headquarters, the Committee recommended that enabling legislation be in place and a draft strategic plan be produced for each college before legislation is introduced. The Cabinet was asked to table a response to the Committee's report within 120 days.

Chairman, **Fred Koe**, said the Committee supports the Minister of Transportation's decision to eliminate the Highway Transport Board. Due to federal deregulation of the Canadian transportation industry, the workload of the Board was reduced and the Committee believes its few functions could be handled within the Department. However, it asked for more details about the financial effects of eliminating the Board.

The Committee also travelled throughout the Northwest Territories seeking public input into

the operations of the NWT Power Corporation. It asked for a response to its 13 recommendations within 120 days.

The Standing Committee on Public Accounts tabled its report on the Review of the Financial Statements of the Government of the Northwest Territories and the Report of the Auditor General for Canada for the fiscal year ending March 31, 1992. Chairman, **Henry Zoe**, presented the Committee's recommendations on the government's awarding of a \$530 thousand sole source consulting contract. The Committee wants the government to review the amount paid to the contractor for services provided to a third party and assess the feasibility of recovering these fees.

Commissioner Norris prorogued the fourth session on December 9, 1993.

The fifth session began December 13 with the election of a new Speaker. **Michael Ballantyne** retired from the position at the end of the fourth session. He was replaced by **Jeannie Marie-Jewell** who was chosen over other candidates, **Sam Gargan** and **Brian Lewis**. Mr. Lewis was later chosen Deputy Speaker.

Silas Arngna'naaq was sworn in as a Cabinet member replacing **Titus Allooooloo** who resigned in November.

Finance Minister, **John Pollard**, introduced an Options Paper on Deficit Management. Large unanticipated expenditures and revenue declines have placed the Government of the Northwest Territories in a deficit situation for 1993-94. The Standing Committee on Finance was dissatisfied with the report. Chairman, **Jim Antoine**, said there could not be a productive discussion of the Paper because it did not contain specific options. The Committee recommended the

Department of Finance and Financial Management Board to come up with a short-term strategy to avoid deficit financing to guide fiscal management in the 1994-95 fiscal year and the Financial Management Board develop an integrated plan and political strategy that brings together the major financial issues facing the government.

After sitting for two days, the fifth session adjourned until February 9, 1994.

Paul Jones
Coordinator
Public Information

SENATE



Prorogation after the 34th Parliament brought some new and interesting developments for the Senate. The passage of Bill C-79, *An Act to amend the Parliament of Canada Act*, on April 11, 1991, granted the Standing Senate Committee on Internal Economy, Budgets and Administration intersessional authority during prorogation or dissolution. Consequently, during the months of November, December and January, prior to the Opening of Parliament, Internal Economy's Sub-Committee on Budgets and Personnel held a series of meetings over several days to consider and report back to the full Committee on the draft expenditure plan for 1994-1995. The result was that for the third consecutive year the Committee on Internal Economy reduced the budget this year by 1.4%, (reduc-

tions in the two previous years were 2.5% and 1.9%). These savings were projected despite the assessment that the workload will be higher in the coming, non-election year, and were achieved through significant cuts to such areas as consultants' fees, foreign travel, exchanges, hospitality, and printing and transcribing.

On January 19, only two days into the new Parliament, the Committee on Internal Economy was able to report the budget to the Senate, instead of being faced with just beginning the estimates consideration process.

The Opening of the 35th Parliament on January 17 and 18, 1994, followed the tradition and ceremony of past Openings. On the first day, the Clerk of the Senate read to the Upper Chamber a Commission under the Great Seal appointing **Roméo LeBlanc** as Speaker. After Speaker LeBlanc took the chair, the Senate sent its messenger, the Gentleman Usher of the Black Rod, to request the Members of the House of Commons to attend the Governor General in the Senate Chamber. Upon the MPs arrival at the Bar of the Chamber, the Speaker of the Senate conveyed a message to them that the Governor General did not "see fit to declare the causes of his summoning the present Parliament of Canada until a Speaker of the House of Commons shall have been chosen, according to law." A Communication from Government House was then read into the minutes, informing the Speaker that "Their Excellencies, the Governor General and Mrs. **Gerda Hnatyshyn**, will arrive at the Peace Tower at 14:35 on Tuesday, the 18th of January, 1994." The first day of the Opening was thus concluded.

The next day at 3:00 p.m. the Gentleman Usher of the Black Rod was again sent to summon the

Commons to the Upper Chamber. Upon arrival, their newly elected Speaker, **Gilbert Parent**, informed the Governor General of his election, to which the Senate Speaker replied on the Governor General's behalf. The Governor General **Ramon Hnatyshyn** then proceeded to read the Speech from the Throne. It was one of the shortest Throne Speeches in recent years but it promised a busy first session of Parliament. The emphasis was on job creation and economic growth, highlighting increased job training, the creation of a Youth Service Corps to put young Canadians to work, an activist trade policy to improve access to foreign markets, the elimination of provincial trade barriers, an investment fund to help hi-tech firms, the creation of a technology network, and the reintroduction of the Residential Rehabilitation Program. Measures to bring the federal debt and deficit under control would not be dealt with until the budget is tabled in February.

To rebuild a sense of integrity in government, the Throne Speech pledged the appointment of an ethics counsellor for government, legislation on lobbying, the elimination of double-dipping and pension reform for parliamentarians. The Speech also cited major reform of the social security system within two years, replacement of the GST, action to halt foreign overfishing off the East Coast, measures to combat racism and violence against women and children, development of "green" infrastructures, and further implementation of northern claims settlements.

January 19 was the first routine sitting day of the new session. Congratulations were in order for Senator **Joyce Fairbairn**, the first woman Leader in the Senate for

either the Government or the Opposition. Senator **Gildas Molgat**, Deputy Leader of the Opposition moved for the appointment of the Committee of Selection, naming five Liberals and four Conservatives to the Committee. The Leader of the Opposition, Senator **John Lynch-Staunton**, moved an amendment to the motion, naming five Conservatives and four Liberals to the Committee. The majority party in the Upper Chamber successfully passed the amendment on division.

Although the session has just begun, it should be an interesting one for the Senate. Senator **Joan Neiman** gave notice that when the Senate returns on February 8, she will call attention to the desirability of establishing a Special Committee to inquire and report on the legal, social and ethical issues relating to euthanasia and assisted death. Government Leader, Senator **Fairbairn**, in her role as Minister for Literacy, can be expected to significantly promote that issue.

Senator **Len Marchand**, Chairman of the Standing Senate Committee on Aboriginal Peoples in the last Parliament, had a motion adopted for that Committee to examine and report upon the treatment of aboriginal veterans following the First and Second World Wars and the Korean War.

Senator **Michael Kirby** moved that the Banking, Trade and Commerce Committee examine the regulations proposed to the *Export Development Act*, pursuant to the passage of Bill C-18 last session. The Committee will report back by the end of February.

Jill Anne Pickard
Executive Assistant to the Clerk
Senate of Canada



New Brunswick

The Legislature resumed November 30, following a seven-month adjournment during which party standings changed as a result of two by-elections. Progressive Conservative **Dale Graham** was elected June 28 to represent the constituency of Carleton North. **Percy Mockler**, a Progressive Conservative Member who served Madawaska South from 1982 to 1987, was reelected November 29 replacing Liberal **Pierrette Ringuette-Maltais**, who ran successfully in the federal election.

During the eight-day fall sitting, the House passed the 1994-95 Capital Budget, 30 Government and two Private Bills, dealt with procedural issues, and appointed two select Committees and a Clerk.

Legislation and Committees

Among the government Bills passed, Bill 84, *An Act to Amend the Legislative Assembly Act*, proposes to modernize management of the internal affairs of the Legislative Assembly including salaries, allowances, budget, and the reporting process. In future, after the Speaker has presented the estimates of the Office of the Legislative Assembly to the Legislative Administration Committee for review, amendment and concurrence, the Speaker will

table and defend these estimates in the Committee of Supply.

Throughout the year, the Standing Committee on Legislative Administration considered a Report on the Review of the Office of the Legislative Assembly, formulated and approved Constituency Office Guidelines and Rules for the Operation of Constituency Offices, approved changes to the *Legislative Assembly Act*, and the *Members Superannuation Act*.

Four Private Bills were introduced and referred to the Standing Committee on Private Bills during the fall sitting: Bill 66, *An Act to Amend An Act to Continue Pierson Management (Canada) Inc.*; Bill 72, *Mount Allison University Act, 1993*; Bill 73, *Fredericton City Charter, 1993*; and Bill 93, *An Act to Incorporate the New Brunswick Terminal Railway Corporation*. Only Bills 66 and 72 were recommended to the House.

The House concurred in the Private Bills Committee's recommendation that deadlines for filing applications for Private Bills be established and that Private Bills filed after the adjournment of the spring sitting of the Legislature not be considered until the next regular session of the House. Under the current provisions of the Standing Rules, an application for a Private Bill may be commenced at any time during the calendar year. (The Standing Committee on Procedure is expected to review the Rules and Practices with respect to applications of Private Bills in accordance with its general terms of reference.)

The Select Committee on Representation and Electoral Boundaries, appointed May 14, 1992, considered the Final Report of the Representation and Electoral District Boundaries Commission entitled *A New Electoral Map for New Brunswick* and tabled its recommendations on December 7.

The House adopted the Committee's recommendations which, in essence, will divide the province into 55 electoral districts instead of the present 58 while taking into consideration such factors as linguistic composition, geography, community history, community interest, population and growth patterns.

Subsequently, the government moved that immediate priority be given to drafting legislation to reflect the changes to the electoral boundaries proposed by the Representation and Electoral District Boundaries Commission incorporating the revisions included in the Select Committee's report. The Select Committee also recommended that the government put in place a mechanism to carry out a regular review of the province's electoral districts. The Committee tabled its report as an Interim Report retaining in place the medium, should the need arise, to deal with the question of representation of the Aboriginal Peoples in the Legislature.

The Select Committee on New Brunswick's Highway Policy was established to examine, inquire into by means of public hearings, and make recommendations with respect to the white paper *Highways for the Next Century*. The white paper sets out the objectives of a new highway system and describes the policies that will be implemented to achieve them, including highway financing, standards, location, truck weights, signage and rest areas. During four days of public hearings in November, the Committee heard 33 oral presentations and received over 20 written submissions. The Committee continues its deliberations and is expected to present its final report to the next session.

Appointed December 7, the Select Committee on Land Use and the Rural Environment was mandated to

examine, inquire into, and make recommendations to the House on the subject matter of the discussion paper *Government Response to the Final Report of the Commission on Land Use and the Rural Environment*. Outlined in the document are major land use and rural environment issues that the Commission addressed including the government's response to recommendations on settlement, resource and environmental issues, recommendations for a new structure and process at the provincial, local and district levels, and the Commission's recommendations on taxation and the generation of revenue to help offset the cost of services in unincorporated areas. Public hearings were held in February and the Committee is expected to report to the Legislature during the next session.

Speaker's Rulings

Procedural issues dominated the fall sitting. Although Progressive Conservative Leader **Dennis Cochrane** presented **Dale Graham**, elected to represent Carleton North in the June 28 by-election, Speaker Dysart ruled out of order Mr. Cochrane's motion:

that whereas the Legislative Assembly in March 1990... allowed non elected individuals the privilege of appearing at the Bar of the House to ask questions of ministers of the Crown...**BE IT RESOLVED** that the member-elect for Madawaska-South, Percy Mockler, (elected in a November 29 by-election), be afforded the privilege of appearing at the Bar of the House from today [November 30] until December 14, 1993 when his election can be reported to the Speaker.

Speaker **Shirley Dysart** ruled that the motion would involve changes to the Standing Rules and that until the Standing Committee on Procedure took the matter under

consideration and reported to the House, the motion was out of order.

After Confederation of Regions Leader **Danny Cameron** requested clarification of his status as Leader of Her Majesty's Loyal Opposition, Madam Speaker delivered the following statement:

... for the purposes of recognition in the Legislative Assembly, the Speaker takes direction from the members of the official opposition caucus. The official opposition caucus having recently reaffirmed their support for the Member for York South, the Speaker recognizes the Members for York South as the Leader of the Official Opposition.

Additional rulings concerned the question of reviving discussion of matters previously decided during a session, *sub judice* matters, and the role of the Standing Committee on Procedure.

During the sitting **Hazen Myers**, Progressive Conservative Member for Kings East rose on a Point of Privilege stating that a member of the media had abused his privilege by publishing a photograph of a videophoto taken in the Assembly and requesting that the matter be referred to the Standing Committee on Legislative Administration for a review of the guidelines concerning filming procedures.

On the last day of the session, **Brent Taylor**, Confederation of Regions Member for Southwest Miramichi, rose on a matter of privilege and requested that the matter of the publication of still photographs from video images of the proceedings of the House be referred to the Standing Committee on Privileges. Speaker Dysart advised that although the notice required by the Standing Rules had been given, she deferred her decision on whether a *prima facie* case had been established.

Other Matters

In one of the first items of business at the Fall session Government House Leader **J. Raymond Frenette** on behalf of Premier **Frank McKenna** moved, seconded by Opposition Leader **Danny Cameron**, "that this Assembly appoint **Loredana Catalli Sonier**, Clerk of the Legislative Assembly effective November 30, 1993." Mrs. Sonier, formerly Clerk Assistant (Procedural), succeeds David L.E. Peterson who resigned in July.

On December 10, 1993, 37 years from the day that Official Reporter **Mary Jones** began work at the Legislative Assembly, Premier McKenna paid tribute to her dedication and long years of loyal service, congratulating her and wishing her many years of happy retirement.

As of January 1, 1994 Hansard (Journal of Debates) was amalgamated with Debates Translation under the Director of Hansard and Debates Translation, **Valmond Leblanc**. **Susan Kennedy** becomes the Chief Parliamentary Editor (Hansard). Hansard offices remain located on the ground floor of the Departmental Building, 96 King Street. Debates Translation offices remain located in Jewett House, 96 Secretary's Lane.

The third session of the 52nd Legislative Assembly of New Brunswick was scheduled to open February 15, 1994. Standings in the House are: Liberals 44; Confederation of Regions 8; Progressive Conservative 5; New Democrat 1.

Diane Taylor Myles
Research Officer
New Brunswick Legislative
Assembly



The Fall and Winter have been relatively quiet at the Manitoba Legislative Assembly. Although there is no set calendar for sittings of the Legislature, the House often sits prior to Christmas and return in early Spring. However, the House has remained adjourned since July 27, 1993. A new session is expected to open sometime in the Spring.

The coming fifth session of the 35th Legislature is expected to be an interesting one, particularly because the current numbers in the Legislature are: PCs - 29, NDP - 21 and Liberals - 7. Since the last session, as a result of five by-elections in the Fall, the Government has had its majority reduced to one. The close numbers and the fact that Government is in the Fourth year of its mandate, may result in strong partisan debate, procedural arguments and a number of close votes.

With some difficult situations expected for all Members, Speaker **Denis Rocan** is anticipating a variety of scenarios in which he may be called upon to cast a deciding vote. Depending on the mood of the Legislature and the matters at hand, there could be a tie on almost any votable item. However, when the Speaker leaves the Chair for the House to resolve into a Committee

of the Whole, the numbers become more than close. By long established practice, the Speaker does not sit any Committee of the Whole House.

The Commission established during the last legislative session, to examine and set MLAs indemnities and allowances, is expected to report by the end of February. The Commission held one day of public hearings in Winnipeg and provided a 1-800 phone numbers as well as a Winnipeg number for persons wishing to call in their comments of concerns regarding Members salaries and benefits. This call for public input resulted in 14 presentations at the public hearings, 580 telephone calls, 62 faxes and 130 mail submissions.

Manitoba hosted the MidWestern Legislative Conference Steering Committee on Mid-West Canada Relations in November 1993. The Conference was attended by legislators from Manitoba, Ontario, Wisconsin, Illinois, Nebraska, Minnesota, Michigan, Iowa, North Dakota, South Dakota, Kansas and Indiana. The purpose of this Steering Committee is to bring together legislators from these eleven midwestern states and the provinces of Ontario and Manitoba to discuss issues of common interest. Issues discussed at this conference included cross-border educational exchanges, facilitating cross-border vehicle traffic, eliminating cross-border tobacco smuggling and upgrading Great Lakes and other inland ports.

Judy White
Clerk of Committees
Manitoba Legislative Assembly



The first session of the Twenty-Third Legislature began on Monday, August 30, 1993, with the Members of the Legislative Assembly electing (by secret ballot for the first time in Alberta history) **Stanley S. Schumacher**, (Drumheller) as Speaker followed by the election of **Don Tannas**, (Highwood) as Deputy Speaker and **Glen Clegg**, (Dungesvan), as Deputy Chairman of Committees.

With the first session barely two weeks old, the two House Leaders reached agreement on and the Assembly approved significant reforms to the legislative process both through amendments to the Standing Orders of the Assembly and through an understanding on other matters of principle and practice laid out in a Memorandum of Agreement signed by the House Leaders. Effective as of September 13, 1993, the amendments to the Standing Orders and the other changes articulated in the Memorandum of Agreement marked the most comprehensive revision to the legislative process ever undertaken in Alberta.

Some of the notable changes enunciated in the Memorandum of Agreement include the following:

- Defining what would constitute "confidence" votes thereby facilitating more free votes on bills and motions outside this definition.
- The establishment of Designated Supply Subcommittees

enabled the Opposition to designate five Government Departments to appear before sub-committees of the Committee of Supply for a minimum of four hours each to examine their estimates in more detail and with the participation of departmental officials.

- Twice-yearly sessions of the Legislature are mandated with the Spring Session to begin no later than February 15th and the Fall session no later than October 21st.
- A vote would be called on Private Members' public bills at each stage after two hours' debate at second reading and committee study and one hour at third reading. Moreover, the allotted time for Private Members' public bills increased to three hours per week in contrast to the usual one hour per week previously permitted.

With these changes, Private Members' public bills now have a greater opportunity of becoming law. As if to prove this point, on November 15th, 1993, Bill 204, *The Stray Animals Amendment Act 1993*, sponsored by **Roy Brassard**, received Royal Assent.

The last sitting day of the first session warrants an entry into the record books. The Official Opposition initiated a filibuster during the evening sitting of November 9th, 1993.

The evening session began at 8:00 pm., and did not adjourn until 4:11 pm. the next afternoon setting a new record (20 hours and 11 minutes) for the longest sitting day in Alberta history!

Moses K. Jung
Executive Assistant to the
Speaker of the Legislative
Assembly



The new House of Commons presents a very different face from the old one that was dissolved on September 8, 1993. The general election of October 25, 1993 resulted in a Liberal Government with 177 seats. The 54 Bloc Québécois MPs form the official opposition. The Reform Party of Canada is the third largest party in the House with 52 seats. The Progressive Conservative Party has two MPs and the New Democratic Party nine. One Independent was elected.

The new Prime Minister, **Jean Chrétien**, announced his Cabinet on November 4, 1993. It consists of 22 Ministers and eight Secretaries of State. The latter are appointed to assist the Ministers with certain aspects of their portfolios.

In early November MPs were able to attend an orientation session on administrative matters, organized by the Administrator's Sector. The Clerk's Sector held an orientation session several days after Parliament began sitting, on parliamentary procedure and the Standing Orders of the House of Commons.

First session

The first session of the 35th Parliament began on January 17, 1994. The first item on the Order Paper was the election of a Speaker, which since 1986 has been done by secret ballot. By the end of the fifth ballot, only two names were left, **Jean-**

Robert Gauthier and **Gilbert Parent**. When the votes were counted, an unprecedented situation obtained: neither had received a majority. A sixth ballot was thus required, and Mr. Parent was elected Speaker. **David Kilgour** was appointed Deputy Speaker and Chairman of Committees of the Whole. **Shirley Maheu** and **Bob Kilger** were respectively chosen Vice Chair of Committees of the Whole and Deputy Vice Chair of Committees of the Whole.

On January 18, 1994, the Governor General read the Speech from the Throne in the Senate Chamber. The proceedings on the Address in Reply to the Speech from the Throne and on government motions constituted the entire business of the House for the period ending January 31, 1994. Apart from first reading of certain bills, the House did not deal with any legislation as of that date.

An important passage in the Throne Speech dealt with parliamentary reform: It noted that "the government is committed to enhancing the credibility of Parliament. Changes will be proposed to the [Standing Orders] of the House of Commons to provide members of Parliament a greater opportunity to contribute to the development of public policy and legislation."

The government's intention of enhancing Parliament's credibility has been demonstrated in two ways so far. First, the government has consulted the House by means of special debates on motions on Canada's peace-keeping role, cruise missile testing and the pre-budget process. Second, it has said the House ought to be the place where it announces new government policies.

Committees

On January 25, 1994, the House unanimously passed the proposed changes to committees. These changes follow on the reform of departmental structures initiated by the previous government. Their aim is to tie the activities of the standing committees to the departmental structure. According to the Government House Leader, they were also designed to confirm "that the standing committees and not the legislative committees would be the usual and customary route for the consideration of the committee stage of bills".

The first report of the Standing Committee on Procedure and House Affairs, giving the membership of the various standing committees, was adopted by the House on February 1, 1994.

A list of members of the Board of Internal Economy was tabled in the House on January 18, 1994. It read as follows: **Herb Gray**, Government House Leader; **Fernand Robichaud**, Secretary of State Parliamentary Affairs; **Len Hopkins**, **Alfonso Gagliano**, **Michel Gauthier**, **Gilles Duceppe** and **Steven Harper**. Under the *Parliament of Canada Act*, the Speaker and Deputy Speaker of the House are also members of the Board, and the Speaker is its Chairman. The Board is responsible for administrative and financial matters involving the House.

Tributes to Steve Paproski

Many MPs rose to pay tribute to the late **Steve Paproski**, who represented the riding of Edmonton North from 1968 to 1993. Mr. Paproski, who was Deputy Vice Chair of Committees of the Whole at the time the 34th Parliament was dissolved, died of a cardiac arrest on December 3, 1993. Speaker Parent said "we have much to learn from a

man with his character...He was the kind of man who befriended all of us in this House.

André Gagnon
Procedural Clerk
Table Research Branch



After a clamorous spring sitting which did not end until August 3, 1993 and a relatively short recess, the fall sitting of the 3rd session of the 35th parliament commenced on September 27, 1993. The sitting began with the announcement of the resignation of **Dennis Drainville** who had been the First Deputy Chair of the Committee of the Whole House. The vacancy was subsequently filled on September 28, 1993 when **Margaret Harrington** was appointed to that position by order of the House.

The Legislative agenda for the fall sitting was a full one. Significant legislation included Employment Equity, Photo Radar and Casino gambling. Bill 8, the *Ontario Casino Corporation Act, 1993* was introduced by Consumer and Commercial Relations minister, **Marilyn Churley** on May 5, 1993 and received royal assent on December 2, 1993. The controversial bill was considered for 16 days by the Standing Committee on Finance and Economic Affairs before being reported with amendments. The legislation allows for the establishment of a Casino in

Windsor, Ontario and possibly other locations in the future.

The Minister of Transportation, **Gilles Pouliot**, introduced the *Provincial Offences Statute Law Amendment Act, 1993* which, among other things, provides for the use of photo radar on Ontario highways. Speeding drivers now risk activating a radar camera that takes a photograph of their license plate and having a ticket sent out to them by mail. The government contended that the legislation addressed a safety issue while the opposition parties argued that the real purpose was to generate additional revenue.

Of special interest this sitting, was the involvement of a standing committee in the development of legislation aimed at novice drivers. On November 3, 1993, the Standing Committee on Resources Development chaired by **Bob Huget** presented a report to the House on graduated licensing for novice drivers. In response to the recommendations made in that report, the Minister of Transportation introduced the *Highway Traffic Amendment Act, 1993*. This was the culmination of a successful process of referring a subject matter to a committee for consideration and public consultation and then preparing legislation based in part on the committee recommendations. Mr. Pouliot, acknowledged the input and assistance of the committee during the second reading debate on the bill. Members from all parties joined the debate in support of the new legislation.

Committees

The Standing Committee on the Legislative Assembly, chaired by **Ron Hansen** spent some time in the fall reviewing the role of the inde-

pendent member in the Ontario legislature. Consideration of this issue was a response to concerns raised by the independent members about their ability to participate fully in House and committee proceedings. The committee presented its report on the "Role of the Independent Member" on Monday, November 22, 1993. The report contained a number of recommendations which would have the effect of increasing the right of participation for independent members during such proceedings as "Members' Statements", "Question Period" and "Private Members' Public Business". Some of the recommendations allowed for the Speaker to exercise discretion in recognizing independent members, even when the Standing Orders specifically restrict participation to members of recognized parties.

The Standing Committee on Administration of Justice, chaired by **Rosario Marchese**, continued consideration of a matter designated under Standing Order 125 by **Cam Jackson** relating to victims of crime. The designation includes consideration of a victims' bill of rights and the operations of the Criminal Injuries Board. It is expected that the committee will present its report to the House in the Spring sitting.

In September 1993, the Standing Committee on General Government, chaired by **Mike Brown** had the proposed environmental bill of rights referred to it. Bill 26, *An Act respecting Environmental Rights in Ontario* sets out terms for public participation in the decision making process on environmental issues as well as protection for employees who have knowledge of practices which are environmentally harmful and choose to take action. The bill was

introduced following a consultative process undertaken by a ministry task force which included input from a variety of business and environmental interest groups. While all parties did support the bill, there was some concern expressed that the time allotted for public hearings in committee was limited. The bill received third reading and royal assent on December 14, 1993.

In his 1992 Annual Report, the Provincial Auditor identified some concerns with respect to the adequacy of controls on the registration system for health cards in Ontario. Subsequently, the Standing Committee on Public Accounts, chaired by **Joseph Cordiano**, agreed to review the management of the health registration system. Included among the witnesses who appeared before the committee were representatives from the Royal Bank of Canada who discussed the use of "smart cards" not unlike the ones used in automated banking machines.

The conclusions and recommendations of the committee were reported to the House in December 1993 and reflected the need to strike a balance between the control of fraudulent abuse of Ontario health benefits and ensuring the accessibility of health care to all residents of the province.

During the winter recess, the standing committees are busy considering a variety of matters and legislation including pre-budget consultations, protection of privacy, basement apartments and restriction on the sale of tobacco products.

Deborah Deller
Clerk Assistant &
Clerk of Committees



During the fall term of the second session of the 34th Legislature, ending on December 16, 1993, some 30 public bills were passed.

Sectors affected by these pieces of legislation include administrative tribunals and municipal courts, fisheries and the agri-food sector, business advertising, health and social services, income security, the organization of municipal lands, health insurance, the protection of the environment, automobile insurance, and labour relations.

In the latter two cases, the government had to move a motion suspending certain rules of procedure in order to allow the passage of two bills affecting the construction industry and one bill concerning automobile insurance.

The purpose of the first bill, *An Act respecting the construction industry*, was to end the illegal work stoppages that had been disrupting construction sites for over two weeks. The main purpose of the second bill was to exclude from the construction industry's collective agreement bargaining system all workers in the residential and renovation sector. This bill also eliminated contractors' obligation to have a place of business in Quebec, on condition that they obtain a contractor's licence. Lastly, the *Automobile Insurance Act* was amended in order to allow the payment of \$1 billion from the coffers of the Automobile Insurance Corporation into the Consolidated Revenue Fund.

The conflict over working conditions in the construction industry had many repercussions, not only in the National Assembly, but throughout Quebec. Two government members received personal threats. They both rose in the National Assembly to complain of a breach of privilege, announcing that, under the Standing Orders they intended to move a motion for urgent debate, complaining of the conduct of persons other than MNAs.

The Official Opposition objected to debates on these motions since the matters had been taken before the courts. The Speaker took all aspects of the issue under advisement and then ruled, under Standing Order 35(3), that these motions for priority debate could not be called or debated as long as the matters with which they had to do were before a court. Since these motions had to do with criminal matters, it was assumed that possible remarks by an MNA in a debate on them could influence the outcome of current or future trials. These motions nevertheless remained on the Order Paper, which is the proper procedure when a breach of privilege has been complained of.

The economic situation monopolized most Question Periods and Opposition Days. The main subjects of discussion were: the government's budget restrictions, the trade dispute between Quebec and Ontario, the GATT agreements, NAFTA, the government's economic recovery plan, the federal government's infrastructure restoration and construction program, the federal-provincial agreement on labour force training, the labour dispute in the construction industry, and the tobacco smuggling issue. This last issue was the subject of the only motion for

censure made by the Official Opposition.

On November 17, 1993, the longest serving parliamentarian, **G rard D. Levesque**, Minister of Finance and MNA for Bonaventure, died following a long illness. His colleagues paid tribute to him during a special sitting of the National Assembly, before adjourning as a sign of mourning.

The departure of Premier **Robert Bourassa** and some of his Ministers was highlighted during the Question Period preceding the holiday adjournment. By asking each departing Minister a question, the Official Opposition allowed these persons to salute their colleagues one last time before their official resignations at the beginning of 1994. Seven Ministers announced their departure from public life: **Lise Bacon**, Deputy Premier and Minister of Energy and Resources; **Marc-Yvan C t **, Minister of Health and Social Services; **Gil R millard**, Minister of Justice and Canadian Intergovernmental Affairs; **Lawrence Cannon**, Minister of Communications; **Albert C t **, Minister of Forests; **Raymond Savoie**, Minister of Revenue; and **Robert Dutil**, Minister of Supply and Services.

Premier **Daniel Johnson** was sworn in on January 11, 1994, the same day he announced the formation of his Cabinet which was reduced in size to 20 members including five new ones. They are: **Roger Lefebvre**, former Deputy Speaker of the National Assembly who was appointed Minister of Justice; **Georges Farrah**, became Minister Responsible for Industry, Trade, Science and Technology and Minister Responsible for Tourism; **Jacques Chagnon** became Minister of Education; **Serge Marcil** became Minister of Employment; and **Jean Leclerc** was appointed Minister Responsible for Government Services.

While the work of the National Assembly was adjourned, the Chamber was the stage for spirited exchanges among over 300 Quebec students. The Quebec Youth Parliament held its deliberations from December 26 to 30, 1993. Then, from January 3 to 7, 1994, the Student Parliament took over the benches. The purpose of these activities is to allow participants to experience the work of a mock National Assembly.

Lastly, students from 23 colleges sat from January 13 to 16, 1994 as part of the Student Forum. The Forum is the extension of a course on Canadian and Quebec politics. Its purpose is to give college students an introduction to the work of parliamentarians and the administrative operation of the National Assembly. Unlike the Youth Parliament and the Student Parliament, Forum participants are guided and supported by their professors and by professionals working in the National Assembly.

In the field of interparliamentary activities, the Bureau of the International Assembly of French-speaking Parliamentarians met in Quebec from January 18 to 22, 1994 with **Jean-Pierre Saintonge**, Speaker of the National Assembly presiding. The approximately 40 participants planned the work and prepared the budget of the AIPLF for 1994 and 1995. During this meeting, Mr. Saintonge was awarded the *Grande Croix de l'Ordre de la Pléiade*. This purpose of this decoration is to recognize the merits of persons who have distinguished themselves in the service of the AIPLF's ideals of co-operation and friendship.

Nancy Ford and Jean Bédard
National Assembly Secretariat

Committee Work

The work of the various Committees of the National Assembly peaked during the last two months of 1993. The Standing Orders provide for an intensive period of work from December 1 to 21, and the deliberations of the Committees contributed to this sometimes demanding workload.

Unlike the previous term, the fall term provided the eight Committees with mainly legislative work. As a result, fewer meetings (a total of five) were devoted to examination of the government's financial commitments: expenditures of over \$25,000 by the Department of the Environment, the Department of Agriculture, Fisheries and Food, the Department of Forests, The Bureau of Child Day Care Services, and the Secretariat for Canadian Intergovernmental Affairs were scrutinized by the appropriate Committees.

Membership on the Committees was also considered during November and January. At its meeting on November 30, 1993, the Committee on the National Assembly determined, among other things, which five standing Committees of the National Assembly would be chaired by members of the government and which three would be chaired by members of the Official Opposition. Each Committee then met that same day in order to elect their Chairmen and Vice-Chairmen for a two-year term. However, the January 10, 1994 Cabinet reshuffling caused some changes in the membership of the Committees, since some of their members had become Ministers and others had been appointed Parliamentary Assistants.

Elsewhere, under Standing Order 294, six Committees held a working meeting in order to select from among the public organizations

assigned to them the ones whose direction, activities and management they would examine. The organizations selected included the Quebec Agriculture and Food Initiatives Corporation, the Quebec Disabled Persons Bureau, the Government of Quebec Human Resources Bureau, the High Council on Education, the Occupational Safety and Health Board], and the Youth Protection Board. It must be noted, however, that the work of the Committees during this term consisted mainly of detailed, clause-by-clause consideration of bills.

The Committees considered 38 bills: 30 public bills and eight private bills.

Faithful to its tradition, the Committee on Planning and Infrastructures was one of the most active Committees in considering public bills, studying eight bills clause by clause. Among these bills we note, firstly, Bill 130, authorizing the payment of several million dollars from the Automobile Insurance Corporation into the Consolidated Revenue Fund. Energetic opposition to this bill required the National Assembly to pass a motion for closure – sometimes called a “guillotine” – in order to conclude this Committee's deliberations. Among the other bills considered by this Committee, we note the bill amending the *Act respecting municipal territorial organization*, the bill on the Quebec Urban Community, the bill allowing the creation of local railroad companies, and the bill authorizing the issuance of drivers' licences bearing photographs.

The Committee on Agriculture, Fisheries and Food was required to consider a bill specifying certain terms and conditions for the issuance of prescribed permits in the food biotechnology industry.

The most important bill considered by the Committee on Social Affairs was the bill introducing a new regional health board to replace the present Kativik Regional Council. As well, under an October 1993 mandate from the National Assembly, this Committee is preparing to consider the annual reports of 14 regional health boards in the upcoming months.

The Committee on the Budget and Administration not only considered various bills on income tax, financial administration, and pension plans in the public and parapublic sectors, but also put the finishing touches to the tobacco tax bill.

The most notable work of the Committee on Labour and the Economy was consideration of Bill 142, introducing a new bargaining system in the construction industry.

This bill, like Bill 130, was the subject of a motion for closure after several hours of debate in Committee. This Committee also studied three other bills, including the bill creating the Société Innovatech Québec et Chaudières-Appalaches, a corporation for the promotion of technological innovation in the Québec area, the bill amending the *Forest Act*, and one last bill concerning land registry rules.

The Committee on Institutions was also quite active, having to consider six public bills in addition to one private bill. The two main bills considered by this Committee dealt with compensation for victims of crime and the terms and conditions governing the collection of support payments.

In addition, the Committee on Culture was required to consider a bill proposing the creation of a new

conservatory of music and drama, as well as two bills concerning the Department of Cultural Communities and Immigration and the Cultural Communities and Immigration Council.

The main legislative work of the Committee on Education was consideration of the bill amending the Professional Code.

In closing, we note three inquiries traditionally made by the National Assembly: subjects as varied as illegal trade and contraband, reform of primary and secondary education, and the financial situation of the health system were debated by the Committee on Education and the Committee on Social Affairs respectively.

Danielle Brouard
Committees Secretariat