
Legislative Reports

Manitoba

Most people in Canada are likely aware that the Manitoba Legislature considered motions dealing with the Meech Lake Accord in the latter part of June. Three months earlier the Assembly had adjourned the second longest Session in the province's history and MLAs were just resuming the detailed workload in their constituencies when the Session was recalled. On Tuesday, June 12, after leave was granted to move directly to Orders of the Day, Premier Gary Filmon, leader of the Progressive Conservative minority government, requested leave to move a resolution respecting the *Constitution Amendment Act, 1987*. The following is the response as quoted in Manitoba's *Hansard*:

Mr. Speaker: Does the Honourable First Minister have leave?

Some Honourable Members: Leave

An Honourable Member: No

Mr. Speaker: No leave? Leave is not granted? There is no leave granted.

The Assembly met again the next day. There was a short statement from the Speaker, the Hon. Denis Rocan, in which he apologized for incidents which occurred the day

before, when all spectators could not be accommodated in the public galleries. Next, unanimous consent was again sought by the Premier: to introduce the motion respecting the Constitution Amendment, 1987. The Hon. Member for Rupertsland, **Elijah Harper**, of the New Democratic Party, once more denied leave.

On June 14, the third day of the reconvened 2nd Session of the 34th Legislature, after putting a number of questions to the government concerning Meech Lake and issues specifically affecting aboriginal people, Mr. Harper rose on a point of order. He queried the legitimacy of the motions concerning constitutional amendments being listed on the Order Paper for debate on this day on the grounds that it was contrary to the notice requirements prescribed by the Rules of the House. After a recess Mr. Speaker ruled in support of Mr. Harper's claims of procedural irregularities:

The notices of the motions did not appear in the Order Paper distributed in the House on June 12, and as he (Mr. Harper) pointed out the revised Order Paper was not distributed to Members prior to adjournment, although it was in the Chamber ready for distribution....

Rule 51(2) reads as follows: 'The notice shall be filed with the Clerk before adjournment of the House for the day, shall be printed in the Notice Paper and shall be placed on the Order Paper two days afterward.' The effects of this rule were modified by Speaker Phillip's statement of June 5, 1986, respecting compliance with the Supreme Court of Canada

judgment in the Manitoba language reference case which included the following: 'notices of motion filed with the Clerk's Office not later than 5:30 p.m. will appear in the Notice Papers on the 2nd day following filing:...'

Therefore, the five motions referred to by the Hon. Member are improperly before the House today and may not be proceeded with at this time. Of course, the Government may again file the motions with the Clerk's Office.

With the procedural situation clarified, on Friday and Monday, and once more on Tuesday, June 19, Premier Filmon tried to obtain the required unanimous consent to move the resolutions concerning *The Constitutional Amendment Act, 1987*. As it had done a week earlier, for this date *Hansard* reported "Some Honourable Members" agreeing to give leave, and "An Honourable Member" saying "No".

On Wednesday, June 20, the government was able to introduce the proposed motions regarding the constitutional amendment without challenge, and to commence debate. As well as others, all three Party leaders spoke: Premier Filmon, Liberal Leader **Sharon Carstairs**, and the NDP's **Gary Doer**. The next day, as before, Mr. Harper was the single person to address the government during the Oral Question Period. He then proceeded to speak to the constitution amendment motion.

Up to and including June 22, twenty-one of the fifty-seven Members of the Legislative Assembly addressed the resolution. In addition: 3,792 members of the public had registered with the

Clerk's Office, waiting to present their views before the proposed Special Committee on Constitutional Amendments. However, there was not unanimous consent to extend the June 22 sitting beyond the normal adjournment hour of 12:30 p.m. The House, therefore, adjourned at that time—one day before the Meech Lake deadline—to the call of the Chair on the advice of the government.

Ray Serwylo
Production Assistant
Hansard
Manitoba Legislative Assembly

Erratum: The previous Manitoba report stated that the sale of Manitoba's Data Services to STM System Corporation would result in the creation of 22 new jobs. The correct figure should have been 220 new jobs.

Saskatchewan

On May 22, 1990, Members of the Saskatchewan Legislative Assembly welcomed to Saskatchewan Their Excellencies the Governor General and Mrs Hnatyshyn. To mark the occasion of Mr. Hnatyshyn's first official visit to his home province as Governor General, a public ceremony was held in the Legislative Chamber to launch a new edition of the publication *The Canadian Monarchy in Saskatchewan*. In his address to the Assembly, Mr. Hnatyshyn spoke of the need for all Canadians to assume the task of making Canada

a more tolerant, stronger and united country.

On the theme of national unity, the crisis over the Meech Lake Accord stirred the Government to introduce a motion calling on the Saskatchewan Assembly to reaffirm its ratification of the Accord. In moving the motion on May 31, Attorney General **Gary Lane** commented that the Accord, while not perfect, had been intended as a first step towards more fundamental constitutional reform by making the Province of Quebec a signatory to the Canadian constitution. He stated that other reforms could be dealt with at subsequent stages of the country's constitutional evolution. Opposition Members discredited the process of constitutional reform and expressed a concern that many Saskatchewan people have demonstrated a desire for changes or additions to the Accord.

In addressing the motion, Premier **Grant Devine** took the position that the Meech Lake Accord had a critical symbolic importance for Quebec. He described the Meech Lake Accord as Quebec's passport into Canada and forecast dire consequences if the Accord could not be accepted. Opposition Leader **Roy Romanow**, in moving an amendment to the motion that urged compromise, argued that the Premier had been swept away by an emotional debate that had made everyone scared of the results of failure. He argued that the spirit of compromise had been abandoned and replaced by emotionalism, rigidity and confrontation. Mr. Romanow questioned why Saskatchewan, which was the first English speaking province to ratify the Meech Lake Accord, should have to make a reaffirmation. The debate was adjourned and no decision was taken on the motion and

amendment before the Assembly's summer recess.

The environment assumed a position of importance for both sides of the Assembly. Both the Opposition and Government introduced bills that sought to control the sale and use of ozone-depleting substances. It was, however, the Government's bill that eventually passed third reading stage. In addressing Bill 10, *An Act respecting the Manufacture, Sale, Use, Consumption, Collection, Storage, Recycling and Disposal of Ozone-depleting Substances and Products*, Environment Minister **Grant Hodgins** made the point that the bill went much farther than the international protocol by requiring an 85% reduction in chlorofluorocarbons by the year 1998. Opposition critic **Ed Tchorzewski** welcomed the bill but stated that it was the introduction of his private member's bill; Bill 1, *An act to amend The Environment Management and Protection Act with respect to Ozone*, that embarrassed the government into action.

Again on the environmental front, the Environment Minister launched a "blue recycling box" programme for the Legislative Building and Government offices. The Opposition had earlier installed their own recycling bins. In June the Minister introduced Bill 36, *An Act respecting a Report on the State of the Environment*, which will require the Department of the Environment and Public Safety to produce an annual report outlining the condition of the province's environment. Mr. Hodgins said the report will be thorough and comprehensive, and communicated in a form understandable to everyone. It will be, he suggested, the environmental equivalent of the consumer price index.

Problems in agriculture continued to draw the close

attention of both sides of the Assembly. Three emergency debates took place over the course of the spring session in connection to agricultural prices, foreign grain subsidies and the farm aid to be delivered by both the federal and provincial governments. Members from both sides of the House moved numerous private members' motions that dealt with agricultural issues. Nearly thirty hours was spent in the Committee of Finance debating the crisis facing rural Saskatchewan.

In conjunction to the problems of agriculture, both sides of the House expressed strong views on diversification of the provincial economy. The Opposition criticized the Government by stating that it had neglected local small business and community economic development in favour of large corporations and mega projects. Government investment in the Saferco fertilizer plant planned by the giant Cargill corporation came under particular criticism. For its part, the Government maintained it would continue to attract productive industry to the province.

For those communities facing decline, a new initiative came from Economic Diversification and Trade Minister **Grant Schmidt**, who introduced Bill 28, *An Act respecting Investment by Saskatchewan Residents in Support of Community Diversification and Environmental Protection*. The Minister indicated that the bill is designed to help communities raise money for development projects through a government guarantee on the principal amounts of money raised through the sale of community bonds. The Opposition supported the objectives of community bonds but suggested that it might be too little too late; an eleventh hour approach to a problem long neglected.

The Spring Session was adjourned on Friday, June 22, after sitting 67 days. The Assembly considered 51 public bills and three private bills, a somewhat lighter agenda than usual. As an election looms, the Government being in its fourth year, there is speculation that the Members have concluded the last session of the twenty-first Legislature.

Gregory Putz
Clerk Assistant
Saskatchewan Legislative
Assembly

Senate

Every year before the summer break, the pace of legislative activity picks up so that the government's priority legislation can pass. In June alone, 15 Government Bills, 10 Private Members's Bills to change riding names and 3 Private Bills from the Senate received Royal Assent. Two committee reports dealing with studies of national interest were also tabled.

Committee Reports

On June 12, 1990, the Chairman of the Standing Committee on Energy and Natural Resources, Senator **Daniel Hays**, presented the report of this committee, whose mandate was to determine to what extent Petro-Canada had reached its objective and to evaluate this objective with reference to the role Petro-Canada should play on the Canadian energy scene. The committee was particularly interested in Petro-Canada's economic performance, which it

compared to that of Imperial Oil and Shell Canada.

Having studied the national oil companies of Norway, Japan, Italy and Venezuela, the committee recommended that the government consider creating an energy agency which, like the Japan National Oil Corporation, would help ensure secure energy supplies by investing in this sector without actually playing a management role. It also recommended that the government ensure the existence of adequate competition in the retail sales sector. Finally, most members of the committee believe that no decision about privatizing Petro-Canada should be made until the government has established its own energy policy. Copies of this report entitled "Petro-Canada" can be obtained from the Coordinator of Senate Information Services, 140 Wellington Street, Ottawa, Ontario K1A 0A4, (613) 992-1149.

Health Care in Canada

Following a study of problems in short-term care hospitals and institutions, the Chairman of the Standing Committee on Social Affairs, Science and Technology, Senator **Lorna Marsden**, on June 13, 1990, tabled a report entitled "Accessibility to Hospital Services—Is There a Crisis?". This study arose from a notice of inquiry presented to the Senate by Senator **Paul David** on April 5, 1989.

The committee concluded that hospitals providing active care obviously have problems that threaten access to them, especially in large cities. One of its main recommendations is to establish a national council for human resource planning in the health field which would provide guidance and leadership in implementing solutions to the problem of nursing staff shortages. The committee

believes, however, that this organization must work in cooperation with the provinces and professional associations. Copies of this report may be obtained at the address give above.

"Officers" of Parliament

On June 6, 1990, the Deputy Leader of the Government in the Senate, Senator **William Doody**, moved in accordance with section 53 of the *Privacy Act* that the Senate approve the appointment of Mr. **Bruce Phillips** as Privacy Commissioner.

Subsection 53(1) of this Act states that the Privacy Commissioner is appointed upon approval by a resolution of the Senate and the House of Commons. The Government of Canada has five positions that require the approval of both Houses of Parliament for appointments and dismissals. They are the Auditor General, the Chief Electoral Officer, the Commissioner of Official Languages, the Privacy Commissioner and the Information Commissioner.

During a debate on this subject on June 27, 1990, Senator **Michael Pitfield**, a former Clerk of the Privy Council, highlighted the role and responsibilities of these "officers" of Parliament. He also mentioned the principles underlying this kind of appointment. Traditionally, the candidate must not be associated with any political party and the government must do its utmost to ensure that the person named is acceptable to all parties represented in Parliament.

On the basis of the principles raised by Senator Kirby, this matter referred following a vote to the Standing Senate Committee on Legal and Constitutional Affairs for consideration and report.

Diane Deschamps
Senate Committee Clerk

House of Commons

The mood in Ottawa during the summer was rather tenuous as many anxiously awaited the recall of the House on September 24th to gauge more accurately the fallout from the failure of the Meech Lake Accord in June.

The announcement on July 25 that the independent Members from Quebec have formed a new "political group", the Bloc Québécois, and the election of **Gilles Ducespe** in Laurier-Sainte-Marie as a member of this new alliance signal the possibility that there will be turbulent times in the House of Commons this fall.

The final days of the spring sitting were predictably hectic ones, replete with the usual flurry of committee reports and legislative activity. Concerns over the proposed Goods and Services Tax continued to occupy much of Question Period, with the Meech Lake Accord vying for time as the June 23rd deadline neared.

The Chamber's galleries were full on May 29 for the recorded division on third reading of the abortion legislation, Bill C-43. Protesters interrupted the proceedings during the vote, causing the Speaker to twice suspend proceedings. The demonstrators were dealt with by the House of Commons security staff.

On June 18, Members of the House of Commons and the Senate heard an address in the Commons Chamber by **Nelson Mandela**, the Deputy President of the African National Congress.

Special Committee

The Special Committee that was created in December 1989 to study the *Parliament of Canada Act* and the responsibilities and jurisdiction of the Board of Internal Economy tabled its Third and Fourth Reports in the House on May 29 and June 1 respectively. The Committee's recommendations touch on a number of areas affecting Members of Parliament. The Third Report confirms the authority of the Speaker in regard to the execution of search warrants within the precincts of Parliament.

The recommendations of the Fourth Report include new powers for the Board of Internal Economy, principal one of which is "exclusive authority to determine the propriety of any use by Members of the House of Commons of sums of money, goods, services or premises made available to Members for the carrying out of their parliamentary functions." This authority extends to include a stipulation that no criminal process may be based on a Member's use of such facilities unless the authorities involved have previously obtained a ruling on the matter from the Board of Internal Economy. As well, the Committee urged that the review of the Member's Manual of Allowances and Services to be carried out by the Management and Members' Services Committee encompass some of the Special Committee's areas of concern, including a clarification of the use of House of Commons resources for partisan activities.

Both reports were concurred in at the time of tabling, and Bill C-79, an *Act to amend the Parliament of Canada Act*, based on the Committee's recommendations, received second reading and reference to the Special Committee on June 27 (the last day of sitting). The Committee's final

reporting deadline has been extended to December 13, 1990.

Changes in Party Standings

The period leading up to and following the failure of the Meech Lake Constitutional Accord saw a number of Quebec Members, both Conservative and Liberal, cross the floor to sit as Independents. François Gérin (PC Mégantic-Compton-Stanstead) led the way on May 18, 1990, followed by Gilbert Chartrand (PC Verdun-Saint-Paul) and Lucien Bouchard (PC Lac Saint-Jean) on May 22, and Benoît Trembly (PC Rosemont), Louis Plamondon (PC Richelieu), Nic LeBlanc (PC Longueuil) and Jean Lapierre (Lib. Shefford) on June 26.

One vacancy still exists in the riding of York North. On June 7, the Speaker announced to the House that he had issued his warrant to the Chief Electoral Officer for the issue of a new writ of election for that riding, based on a ruling by the Ontario Supreme Court that the election of Maurizio Bevilacqua (Liberal) is void and invalid.

Chris Trauttmansdorff
Procedural Clerk
Table Research Branch

Ontario

The Second and last session of the 34th Parliament was adjourned on June 28, 1990 in accordance with the parliamentary calendar set out in the Standing Orders. This period was relatively calm and the House only sat one evening to complete legislation.

After the failure of the Meech Lake Accord, the Premier, David Peterson, made a statement in the

House outlining his government's response to the situation. However, he immediately left the House after making his remarks and the Leaders of the two opposition parties expressed their anger at the fact that the Premier did not remain to hear their observations on the failure of the Accord. Procedural deadlock followed, and the solution was a negotiated agreement among the three House Leaders that saw the House adjourn early that day.

The House also passed a resolution calling upon the federal government to "live up to the obligations set out in the (United Nations) Convention of the Rights of the Child by putting in place the policies, programs and legislation necessary to ensure that children become our most precious natural resource in fact as well as in our societal mythology."

The Speaker, Hugh Edighoffer was asked for the first time to rule on an appeal from a decision of a committee chair, a new provision adopted when the Standing Orders were amended in October, 1989. Previously, rulings by committee chairs were subject to an appeal to the committee itself. Now, rulings by committee chairs may only be appealed to the Speaker, and only by a majority of the members of the committee involved.

The appeal concerned a report from the Business Sub-committee of the General Government Committee which called for the Committee to consider a matter relating to a decision by the Premier to stop a Commission of Inquiry concerning the development industry in the Region of York before the matter was considered by Cabinet. Government members on the Committee attempted to have the Committee's study of this matter delayed until such time as another committee, the Legislative Assembly Committee, had

conducted its review of the impact of a recent decision of the Supreme Court of Canada concerning the constitutionality of another Commission of Inquiry concerning alleged improprieties involving Patricia Starr and officials of the government of Ontario. The Chair of the Committee, Harry Pelissero, ruled that the matter fell within the mandate of the Committee and that the process permitting matters to be designated for consideration by the Committee had been appropriately followed. This ruling was appealed to the Speaker by a majority of the members of the Committee. Later the same day, in the House, the Speaker confirmed the decision of the Chair of the Committee.

During the Session, 2 Private Members' Public Bills passed. Bill 167, *An Act respecting the Ontario Food Terminal*, sponsored by Norman Sterling, eliminated the monopoly of the Ontario Food Terminal to run a wholesale food terminal in the regional municipalities of Peel, York and Metro Toronto. Mr. Sterling had brought this bill before the House at the request of the Standing Committee on Government Agencies, of which he was the Chair. Bill 115, *an Act to amend the Representation Act*, sponsored by Keith MacDonald, changed the name of the electoral district of Prince Edward-Lennox to Prince Edward-Lennox-South Hastings.

Committees

The Select Committee on Education, chaired by Sterling Campbell, tabled its Fourth Report on Early Childhood Education. Among other things, the Committee recommended a greater co-ordination between the Ministries involved in providing care and education to young children. The Committee

recommended that the training provided to teachers and child care workers be reviewed and that more courses specializing in child care and early education be provided.

The Standing Committee on Resources Development, chaired by **Floyd Laughren**, considered a Private Member's Public Bill – *An Act respecting East/Central Ontario Recreational Trails Commission*. After 2 days of consideration, the Committee reported the Bill to the House without amendment.

During the last week of the Session, the Standing Committee on Estimates, chaired by **George McCague**, reported its second round selection of Ministries to be reviewed. However, the pending general election has effected a cancellation of the Committee's anticipated review.

The Chair of the Standing Committee on Government Agencies, **Norman Sterling**, presented the Committee's report to the House resulting from its review of the Ontario Human Rights Commission. The review had been ordered by the House in July 1989 following reports of alleged staffing irregularities. While the Committee did not find any irregularities in staffing, the Committee made recommendations to strengthen the Commission and to make it more effective. The Committee also deposited with the Clerk of the Assembly its 17th report on various agencies, boards and commissions reviewed since the 16th report. Contained in the latest report were the Committee's findings and recommendations pertaining to the College Relations Commission, Ontario Custody Review Board, Ontario Board of Parole, Ontario Student Assistance Appeal Board, Ontario Training Commission and the Apprenticeship and Tradesmen's Provincial Advisory Committees.

The Standing Committee on Public Accounts, chaired by **Ed Philip**, tabled 2 reports. Report No. 1 reviewed the section of the Provincial Auditor's 1989 annual report dealing with the audit of the personnel classification system of the Human Resources Secretariat, Management Board of the Cabinet. The Committee has requested progress reports on the proposed new classification systems and made recommendations regarding the grievance system. Report No. 2 reviewed deficiencies noted in Ministry of Transportation driver and vehicle registration systems, also reported in the 1989 Annual Report. The Committee made recommendations on security controls, reducing backlogs, and the Ministry's proposed evaluation of the new motor vehicle permit system. The report also contained changes proposed by the Provincial Auditor on the audit of government agencies. These changes would necessitate changes to the *Audit Act* to allow the Auditor to expand the value-for-money auditing coverage and to allow the office to contract-out financial auditing functions.

The Select Committee on Constitutional and Intergovernmental Affairs, chaired by **Allan Furlong**, was authorized to consider the 1990 constitutional agreement signed at Ottawa on June 9, 1990. The Committee recommended that the province remain committed to meaningful Senate Reform, that it continue its efforts to address aboriginal concerns, and that the Assembly ratify the 1990 Constitutional Agreement. The Committee reaffirmed the recommendation of the 1988 Report of the Select Committee on Constitutional Reform to incorporate multicultural heritages, aboriginal rights, and gender equality rights named in the

Charter as a feature of a companion resolution on fundamental characteristics of Canada that would accompany the Accord.

The Standing Committee on General Government, chaired by **Harry Pelissero**, considered Bill 114, *An Act to amend the Ontario Lottery Corporation Act*. The bill permits profits of the Ontario Lottery Corporation to be allocated to government programs dedicated to protection of the environment. The bill was reported to the House and received Third Reading and Royal Assent.

The Standing Committee on Administration of Justice, chaired by **Robert Chiarelli**, held extended public hearings on Bill 107, *An Act to revise the Police Act and amend the law relating to Police Services*, during May and June. Bill 107 was referred to Committee on May 17, a short time after the alleged shooting of a Black youth by a Metropolitan Toronto Police Officer. In order to permit a broader discussion of policing services and community and race relations, a concurrent reference was made to the Committee of the *Report of the Race Relations and Policing Task Force*. Bill 107 was reported with amendments to the Legislature by the Committee's required reporting date of Wednesday, 20 June. At the same time, the Chair presented the Committee's *Report of Submissions on Police Services and Race Relations*, which summarized the views of witnesses appearing before the Committee.

On June 27, Mr. Chiarelli presented the Administration of Justice Committee's report on Alternative Dispute Resolution (ADR), the first major report of its kind by a legislative committee at either the provincial or federal levels. The Committee found no jurisdiction in Canada with a

broad-based policy dealing with Alternative Dispute Resolution.

In its report, the Committee considered, and presented recommendations on, the extent to which Ontario public policy should develop and encourage alternative means for the resolution of disputes, both within and outside the established court system. The report's nine recommendations range from requiring the province to build in ADR procedures in new legislation, to the use of ADR in the resolution of native claims. Mr. Chiarelli noted that, "Society is generally ahead of governments on this issue. The inquiry has shown that the public want new and better processes applied to settle situations of conflict, whether they be neighbourhood disputes or issues of national significance."

The Special Committee on the Parliamentary Precinct, co-chaired by Hugh Edighoffer and Herbert Epp, has appointed the firm of Julian S. Smith, Architect, as heritage advisor with responsibility for preparing in the next year a master plan for the use and restoration of the Parliament Building.

Election

On July 30, 1990, the 34th Parliament was dissolved and a provincial election was called for September 6, 1990. The standings at dissolution were: Liberals, 93; New Democrats, 18; Progressive Conservatives, 17; Vacant, 2. [Editor's Note: Following the election the standings were NDP 74, Liberals 36 and Progressive Conservatives 20. For complete election results see pp. 42-43.]

Tannis Manikel
Committee Clerk
Ontario Legislative Assembly

British Columbia

The Fourth Session of the Thirty-fourth Parliament continued sitting until Friday, July 27. With the Select Standing Committees formed in early May several issues, new and continuing, were referred. The Select Standing Committee on Finance, Crown Corporations and Government Services received the financial planning and advisory industry matter again; the Select Standing Committee on Forests and Lands continued its review of log exports from British Columbia and the matter of the Vancouver Log Market, reporting to the House its proposed recommendations on June 27; the Select Standing Committee on Public Accounts delved into the Annual Report of the Auditor General and the Public Accounts for the Province, issuing its First Report to the Legislative Assembly on July 25; the Select Standing Committee on Standing Orders, Private Bills and Members' Services received several Private Bills and; the Select Standing Committee on Labour, Justice and Intergovernmental Relations continued its review of the *Builders Lien Act* and received the *Structured Compensation Act* to examine, as well. The former legislation was reported to the House on Thursday, May 31, as a First Report containing proposed recommendations and, subsequently, on Thursday, July 26, as a Second Report modifying three of the twenty-four original recommendations. The latter legislation involves the ability of the court, in a personal injury or *Family Compensation Act* action, to make an order that will facilitate the

payment of damages to the plaintiff by means of periodic payments. The Committee expects to conduct public meetings into the *Structured Compensation Act* during the autumn.

Significant Speaker's Decisions during the Spring Session included six privilege matters and two Urgent Debate requests. On Tuesday, April 10, Mr. Speaker ruled that in relation to the tabling of the public accounts in the House, a previous public accounts committee recommendation was not contravened since there was a discrepancy between direction and the method of tabling. On the same day, Mr. Speaker held that announcements of proposed legislation by a Minister and subsequent communications relating thereto by a member of the Public Service to the principal permanent officers of the municipalities does not impede the House or any member in the performance of their functions.

On Wednesday, April 11, Mr. Speaker ruled that in the matter relating to interjections made by a member during proceedings in the House, given that the offending member had apologized and that the offended member had not tendered the appropriate motion at the end of her statement, did not qualify as matter of privilege.

Mr. Speaker, the Hon. Stephen Rogers, delivered his reserved decisions relating to allegations of breach of privilege respecting the conduct of the Attorney General, evidence of which was contained in transcripts of intercepted conversations subsequently tabled in the House; respecting the conduct of the member originally tabling the transcripts; a response by the Attorney General; further points of order aimed at the member raising the matter of privilege against the Attorney General, originally; and

whether or not the Legislative precincts had electronic listening devices in place. In essence, the case involved the publication of intercepted radio-telephone communications between the Attorney General and a newspaper journalist which became the subject of several inquiries in light of the tabling in the Legislative Assembly of the contents of electronically transmitted discussions. There were allegations of breach of the *Criminal Code*, the *Radiocommunication Act* and contravention of the *Privacy Act* as a result of the interception of the radio-telephone conversations. In view of the several outside inquiries into the matter and new information surfacing, daily, Mr. Speaker proposed that he withhold any further consideration of the issues for the time being in order not to prejudice anyone. Mr. Speaker was emphatic that electronic surveillance of Members of the Legislative Assembly of British Columbia, even though it may not be in breach of other laws, is a grave contempt of the British Columbia House.

On Tuesday, July 24, Mr. Speaker ruled that in relation to a matter characterized as mis-statements of fact by a Minister on presentation of a Bill in 1988, involved a difference

of opinion as to facts, upon examination, and that no breach of privilege existed.

Remarks attributed to a member spoken outside of the House was raised as a matter of privilege and ruled upon by Mr. Speaker on Wednesday, July 25 to the effect that since he had no evidence that the remarks were actually made and, in any event, that he does not have the power to order the withdrawal of words spoken outside the Chamber, no matter of privilege existed. Mr. Speaker concluded a decision on a subsequent related matter of alleged breach of privilege by stating that he had observed the recent proliferation of complaints presented as matters of privilege do little to enhance the dignity of the Chamber and he urged members to consider their material with considerable care before rising on a matter which they describe as a matter of privilege.

On Thursday, July 26, Mr. Speaker ruled that the delay of raising matters that could be considered of urgent public importance in the House is fatal to the application and while recognizing that he wished not to diminish the matter, namely, aboriginal peoples of British Columbia and their longstanding

grievances, the Chair is bound to apply the rules the House has adopted.

The House rose on Friday, July 27 having passed the Estimates for the fiscal year 1990-91; 75 of 80 government bills introduced during the spring session; 4 private bills and; given First Reading to 46 members' bills. Legislation receiving particular emphasis by the House were the *Electoral Districts Act*, *Carmanah Pacific Park Act*, the *University of Northern British Columbia Act*, the *Referendum Act*, the *Senatorial Selection Act*, the *Members' Conflict of Interest Act*, and the *Public Sector Collective Bargaining Disclosure Act*, among others.

To date, in this Parliament, committees of the House have held 229 meetings, received 1250 written submissions, issued 25 reports to the Legislative Assembly and have been referred 42 matters to examine. More than 41 public hearings have taken place throughout the province including those held at the Parliament Buildings in Victoria.

Joan L. Molsberry
Committees Secretary
Legislative Assembly of
British Columbia