



Legislative Reports

Quebec

The first session of the thirty-fourth legislature, which was opened on November 29, 1989, was prorogued by proclamation of the Lieutenant-Governor on Wednesday, March 18, 1992, at 11:00 p.m.

The National Assembly held 185 sittings during this first session, including four extraordinary sittings. The first two extraordinary sittings were held on August 30 and September 4, 1990. Their purpose was to discuss the conflict with the aboriginals at Châteauguay and Oka, administration of the GST and consumption tax reform, and to establish the Commission on the Political and Constitutional Future of Quebec, better known as the Bélanger-Campeau Commission. The two other extraordinary sessions, held October 27 and 28, 1991, were called to enable the Assembly to pass Bill 120, *An Act respecting health services and social services and amending various legislative provisions*, consideration of which was suspended at adjournment in June in order to enable the parties involved to resolve a number of points in dispute. This bill, containing more than 600 articles, provides for a comprehensive reform of the administration of Quebec's health and social services.

The National Assembly also passed other important legislation. The new Civil Code of Quebec, reform of which was undertaken in 1955, is the result of extensive con-

sultation culminating in a comprehensive report by the Office de révision du Code civil, which was tabled in the National Assembly in 1978. Over the past decade, the Assembly has considered a number of bills, which ultimately constituted the proposed Civil Code tabled in the Assembly in December 1990, of which 3,168 articles were ratified in December 1991.

Among the other important bills, mention should be made of those concerning business hours and days in commercial establishments, the practice of midwifery, the Quebec sales tax and, lastly, Bill 150, *An Act respecting the process for determining the political and constitutional future of Quebec*. This statute, which arose out of the Bélanger-Campeau Commission report, provides for a referendum to be held on Quebec sovereignty and the establishment of two special commissions, the first to study all matters pertaining to Quebec's accession to full sovereignty, the second to assess all offers for a new constitutional partnership made by the Government of Canada and formally binding on the latter and the other provinces.

Two byelections were held during this first session, the first in the riding of Montmorency, left vacant by the resignation of Liberal MNA, Yves Séguin, also Minister of Labour and Minister of Revenue. Jean Filion of the Parti Québécois won the seat. The second byelection took place in the constituency of Anjou, which had been represented by the former Liberal, then Independent MNA, René-Serge Larouche, until the latter's resignation. The winning

candidate was Pierre Bélanger of the Parti Québécois.

Thirty-fourth Legislature

When the second session of the thirty-fourth legislature opened on March 19, 1992, the Lieutenant Governor Martial Asselin, made his first speech from the throne since taking up his duties on August 9, 1990 and observed that December 17 1992 next would mark the two hundredth year in which there has been a Parliament constituted in Quebec City. Activities are organized for the entire year to mark the bicentenary of Quebec's parliamentary institutions. The Lieutenant-Governor then noted that Quebec's constitutional status would occupy a large part of the National Assembly's proceedings and that a considerable show of discipline in the administration of public funds will be imperative. The main subjects which MNAs will be required to debate will be funding of the health system, improvements in education system performance, introduction of a labour force development policy, industrial, scientific and technological development, Hydro-Quebec projects, the exploitation and protection of forests, consequences of the globalization of markets and trade liberalization, particularly as regards agriculture, the environment and the regulation of dangerous wastes, the government's cultural policy, problems in the Anglophone school system and the prospects for that community in Quebec, and, lastly, the introduction of a recovery plan for the Greater Montreal area.

From March 24 to April 7, 1992, the Assembly debated the opening speech delivered by Premier **Robert Bourassa**. The opposition made seven no-confidence motions during the debate.

On March 24, 1992, the President of the Treasury Board tabled the government's estimates for 1992-1993. The estimates totalled \$41,019,000, a 5.8 per cent increase over the previous year's estimates. The main increases came in votes for health and social services, education and income security.

During March and April 1992, the main topics debated in the National Assembly, particularly during Question Period, where developments in the constitutional issue and Quebec's economic situation. Parliamentarians also addressed other current issues such as the Dunkel Report and the GATT negotiations, collective agreements in the public and para-public sectors, the apprehended effects of the QST (Quebec sales tax, the Quebec counterpart of the GST), particularly with regard to cultural industries and, lastly, the role of the Analysis and Information Centre established by the government following the events of October 1970. This last was the subject of a no-confidence motion.

The National Assembly changed its regulations on a number of occasions during this last session. Permanent amendments were made to the committee system. Provisional amendments were made to the work schedule of the Assembly and its parliamentary commissions, as well as certain provisions governing end of sitting debates.

Jean Bédard
Assembly Secretariat

Committees

By April 24, 1992, the eight standing commissions had held 94 sittings totalling 312 hours for the months of February to April 1992. This period of the year is usually devoted to public hearings on the terms of reference which the Assembly assigns to the commissions and to a number of control and parliamentary activities.

During the quarter, nearly 50 per cent of the commissions' working time was devoted to the consideration of bills, four of which were the subject of public hearings, and 13 of clause-by-clause study. The commissions took advantage of the sessional breaks to audit the financial commitments of the departments and public agencies within their fields of jurisdiction, then, in mid-April, undertook the annual study of estimates. By April 30, more than half of the envelope of 200 hours allocated for this purpose had been used.

The terms of reference of a number of commissions should be underscored.

The Commission on Development received 31 briefs and heard 28 persons and agencies in the course of its public hearings on Bill 412, *An Act respecting the Office de protection de l'environnement du Québec and amending various legislative provisions*. On April 9, 1992, the Commission also tabled a final report containing 71 recommendations based on its study, initiated by its members, of the procedure for assessing and examining environmental impacts. The Commission also tabled a report on April 15, 1992, which was the culmination of another assembly mandate to examine the orientations, activities and management of the Quebec Property Assessment Review Board. The report contained nine recommendations.

The Commission on Social Affairs held public hearings on a document entitled, *Equitable Funding We Can Afford*, which states the government's orientations regarding funding of the Quebec health care system. The Commission invited 50 individuals and organizations and heard 39. The Commission also conducted a general consultation on Bill 408, *An Act respecting the Société québécoise de développement de la main-d'oeuvre* and on a document entitled *Partners for a Competent and Competitive Quebec*. The Commission received 85 briefs and heard 67 individuals and organizations. The Commission also had the last word in its report on its review of the situation prevailing at the Metropolitan Montreal Health Emergency Corporation. The report was tabled on March 26, 1992, and contained five recommendations.

The Budget and Administration Commission mainly conducted a detailed study of a number of bills including Bill 407, *An Act to amend the Taxation Act and other fiscal legislation*. The Commission also conducted a quarterly study of the government's budgetary policy and of developments in public finances. It also heard the Auditor General of Quebec in the context of its study of his report for the 1990-1991 fiscal year, and initiated two new mandates, one on modernization of the public service, the other on a review of the public accounts and accountability of public servants.

The Commission on the Economy and Labour held public hearings on Bill 185, *An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry*. The Commission received 16 briefs and heard 12 individuals and organizations.

The Commission also examined Hydro-Québec's proposed rate schedule for 1992.

The Commission on Institutions consulted six experts and conducted a detailed study of Bill 404, *An Act to amend the Act respecting the conditions of employment and the pension plan of the members of the National Assembly and other legislation*.

The Commission on Agriculture, Fisheries and Food, the Commission on Culture and the Commission on Education devoted their efforts mainly to regular commission activities such as detailed consideration of bills, audits of financial commitments, consideration of budget estimates and "interpellation", which is a televised two-hour debate during which an Opposition member questions the Minister on a topic of public interest which he has selected.

It should be noted, however, that the Commission on Education undertook two new mandates, the first an examination of the orientations, activities and management of the *Conseil supérieur de l'éducation*, the second in order to hear the Task Force on Young People concerning its report entitled "A Quebec that Loves its Children".

Lastly, two special commissions established under Bill 150, *an Act respecting the process for determining the political and constitutional future of Quebec*, also sat during the quarter.

The Commission on Issues Related to Quebec's Accession to Sovereignty held 14 public hearings in order to hear various experts on topics selected by the Commission. It also held eight working sessions, including two *in camera* sessions, concerning the direction of its proceedings. The Commission on Offers for a New Constitutional Partnership, held five public hearings in order to examine various experts.

Alain Major
Commission Secretary

New Brunswick

During the first 34 daily sittings of the Fifty-second Legislative Assembly of New Brunswick, Members elected a new Speaker, amended the Standing Rules, debated the Throne speech, received a Select Committee Report on the Constitution, introduced controversial legislation, referred a Question of Privilege, received the budget and scrutinized the Estimates in the Committee of Supply before breaking for a short recess on Friday, May 1.

The Session, which opened February 11, 1992, the earliest date in 25 years, proved unique in a number of ways. For the first time in New Brunswick's history, members elected a woman, Shirley Dysart, Member for Saint John-Park, as their Speaker. For the first time, New Brunswick has two Deputy Speakers and four parties and their leaders, represented in the House — Liberal, Confederation of Regions, Progressive Conservative and New Democratic Party. In fact, for the first time since 1987, there is an official elected opposition on the floor of the House, the Official Opposition being the recently chartered CoR party. For the first time, a woman who has been elected Leader of a political party (Elizabeth Weir, N.D.P. - Saint John South), occupies a seat. For the first time since 1982, the House has before it a matter of privilege.

Throne Speech

Lieutenant-Governor Gilbert Finn, O.C., in the fifth year of his term, delivered the Speech from the Throne which promised a number of measures to strengthen the

province's economy: the development of a Green Paper on tax reform for public discussion; major initiatives to refocus and rationalize health and community services; a commitment to balance the Ordinary Account over a four-year period; measures to stem the loss of retail sales and tax revenue to cross-border shopping; the establishment of pilot government service centres and consolidation of a number of others; amendments to the *Crown Lands and Forests Act* to simplify issuing leases on Crown land and approving boundary changes to timber licenses; the development of policies aimed at the creation of 25,000 new jobs over the next four years; a Citizen's Assembly inviting New Brunswickers to work with members of the Legislature to find a consensus on renewal of the Canadian federation, and steps to strengthen the ties between the province's English and French communities.

Opposition Leader Danny Cameron (Confederation of Regions Party - York-South), described the Throne Speech as a document filled with empty rhetoric and hollow promises, stating that New Brunswickers "deserve more than a document that lacks concern for the vast numbers of unemployed." He pointed out that the government claims to support excellence in education but restricts young people from better services by freezing university funding, forcing cutbacks and higher tuition, and forcing young people to leave the province for services. He maintained his party's concern for the health and welfare of New Brunswickers, protection of the family farm structure, implementation of definitive programs to protect the environment, and suggested a user-pay method to compensate for the sad state of the province's transportation system. The Leader of Her Majesty's Loyal



Citizen's Assembly, on the Report of the New Brunswick Commission On Canadian Federalism published January 1, 1992 and to report to the Legislative Assembly by March 31, 1992. The all-party Committee, chaired by Bernard Thériault (Liberal - Caraquet) held six days of public hearings in February and received presentations or briefs from over 50 individuals or groups. On March 14 and 15, the Committee sponsored a Citizen's Assembly attended by 60 delegates representing a broad cross-section of social, economic and cultural groups and organizations. Members of the New Brunswick Commission on Canadian Federalism participated in the Citizen's Assembly and exchanged views on constitutional issues with delegates and members of the Committee.

In its Final Report to the House on March 27, 1992 the Select Committee on the Constitution's recommendations addressed several major themes: Canada's Challenge and a Canada Clause reflecting fundamental values and characteristics; national programs; economic union; linguistic partnership; aboriginal issues, and reform of Canada's institutions.

The Committee endorsed the Commission's acceptance of a "distinct society" for Quebec, recognition of aboriginal self-government and a reformed Senate. It also supported the Commission's recommendation regarding constitutional protection of the two linguistic communities in the province, specifically:

- That the Constitution be amended to include a clause recognizing the equality of status, equal rights and privileges of the English and French linguistic communities in New Brunswick and that this equality includes the right to distinct educational institutions and such distinct, cultural institu-

The new Speaker is Shirley Dysart Speaker. A former teacher, Mrs. Dysart was elected to the legislature in 1974 to represent Saint John North. Since 1978 she has represented the constituency of Saint John-Park. Mrs. Dysart is a former Interim Leader of the Opposition and she served as Opposition Critic for the Departments of Education, Advanced Education, Health and Justice. During the 51st Legislature, Mrs. Dysart was Minister of Education. (Mullin's Photography Ltd.)

Opposition added that to address the economic crisis, his party plans to investigate the cost of duality and to look at alternatives to the needless expenditures which result from it.

Rules Changes and Procedural Issues

After amending the Standing Rules on February 18, 1992, the House appointed two Deputy Speakers who are also Chairmen of the Committees of the Whole House: Michael

McKee, (Liberal - Moncton North) and Reginald MacDonald, (Liberal - Bay du Vin). Other rule changes limit statements by members from one and a half minutes to sixty seconds.

Committees

One of two Select Committees appointed February 18, the Select Committee on the Constitution was mandated to seek input from the public, including through a

tions as are necessary for the preservation and promotion of these communities.

On April 7, after 5 hours of debate often dominated by language issues, and two recorded votes, the House adopted a motion concurring in the Committee's recommendations and agreeing that said recommendations serve as a basis of negotiations for New Brunswick's current round of constitutional discussions.

Shortly after, the Official Opposition introduced a motion in favour of a constitutional referendum; specifically:

- THAT the Legislative Assembly petition the Government of Canada to hold a nation-wide referendum on constitutional change; and
- THAT, in the event of a national referendum, the majority vote of New Brunswickers in said referendum be considered by the Government of New Brunswick as the position of the province of New Brunswick regarding the constitutional package; and
- THAT, in the event a national referendum is not held, that the Government of New Brunswick consider holding a referendum of its own to assess the wishes of the people of New Brunswick prior to ratification of any final constitutional proposal from the federal government.

The motion stands on the Order and Notice Paper for consideration on May 12.

The Select Committee on Maritime Economic Union was appointed and mandated to seek public input on the discussion document *Challenge and Opportunity*, May 1991 and to make recommendations to the Legislative Assembly by May 29, 1992.

The Committee, chaired by James E. Lockyer, Q.C., C.D., (Liberal - Moncton West) held public hearings on April 15 and 22, 1992 and is

currently engaged in preparation of its final report to the House.

Capital Budget

On February 25, Finance Minister Allan Maher (Dalhousie) introduced the Capital Budget for the 1992-93 fiscal year. The Capital Estimates will be maintained at the 1991-92 level of approximately \$335 million, sending a positive message to a construction industry struggling with the current downturn in economic activity. Capital Estimates include \$57.3 million in capital improvements and equipment for schools, \$19.5 million for the environment, \$45.2 million for health, \$8.4 million for university campuses, and \$22 million for the Regional Development Corporation, which includes funding for the government's commitment to the new Saint John Civic Centre. Highway infrastructure remains a priority, including the continued development of a four-lane TransCanada Highway, as well as other arterial highways and rural roads. A total of approximately \$197.3 million has been set aside for the Department of Transportation.

In accepting the motion to refer the matter to the Standing Committee on Privileges, Speaker Dysart found that there was a *prima facie* breach of privilege and that the matter had been raised at the earliest opportunity. [Editor's note: The Committee considered the matter on May 12 and recommended to the House on May 15 that the matter be referred to the Standing Committee on Legislative Administration.]

Following a three-week adjournment, the House resumed March 25.

Budget

Prior to presenting its Main Budget Estimates, the government announced major changes in the area of health care when Health and

Community Services Minister Russ King (Fredericton South), tabled an overview of the government's strategy entitled *A Health and Community Services Plan for New Brunswick*, which the Minister stated would "have an unquestionably beneficial effect on the health and well-being of our citizens, while relieving the burden on the taxpayer".

Foremost among the announced changes is the replacement of the fifty-one existing hospital and health centre boards by eight regional boards. Other changes include: an overall reduction of 210 beds in 13 small-to-medium hospitals, bringing the ratio to 5.1 per 1000 population and closer to the national average of 4.6 beds; net loss of 273 full-time jobs; extra-mural hospital and single-entry point program extended to the whole province within two years, and the prescription drug program for seniors to become "the payer of last resort".

The plan to restructure the health care system comes less than one month after the government finalized changes to the education system which amalgamate the province's school districts from 42 to 18.

On March 31, 1992, the government presented its Main Budget Estimates, recording for the first time since 1988-89, a \$135 million deficit in the ordinary account. Finance Minister Alan Maher (Dalhousie) stated that his "government has accepted the need for a deficit this year in the ordinary account because ... a fragile economy would not sustain further expenditure reductions, and modest investments could, in fact, help stimulate economic recovery. The overall objective of this budget," he stated, "is to accelerate a fragile economic recovery; freeze new taxes and allow for modest strategic tax reductions; reduce the deficit from the year just ending;

and introduce a program of capital investment to further stimulate the economy and create new jobs. The \$4.1 billion budget streamlines government services, establishes a responsible wage policy, allows services to be delivered in the best way possible to all New Brunswickers, and protects those most vulnerable."

Specific measures include: tax cuts for gasoline, tobacco, and wine sold to licensed establishments; agreement with the federal government to have alcohol and tobacco taxes collected at U.S. border crossings; increase in motor vehicle license fees and fines; no wage freeze but a two-year wage restraint policy; an approximate 2% increase in welfare rates; elimination of 749 full-time civil service positions through attrition and early retirement, and \$50 million for job creation.

Opposition Finance Critic Brent Taylor (CoR - Southwest Miramichi) responded: "This budget gives the people of New Brunswick no hope... This budget shows that the government has no real plans for the future. The only planning we have seen so far is the planning to consolidate more power for itself and to give less to the public at large, especially in rural New Brunswick". He claimed the budget was not the whole budget, that other aspects of the budgetary policy of the government were not referred to in the speech, and that it was made up in large part by the measures the government was preparing to impose upon the people of New Brunswick.

With reference to the government's claim of public consultation in the budget process, he maintained that "the public was not really involved in having a peek at the hidden agenda of the government. The hidden agenda cut hospi-

tals and gutted the democratically elected school board system".

Mr. Taylor took issue with the implementation of a program to vote ordinary account budget allocations on a department basis rather than on a program basis, allowing departmental managers to transfer funds from one ordinary account program to another for amounts equal to the lesser of 15 % of the program budget or \$200,000 without prior authorization from the Board of Management. He felt that the Members of the Legislative Assembly should be the ultimate managers of government spending and urged the government to revert to the old procedure of voting departmental estimates on a program-by-program basis. He concluded his remarks by introducing a non-confidence motion which was subsequently defeated.

Legislative Highlights

To date, of 55 government Bills introduced, 19 received Royal Assent. In introducing Bill 23, *An Act to Amend the Public Hospitals Act*, the government moved toward major changes in the province's health care system. The Bill, which gives legislative authority to the government's proposal to amalgamate 51 hospital boards into eight regional boards along with planned changes to the health care system, stirred a flurry of interest and resulted in dozens of petitions presented to the House. Opposition Leader Danny Cameron called the Bill a glaring example of the Liberal government's arrogance and disrespect for democracy. As of April 1, 1992 no current board has any authority and the legislation transfers to the Minister temporary control and management of the business and affairs of the 51 hospital boards in the province as the business and affairs relate to hospitals and hospi-

tal services. For a three-month interim, Health Minister King would in effect, serve as a one-person board for each hospital and health centre.

During Committee of the Whole the opposition parties, led by the Progressive Conservative Party Leader Dennis Cochrane (Petitcodiac) attempted a filibuster and introduced numerous amendments and requested recorded divisions. Following 5 hours of debate, the Bill was reported to the House without amendments.

Other noteworthy legislation having received Royal Assent include Bill 11, *An Act to Amend the Schools Act*, which proposes to clarify the responsibility and authority for the establishment and organization of community boards and repeal supplementary programs; Bill 22, *An Act to Repeal the Alcoholism and Drug Dependency Commission of New Brunswick Act*, abolished the Commission and assigned its responsibilities to the regional hospitals.

Bill 42, *Expenditure Management Act*, 1992, amended and passed after three hours of debate and three recorded votes, was subsequently read a third time on May 1. The legislation attempts to balance employees' rights to bargain collectively along with the need for financial restraint:

- Bargaining units whose contracts have no further wage increases due after the expiry of the one-year wage freeze implemented in 1991 will be able to return to bargaining as normal at the end of the freeze.
- Bargaining groups which still have wage increases due to them after the expiry of the wage freeze implemented in 1991 will have until the fall of 1992 to negotiate an extension of their collective agreements. It is intended that such an extension would incorporate a further two-year wage restraint period followed by the

reinstatement of their deferred wage increases. If any of these bargaining groups are unable to negotiate an extension to the collective agreement which meets their needs, they will have the option of cancelling the remainder of their collective agreement and returning to full collective bargaining.

- A bargaining group that decides neither to negotiate an extension to its existing collective agreement nor cancel the remainder of its collective agreement and return to the bargaining table will have a further period of wage restraint imposed by legislation.

As of this writing, the Bill stands on the Order and Notice Paper awaiting Royal Assent.

Question of Privilege

On February 28, Beverly Brine, (Confederation of Regions - Albert) raised a question of privilege in the House, concerning the Legislature's policy of not translating briefs filed with Standing and Select Committees of the Legislative Assembly. Mrs. Brine felt that the decision not to provide her an English translation of all briefs presented to the Select Committee on the Constitution affected her ability to discharge her function as a committee member.

Members' Allowances and Services

Among the 66 Private Members' Motions introduced, one by the Official Opposition asked that the government consider reducing MLAs salaries by 10% and Ministers' salaries by 20%. It was amended by the government before adoption and the subject matter — salaries, indemnities, and benefits of Members — referred to the Legislative Administration Committee for review.

In 1991, the first year of a government-imposed wage freeze on the civil service, Members accepted a

freeze on their annual sessional indemnity of \$35,807, noting that legislators should play a leadership role when government was asking New Brunswickers to tighten their belt. In keeping with the government's restraint policy, the 1992 sessional indemnity for Members will be frozen at the 1991 level.

Loredana Catalli Sonier
Clerk Assistant (Procedural)

&

Diane Taylor Myles
Research and Planning Officer

British Columbia

The First Session of the Thirty-fifth Parliament convened on Tuesday, March 17, 1992. The first order of business was the election of Joan L. Sawicki as Speaker of the Legislative Assembly. Ms. Sawicki is the second woman to hold this office in British Columbia.

Seventy-five members took their places in the Chamber on opening day up from sixty-nine as a result of electoral redistribution which took effect on election day, October 17, 1991. Of the 75 MLAs, 26 were re-elected, 49 for the first time. There are 18 Ministers of the Crown including 7 women Ministers, with the following party breakdowns - NDP 51; Liberal 17; Socred 6 and 1 Independent.

The Speech from the Throne outlined the following areas the Government proclaimed to be a priority for every British Columbian: open government defined through a new *Freedom of Information and Privacy Act*; amendments to the *Members' Conflict of Interest Act*; establishment an independent mechanism for the review of salary benefits, pensions

and severance for all MLAs and broadening the mandate of the Office of the Ombudsman.

Focussing upon the Government's commitment to economic prosperity and diversity as the best way to help pay for British Columbians social, health and educational programs, the following measures were announced:

- a major investment in the future of the tree fruit industry;
- protection of the interests of those who earn a living from West Coast fisheries;
- further promotion of a Buy British Columbia program;
- establishment of a Cabinet Committee on Crown Corporations;
- creation of jobs in the local and regional economies of the Province;
- including balanced, sustainable growth for all communities;
- pursuing further federal funding of the TRIUMF-KOAN Project, a national science facility in British Columbia;
- preparation of a new *Ministry of Tourism Act*;
- maintenance of the social safety net in the Province;
- changes to improve GAIN programs;
- conducting a comprehensive review of family and child services programs;
- relieving the shortage of affordable housing by requiring local government to ensure affordable rental and special needs housing are provided for in their official community plans;
- improvements in legal aid services in relation to lower costs.

The Speech from the Throne described a variety of other initiatives to be undertaken by the new NDP Government and focussed upon measures extending beyond their initial term in office; the Year 2000 Project; reduction of financial barriers to post-secondary education; Aids research; health care promo-

tion and cost containment; waste reduction; a new forests practice code; creation of a British Columbia Energy Council; and the establishment of the Commission on Resources and Environment headed by the former Ombudsman, Stephen Owen, as its Commissioner.

Committees

The House created 13 Select Standing Committees for the present Session. As well, two Special Committees have been established: on Constitutional Matters and to Appoint an Ombudsman.

The Select Standing Committee on Public Accounts has been reviewing two years of Auditor General's Annual Reports, Public Accounts for the Province and applications for the retention and disposal of government records.

An innovation at the beginning of the Thirty-fifth Parliament was the splitting of Committee of Supply into two sections. Section A comprised of 22 Members determined by the House functions in the Douglas Fir Committee Room concurrently with Section B which conducts its business in the Chamber.

The Standing Orders applicable to the Committee of Supply shall be applicable in both Sections of the Committee.

Within five sitting days of the tabling of the Main Estimates, the House Leader of the Official Opposition and the House Leader of the Third Party may jointly advise the Government House Leader, in writing of three ministerial Estimates which they require to be considered in Section B of the Committee of Supply, and upon receipt of such notice in writing, the Government House Leader shall confirm in writing that they shall be considered in Section B.

All Estimates shall stand referred to Section B, save and except those Estimates which shall be referred to Section A, on motion by the Government House Leader.

At thirty minutes prior to the ordinary time fixed for adjournment of the House, the Chair of Committee A will report to the House. In the event such report includes the last vote in a particular ministerial Estimate, after such report has been made to the House, the Government shall have a maximum of ten minutes, and each Opposition Party a maximum of five minutes, to summarize the Committee debate on a particular ministerial Estimate completed, such summaries to be in the following order: (1) Third Party; (2) Official Opposition; and (3) Government.

Joan Molsberry
Committee Clerk

House of Commons

What does it mean to be Canadian? and how do we envision our country in the future? These were questions which formed a basis for many of the deliberations in the House of Commons in early 1992. Constitutional discussions and special debates were held in the House, in Parliamentary committees and beyond, as we tried to identify our priorities in the face of threats to the very things we have so long used to define ourselves, and have so long held to be near and dear: our resource bases, our social programs and our tolerance of one another.

Financial proceedings consumed a great amount of Parliament's time. On February 25, Finance Minister Don Mazankowski presented his

first budget since assuming the portfolio. After four days' debate following the presentation of the Budget, the motion "That this House approve in general the budgetary policy of the Government" passed on March 11, 1992 by a vote of 120 to 82.

Main Estimates for fiscal year 1992-92 were tabled on February 27, and Supplementary Estimates (C) for fiscal year 1991-92 were tabled on March 9. Both sets of Estimates were subsequently referred to the appropriate Standing Committees for examination. In an unprecedented move, the House released a document entitled "How the Budget is Spent," which outlined in detail the expenses of the House of Commons. Written in prior years as internal document to assist the Standing Committee on Management and Members' Services with its examination of House Estimates, this year a draft of the document was leaked and the document was subsequently released to the public. The Speaker, the Clerk of the House, the Administrator and the Sergeant-at-Arms appeared before the Standing Committee on House Management on three occasions to explain the information in this document and in the Estimates.

A key in the process of allocating to the Government the funds it requires to carry out its business is the concept of Opposition days or supply days, a time during which the Opposition sets the agenda and has the opportunity to explain why supply should not be granted. Hence, as Parliament neared the end of one fiscal year and began a new one, much of the House's time was also devoted to consideration of these motions. All but one of approximately one dozen such motions were either negatived or the proceedings thereon expired.

Due to the often-cited implication of the Government losing a vote on

a supply motion — namely that such defeat entails a loss of confidence in the Government and hence the need for an election — most supply motions are not supported by the Government. However, one NDP-sponsored motion on February 12 was seen as so important that, after amendments proposed by the Government and Liberals had been integrated into it, the amended motion was adopted. It read:

That this House call on the government to support unequivocally any final GATT Accord that:

- provides for the maintenance of viable and effective supply management programs as an essential element of Canadian agricultural policy;
- ensures the ability of Canada, through a clarified Article XI, to control effectively imports of milk, eggs, hatching eggs, chicken and turkey, and products containing a majority of supply managed products;
- permits Canada to retain the Crow benefit which is necessary for the development of the Canadian prairies and which continues to be necessary for the viability of that region and the nation;
- reduces export subsidies that so grievously hurt Canadian producers; and
- requires participating governments, in cooperation and at the request of affected industries, to provide impact assessments, and

That this House call upon the Prime Minister to involve himself personally in the GATT negotiations in the interests of Canada's dairy, egg and poultry producers by meeting with the President of the European Community in order to secure their support and to do so in cooperation with other countries that agreed with Canada's position on a strengthened and clarified GATT Article XI.

As the menace to our resource sectors seemed to grow each day with the actions of other countries,

the House held emergency debates or special debates to discuss the issues. With Atlantic fishermen facing low cod stocks, in part, it was argued, due to foreign overfishing, on February 19 the House held an emergency debate on the situation of the Atlantic fisheries. Following a preliminary decision by the United States Government that provincial government prices for lumber gave what the U.S. considered countervailable subsidies to the lumber products, a special debate was held on the situation facing the softwood lumber industry. Anticipating the June summit in Rio de Janeiro, on May 7 the House debated the motion "That this House take note of the Canadian position at the United Nations Conference on the environment and development".

Perhaps most disturbing, however, was the subject of the emergency debate held on May 5: the need for an immediate and national response to the violent demonstration in Toronto, on Monday, May 4, 1992. Demonstrations had erupted that day in response to a general frustration felt about the conditions of minority groups, and had been unquestionably influenced by the riots in Los Angeles following the acquittal of four policemen on trial for the beating of Rodney King. Many Canadians were suddenly forced to wonder if we too have the same difficulties as the United States, and whether racism is as prevalent in Canada, known internationally for its tolerance and peaceful ways, as it appears to be the United States.

Amid the discussions of all of these difficult problems, the Constitution also remained a key subject for debate. As the country noted the 10th anniversary of patriation the Constitution and the entrenchment in it of the *Charter of Rights and Freedoms*, Members of the House and the

Government found themselves grappling with new amendments to the Constitution. In early February, by unanimous consent, the House agreed to allocate a total of five evenings for "the sole purpose of allowing Members to make presentations on the results of discussions that they have had with their constituents on the constitutional issue". The motions providing for these discussions also permitted Members to table any documents that supported their verbal presentations; and noted that the same would be referred to the Standing Joint Committee on the Government of Canada's proposals for a renewed Canada (the Beaudoin-Dobbie Committee) for examination.

The Beaudoin-Dobbie Committee deposited its final report with the Clerk late on February 28, after long and difficult discussions between the members. The highlights of the report were the recommendations that the Constitution be amended by: adding a Canada clause; including a clause recognizing Quebec as a distinct society; adding clauses recognizing the inherent right to self-government for aboriginals; including a clause giving the provinces the right to submit lists of nominees to the Supreme Court; changing the division of powers between the federal and provincial governments; allowing provincial governments control over labour market training and Quebec control over cultural matters; including specifications regarding federal-provincial agreements on immigration; giving the provinces the ability to opt out of shared-cost programs and to be reimbursed accordingly; adding provisions regarding an economic union and a social covenant and entrenching in the Constitution annual First Ministers' Conferences on economic and social matters.

In addition, Constitutional negotiations continued beyond Parliament as conferences were held across the country to discuss many of the proposals suggested by the Beaudoin-Dobbie Committee. Inter-governmental affairs Ministers, provincial Premiers and others also met to try to iron out an agreement. In the House, the Government tabled a document entitled "Canada Referendum Bill: an Explanation", and followed with the introduction of Bill C-81, *The Referendum Act*. Debate on the bill was short, time allocation was moved at all stages, the procedural wrangles were numerous, and as unanimous consent was denied on the motion to apply the results of the division on one motion to the others at report stage, the House sat until after 11:00 p.m. on June 3 to take 30 separate recorded divisions. The bill passed third reading in the House of Commons on June 4 and now awaits Senate approval.

In addition to the legislative happenings on the Referendum Bill, the House also passed the following bills: C-13, *Canadian Environmental Assessment Act*; C-21, *Debt Servicing and Reduction Account Act*; C-36, *Corrections and Conditional Release Act*; C-54, *Farm Products Marketing Agencies Act amendment*; C-67, *Electoral Boundaries Readjustment Suspension Act*; and C-78, *An Act to amend certain Acts with respect to persons with disabilities*. The following bills received Royal Assent: C-5, *Aeronautics Act and Aeronautics Amendment Act amendment*; C-12, *Young Offenders Act and Criminal Code amendments*; C-15, *Airport Transfer (Miscellaneous Matters) Act*; C-31, *Extradition Act amendment*; C-32, *Canada Assistance Plan amendment*; C-33, *Coasting Trade Act*; C-35, *Miscellaneous Statute Law Amendment Act*, 1991; C-53, *Special Economic Measures Act*; C-56, *Spending Control Act*; C-57, *Canada Pension Plan amend-*

ment; C-60, *Federal-Provincial Fiscal Arrangements and Federal Post-Secondary Education and Health Contributions Act amendment*; C-61, *Borrowing Authority Act*, 1992-93; C-64, *Northwest Territories Act amendment*; C-65, *Appropriation Act No. 4*, 1991-92; C-66, *Appropriation Act No. 1*, 1992-93; C-68, *Competition Act amendment (Multi-level Marketing Plans and Pyramid Selling)*; C-77, *National Defence Act amendment*; C-328, *An Act respecting National Public Service Week*; and S-2, *Canada-Finland Income Tax Convention Act*, 1991, *Canada-Czechoslovakia Income Tax Convention Act*, 1991, *Canada-Mexico Income Tax Convention Act*, 1991 and *Canada-Mexico Tax Information Exchange Convention Act*, 1991.

The route which bills follow through the House was somewhat modified over this period. With the adoption of the 28th report of the Standing Committee on House Management, the Standing Orders were amended such that the committee examination stage of a bill would, as was the case before the 1991 amendments to the Standing Orders, be done by ad hoc legislative committees to be established within five days of the beginning of the second reading debate on a bill, instead of by permanent legislative committees. Changes were also made to the rules regarding substitutions in the membership of committees, and the priority use of committee rooms.

Rules governing the conduct of Private Members' Business in the House were also modified. With the adoption of the 24th report of the Standing Committee on House Management, voting procedures were changed so that the Private Member sponsoring the bill or motion being voted on would be the first to vote. House Management report Number 27, tabled March 11 and concurred in on April 29, recommended amendments to the

Standing Orders regarding the draw which is held periodically to choose the items of Private Members' Business to be debated in the House. Specifically, the number of items of Private Members' Business on the List of Precedence was increased to 30 from 20; draws are now to be held before the number of items on the list decreases to 15 instead of to 10, and the number of votable items on the List of Precedence was increased to 10 from six (of these five are to be bills and five are to be motions). The rationale behind the changes, the Committee argued, was that since there had been an increase in the number of days on which Private Members' Business was discussed, and since votable items were now disposed of after at most three hours of debate, draws have to be held more frequently. An increase in the number of votable items and items on the List of Precedence would alleviate the need for such frequent draws. Adoption of other House Management Committee reports changed the way we see the House of Commons. The 22nd report recommended that:

Camera angles used during Question Period should be wider so that viewers can appreciate the context and flavour of House; when the Speaker rises, the whole House should be shown and when individual Members rise to ask or answer a question, wider shots should be employed.

On April 29, after a lengthy and complicated procedural debate, the House adopted these changes on an experimental basis for 20 sitting days. On June 5, the Committee tabled its 43rd report, suggesting that the experiment with the new camera angles be extended until November 6 and that the House also try using the wider shots during divisions. The report was concurred in June 8.

This Committee also tackled the issue of broadcasting the meetings of committees of the House. In its 23rd report, the Committee recommended that:

- The audio feed provided by the House of Commons of public committee meetings be able to be recorded.
- The audio feed of all public committee meetings be made available to Members of Parliament, their staffs and the Parliamentary Press Gallery on Parliament Hill, and can be used for broadcasting purposes.
- The House of Commons should initially equip one committee room for broadcasting, and the proceedings of all committees meeting in this room should be taped in full, made available to the media, and broadcast as part of the Parliamentary Channel.
- The recording of the committee proceedings will be undertaken by or on behalf of the House of Commons, and under the direct control and supervision of the House personnel. The same guidelines, rules and policies presently in place for broadcasting the House itself shall be applied, with necessary modifications as required by the set-up of the room.
- The date of the committee meeting must appear on the screen at all times in legible print.
- The decision as to which committees shall meet in this room will be made by the House Leaders, or, if they are unable to agree, by the Standing Committee on House Management.
- All committees of the House of Commons, including standing, legislative and special committees, would be entitled to meet in the specially

equipped room to have their meetings broadcast, provided that priority shall be given to those committees that do not have a special order from the House permitting any meeting or series of meetings to be broadcast.

Since the adoption of this report on March 27, several committees have taken advantage of the opportunity to broadcast: the Standing Committee on Justice and the Solicitor General for its examination of the Christine Lamont and David Spencer cases; the Standing Committee on Human Rights and the Status of Disabled Persons for its inquiry into the economic integration of disabled persons; the Standing Committee on the Environment for its inquiry into ozone depletion; the Standing Committee on Public Accounts for its examinations of chapters of the Auditor General's report dealing with the COSICS Project, Innovation within the Parliamentary Control Framework and Vehicle Fleet Management; the Special Joint Committee on Conflict of Interest for its examination of Bill C-43, *Members of the Senate and House of Commons Conflict of Interest Act*; the Legislative Committee on Bill C-81, *The Referendum Act*; the Standing Committee on Labour, Employment and Immigration for its study of the Business Immigration Program; and the Standing Committee on Forestry and Fisheries for its examination of the Main Estimates of the Department.

With tabling on February 13 of the Royal Commission on Electoral Reform and Party Financing's four-volume report, the House established a Special Committee on

Electoral Reform to examine the Commission's suggestions. The eight-Member committee, "...empowered to undertake a comprehensive review of the report of the Royal Commission...", will have all of the same powers of a standing committee pursuant to Standing Orders 108(1), 120 and 121, and will study and report on the Commission's recommendations concerning new spending limits on advertising; a guarantee of seats in the House of Commons for aboriginals; shorter election campaigns; proposals for the regulation of the internal affairs of political parties; financial inducements to recruit more women; registration of all national parties; and inducements to allow more individuals to seek political nominations and seats. No report deadline was mentioned in the motion establishing the committee.

In recognition of the contributions to Canadian history of a great individual, Louis Riel, on March 10 the House adopted a special motion which among other things recognized the unique and historic role of Riel as a founder of Manitoba and his contribution in the development of Confederation.

As the House enters into the period preceding the summer adjournment, its pace of work will undoubtedly increase as it begins sitting extended hours and attempts to complete the consideration of bills.

Barbara Whittaker
Table Research Branch