

REED, MPP

Legislature procedures changed

At the end of the Fall Session, the Ontario Legislature adopted some 48 new procedures. The new rules were produced by a Committee of the Legislature, based on research and study material and the many recommendations of the Ontario Commission on the Legislature. This Commission was, as you will no doubt recall, appointed in 1972, in recognition of the fact that it was necessary to enhance the role of parliament and the power of parliamentarians. The Commission members were Conservative Dalton Camp, Liberal Farquhar Oliver and New Democrat Douglas Fisher.

While some people may consider the new rules to be a major break through, they are for the most part of a minor or housekeeping character. Some are no more than repetitions of current rules which have somehow become distorted, usually to the Government's advantage. For example, proposed legislation may not be called for second reading, that is approval in principle, until it has been printed, which enables Members to know what they are debating. This rule is repeated as if it were new, because the Government has often made a practice of pushing through bills before they are available in printed form.

The daily Question Period has been lengthened to one hour, which means that more Members will have an opportunity to ask questions during the additional fifteen minutes. Party Leaders will be allowed two questions, and the remainder of the time will be allotted to the other Members, taking turns in rotation.

Currently, there is no requirement in the parliamentary system that the Government must answer questions. A Minister may or may not answer as he pleases, and he may answer how he chooses. There is only one recourse available to a Member who is dissatisfied with an answer to an oral question, and that is to force a half-hour debate before the Legislature rises on Tuesday nights, popularly called "the late show". In fact, written questions frequently stay on the Order Paper, unanswered, until the Legislature prorogues.

Of course, this situation could easily be rectified, by simply abolishing the rule that a Minister is not obliged to answer, thereby making it possible to table a motion of censure for failure to reply. However, neither the Special Committee nor the Legislature approached the problem in this way. Instead, the new rules provide for another "late show" on Thursday nights for Members dissatisfied with answers to oral questions. With respect to written questions, a Minister will have to say within 14 days either that he isn't going to answer, or that the answer will be costly or time-consuming to prepare.

Under the new rules, bills submitted by non-government Members may become law. For the first time, there is provision for a Private Member's Bill to receive second and third reading. Traditionally these bills have been debated for an hour and then allowed to "die", but in future two of these bills will be debated each Thursday afternoon, with each of the parties taking turns in rotation to present this type of legislation. Unless there is an objection raised by twenty Members, each item will come to a vote at 6 p.m. that same afternoon.

These changes will greatly enhance the role of the M.P.P. who will now have the same power as a Cabinet Minister to introduce legislation, which may subsequently be passed under his name. With this prestige will come an added responsibility. As it is unlikely that a Member will have more than one opportunity to submit a Bill, he must choose an issue or an item which appeals to the majority of the house and is of province-wide importance.

The rules make it clear that no bill of this type may involve the expenditure of public money. This is in accordance with the age-old parliamentary tradition which gives only the Government the right to collect and impose taxes and to spend taxpayers' money.

I have mentioned that 20 Members may prevent a Bill from being voted upon. This provision differs from the British system, which allows one member's objection to prevent the vote, and will ensure that each bill receives the scrutiny that will prevent an erratic piece of legislation from becoming law. It will also force those who oppose a bill to organize their opposition and to find serious reasons for their opposition.

Access to background material will be given to Members for any government bill or policy statement.

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