



**Third Session — Thirty-Second Legislature**  
of the  
**Legislative Assembly of Manitoba**  

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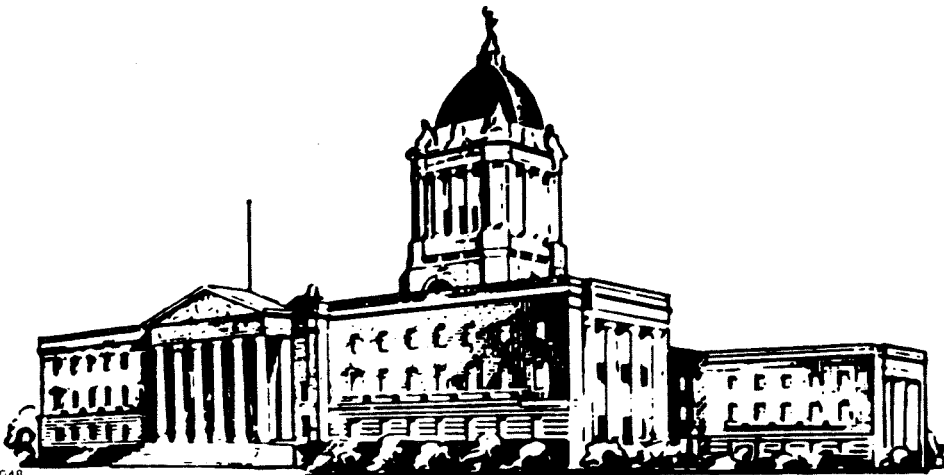
**STANDING COMMITTEE**  
on  
**RULES OF THE HOUSE**

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33-34 Elizabeth II

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*Chairman*  
*Hon. J. Walding*  
*Constituency of St. Vital*



MG-8048

**VOL. XXXII No. 7 - 10:00 a.m., TUESDAY, 12 FEBRUARY, 1985.**

**MANITOBA LEGISLATIVE ASSEMBLY**  
**Thirty-Second Legislature**

**Members, Constituencies and Political Affiliation**

Name	Constituency	Party
<b>ADAM, A.R. (Pete)</b>	Ste. Rose	NDP
<b>ANSTETT, Hon. Andy</b>	Springfield	NDP
<b>ASHTON, Steve</b>	Thompson	NDP
<b>BANMAN, Robert (Bob)</b>	La Verendrye	PC
<b>BIRT, Charles T.</b>	Fort Garry	PC
<b>BLAKE, David R. (Dave)</b>	Minnedosa	PC
<b>BROWN, Arnold</b>	Rhineland	PC
<b>BUCKLASCHUK, Hon. John M.</b>	Gimli	NDP
<b>CARROLL, Q.C., Henry N.</b>	Brandon West	IND
<b>CORRIN, Q.C., Brian</b>	Ellice	NDP
<b>COWAN, Hon. Jay</b>	Churchill	NDP
<b>DESJARDINS, Hon. Laurent</b>	St. Boniface	NDP
<b>DODICK, Doreen</b>	Riel	NDP
<b>DOERN, Russell</b>	Elmwood	IND
<b>DOLIN, Mary Beth</b>	Kildonan	NDP
<b>DOWNEY, James E.</b>	Arthur	PC
<b>DRIEDGER, Albert</b>	Emerson	PC
<b>ENNS, Harry</b>	Lakeside	PC
<b>EVANS, Hon. Leonard S.</b>	Brandon East	NDP
<b>EYLER, Phil</b>	River East	NDP
<b>FILMON, Gary</b>	Tuxedo	PC
<b>FOX, Peter</b>	Concordia	NDP
<b>GOURLAY, D.M. (Doug)</b>	Swan River	PC
<b>GRAHAM, Harry</b>	Virden	PC
<b>HAMMOND, Gerrie</b>	Kirkfield Park	PC
<b>HARAPIAK, Hon. Harry M.</b>	The Pas	NDP
<b>HARPER, Elijah</b>	Rupertsland	NDP
<b>HEMPHILL, Hon. Maureen</b>	Logan	NDP
<b>HYDE, Lloyd</b>	Portage la Prairie	PC
<b>JOHNSTON, J. Frank</b>	Sturgeon Creek	PC
<b>KOSTYRA, Hon. Eugene</b>	Seven Oaks	NDP
<b>KOVNATS, Abe</b>	Niakwa	PC
<b>LECUYER, Hon. Gérard</b>	Radisson	NDP
<b>LYON, Q.C., Hon. Sterling</b>	Charleswood	PC
<b>MACKLING, Q.C., Hon. Al</b>	St. James	NDP
<b>MALINOWSKI, Donald M.</b>	St. Johns	NDP
<b>MANNES, Clayton</b>	Morris	PC
<b>McKENZIE, J. Wally</b>	Roblin-Russell	PC
<b>MERCIER, Q.C., G.W.J. (Gerry)</b>	St. Norbert	PC
<b>NORDMAN, Rurik (Ric)</b>	Assiniboia	PC
<b>OLESON, Charlotte</b>	Gladstone	PC
<b>ORCHARD, Donald</b>	Pembina	PC
<b>PAWLEY, Q.C., Hon. Howard R.</b>	Selkirk	NDP
<b>PARASIUK, Hon. Wilson</b>	Transcona	NDP
<b>PENNER, Q.C., Hon. Roland</b>	Fort Rouge	NDP
<b>PHILLIPS, Myrna A.</b>	Wolseley	NDP
<b>PLOHMAN, Hon. John</b>	Dauphin	NDP
<b>RANSOM, A. Brian</b>	Turtle Mountain	PC
<b>SANTOS, Conrad</b>	Burrows	NDP
<b>SCHROEDER, Hon. Vic</b>	Rossmere	NDP
<b>SCOTT, Don</b>	Inkster	NDP
<b>SMITH, Hon. Muriel</b>	Osborne	NDP
<b>STEEN, Warren</b>	River Heights	PC
<b>STORIE, Hon. Jerry T.</b>	Flin Flon	NDP
<b>URUSKI, Hon. Bill</b>	Interlake	NDP
<b>USKIW, Hon. Samuel</b>	Lac du Bonnet	NDP
<b>WALDING, Hon. D. James</b>	St. Vital	NDP

**LEGISLATIVE ASSEMBLY OF MANITOBA**  
**THE STANDING COMMITTEE ON RULES OF THE HOUSE**

**Tuesday, 12 February, 1985**

**TIME — 10:00 a.m.**

Mr. Anstett.

**LOCATION — Winnipeg, Manitoba**

**HON. A. ANSTETT:** Before we adopt the agenda, I have two items for Other Business. Would you like those now, or call that Other Business?

**CHAIRMAN — Hon. J. Walding (St. Vital)**

**MR. CHAIRMAN:** Two items on Other Business?

**ATTENDANCE — QUORUM - 5**

*Members of the Committee present:*

Hon. Messrs. Anstett and Mackling  
Messrs. Enns, Fox, Graham, Mercier, Santos,  
Scott

**HON. A. ANSTETT:** Yes. A question on whether or not we wish to look at the length of time permitted for speeches in Private Members' Hour when called on government time, something that wasn't raised when we changed that rule and hadn't considered, so time limits on private member's business speeches when called on government time; and secondly, the question of a legislation progress chart, either in Votes and Proceedings or in the Order Paper.

**APPEARING: D.W. Moylan**

**MATTERS UNDER DISCUSSION:**

1. Resignation of Mr. Penner
2. Adoption of Agenda
3. Guaranteed Minimum Debating Time for Constitutional Matters
4. Consideration of a Proposed No Smoking Policy to Apply to Committee
5. Review of Rules/Authorities on which Previous Speakers' Rulings were based
6. Consideration of Possible Changes to Practices in Private Members' Hour
7. Consideration of a Proposed Policy Respecting the Correction of Printing Errors in the Annual Statutes
8. Use of Audio Visual Aids in Section of Committee of Supply meeting outside the Assembly Chamber
9. Required amendment to Proposed New Rule 81(9) approved on January 21
10. Time Limit on Speeches when Private Members' Business called during Government Business
11. Legislation Progress Chart
12. Time and Date of Next Meeting.

**3. GUARANTEED MINIMUM DEBATING  
TIME FOR  
CONSTITUTIONAL MATTERS**

**MR. CHAIRMAN:** Any other items to add to the agenda? If not, can we move to Item 3, Guaranteed Minimum Debating Time. Background Paper No. 9. Any discussion?

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I believe, now that we have the background paper, we have some opinions with regard to the practice in other jurisdictions, particularly Commonwealth and Canadian jurisdictions, I think it might be valuable to have some discussion on what options are available to us. I know that we will want to take those options, having discussed them here, and made note of them, to our caucus, but I think it might be worthwhile to have that discussion. We had suggested at an earlier meeting, as indicated in the background paper, that there appeared to be, based on discussion last spring, agreement in principle - although certainly not as to the detail, there were some differences there - on a guaranteed minimum time period for debate and a guarantee of a process for public input through standing committee or special committee mechanism. But the exact way of achieving these objectives, I'm not sure there is agreement on, and the exact operation of the mechanism once we agree on it. We may want to have some discussion and exchange of views between members on both sides as to how we wish to proceed with that.

**MR. CHAIRMAN:** Order please. There being a quorum, this committee will come to order. Before we go any further, I have received a letter of resignation from Mr. Penner, so there is a vacancy on the committee. What is your will and pleasure?

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I would like to move the appointment of the Hon. Mr. Mackling to replace Mr. Penner on the committee.

**MR. CHAIRMAN:** Mr. Mackling has been nominated. Is it the pleasure of the committee to adopt the nomination? (Agreed)

The material has been circulated to members. There is a proposed agenda, have you looked it over? Can we adopt the agenda? (Agreed)

What I found interesting, Mr. Chairman, was the opinion of Dr. Forsey, set out on Pages 2 and 3, with respect to the question of special voting majorities. I'm not surprised at that but, if members still wish to consider that as part of the discussion, I would appreciate knowing that so that we know whether the parameters of the subject are limited to the two items, the time and the committee stage, or as well, the

question of a voting majority, if that is also still included in the discussion.

**MR. CHAIRMAN:** Mr. Remnant.

**MR. CLERK, W. Remnant:** Mr. Chairman, just on a point of clarification, if I might, the paragraph on the top of Page 3 is a statement of fact, it is not a statement by Dr. Forsey, however, it is a fact that Dr. Forsey confirmed.

**A MEMBER:** Mr. Chairman, it's not open to us if that's the law.

**MR. CHAIRMAN:** Mr. Mercier.

**MR. G. MERCIER:** Just a question, Mr. Chairman. Dr. Forsey, when he says he was consulted respecting the proposals, was he consulted with respect to the amendment with respect to public hearings?

**MR. CLERK:** Mr. Chairman, he was consulted with respect to the principles, the two principles set out on Page 1; the concept of a guaranteed minimum time for debating such measures, and the concept of making some provision for public input through the medium of committee hearings; both of those matters were put to him. I didn't get into the specific details of the content of Appendices "A" and "B" with him.

**MR. CHAIRMAN:** Any further discussion?  
Mr. Mackling.

**HON. A. MACKLING:** The words in the second last line at the bottom of page 2 indicate that Dr. Forsey believed that those proposals were reasonable and appropriate. Well, I don't know if reasonable, but certainly appropriate, and that's the answer to Mr. Mercier's question.

**MR. CLERK:** Yes, that's correct, Mr. Chairman.

**MR. CHAIRMAN:** Any further discussion?  
Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I would appreciate hearing the views of members so that it can assist in our caucus discussions on this, whether or not it would be the view of members on the Rules Committee that a process for public input through committee hearings could be structured so that it could take place prior to, or during, as an interruption in the debate. In other words, if there is a set period of time set aside for the debate on, let's say a minor constitutional amendment, such as, the one we had on aboriginal rights in August of 1983, for example, which was an extension regarding, I believe, the consultation process more than anything else, in the series of constitutional conferences that were being held.

The suggestion, I believe, in Mr. Mercier's amendment was that the debate would be interrupted. I'm wondering if the same purpose is served if, for example, when the need arises to address such a question, that a referral, either by the House for intersessional hearings or by the Lieutenant-Governor-in-Council, if the House

isn't sitting, in accordance with the provisions of The Legislative Assembly Act, could be made and the hearing process take place before the debate commences.

**MR. G. MERCIER:** Mr. Chairman, I can see nothing wrong with a committee of the Legislature sitting intersessionally perhaps, to consider and receive public submissions on proposed constitutional amendments, but I would think it would still be important that, just as we do with respect to a bill, that at some stage, and perhaps this is analogous to referring a bill to a committee after second reading, that the public be allowed a further opportunity for input because there may very well be amendments proposed by that particular stage, that the proposed amendment might be different intersessionally. So that if the government House Leader is suggesting that intersessional public hearings would be in lieu of the opportunity for the public to make their comments, as I indicated in the motion sometime prior to the 6th day of the debate, I would not particularly favour that.

**MR. CHAIRMAN:** Mr. Santos.

**MR. C. SANTOS:** On a different topic, it is suggested that it is a fact that Sections 49 of The Constitution Act of 1867, prohibit any other special vote other than majority vote. Let me read Section 49, Mr. Chairman. "Questions arising in the House of Commons shall be decided by a majority of voices other than that of the Speaker. When the voices are equal, but not otherwise, the Speaker shall have a vote."

It seems unusual to me, in case of a tie, that the Speaker can decide a constitutional amendment. I suggest that Section 49 relates only to regular statutory legislation, but not to any other special act of the Legislature, other than regular lawmaking.

**HON. A. ANSTETT:** With regard to Mr. Mercier's comment, I wasn't suggesting that it be either/or; I was asking for responses as to whether it could be both, or either/or.

I'm looking here for suggestions as to how we can develop this proposal when we discuss it with our respective caucuses and know what the options are that we can choose from.

You're suggesting that in comparison to the bill process, as I understand it, that if amendments are proposed the opportunity for additional hearings should be there. I'm not clear that that conforms exactly with what we do in the bill stage, or in the committee stage of a bill between second and third readings. Often we have the hearings first, amendments are proposed, there are no additional hearings to consider those amendments.

The difficulty we have, I guess, with the process is resolutions go through one reading, rather than the three afforded to a bill, and that's the mechanics then at what stage you allow an amendment. Would that then preclude amendments after the committee stage? Would amendments only be allowed at that stage at which public comment on them, through the committee stage, could be afforded? We could get into some very sophisticated rule writing here.

**MR. G. MERCIER:** Mr. Chairman, my view would be that it not be an either/or situation. Quite often, you know - and let's recognize reality - even when a government of any political stripe, for example, put's out a White Paper on proposed legislation and then holds public hearings or even just asks for comments from interested organizations, they receive some, but many individuals and organizations put it off if they have other things to do. They're not really convinced that the Government of the Day is going to proceed with the legislation, and then it finally comes forward as a piece of legislation, and they come at the last minute perhaps to make their views known, which may be very significant to the legislation that's before the House, so I don't think it can be an either/or situation.

With respect to amendments, I don't think we could really restrict and say that amendments could only be made prior to the referral to a committee to hear the public.

**HON. A. ANSTETT:** Or that if there were amendments, there would have to be a further referral.

**MR. G. MERCIER:** I really wouldn't want to do that either.

The important point, Mr. Chairman, is that we believe that the rules should provide clearly that on a constitutional amendment the public of Manitoba have the right to be heard by the Legislature, and this rule would, to some extent if it were adopted, would guarantee the right of the public to be heard on a constitutional amendment. We're not dealing with just an ordinary resolution of the House; we're dealing with a resolution of the House that supposedly is going to be adopted in some form or other that will be included in the Constitution of Canada. I think it's extremely important and necessary that the public have that opportunity.

**HON. A. ANSTETT:** Mr. Chairman, I don't believe there's any quarrel on the purpose. I think we have agreed to that from the beginning and I think both sides are agreed on the principle. I think the only reason we did not come to an agreement on it last spring was the mechanics and that's why I thought an opportunity to discuss the mechanics, to ensure we were on the same wave length, so that we could come up with a rule, because I don't want it to fall apart again. I would rather see us deal with the matter than have a situation where things die in Committee of the Whole. That way we can agree on a rule here, with the support of our respective caucuses, and understand the mechanics of that process.

Let me understand what the member is suggesting, that provision be made for a committee stage after the formal introduction of the resolution; or after it appears on notice on the Order Paper; or after debate has commenced. In other words, would it be possible to solve the problem that the member alludes to as to the public knowing the government's intention to have the formal motion, in its final form, in the form in which it's going to be introduced in the House, on the Order Paper as notice of motion, and then hold the committee hearings.

I guess my bottom line is, do you have to interrupt the set period of debate, or can you, having provided

notice, introduced it into the legislative business by placing it on the Order Paper, even it hasn't been moved for first reading, then commence your committee hearings. I'm thinking here about the legislative timetable, all of the other things that normally occur during the legislative Session, particularly on issues that might have some controversy, the need then to deal with that committee, particularly if it's a travelling committee, while the House is sitting, and the awkwardness that that creates for members and for the House, for the Estimates process and everything else.

I'm wondering if there is a way to accommodate the member's concern - which I think is legitimate - that rather than just a trial balloon floating in the air, and the public not taking it seriously and not coming out to hearings, there has to be some indication that there is an intention on the part of a government with respect to this particular constitutional amendment, whatever it is. I understand that concern because that's when the public then says, hey, we'd better take note of this, we have some concerns, and respond.

How can that be accommodated without setting up a mechanism which will be disruptive in the normal legislative process?

**HON. A. MACKLING:** Mr. Chairman, I think we could all make a speech like the Honourable Member for St. Norbert made, but that wouldn't be productive. We have already committed ourselves, in principle, to guaranteeing a public process. So Mr. Anstett, Mr. Scott, Mr. Santos, Mr. Fox, all of us can make such a speech as the honourable member made, and that's not really going to be productive. That having been decided Mr. Anstett says, what is the process? How do we do it, because we've agreed on it? So instead of making speeches about the need to have a process, which we've all agreed upon, how do we do it?

I would suggest that there's a variety of techniques. I would think we wouldn't want just the mover of the resolution, the government spokesperson, to speak and then have it referred, because that might be the nature of a trial balloon, as Mr. Anstett points out. Not too much public reaction, maybe go ahead.

**HON. A. ANSTETT:** I didn't suggest that.

**HON. A. MACKLING:** I know you didn't, but I mean, that's the kind of thing we're at. I personally think — (Interjection) — well, I'm not suggesting you do but someone might have suggested that's the process, it's introduced and it's referred to a committee. That would be, I think, too prone to abuse.

I think that the rules should provide - and this is just one suggestion, we haven't caucused that, but we have to think about ideas - that there should be a period of time in which the House deals with it, maybe a day, two days and, then after one or two days debate or whatever, so that all parties in the House have had an opportunity to give some indication of their concerns before it goes to public hearing; and then it go to the public process. The form of the public process, and Mr. Anstett quite rightly says, how is that public process to be achieved. Does a committee go out, hold meetings outside of the Legislature, is it here, those are reasonable questions that we have to address.

So rather than make a speech saying I am in favour of the principle of this, I am suggesting that there has to be some period of debate. I would suggest our caucuses should agree on some period of debate in the House first before referral to a committee. And I would think, and I haven't talked to my colleagues about this, that it should be at least a day's debate before it's referred; now, maybe it should be considerably longer than that, and then referred to a committee, a standing committee of the House, and should be dealt with in an analogous fashion to a bill. I don't think that we should lock ourselves in, or tie ourselves in, to a formula that demands that there be meetings all over the province because, if we did that there would be an argument that, of any important bill that comes before the House, that we would have to do the same thing.

And the practice has been that the decisions that the committee meets here, and we hear people from all over the province. I don't think that's unreasonable.

**MR. G. MERCIER:** Mr. Chairman, the proposed amendment which says: "Prior to the sixth day of debate on such motion, the motion shall be referred . . . "That is deliberately flexible. I think it requires certainly that there be a motion on the Order Paper. It probably requires that it be, at least, introduced by a government spokesperson.

After that . . . Well, I would ask for some clarification and if there is some concern about that. Maybe as long as it's on the Order Paper it could be referred.

I think that the rule has to be very flexible because we could be dealing with something that could be a very minor technicality on which there would not be 10 days debate, and perhaps there might not even be any member of the public interested in making any representation, so that the rules should allow that in that kind of situation certainly the public would be given the opportunity, but perhaps it might all be done in one day.

On the other hand, there might be very significant proposed constitutional amendment which tried to say, in the proposed amendment, that the public hearings should be done at least halfway through the debate, so that in the remaining debate the members of the House would have the opportunity to speak to the concerns that have been raised by members of the public.

I don't think, Mr. Chairman, we can really tie this down much further than what the rule now states, I think there has to be flexibility given to the Government House Leader, and the decisions that are made on the procedure will have to be based on the type of proposed amendment.

**HON. A. ANSTETT:** Mr. Mercier has hit on the point I was alluding to in my comments. I didn't want to get into detailed consideration, but rather just discuss the process that we wanted to raise with our caucuses to see if it was acceptable.

I think we did agree that Appendix "A" was acceptable in the House at an earlier time, and I think there are statements on the record by both Mr. Enns and myself to that effect, shortly after it was introduced on May 29th.

I know that it was the intention of Mr. Mercier in introducing the amendment noted as Appendix "B" to improve upon what was set out in "A".

Perhaps a question to the Clerk then to ensure that we understand what is in "B", because I have a concern - and I voiced it in terms of the overall legislative process and the mechanics - as to whether or not proposed rule, Appendix "B", 36.1(1)(B), a motion would be interpreted as a motion that was only on notice of motion that could have been filed six months before the Session started; or does it have to have been moved; does debate have to have been engaged?

**MR. CLERK:** Well, as I read 36.1(1)(B), "Prior to the sixth day of debate on such a motion, the motion shall be referred to a Committee of the House," implies to me that debate has commenced and is under way.

**HON. A. ANSTETT:** Would it be possible to interpret that a motion is a motion when notice of the motion has been filed, or when it has been moved?

**MR. CLERK:** I believe it's simply a notice, Mr. Chairman, until it is moved. It is not before the House until it has been introduced and the Speaker has ruled that it's in order.

**HON. A. ANSTETT:** Then members will appreciate why I had a concern last May with the proposed rule, and that is exactly my concern . . .

**MR. CHAIRMAN:** Mr. Mackling.

**HON. A. ANSTETT:** . . . that the opportunity - if I may, Mr. Chairman.

**MR. CHAIRMAN:** Go ahead.

**HON. A. ANSTETT:** I'm not in complete agreement with Mr. Mercier that the either/or option I raised initially should not be considered. I think there will be circumstances in which an actual interruption in debate, which both Messrs. Mercier and Mackling are proposing, is appropriate. I believe there will be other circumstances where, upon the filing of notice of motion with the Clerk of the House, a reference to a Standing or Special Committee by the Lieutenant-Governor-in-Council, the convening of that committee, provincewide hearings will be held prior to the Minister responsible moving it in the House at the next Session. Notices of motion can be filed well in advance of the Session and notices for orders and addresses are done on that basis fairly commonly.

That was part of my concern last spring and that very much goes to the nub of it, that's how I interpreted it last spring as precluding that option, and I'm not sure that I, in discussion with my colleagues, will want to preclude that option. That's why I wanted to at least discuss that point in some detail.

**MR. CHAIRMAN:** Mr. Graham.

**MR. H. GRAHAM:** Mr. Chairman, what Mr. Anstett is talking about, in my opinion, is a matter that I think governments have always had the right and have from

time-to-time used it, is to take any matter and refer it to the public at any time. Quite often, after hearing the public, there is no action taken, sometimes there is. But, until the public knows definitely what the actual motion is and they have seen it actually on the floor of the House and in debate, they're not too sure. A notice of motion can be changed before debate commences. Until that motion is formally introduced in the House the public doesn't really know what the subject matter is that is going to be debated. There is a big difference between a notice of motion and an actual motion.

I think Mr. Anstett is concerned maybe in a different way than we are concerned in this. Our No. 1 concern is that once a motion has been introduced for debate, before it can be completed the public must be heard on a matter as important as a constitutional change.

I think that Mr. Mercier has stated our case reasonably well. Mr. Anstett seems to have a little hang-up on that. So far he hasn't told us exactly why he's suggesting maybe some different procedures, but I don't think it really addresses the matter of the actual motion.

**MR. CHAIRMAN:** Mr. Enns.

**MR. H. ENNS:** Mr. Chairman, just to support my colleague, Mr. Graham, the issue before us, of course, is here partly because the constitutional amendment then under consideration was in fact a moving target, it changed from the time it was first talked about in the House; it changed again, I believe, in September; and I think it's important that the issue be before the House, be moved and in debate before the House, so that there is a clear indication of precisely the government's intention or what the intended motion is proposing to carry out, and then allow for the proposed amendment to take place, click in if necessary, to allow for that public consideration.

I just, if it's any help to the Government House Leader, indicate to him that from terms of the opposition's last position on this matter we would have to, of course, refer back to our caucuses to any changes, but the opposition's last position with this respect was what I refer to as the Mercier amendment that's contained in Appendix "B", Section 36.1(1)(B).

**HON. A. ANSTETT:** I suppose what we are looking for here is some flexibility so that when we discuss this with our caucuses we know what the options are. If there is no flexibility on the part of members opposite, and they're sticking with the proposed amendment of May 29th, we may have some problems. I don't say that they're insurmountable, but I do suggest there are some problems.

In reply to Mr. Graham, Mr. Chairman, I have to say that he is misconstruing and perhaps, although I thought I'd made my purpose clear, he has not fully understood it. There is a substantive difference between a bill and a resolution. The notice of motion for a resolution must spell out the contents of the resolution in full detail. Members and the public can then read that resolution. Notice of motion of a bill provides only the title. That is a substantive difference. The public is aware of the full content of the resolution. I concede, of course, they are not in the case of a bill, but that's a very substantive

difference. So to suggest that the public isn't aware of the details of a constitutional resolution, once it's been filed as a notice of motion, is patently incorrect.

To reference Mr. Enns' concern about moving targets, I would suggest to him that the full rule, as proposed and as proposed in sub-amendment, Appendix "B", would have changed nothing that occurred with regard to the last constitutional amendment we considered in our House.

We would have had at least six days of debate, would have been referred to a committee. During the committee stage all kinds of amendments, during the public hearing process, could have been proposed by any members and circulated to the public; after the conclusion of those, and at the recommencement of debate in the House, formal amending motions to the resolution could be introduced and those then debated, and then the resolution, hopefully, ultimately decided.

None of these rules would in any way change the practice we followed on that last debate, in fact, these rules conform with that practice. It may have been a little longer than the proposed minimum time, but this is only a minimum time. So we are changing nothing from the practice we followed.

My concern is simply that we may not always wish to interrupt a period of debate during the normal legislative session, that's all.

**MR. CHAIRMAN:** Any further discussion?  
Mr. Enns.

**MR. H. ENNS:** My reference to the question was in response partly to the suggestion from the Government House Leader, when he was asking advice from the Clerk, that upon serving notice of such a constitutional resolution and not proceeding with it into the House or into debate, that public hearings could commence at that stage prior to any debate having commenced, any alternative options having been argued in debate, which may well have, as indeed they did the last time around, changed the body of the proposals under consideration on several occasions.

I think the idea of getting the issue precisely before us and in debate, and then having the interim period for public input is important.

**MR. CHAIRMAN:** Mr. Scott.

**MR. D. SCOTT:** I just have, I guess, a couple of questions for clarification for Mr. Enns in his reference to moving targets. I think every bill that goes forward is a potential moving target, because there can be amendments in the legislative process. Generally the amendments are finished at second reading, they can also be made at third reading stage, I believe, can they not? Are you suggesting that then, if there are amendments proposed to the original resolution, that then once again you have to go back to the public?

**MR. H. ENNS:** It's certainly something that would have to be considered.

**MR. D. SCOTT:** If you drag it on, they know what kind of . . .

**MR. H. ENNS:** I'm in no hurry to amend constitutions. They are different, I'm in no hurry to amend constitutions.

**MR. D. SCOTT:** You may be forced to be in a hurry to amend a constitution by a court ruling for whatever reason.

One other point in constitutions, if anything has been proven untrue in the last couple of years it is that constitutions are something cast in stone, because we have had several changes to the Canadian Constitution since it's been amended just in 1981, so there anything but an unchangeable document.

In regard to Appendix "A", could I just raise a point of clarification. In 36.1(2) and (3), both of those provisions make it impossible to introduce a debate proposing an amendment to the Constitution of Canada during the Speech from the Throne and during the Budget Speech. Is that not true?

If that is true . . .

**HON. A. ANSTETT:** Would you repeat that please?

**MR. D. SCOTT:** 36.1(2) and (3) make it impossible to introduce a constitutional amendment during the regular Speech from the Throne and during the Budget Debate. Does that not impose a problem if - and I'm sure there are some circumstances that could evolve over time where a constitutional amendment was made a necessity. For instance, you just had I guess in the - well, maybe this wasn't a constitutional change for them, but say the Government of Quebec had actually made a constitutional change and it was overturned by the Supreme Court, and it then had to go back to revoke that constitutional change.

**MR. H. ENNS:** In a hurry?

**MR. D. SCOTT:** Yes, in a hurry. If we were faced with a similar situation, that you had an act, or section of an act, more than one act perhaps, that was deemed invalid by a ruling of a Supreme Court; and, if that ruling came down while we were in the midst of a Throne Speech or Budget Speech, we could not deal with that until that 10 days had elapsed. I wonder if that's not a bit too tight, or potentially tight, if the worst of worst scenarios could possibly come down the tube on some future constitutional ruling by the Supreme Court.

**MR. C. SANTOS:** I just want to pose a question on 36.1(1)(B), Mr. Chairman. When the referral back to receive submissions from members of the public is done, and to report back to the House, how long is the duration of that public hearing? Is there any time contemplated?

**HON. A. ANSTETT:** I can't speak for Mr. Mercier's intentions in moving the motion, but it was certainly not the government's intention in agreeing to a public process to limit it in any way.

**MR. G. MERCIER:** Mr. Chairman, there has never been any intention on our part to limit debate in the House, or limit submissions by the public before a committee of the House, or to limit debate in any way. In fact, I want to say for the record, I'm not that thrilled with the proposed rule in the first place. It only guarantees ten days debating time. I think there could well be, as there was on the government's last proposed

amendment to the constitution, a requirement for a much, much, much longer debate. And let's face the facts, what this does is allow the government to cut off debate in the House after 10 days.

**HON. A. ANSTETT:** Only with closure; it requires closure.

**MR. P. FOX:** Guarantees 10 days, minimum.

**MR. G. MERCIER:** Ten days minimum, that's all it guarantees to the opposition and to the members of the public. And you know, Mr. Chairman, why is this even here? It's here because this government closed off debate, attempted to close off debate, imposed the limit on bell ringing because it didn't want to listen to the people of Manitoba on the amendment; and now this is an attempt to supposedly tell the public, you know, that we're great guys, we're going to guarantee at least 10 days debate on constitutional amendments.

Frankly, Mr. Chairman, I'm not that thrilled with a rule that can limit the debate on a constitutional amendment to 10 days, and the amendments that I introduced were an attempt to make something that was bad a little bit better, to guarantee that the public would be allowed to make submissions.

**HON. A. ANSTETT:** Mr. Chairman, I do not wish to get involved in sniping about a previous constitutional issue, and I'll resist the temptation to respond. It was my hope that we could discuss the options that are available. I take it from Mr. Mercier's comment that the only option available from his perspective is the proposed Appendix "A" or "B" or, in response to his last comments, nothing at all. I can only ask then, if I am to conclude and report to my caucus, that Mr. Mercier somewhat reluctantly proposes the amendment as introduced in the House last year and, as an option, would prefer nothing.

**MR. H. ENNS:** Mr. Chairman, what the opposition is attempting to demonstrate to members of the government, who should know better, having experienced what they experienced in attempts to change Constitutions, that constitutional changes and amendments are of an extremely important nature and ought to be treated differently. Of course, the other option that's not before us is one that, quite frankly, we would embrace, and you would have unanimity to exclude future proposed constitutional amendments from any limitation factors, period; that constitutional changes should be arrived at through a much broader consensus than is necessary for normal business in the House; and that constitutional changes ought not to be introduced or ought not to be entertained unless there is a broad consensus within the Chamber of the Legislature. That certainly is the third option that I suppose would sit best with members opposite.

**MR. CHAIRMAN:** Any further discussion?  
Mr. Mackling.

**HON. A. MACKLING:** I'm going to resist getting into a political debate. I think it's obvious by representations we've heard that the Conservative Caucus is looking



t this in only a pro forma way; they haven't changed their mind on anything. It was my understanding that they were concerned to have a rule to deal with this, but it appears they are not very serious about it. I don't now why we don't move on to the next item.

**MR. CHAIRMAN:** Any further discussion?  
Mr. Enns.

**MR. H. ENNS:** Mr. Chairman, it appears that members of this government don't fully appreciate the responsibility that they have. They are government, and they acknowledged, during the heat of the debate on this matter, that when they imposed bell limitation on this Chamber for the first time in the history of this Chamber, that they would be prepared to acknowledge the special category of constitutional amendments. What the Minister of Labour has just indicated is that those proposals were not really being entertained seriously by the government at the time that they imposed a limitation of one of the few mechanics left to the opposition to prevent a government from wilfully doing something which the vast majority of Manitobans did not want. It remains their responsibility to introduce and to reach a consensus with the opposition with respect to the special category of constitutional amendments.

**MR. A. MACKLING:** Mr. Chairman, since the members opposite persist in trying to distort, and since this is a matter of public record, let me put on the public record that there is no question but, as a result of the obstruction of the opposition, the Legislature was rendered powerless from meeting in a responsible way . . .

**MR. H. ENNS:** And we've gained the thanks of many thousands of Manitobans for that obstruction.

**MR. A. MACKLING:** . . . we, out of a concern to make sure that these rules reflect the best interests of the Legislature, have been prepared to look at what is reasonable, and proposals were advanced by members opposite, presumably in a responsible fashion with respect to this, but instead of proceeding with really looking at rules that could be reasonably justified, members opposite are grandstanding. They are not serious about this at all, and I don't know why. They continue to think that they can make some political gain out of obstruction, because that is what is appearing again this morning - obstruction. They advance a suggestion, then they back off it. I don't think they know their own minds, Mr. Chairman.

**MR. H. GRAHAM:** I wouldn't get involved politically at all.

**MR. A. ANSTETT:** Mr. Chairman, perhaps to avoid any further debate of this on matters which really don't pertain to our job here with respect to the Rules of the House, can I suggest that we've had a good discussion on options, plus a few other things, and that we return to our respective caucuses to see how much room there is for flexibility on this, and to see if we can come to an agreement after discussing the

background paper with our caucuses, and leave it at that.

**MR. CHAIRMAN:** Is it the will of the committee to defer this matter and move on? (Agreed) If so, can we move on to Item No. 4, the no-smoking policy.

#### **4. CONSIDERATION OF A PROPOSED NO SMOKING POLICY TO APPLY TO COMMITTEE MEETINGS**

**MR. CHAIRMAN:** What is your will and pleasure?  
Background Paper No. 2 - Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, my understanding is that this does not require a rules change, but rather a policy that would be reported by the House and require the House's concurrence to be applicable to Standing Committees and Committees of the Whole House. And, on that basis, we on this side are prepared to support it unanimously.

I might add we have that same unanimous support of our caucus. — (Interjection) — No, we had a vote and it was unanimous.

**MR. H. ENNS:** I understood the Government House Leader to indicate that in his opinion it doesn't require a rule change, just an adoption of policy with respect to . . .

**HON. A. ANSTETT:** Not my opinion, the opinion of the Clerk in the background paper and I concur with that.

**MR. H. ENNS:** Does that mean that some evening or morning, at 2:00 o'clock in the morning, the decision of the Committee of the Whole then sitting raises the matter of smoking or non-smoking and can waive the policy rule for a particular setting? Policy being policy and not a rule.

**HON. A. ANSTETT:** Mr. Chairman, I would refer the Honourable Opposition House Leader to Item 2 on Page 2 of the background paper. I would think that once the House adopts as a custom such things as strangers in the gallery, the attire and duties of attendants, other things which apply to members and relate to the decorum and behaviour of members, that once adopted by the House, those have the standing of rules and customs of the House, whether or not they're in the rule book themselves. I suggest the Honourable Opposition House Leader and I will have to meet in the men's washroom slightly more often than we have in the past.

**MR. CHAIRMAN:** Is it the pleasure of the committee to adopt the proposed policy? (Agreed)  
Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, it has been our past practice in the Rules Committee to adopt policies and rules, in most cases, wherever possible, by consensus. If there is not that consensus on the part

of members of the opposition, I would be reluctant to see this policy be adopted strictly on the voice of members on this side of the table. — (Interjection) — It's not clear to me that silence is consent, and if it is not, I don't feel that a government majority should be imposing on this committee, especially this kind of policy on members opposite. If there is not agreement we can defer the decision until members opposite have had more time to consider it.

**MR. H. ENNS:** I appreciate the irony of the situation before us. This government is prepared to impose its majority on such lesser matters like the constitutional changes, but is not prepared to do so on such weighty matters as a no smoking policy. What I would like to . . .

**HON. A. ANSTETT:** I'm telling you about how the Rules Committee operates.

**MR. H. ENNS:** It's my understanding that the time of the final adoption of this would be upon presentation from the committee for adoption of any agreements, concurred by the House. I must confess that this subject has not occupied a great deal of our caucus time, we have talked about it; the last time we talked about it there were some other options still on the table. Prior to this, the discussion of perhaps separating one half of the committee room to a smoking section and such other matters. I have a little nervousness on the part of my group, and speaking for my group, that there is indeed a unanimity that the Government House Leader seeks on this question and I would be prepared to leave it as such and inform him when next we meet.

**HON. A. ANSTETT:** I point out, Mr. Chairman, that we did, on December 13th, direct that the policy be drafted in this way, as opposed to the split way, but we're certainly prepared to defer direction that this be included in our report to the House until it's been considered by members opposite.

**MR. H. ENNS:** It's my problem, I was not present at that December 13th meeting . . .

**MR. CHAIRMAN:** Is it the agreement of the committee then that it will be discussed at a further committee meeting? (Agreed)

Move on to Item No. 5.

## 5. REVIEW OF RULES/AUTHORITIES ON WHICH PREVIOUS SPEAKERS' RULINGS WERE BASED

**MR. CHAIRMAN:** There was some background material, No. 5 and No. 12, I believe. No. 5. How do you wish to proceed?

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I believe that the purpose of the review was to ascertain if there were rulings which members were concerned might provide problems in terms of being restrictive precedents, to

review them to ascertain whether or not rules changes had occurred that would render those precedents inoperative, because they were based upon rules that were different, and if we felt that there was a problem in any particular area in terms of the way we interpreted a rule and wish to recommend to the House that either some different way of dealing with that precedent or a minor change in our rules to accommodate it, that we would do that.

I think probably on that basis the best way to review these would be to go through and indicate whether or not members have any questions or difficulties with their understanding of the Rules or the implications of the precedent.

We, on our side, have discussed this group of rulings and I believe there was only one about which we had some concern and I wanted to - I believe Mr. Scott can speak to that in terms of ensuring that it no longer provides a problem. I understand our Rules were changed after that ruling and perhaps, in terms of the Hansard discussion of the Rules changes, to some extent in direct response to that ruling.

We only have the one on this side that I'm aware of; other members may have others about which they have questions.

**MR. CHAIRMAN:** Is that procedure acceptable to the committee?

Mr. Scott.

**MR. D. SCOTT:** The only one that I had any concern about was on Page 254, I believe that's the one. This is in regard to the calling . . .

**HON. A. ANSTETT:** Give the Journal page number, Don, not everybody has the same references.

**MR. D. SCOTT:** On the top of the page is 1962 Journals, Pages 147-155, and on our photocopy it appears on Page 254. This is dealing with a day, back when they still had Private Members' Days, and the government had proposed to call a resolution dealing with the construction of the Red River Floodway to take priority over Private Members' Day, and it is my understanding now that with a change in both the Orders of the Day - how the Orders of the Day are called compared to when they were then - and with private members' time now being allocated to an hour at the end of each day, or in the middle of each day rather than one whole day, that this ruling is no longer applicable, it would be no longer applicable in our House.

I think the aberration has already been corrected, so my interpretation is it is no longer a problem.

**MR. G. MERCIER:** I wonder, could the Clerk comment?

**MR. CLERK:** Mr. Chairman, yes. Our review of the rulings arrived at exactly the same conclusion as Mr. Scott, that there was a particular ruling which is based on a practice which no longer applies, in that we have a Private Members' Hour, rather than a day on which private members' business takes precedence. The Rules have been changed.

If a question arose, a situation which was analogous to this, where there was an endeavour for government

business to be given priority over private members' business, a Speaker might wish to make some reference to this ruling. If such a situation ever arose, he might feel it appropriate to use this ruling as an analogy, and for that reason the committee might not wish to consider setting this aside as a precedent of the House.

**MR. H. GRAHAM:** Mr. Chairman, I don't think that we can ever remove any Speakers' rulings from the record, but I think the committee can put a footnote to a Speaker's ruling and refer to a rule change that applied subsequent to it, which I think would be quite proper, that there be a footnote added at the base of this ruling, that the rules for private members have changed and quote the changes that have occurred since that time, and it stays within the volume of rulings.

**MR. G. MERCIER:** Mr. Chairman, just a further question to the Clerk. I assume that he has reviewed these rulings. Does he consider that any rule changes are required in view of the practices of the House that have gone since these rules?

**MR. CLERK:** No, Mr. Chairman, I don't. In our review, I did part of the review myself, Mr. Mackintosh did part of the review, and that was the one ruling that we identified that you might say no longer applies. I won't bore the committee by identifying, but in a lot of cases what you find, they're based on an old rule that rule is still reflected in our books or they're based on a citation of Beauchesne Fourth Edition, which has been carried forward in different words into Beauchesne Five.

**MR. G. MERCIER:** I would suggest then, Mr. Chairman, this item could be removed from the agenda, or are there more to come?

**MR. H. GRAHAM:** This is just the first batch.

**MR. D. SCOTT:** This is just the first batch; we're going through each Speaker's ruling. This is what was approved back over two years ago, just to review each of the Speaker's ruling to see if they are both still applicable and to see if they have caused problems with the current rules, if the rules can be changed . . .

Some precedents have been established over time. Do we still want them to be applicable?

**MR. H. ENNS:** I was merely going to suggest that if this is going to be, as I gather, an ongoing item on the Rules Committee agenda, that it may expedite matters to have the Government House Leader along with the Opposition House Leader, from time to time as they are available to us, review them and bring them forward to the committee when a problem arises.

It would appear that in most instances that it's not the case. There may be upon further examination and further review, but as further material is brought forward by the Clerk's Office a specific ruling that is a problem that requires some action on the part of the Rules Committee, but it would appear on this first bit of research, which covers a number of Speakers' rulings that that's not the case. It surely is the kind of first

responsibility upon a Government House Leader or indeed the Opposition House Leader to be concerned about potential difficulties with a Speaker's ruling that could dictate precedent. I'm just suggesting that we could deal with this item in the future as research brings forward further Speakers' rulings for us to consider, that the Government House Leader and the Opposition House Leader review them and, only on such occasion where we perceive a difficulty, that they then be put on future Rules Committee agendas.

**HON. A. ANSTETT:** Mr. Chairman, the original proposal for this review was developed I guess close to three years ago. Mr. Ransom, the previous Opposition House Leader, played a vital role in developing that and in the request for the information and background material. I don't see anything inconsistent with what the Opposition House Leader is suggesting with the previous position that was taken, and that was that we basically wanted to see where the problems were if there were any.

If, to expedite a lot of reading and paper for the full committee, a committee, perhaps of three, just an informal ad hoc committee of the two House Leaders and the Clerk of the House - I think the participation of the Clerk of the House would be quite valuable if the Opposition House Leader is agreeable - we could, after having read through another batch, meet and then report to the Rules Committee.

I was out briefly, Mr. Chairman, so I missed the discussion on the 1962 Speaker Harrison ruling that's reported on Pages 147 to 155, but I take it there was an understanding that because of the Rules changes the precedent was not specifically relevant anymore. Is that correct or is there a problem?

**MR. CLERK:** Mr. Chairman, I don't see any problem with it. It doesn't apply directly anymore because we have a different situation with respect to Private Members' business. It might be drawn upon under certain circumstances as an analogy by a Speaker at sometime in the future.

**HON. A. ANSTETT:** Mr. Chairman, further to the Clerk, is there a clear understanding, in your opinion, in our Rules today that no item, except those that are specifically listed as routine proceedings, can be encompassed under routine proceedings, other than motions for debate on urgent matters of public importance? The suggestion in this ruling was that prior to the calling of items from Orders of the Day it was possible for the resumption of an uncompleted debate, and that assumption is separate from the question of whether or not Private Members' Hour was about to be called. I had some concern as to whether or not our rules could be so interpreted today.

**MR. CLERK:** I don't think so.

**HON. A. ANSTETT:** Thank you.

**MR. CHAIRMAN:** Anything further? If not, can we move on to the next item?

## 6. CONSIDERATION OF POSSIBLE CHANGES TO PRACTICES IN PRIVATE MEMBERS' HOUR

**MR. CHAIRMAN:** Background Papers 5 and 12.  
Mr. Remnant.

**MR. CLERK:** Mr. Chairman, my apologies to the committee. The production of Background Paper 12 was a little more difficult than originally anticipated and I only got it finished this morning, so I'm . . .

**MR. CHAIRMAN:** It may take a few minutes to enable members to read Background Paper 12.  
Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I was going to suggest that we defer this item. We have not had an opportunity because of a somewhat full caucus agenda to discuss our preliminary options that came out of our last Rules Committee meeting, so we would not be prepared to discuss this matter in any detail towards a decision today until we have further direction from caucus, so members would have until the next meeting then to read the Background Paper.

**MR. CHAIRMAN:** Is it the will of the committee then to defer this matter until the next meeting? (Agreed) Deferred.

## 7. CONSIDERATION OF A PROPOSED POLICY RESPECTING THE CORRECTION OF PRINTING ERRORS IN THE ANNUAL STATUTES (bound volumes)

**MR. CHAIRMAN:** Background Paper No. 8, it was distributed to members.  
Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I somewhat reluctantly come to the conclusion that our Legislative Counsel's position on this matters is correct because of the administrative and technical problems associated with The Evidence Act, and The Public Printing Act, and the legal standing of the official printed version of the statutes. I still, however, have some concern about the Legislature being requested to correct an error that it did not make. I'm wondering if it is possible to provide in the Statute Law Amendment Bill, in which these corrections would take place, a confirmation section, or whatever other appropriate word is found, which would confirm the original enactment by the Legislature and then would, on that basis, authorize - well, that Statute Law Amendment Bill would appear in the bound statutes for that year and would provide the authority for the appropriate amendments to the CCSM. I'm wondering if that option is possible and if that creates any problems.

**MR. CHAIRMAN:** Mr. Moylan.

**MR. D. MOYLAN:** Well, the wording in The Statute Law Amendment Act would be that certain words are substituted for the words which are currently in the annual volume. I'm not quite sure how we could fit in the word "confirm" there. It would be a matter of deleting and substituting.

**HON. A. ANSTETT:** I'm not suggesting that the actual drafting of the amendment use the word "confirm," but rather that if you have five of these there is a sub-heading right in the bill setting out that these are confirmation amendments. And then the amendment form would stay strictly according to the necessary drafting criteria, but that these would be set aside as being distinct from amendments which are actually amendments to the statute that the Legislature wants at this Session.

**MR. D. MOYLAN:** Yes, I can see no objection to that; I think that could be done.

**HON. A. MACKLING:** I think that it's so illogical for the Legislature to be saying it erred when it didn't err, and I think that it's not impossible to have a preamble on a section of the bill to specify that, that the Legislature didn't err, but in the printing, errors occurred.

**MR. H. GRAHAM:** Mr. Chairman, for as long as I have been in the House, the Queen's Printer, from time to time, has made errors in printing and has printed an erratum addenda to be added. Would that not be good enough in this particular case?

**MR. D. MOYLAN:** The difficulty, Mr. Chairman, is this, that the courts, under The Evidence Act and under The Public Printing Act, accept as final the version as printed by the Queen's Printer, which is the version in the annual bound volumes and also in the continuing consolidation. So a subsequent notice published by someone purporting to correct that would not be accepted by the courts.

**MR. H. GRAHAM:** Have the courts informed us of that?

**MR. D. MOYLAN:** I understand the Clerk has, in fact, discussed this with several judges, and that is the view of some of them.

**HON. A. ANSTETT:** For the benefit of members who may not have participated in the last discussion on this item, this really came to a head when it was discovered that a Report Stage Amendment, which is printed in full in the Journals, was not replicated identically in the Statutes, would not normally be noticed because the blue bills are locked away in a vault, but when it actually appears in the Journals one way and in the bound annual statutes another way, then it brings the problem to full public view.

**MR. CHAIRMAN:** The recommendation is that we continue with the same method as before of putting the matter in The Statute Amendment Act.  
Mr. Anstett.

**HON. A. ANSTETT:** With provision for a notation as to the character of these special amendments, that they are corrective, confirmation of the original blue bill, or whatever.

**MR. D. MOYLAN:** Yes, correction of printing errors.

**MR. P. FOX:** The issue that really has to be resolved is that we do not wish to debate something which is correct and that is what we wish to avoid, so we have to find a mechanism that's just a mechanism, it's not something that we want to open up again.

**MR. CHAIRMAN:** Can you avoid opening it up if it is, in fact, in the statute?

**MR. G. MERCIER:** Maybe the government wishes to pass a bill that would provide that there shall be no debate on these items.

**MR. P. FOX:** Come on now, don't be silly.

**HON. A. MACKLING:** You know, if you look at the situation, the way in which - the honourable members opposite are not listening - the way this manner has been handled in the past, the Legislature has been called upon to amend a bill when no amendment was necessary. The bill that was passed by the House was in order, someone goofed, and the Legislature did not make any mistake, really The Statute Law Amendment Act where it deals with errors in printing, or typing, should not call upon the members to amend that act, because that would be improper. An act that is given Royal Assent is not in error, and if it were deemed to be in error, if there were some rights set up by law that someone acted upon because, you know, they had a copy of the bill as it went through the committee and so on, and they'd acted on that . . .

**MR. H. ENNS:** Al, sometimes you have to have big enough shoulders just to even accept other people's mistakes.

**HON. A. MACKLING:** It would be creating an injustice to be implying that that was not the law, and it couldn't be held in court to be in error. So to suggest that where it's an error in printing or assembly or whatever, requires the Legislature to amend that act, is in error in itself. So there has to be a distinction between that type of amendment. We appreciate the fact that, by virtue of the system, the administrative system, that's the way it has to be done. But to suggest that what was passed by the Legislature was wrong, it had to be amended, is wrong.

**MR. G. MERCIER:** Mr. Chairman, I thought this matter was concluded. I thought all of the advice was the amendment had to continue to be made in The Statute Law Amendment Act.

**HON. A. MACKLING:** But, Mr. Chairman, Mr. Anstett quite correctly, in my opinion, suggested that there should be some statement to the effect that this is corrective of the printed version that occurs in whatever, because the blue bills are right.

**HON. A. ANSTETT:** That it's a confirmation of the blue bill and a correction of the printed volume, something to that effect.

**MR. CHAIRMAN:** Is that agreed? (Agreed)

## 8. USE OF AUDIO VISUAL AIDS IN THE SECTION OF THE COMMITTEE OF SUPPLY MEETING OUTSIDE THE ASSEMBLY CHAMBER

**MR. CHAIRMAN:** Item No. 8. Visual Aids. Background Paper No. 10.  
Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, the request flowed from the use of audio visual aids by Manitoba Hydro and the Manitoba Telephone System in the Standing Committee of Public Utilities and Natural Resources. I was asked by some of my colleagues if, on introducing their Estimates in Committee of Supply, meeting in the Committee Room, if it was possible to have audio visual aids, some form of display of departmental Estimates - charts, etc., that are often used and produced, in the last three years, a multitude of background material supplied to individual members. Members are now receiving much more material explaining in detail the staff year components, expenditure decreases, increases in various areas of departments - supplementary information.

The question was whether or not that could be provided to the committee graphically, either on an easel or through an overhead projector, and my reaction to that was that it amounted to a display or exhibit, which technically under our rules, I believe, would be prohibited. I don't know how we managed to allow Hydro and MTS to do it, to be quite honest. Technically, that has occurred without any authorization and I believe in contravention of our rules.

I think we should either confirm that we will allow MTS and Hydro to do it, or we should address the question of the rule. The Clerk in the Background Paper has raised some very interesting questions about witnesses to committees. I don't think we want to entertain any suggestion of that nor allow that to develop in any way, shape or form, because the ramifications of that are very substantial. The question is do Ministers responsible for departments or for Crown corporations have the right to supply members of standing committees, and the Committee of Supply meeting in a committee room, as opposed to the Chamber, with visual aids to the understanding of the Crown corporation or of their department? I think that that's the question in a nutshell.

**HON. A. MACKLING:** It's a very interesting proposition. I know that during the course of Natural Resources Estimates I have been sorely tempted to want to be able to put up maps that are helpful.

**HON. A. ANSTETT:** No dead pigeons.

**HON. A. MACKLING:** You know, if you're talking about waterway systems, we put the maps out in small forms so that members can see. But if they were larger maps the people wouldn't be able to see them. I was sorely tempted to do that. I didn't do it; I don't know whether I recognized it as a problem with the rule or whatever, it didn't happen. I know that Harry made - both Harry's may remember this one - during the debate on the

Dental Mechanics bill, we had, as a committee, heard testimony from various people and I remember one dentist, who represented the Dental Association, getting permission to have a screening - a slide screening of some horrific pictures of diseased mouths. I remember this specifically because I questioned, I wanted details, I wanted name, address, and so on of the poor victim. I never did get that, of course. But I know it's been used in the past and can be helpful; that is, I think that Hydro particularly should not be restricted from being able to provide the best information. But I guess what we should do is leave it to a consent mechanism of the committee. I think, by consent, we should be able to waive the rules from time to time, you know, where we feel that we really want . . .

**MR. D. SCOTT:** If it's a rule, you can't waive a rule. The rule is set by the Rules Committee and by the Legislature and a committee cannot . . .

**HON. A. MACKLING:** That troubles me because I think from time-to-time it may be very helpful to be able to have those aids, those visual aids I mean. I think it should be looked at, I really do.

**HON. A. ANSTETT:** Mr. Chairman, I'm not sure a committee has the authority to waive the rules. In fact, I would suggest that the committee does not have that authority unfortunately. In fact, when I was asked the question I responded in the negative and was then asked the question, well, how do Hydro and MTS do it? Until then it never occurred to me and that's why I believe the Minister involved approached the Clerk and asked for his advice on the question.

**MR. G. MERCIER:** Mr. Chairman, I think to expand the rules in the hands of this government would be a dangerous precedent. We now have a Department of Communications, an Assistant Deputy Minister, and double the Communication staff. Reference is being made to Manitoba Hydro, the next thing that will happen is Mediacom advertising that the government has tested on the market already and is ready for public use will be used before committees of the Legislature. I just think it's a dangerous precedent when one witnesses the expansion of Communications, the Department of Communications and staff under this government, and the vast increases and expenses that have incurred with respect to advertising.

**HON. A. MACKLING:** Mr. Mercier, again, has a very negative perception of government, and I think that whether or not we want to admit it, the rules had been breached in the past. Committees have felt from time to time that it was in the committee's interest, in hearing testimony from some witness, to allow visual aids. To the extent that the committee erred, I don't think that any injustice was done; I think there was assistance. I can see perhaps that a government, agreeing to this rule change, would be setting themselves up for some grandstanding on the part of opposition members, in respect to visual aids. You know, the suggestion that it's only one-sided leaves it apparent that the honourable member really hasn't thought about the issue because it means that persons called before the

committee, urged to come before the committee, by members of the opposition who thought that the proposal was undesirable, could put on quite a display.

So approaching everything, in respect to a rule change, in such a narrow partisan fashion belies the best interest of rules. Rules are for both sides, government and opposition. I might have some trepidation about this rule change myself. I think the committee has to have some flexibility, and the majority of the committee will decide, and it will be probably a government decision, but if it's a reasonable request that the opposition members make, in respect to a display and so on, maybe we'd be hard pressed to deny that.

**MR. H. GRAHAM:** Mr. Chairman, I look back over what I have seen take place over the years, and getting down to where we are reviewing the rules, and I think the rules have to be made to allow proper debate and work to be done. The rules don't become important, it's the work that has to be important.

I can recall a time when a committee of this Legislature, at the time when the Freshwater Fish Marketing Corporation was being imposed on the western provinces that, rather than have the committee go out and investigate firsthand, that we actually had fish scaled and filleted right here in the committee rooms of the Legislature. It served the interest of the committee well because it saved the public a lot of money in travelling expenses for the committee to go out and see the work done in the actual workplace.

I don't get hung up too much on rules, but I notice that we may have made a dangerous move here when we have said, for instance, this no smoking, that it will apply to a committee wherever it goes throughout the province. I don't think it should. I think when you're meeting outside the Legislature you have to have the flexibility to understand the problem that the committee is addressing.

So the rules that apply for debate, I think, should be confined to the Legislature, and maybe to the committee meetings here. But I don't think they should apply when the committee wants to investigate a particular problem, and go out and view firsthand some of these things.

So I think there has to be some flexibility. This is basically what I'm trying to say.

**MR. P. FOX:** Mr. Chairman, I realize that we are trying to expedite the work of all the committees and of the House and we need as much assistance as we can get, and I think visual aids are one of the ways of getting some concrete information before us. I also have to say that I am disappointed in the Honourable Member for St. Norbert in his attitude because, if I recall, when I first came into this House in '66, visual aids were already in use and they were probably started by Mr. Stevens at that time in respect to Hydro. So if something was done wrong and wasn't correct it's been there a long long time, and I think it has served us well.

Now, the further question is, to what extent we wish to expand this and what kind of parameters we want to utilize if we are going to expand it, and I think that's what we should address ourselves to. Is it of value, and what kind of rules do we want to utilize in order to expand this tool that we have.

**ON. A. ANSTETT:** Mr. Chairman, I regret the suggestion by the honourable member opposite that somehow there is something improper, or in some way incorrect, about the use of audio visual aids or the use of advertising, or the use of media communicators by government. I remind the honourable member that it was his government that introduced massive government advertising campaigns on the scale of, "We're sitting on a gold mine", and we haven't seen the likes of that kind of campaign since. Certainly this government has media communicators but let him who lives in a glass house have some caution about where he throws stones.

Mr. Chairman, the problem here is, if I understand members opposite, that they're concerned that they might be shown some commercials prepared for either broadcast or print - I don't think that's what's proposed if they are concerned that they might want to see, some members suggest, some government programs in all living colour, that might be advantageous to them. I want to avoid, and I think if we established a rule I think would have definitional problems of some substantial character, to avoid the abuse of that rule and the definitional problems, perhaps the answer is to allow us to provide a rule allowing a committee to make that decision, both a Committee of the Whole sitting in a committee room, and a Standing Committee. And then the committee can decide whether they want to see fish filleted, a map of Hydro projects, or diseased farms or, as Mr. Speaker suggested as an aside, if we're considering a bill on abattoirs, perhaps something even more graphic.

In response to Mr. Graham, I don't think any of our rules apply to committees when they are out seeing something firsthand, as Mr. Graham suggested, whether that's fish being filleted at the Freshwater Fish Marketing Corporation, or observing a drainage ditch somewhere, or inspecting a hydro plant. The rules with respect to exhibits and to smoking apply only at committee meetings.

So I think that may be the route to go, if that's acceptable to members opposite. Leave that to the committee's decision. That will require an amendment to our rules, because technically right now, we have been violating the rule. I believe it's only done with the agreement of members, the committee decides they want that presentation, or they want to see a fish filleted, or whatever, and perhaps if we formalize that we get around the problem and, if a Minister wishes to produce a map of his water resource projects in the Committee of Supply, as Mr. Mackling did several years ago, then he could propose putting up a display map to assist members in the discussion and, if that was agreed, it could be done.

Maybe that's the simplest way around it, rather than a formal structured rule that defines what types of exhibits are allowed and which ones aren't allowed.

**MR. C. SANTOS:** Mr. Chairman, the fact that there are some rules that are more honourable than in the observance implies that no rule can apply in all circumstances. It means that whenever we adapt any rule the rule should have some kind of way out so that people could not be bound by the rule under all or any circumstances and provide for flexibility. As to the

information given by government to the public, I think it is part of our democratic traditions that for the citizens to be fully aware of all the options and all the alternatives of policy it is very important that information should reach the system, but when information becomes one-sided only, that's where the danger lies. I would submit that if we limit the privilege of presenting or proposing a display to certain Ministers only and then leave it to the committee, in its wise discretion, whether to allow or not to allow such a request from the Minister, then there would be some flexibility in the rule. But to open it up so that everybody, including those from the public presenting whatever exhibit they may wish or want to present, would be unwise.

**MR. H. ENNS:** Mr. Chairman, I think what hasn't been said and what is the concern of the committee and of all legislators, I suppose, is that the unrestricted use of displays and visual aids of any kind can lead into difficulties, particularly when we have heated issues being debated, and then the limiting of displays gets difficult to do among the general public and other witnesses that are waiting to make presentations to a committee. Then it can become an intimidating factor in terms of demonstrations and so forth. I believe that a situation in one committee of the House in rural Manitoba experienced some of that. I know that the Government House Leader or I believe the Government House Leader and the then Minister of Small Business, Mr. Uskiw, were involved in such a situation. So I would think that it would be unwise for the committee to consider any expansion or changes at this time.

On the other hand, I think to accommodate the practice that has been of some longstanding, that there may be occasions for specific subject matters where if you wish to formalize it. Again, I don't see the need for the formalizing of all these rules, but if it makes members feel better that it be more formalized, that advance permission for the use of audio and visual aids be requested of the committee prior to their introduction. In other words, no change; audio visual aids are not used per se at committee hearings, but Manitoba Hydro can because of the nature of their presentations or indeed some other individuals or Ministers can, but it should be done with prior notice and permission received.

I would suggest that that may be a way of covering the current practice and enabling some expansion where committee members of that particular committee, charged with the responsibility of gathering information, would find it useful. It would at the same time not leave the impression or enable it to broaden beyond our control where, in my judgment, it could become as much of an intimidating force as an information force.

**HON. A. ANSTETT:** Mr. Chairman, I think Mr. Enns and I are on exactly the same wavelength. Perhaps we could have advice from the Clerk as to whether or not that requires just a policy statement, or will this require a rule. I'm with Mr. Enns, if we don't need a rule, then I'd just as soon not have one, but I'm not clear on whether the prohibition on exhibits is that explicit that a statement of policy will overcome it.

**MR. CLERK:** Mr. Chairman, naturally I'm going to take the direction of the committee, but my own personal

feeling is that the House would be a lot safer with a rule on this matter simply because you've got a longstanding, despite the exception made in the case of Manitoba Hydro, you have a longstanding practice which has prohibited the use of exhibits. You have the House of Commons' practice which prohibits the use of exhibits; for example, there was an attempt made in 1965, I think it was, to display in the House of Commons in debate the proposed design of a new national flag and the matter was ruled out of order. The exhibit was removed from the House forthwith.

Now, with that kind of background there are two reasons: (a) you've got that kind of background militating to prohibit the use of exhibits of any kind; the other side of the coin, if I interpret the committee's recent discussions correctly, the objective is to permit the use of visual aids by witnesses. I'm not even sure that it's necessarily by all witnesses but you don't want to get into the situation where there is any interpretation of the practice to say, oh, well, they've changed their position, now any visual aid is permitted, and you've got people sitting in the galleries with placards, signs and so on. If a rule is written that says, if this is the committee's wish that standing and special committees, and the Committee of Supply meeting outside the Chamber, henceforth have the authority to exercise their discretion to approve or disapprove the use by witnesses, if that's the intent, of visual aids . . .

**SOME HONOURABLE MEMBERS:** No, no.

**MR. CLERK:** . . . by Ministers presenting their Estimates.

**HON. A. ANSTETT:** Mr. Chairman, if I understood Mr. Enns correctly - and I think we were saying the same thing - that we would be limiting the right to use exhibits to those who are, as opposed to witnesses, persons who are reporting to the committee. I believe a Minister presenting his Estimates is reporting to the committee; I believe a Crown corporation is reporting to the committee. I don't believe a witness is doing that. Perhaps the wording "reporting to" may not be the right wording, but I think the intent is to limit it to Crown corporations, Ministers, or expert witnesses called by the committee that the committee wants to hear from.

Now, that may preclude the fish and . . .

**A MEMBER:** Not necessarily.

**HON. A. ANSTETT:** However, if the committee chooses to call those people, as opposed to witnesses appearing — (Interjection) — Well, I think perhaps the Clerk may wish to work on the wording a bit but I think that was Mr. Enns' intent and it was mine as well, that we not broaden it to witnesses per se.

**MR. H. ENNS:** Mr. Chairman, I think we've had a reasonably good discussion on this item on the agenda. It is, however, I think one that would be of concern to both caucuses and it's my suggestion to the committee that it be deferred back to our caucuses for further review.

**MR. C. SANTOS:** I believe one element was not emphasized, Mr. Chairman. The Member for Lakeside

said that the committee should have prior knowledge, and should give prior consent before the exhibits are brought into the committee room. In other words, you cannot just secure the permission right then and there with your exhibit then, and then the committee will exercise discretion right at that moment, but it must be done at a prior location before anything could be done.

**HON. A. ANSTETT:** Mr. Chairman, in terms of prior permission, I think the prior permission of the committee to have a series of audio visual aids shown on an overhead projector, which is done every year at the Hydro Committee, can be requested by the Minister before the slides are shown, but I don't think we have to have an organizational meeting a day before to give that permission. I think that permission could be granted before the display or exhibit is provided to the committee, but the equipment, whatever is necessary, could be here in anticipation. If the permission is denied, the display then does not proceed.

With regard to Mr. Enns' suggestion, I'm in complete agreement with that. I would only suggest that it might be of benefit to both caucuses to have a draft rule from the Clerk flowing from our discussions today. I think we're on the same wavelength to facilitate our caucus discussions on the matter.

**MR. CHAIRMAN:** Is that agreed? (Agreed)

## 9. REQUIRED AMENDMENT TO PROPOSED NEW RULE 81(9) APPROVED ON JANUARY 21st

**MR. CHAIRMAN:** The next item is No. 9, Background Paper No. 11. It's a matter of grammar and of determining the proper will of the committee.

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, item (a) in the proposed amendment. I would ask the Clerk for clarification. Is there a report from the Speaker on all petitions at present, or does the Speaker only report if he believes a petition is inconsistent? I thought it was the latter.

**MR. CLERK:** . . . Mr. Chairman.

**HON. A. ANSTETT:** So this would represent a change in policy then.

**MR. CHAIRMAN:** It's not clear from the wording whether it's required Yea or Nay; or only if it's in breach that there is a report. Whichever way the committee wants it, we can word it so that it conforms with that. That's the question.

Mr. Anstett.

**HON. A. ANSTETT:** It would be my opinion that we would only require the report if, after the review of House officers, the Speaker was advised that a breach was contained in the petition. If the petition conforms, I see no need for a report.

**MR. CLERK:** Mr. Chairman, part of the problem in the wording was the use of the word "whether." If the intent



is that the Speaker report "if". Because you can't get a lot of language specialists to really confirm it, but there are those who hold the view that the word "whether" implies "whether or not." So it left us with a very unclear proviso.

**HON. A. ANSTETT:** If.

**MR. CLERK:** If. If it's the committee's desire that the Speaker only report where there is a problem, then I would suggest that we take out the word "whether" and substitute "if."

**HON. A. MACKLING:** I think this is a kind of change that looks like grammatical nitpicking in some ways. I look at the proposed amendment and there would be errors just in phraseology of the amendment. If you take out the words "contains matters in breach of", and put the words "conforms with," it will destroy the apparent meaning of the rule as it is now, because it will read "and if he reports that in his opinion it does conform with the practices and privileges of the House," - it does not conform with, obviously it should be "conform." So there is some error in the amendment itself. You know, I don't know, to me it looks like it's a . . .

**MR. CHAIRMAN:** What is the intent? I mean we will word it so it conforms with your intent. Tell us which way you want it.

Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, I see no problem with looking at conformity, rather than breach, and does not contravene as apposed to complies with, so that you're placing the negative after the positive statement. I think that's logical construction. I think the word "if" can be substituted for "whether or not," so that the Speaker only reports when there is a breach or a non-compliance. If it can be redrafted, I don't think we'll have any trouble approving that at our next meeting.

**MR. CHAIRMAN:** Is that the will of the committee?  
Mr. Mackling?

**HON. A. MACKLING:** Yes, I have no problem if it improves on the wording and makes it more positive sounding than negative if that's what the intent is.

**MR. CHAIRMAN:** That's agreed you reword it and present it at the next meeting? (Agreed)

#### **10. TIME LIMIT ON SPEECHES WHEN PRIVATE MEMBERS' BUSINESS CALLED DURING GOVERNMENT BUSINESS**

**MR. CHAIRMAN:** Can we go on to Other Business. Mr. Anstett had two items. I can't read my own writing, but what was the first one?

**HON. A. ANSTETT:** The first item, Mr. Chairman, was the question of a time limit on speeches on items called from Private Members' Hour on government time. The question is: does the rule respecting time limits in

Private Members' Hour apply to that private member's business? I see Mr. Mercier nodding negatively, Mr. Graham nodding affirmatively, so I know now that members opposite share my concern that the rule is unclear; or, since we have now provided that the private member's business, particularly near the end of a Session, can clearly be called during government business, without the necessity of the Speed-up motion being in place - it was a rule we agreed to I believe at one of the last two meetings we've had - it then raises the question then of what time limits should apply.

I don't feel strongly as to what they should be. To be quite honest the practice, when we're in Speed-up, is that members have kept them so short and to the point, because we're in Speed-up, that we've never approached the limit and I don't recall the question ever being raised when we were in Speed-up. But in the situation where we are not in Speed-up, not under the gun, not calling all this business at midnight or 2:00 in the morning just to get it voted on and either passed or defeated on the Order Paper, we're now hopefully, without using Speed-up, going to be able to still deal with this business out of respect for the interest of private members, the question of how much time will be utilized. And, in view of the fact that we are entertaining changes in Private Members' Hour, I was concerned that it might provide to the Government House Leader the opportunity to give a 40-minute speech to one private member by calling his business during government time, while at the same time providing only a 10- or 15-minute speech to another private member.

I, to be quite honest . . .

**A MEMBER:** You wouldn't do that.

**HON. A. ANSTETT:** I wouldn't do it, I said "a" Government House Leader. I think it is a wrinkle that we had not considered when we made the earlier change as to what rules applied to that business, Private Members' Hour limits, or the normal debate limits. If we shorten the speaking time in Private Members' Hour it becomes even more of a potential issue.

**MR. H. GRAHAM:** Mr. Chairman, I can appreciate what Mr. Anstett is trying to do, but actually the rules are very clear right now. It may have been in Private Members' Hour, but the minute it is called by the government it becomes government business, and the normal rules of government business apply. It is government business the minute it is called by government, and it is not private member's business any longer.

**HON. A. ANSTETT:** I don't know, I'm asking, I don't know.

**MR. CHAIRMAN:** One at a time, please.  
Mr. Enns.

**MR. H. ENNS:** There would be some conformity, taking into account the Government House Leader's concern about treating all private member's business equally, to simply agree that, whether it's called by government or private members, it nonetheless is initiated with

private member's business and at the same time allocation should apply. It would seem to be a cleaner rule in terms of how private member's business, bills or resolutions are dealt with, and gets you away from who is initiating the order in the House. It still retains its private member feature and one private member's bill or resolution ought to receive the same amount of time as any others.

**MR. D. SCOTT:** I don't have before me, I don't believe, the rule that we just - I guess I do have the rules. What rule is it dealing with Private Members' Hour? Because I would suggest that . . .

**MR. CHAIRMAN:** 33.

**MR. D. SCOTT:** Page 24.

**MR. H. GRAHAM:** 33(3).

**MR. D. SCOTT:** Okay, I would suggest the bill that we had passed - what I was looking for was the resolution - that we had passed regarding Private Members' Hour - private member's here, in Document No. 5. No, the one that we had passed at the last meeting saying that the government could call on government time private member's business. I would suggest that we make an alteration to that rule change, that time allocation be the same as in regular Private Members' Hour, and have that included in that amendment. So that way we don't have to worry about it being 15 minutes, 20 minutes, whatever, whatever was approved in Private Members' Hour shall be approved at that time. It's a matter of a three-word or four-word amendment, and I'm sorry I can't find that paper because I had the amendment written out at one point. Oh, here it is. I thought I had it numbered out.

**SOME HONOURABLE MEMBERS:** Agreed.

**MR. D. SCOTT:** Okay. Agreed.

**HON. A. MACKLING:** Legislative progress chart . . .

**MR. CHAIRMAN:** Is that the will of the committee then, to have that change made?  
Mr. Anstett.

**HON. A. ANSTETT:** Mr. Chairman, if I may. I'm agreeable to the change. I just want it to be clear that it's necessary. Is it the Clerk's definitive opinion that we need that clarification? I raised it as a question for members.

**MR. H. GRAHAM:** It has to be clarified because . . .

**A MEMBER:** Yes, put it in.

**MR. H. GRAHAM:** . . . Rule 33(3) states very clearly that only speeches in Private Members' Hour are limited to 20 minutes.

**HON. A. ANSTETT:** Okay, so we will then have that change drafted.

**MR. H. GRAHAM:** Right.

## 11. LEGISLATION PROGRESS CHART

**MR. CHAIRMAN:** The next item.  
Mr. Anstett.

**HON. A. ANSTETT:** Yes, Mr. Chairman, one of the other items which has been discussed at various times in the last dozen years, which I am aware and probably before, has been the fact that there is a regular parade of people to the Clerk's Office to take information off the Bills Progress Charts in that office. I know many other Legislatures place on the back pages of their Votes and Proceedings, or on their Order Paper, a legislation progress chart which basically provides the same information that is on the Bills Chart in the Clerk's Office. I know at one point in the past this was considered and, when I was in that office some six or seven years ago, the suggestion was made that it would be a rather time-consuming process to keep that up-to-date. Now that we have in the Clerk's Office a word processing capacity I would appreciate advice on the difficulties at this stage and, if they are not unsurmountable, I would ask the committee to consider making a request that a progress chart be prepared perhaps once a week, perhaps on Monday mornings, for members for that week so they've got a reference at where things are at; or perhaps on Fridays in the Votes and Proceedings which then appear on Mondays, so members know the status of all bills and where things are at as a progress chart.

This would be valuable to staff in the caucus rooms, to people following the progress of the legislation in the Legislature, and to staff in the system. I realize it may represent a minor imposition of additional time and effort on the part of the Clerk's Office. I say "minor," in view of the fact that that word processing capability is there and I believe could probably be programmed to do the job fairly simply.

I also understand that we are now preparing the final copy for the Order Paper, and have been for a number of years, in-House, and we may be doing the same now with Votes and Proceedings. That being the case, additional typesetting and other costs will be negligible as well. So if the Clerk can comment on that now or report at the next meeting - I don't mean to put him on the spot - I'd appreciate that.

**MR. H. GRAHAM:** Mr. Chairman, I just want to make one comment. Mr. Anstett had suggested that it be done once a week. I think the main reason why people look at the chart is to see where the progress of the bill is in reference to when the bill could possibly go before committee. We have a rule that is 48 hours notice on committee, so I don't know whether once a week would provide the information that maybe we want people to have.

**MR. CLERK:** Mr. Chairman, Mr. Anstett has somewhat stolen our thunder because we've been looking ourselves at other Legislatures and what they do; and recognizing the ability of the word processing equipment to do this it was one of the proposals we were looking at as something to introduce. However, we had hoped

that nobody would say anything about it yet because, yes, we have a new word processing machine; yes, we've had it operating for about two weeks; yes, we would very much like to get it shaken down doing the Votes and Proceedings as they are for one Session without adding a bunch of new twists because we're training staff on the use of that equipment, they are unfamiliar with it.

We were looking at the following Session as the time to introduce a legislative progress chart. Our recommendation would be to put it in as part of the Votes and Proceedings as is done in Saskatchewan. Theirs is published, I think I'm correct in saying, every Friday. But if the committee could, in its wisdom and generosity, see its way clear to defer for this Session to let us overcome whatever kinks we may encounter, we're still shaking down the machinery. The equipment is working; it's working well, but it's encountering some bugs.

**MR. H. ENNS:** Sounds like a cop-out to me on the part of the Clerk's Office.

**HON. A. ANSTETT:** They'd better get their act together, eh?

**HON. A. MACKLING:** It sounds like an eloquent plea.

**MR. CLERK:** Well, please respond in the appropriate manner then, Mr. Mackling.

**MR. D. SCOTT:** I accept, as Mr. Mackling calls it, an eloquent plea, but can we not do some dry runs perhaps without necessarily publishing it in the first instances because the Session, like after a couple of weeks any bugs in this application should be out and it's not going to take a heck of a lot of extra to produce it.

**HON. A. MACKLING:** One can experiment this year.

**MR. D. SCOTT:** I would think that after a couple of weeks of running the thing on dry runs without it being published, and give it to the House Leaders for approval, that then you could actually start running it a couple of weeks after the House was in Session.

**MR. H. GRAHAM:** I don't think you need a Rules Committee to make a ruling on it.

**MR. D. SCOTT:** Yes, but as soon as you can possibly get it out I think we should get it out as soon as it's acceptably reliable.

I would also like to bring up, since we're on this general item of informing the public of what's going on in the House, is the matter I brought before the committee last year and this is notification of getting newspapers perhaps, or the cable TV programs, to show what the Orders of the Day are and where different bills stand before the House, as is published in many other jurisdictions. Because that's very helpful for people who want to follow what's going on in the House. You can have a little note down below it, subject to change in the Legislature during the day, perhaps, but at least it gives them some idea of what's coming up on the Order Paper.

**HON. A. ANSTETT:** This was my item.

**MR. H. GRAHAM:** Was; no longer.

**MR. D. SCOTT:** It's up for grabs.

**MR. H. ENNS:** You want a community calendar, the Jets are playing the Oilers tonight; and at the Legislature . . .

**HON. A. ANSTETT:** Enns versus Anstett at the Legislature.

**MR. D. SCOTT:** At the next meeting perhaps I'll bring it back again, but last year when I brought it up I had a clip out of the Washington Post, I think I brought back with me, of "In Congress Today." It was a little item, just a couple of inches long, about four inches long, and it showed what was coming up on the agenda in committee.

**A MEMBER:** We suggested you take it up with the Editor of the Free Press.

**MR. D. SCOTT:** I think that the Editors of the two papers, if they were taken up by the Clerk's Office or by the Speaker, perhaps more appropriately than I, that I'm sure if something was provided for them they would print it. The same thing with the cable network, if something is provided to them they can shoot it up so that before Question Period comes on each day, or at any other time of the day, they can show what the agenda for the day, that day or the next day, is for the House.

**HON. A. ANSTETT:** Mr. Chairman, I'm sympathetic to Mr. Scott's request. I'm not about to propose that we appropriate funds to buy advertising space.

**MR. D. SCOTT:** No, I'm not suggesting that.

**HON. A. ANSTETT:** But if Mr. Scott, in consultation with the Clerk, could find a format that would be acceptable to the media, I don't think any members of the committee would have any objection.

On the other item, I didn't mean to steal Mr. Remnant's thunder. I thought it was rather old thunder; I didn't realize there was a new development. I concur with his suggestion that there may be some bugs to get out of the system, but I also like Mr. Scott's suggestion that, although two weeks might not be possible, that if, as the next Session proceeds, the capacity to do it is developed or you wish to run it on an experimental basis so that members can comment on it, that would be desirable, and that we could, unless any members have objection to doing it on an experimental basis, if possible, this Session. I would certainly think that there would be a willingness to see that happen, and then do it for sure by next Session.

**MR. CHAIRMAN:** Is it agreed then that the committee wishes such a progress chart to be produced as soon as is reasonably possible? Agreed (Agreed).

Anything further under Other Business to come before the committee? If not, Item No. 11, the date and time of the next meeting.

I note in the News Report today that we are to reconvene on the 7th of March. Do you wish to meet before then?

**HON. A. ANSTETT:** Mr. Enns?

**MR. CHAIRMAN:** Mr. Anstett.

**HON. A. ANSTETT:** If I might suggest, our caucus is meeting I believe weekly and has been for some time now, depending on the opportunity the Opposition House Leader would have to take the items referred to his caucus, we could perhaps meet in two weeks. In our case that would allow two intervening caucus meetings. I don't know what his caucus schedule is.

**MR. H. ENNS:** That would be February the . . .

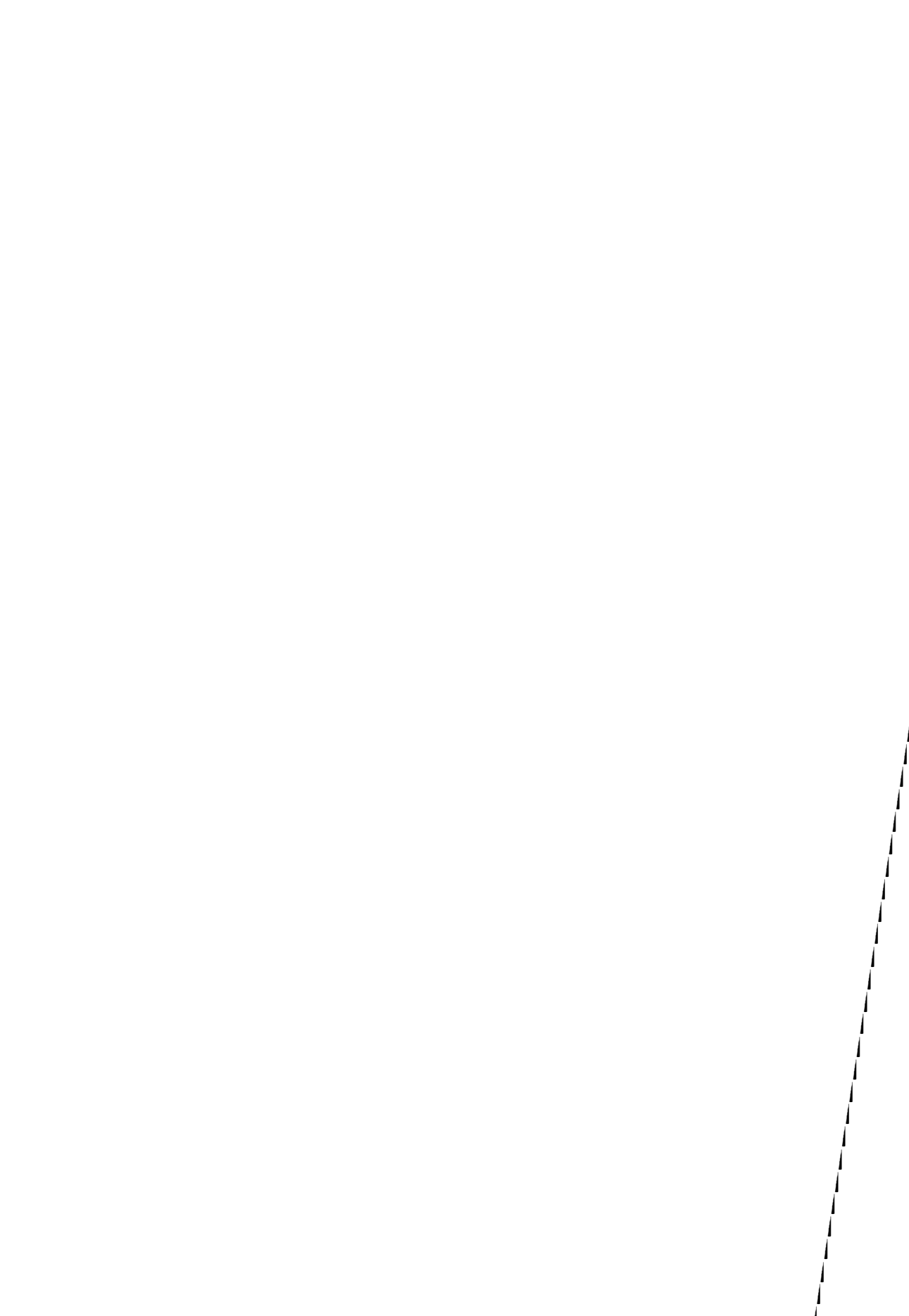
**HON. A. ANSTETT:** 26th, same time, same station.

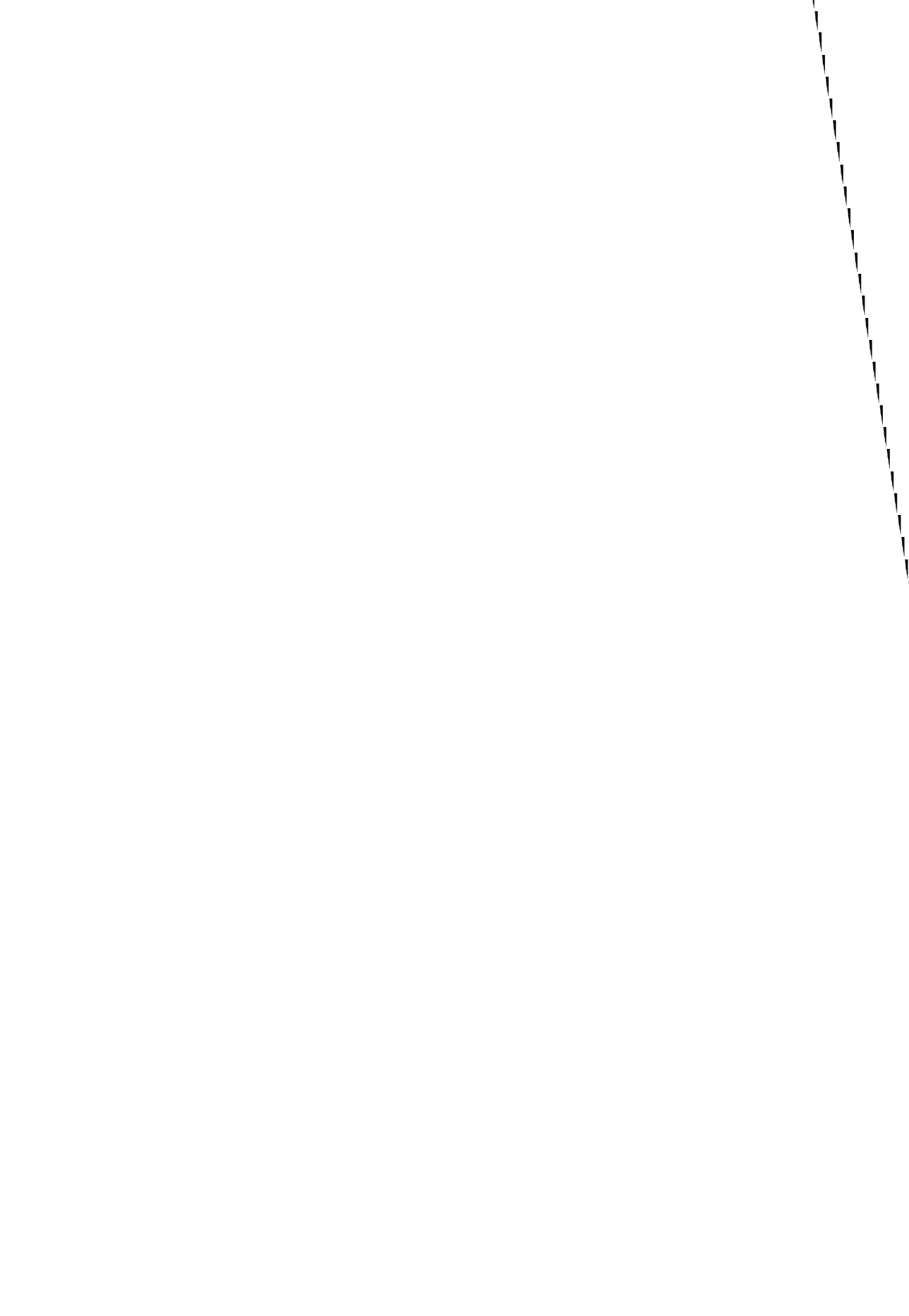
**MR. CHAIRMAN:** We have agreement on that date, the 26th, two weeks today?

**HON. A. ANSTETT:** 10:00 a.m.

**MR. CHAIRMAN:** That seems to have completed the agenda for today and it's lunch time.  
Committee rise.

**COMMITTEE ROSE AT:** 12:21 P.M.









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