

CHV2O Unit 1: Citizenship and Government

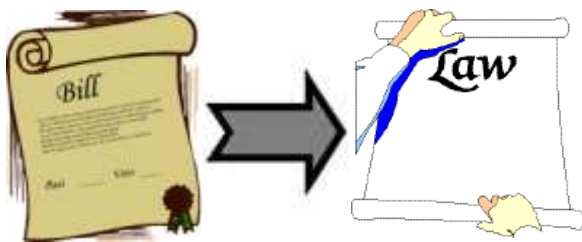
Activity 7: Passing Legislation

Overview

In this Activity, you will compare how laws, regulations, public policies, and decisions are made. This will be done through reading about the passing of legislation by the federal government and also by examining municipal governments in Ontario and the passage of municipal laws.

Lesson

Passing Legislation at the Federal Level



When you fly in an airplane, visit a national park or buy a product in a store, you are doing something that has been touched by a law made in Parliament.

An idea to make a new law or to change an existing law starts out as a "bill." Each bill goes through several stages to become law. At first reading, the bill is considered and read for the first time and is printed. There is no debate. At second reading, Members debate the principle of a bill. Is the idea behind it sound? Does it meet people's needs? If a bill passes at second reading, it goes to a committee of the House.

Committee members study the bill carefully. They hold hearings to gather information. They can ask government officials and experts to come and answer questions. The committee can propose amendments, or changes, to the bill.

When a committee has finished its study, it reports the bill back to the House. The entire House can then debate it. During report stage debate, Members can suggest other amendments to the bill.

Once the report stage is over, the bill is called for third reading and debate. Members who voted for the bill at second reading may sometimes change their minds at the third reading after seeing what amendments have or have not been made to the bill. After a bill has passed third reading in the House of Commons, it goes through a similar process in the Senate. Once both Chambers pass the bill, it is given Royal Assent and becomes law. The Governor General or a deputy gives the bill Royal Assent.



Passing Legislation at the Local Government Level

The Municipal Government, also referred to as the local government (which includes boards and agencies such as school boards and health units), is the level of government below the provincial government. Canada's constitution gives the Ontario government, and the country's other provincial and territorial governments, the authority over municipal affairs.

In Ontario, the Municipal Act is one of approximately 150 provincial acts, which set out the powers, duties and structures of the province's 445 municipalities.

While the services provided by municipalities vary, for the most part they include garbage collection and/or disposal, fire, police, water and sewage, local roads, transit and accessibility.

Municipal Councils

Regardless of size, all municipalities are governed by a council elected by the citizens of the municipality. At the municipal level, laws are passed by a council through a simple majority vote.

The role of councilors, as defined by provincial legislation, includes:

- Representing their constituents at council -- for example, defending a neighbourhood decision to retain a park and not allow development
- Representing their municipality and their constituents at community events
- Developing and supporting policies that guide the services provided by the municipality
- Passing laws, known at the municipal level as by-laws, such as parking and noise by-laws to regulate the actions of people and businesses in the municipality
- Sitting on council committees such as the waste management or the budget committee
- Deciding on what services and level of service the municipality should offer and how to pay for them, within the parameters of provincial legislation
- Working with other agencies involved in similar issues like housing, social services, environment and transportation

By-laws

By-laws are rules and regulations governing a municipality. Municipal councils pass municipal by-laws which can affect the local community, such as the number of parking spaces designated for use by people with disabilities.

Budgets: Finding the Money to Deliver the Services

A municipal budget refers to how the councils decide on the priorities for the year and how they are going to pay for such activities and services. During the municipal budget process, citizen input is encouraged through a combination of public meetings, committee participation and council meetings. Municipalities raise money in three main ways: property taxes, fees and charges (i.e. licenses), and transfer payments from the provincial and federal governments.

Developing Policy

A policy is a plan or statement that embraces identified goals and sets the direction and/or a course of action to achieve those goals.

Developing an effective and comprehensive policy includes:

- Problem identification -- asking the policy question, "What do we want to achieve?"
- Priority setting - where the issue gets placed on the political agenda to be addressed among competing issues
- Policy formulation and design - where policy goals are established
- Passage of policy instruments - the stage where approval is received from staff and council for implementing the policy instruments
- Implementation - this stage activates the policy by delivering the services, programs or funding identified

Council Approves Policies, Staff Carry Them Out

Once council has approved a policy, it is the responsibility of the municipal administration (the chief administrative officer, the city clerks, standing and executive committees, corporate services and other departments) to put it into action.

Municipal staff includes many different professions and experts including engineers, planners, librarians, electricians, computer technicians, social workers, and a wide range of administrative staff that may include, but are not limited to, treasurers, tax collectors, accountants and receptionists. In addition, some staff, such as the Ontario Provincial Police and nurses, may not be considered municipal staff, but work closely with municipalities.

Assignment

1. What is the role of the Committee members when a bill is being passed into law?
2. After a Bill has passed the Third Reading in the House of Commons, what happens next?
3. What is the Municipal Government and what are its responsibilities?
4. How are laws passed at the municipal level?
5. What are 4 important roles of Municipal Councilors?
6. What are By-Laws? Provide an example of one.
7. What is a municipal budget and how to municipalities raise money?
8. What is a policy?
9. What are some of the jobs that a municipal staff includes?

10. Read the situation below and determine whether or not you think the bill to ban MP3 players, iPods and cell phones from all high school should be passed into law. Provide at least 3 reasons as to support your opinion.

Banned From High Schools

MP3 players, iPods and cell phones are now part of a Canadian student's everyday equipment. Students download their favourite music, search the net, snap pictures, watch and record video, share media, talk, message, demonstrate their social status, and in some cases, irritate their peers and teachers during school time and disengage from learning and everyday life.

Although students may use their cell phone as a legitimate emergency contact tool, organizer and a way to stay connected to parents, cellular phones have also been used to cheat on tests, to harass other students and to embarrass and violate the privacy of their teachers.

In the Ontario Legislature, a private bill has been suggested that MP3 players, iPods and cellular phones should be banned from all high schools.