



Legislative Reports



New Brunswick

Since the last legislative report, the Fifty-third Legislature was dissolved, New Brunswick voters elected a Progressive Conservative Government in a provincial general election, the Fifty-fourth Legislature opened briefly to elect a Speaker and to strike standing and select committees, and the second session adjourned in December, after sitting three weeks.

During the last session of the Fifty-third Legislative Assembly, Members passed a new *Members' Conflict of Interest Act*. The conflict legislation as it pertains to elected officials will no longer be administered by the Courts but by a Conflict of Interest Commissioner. The new Act contains post-employment restrictions for former ministers (one-year cooling-off period) and makes public disclosure statements accessible by the public. Former Chief Justice **Stuart Stratton** was appointed New Brunswick's first Conflict of Interest Commissioner effective February 1, 2000.

The Fourth Session adjourned on March 12, 1999; the House was dissolved on May 8, and the writ of election was issued. At dissolution the standings in the House were Liberals, 45; Progressive Conservatives, 9; and New Democrats, 1.

As a result of the provincial general election held June 7, 1999, the Progressive Conservative Party led by **Bernard Lord** assumed the reins of government winning 44 seats, the Liberals, 10; and New Democrats, 1; almost a complete reversal of the composition of the House.

Mr. Lord, a former Leader of the Official Opposition, was first elected in a by-election held October 19, 1998, to represent the electoral district of Moncton East, and became, at 33, the country's youngest and New Brunswick's 30th Premier.

In the final analysis, 37 new Members were elected and the two major party offices experienced enormous staff turnover and workload increased for staff in all areas of Assembly operations.

The Fifty-fourth Legislative Assembly was called into session on July 6, 1999, the Members having taken their Oath of Office in a ceremony that morning. The first Order of Business was to elect a Speaker. The Clerk presided over the election. Although the names of four Members remained on the list of eligible candidates, Government House Leader **Brad Green** (Fredericton South) advised that three of the four candidates wished to have their names withdrawn. He re-

quested that the election requirement be dispensed with the unanimous consent of the House.

The Clerk advised that pursuant to the Standing Rules, Members could withdraw as candidates after the first ballot, unless the House wished to dispense with this requirement and, if so, the Clerk would abide by the wishes of the House. Agreement to dispense was granted and each of the three members rose, in turn, indicating an intention to withdraw.

Bev Harrison, the Member for Hampton-Belleisle, the only candidate whose name remained, was therefore declared elected. As is the tradition, Premier Lord and Opposition Leader **Camille Thériault**, (Kent South), dragged the 'reluctant' Mr. Harrison to the Chair.

Lieutenant-Governor **Marilyn Trenholme Counsell** delivered a brief Speech from the Throne outlining part of the government's Legislative agenda.

The House unanimously passed a motion to ratify and approve all procedures for the election of Speaker that had taken place during the course of the day's proceedings, and dispensed with the customary address in Reply to the Speech from the Throne, the formal debate thereon, and the introduction of the pro forma Bill.

Following the tabling by Speaker Harrison of the official election returns of the provincial general election held June 7, 1999, standing and select committees were appointed

on motion of the Premier. Three new select committees were appointed.

- The Select Committee on Education chaired by **Patricia Crossman** (Riverview) is charged with examining, inquiring into, and reporting to the House with respect to the education system in New Brunswick.
- The Select Committee on Health Care chaired by **Madeleine Dubé** (Edmundston) is charged with examining, inquiring into, and reporting to the House with respect to the delivery of health care in New Brunswick.
- The Select Committee to Review Appointments by the Lieutenant-Governor in Council chaired by **Eric MacKenzie** (Fredericton-Fort Nashwaak) is to review nominees to key positions on selected agencies, boards and commissions to be recommended to the Lieutenant-Governor-in-Council with respect to the capability of nominees submitted to it by the Government House Leader on behalf of the Lieutenant-Governor-in-Council.

Deputy Speakers, **Keith Ashfield**, Member for the electoral district of New Maryland, and **Joel Bernard**, Member for the electoral district of Nepisiguit, were appointed, on motion, and will serve as Chairmen of the Committees of the Whole House. The House prorogued immediately thereafter, ending what may have been the shortest session in the history of the New Brunswick Legislature. Committees began scheduling a variety of activities commencing in late August.

The Second Session of the Fifty-fourth Legislative Assembly, opened on November 30, 1999, and

sat until December 17, 1999, before adjourning to February 8, 2000.

Among the government's priorities outlined in the Speech from the Throne were those set out in the document *New Vision - New Brunswick*: to create open and responsive government, to change the way government works, to renew health care, to build new job opportunities, to manage smarter and lower taxes, to invest in education, and to create a new standard of accountability with respect to the government's 200 Days of Change Action Plan.

The Throne Speech outlined the government's intention to enhance the role of MLAs in the democratic system by introducing a consultation paper for consideration as the first step in the development of a new *MLA Responsibility Act*. This Act will, among other things, require each MLA to hold at least two public meetings per year. This reinforced role for MLAs and the Legislature promises to bring even greater public accountability. For the first time, the province's Hospital Corporations will appear before the Crown Corporations Committee in another move to improve accountability.

In responding to the Speech from the Throne, Official Opposition Leader Thériault characterized it as a government feel-good Throne Speech filled with fluff, self praise and platitudes. He contended that the real priorities of government are reflected in the budget and he was critical that the government was not proceeding with a capital budget.

As promised in the Speech from the Throne, the House adopted a unanimous resolution "calling on the Government of Canada to fully restore the Canada Health and Social Transfer to 1994-95 levels, with an appropriate escalator, and to

eliminate the ceiling on equalization, thus supporting the consensus reached by provincial and territorial leaders."

The House adopted the Standing Committee on Procedure's report which recommended changes to the sitting hours including the elimination of early morning starting times and evening sittings. The House sits Tuesday and Thursday from 1 p.m. to 6 p.m. and Wednesday and Friday from 10 a.m. to 6 p.m.

Another recommendation of the Procedure Committee, that the use of laptops be allowed in the Chamber on a trial basis during the current session subject to certain restrictions, was also adopted. Laptops will be permitted for use in the Committee of the Whole and the Committee of Supply only; they must be programmed to operate silently and in a stand-alone fashion, and must not be connected to the Legislative Assembly network; and they must not be used by any Member who has the floor or who is involved in the exchange of remarks. Monitoring the use of laptops will remain under the jurisdiction of the Speaker and other Chair occupants and will be reviewed at the conclusion of the session to determine whether the use of laptops has interfered with the work of the Members or the House.

Of the 18 Bills introduced during the 12-day sitting, three received Royal Assent: Bills 17 and 18 amend the *Teachers' Pension Act*, and Bill 12, a Private Member's Public Bill, *An Act to Proclaim Holocaust Memorial Day Yom haShoah in New Brunswick*, introduced by Mr. MacKenzie.

The Second Session of the 54th Legislative Assembly of New Brunswick is scheduled to reconvene February 8, 2000, and it is anticipated that the government will

introduce a number of substantive Bills as it moves to fulfill its mandate and implement the priorities outlined in the Speech from the Throne.

Diane Taylor Myles
Research Officer



Newfoundland and Labrador

The First Session of the 44th General Assembly opened on March 16th, 1999. **Lloyd Snow** (Trinity-Bay de Verde) was re-elected Speaker, **Douglas Oldford** (Trinity North) as Deputy Speaker and Chairman of Committees and **Gerald Smith** (Port au Port) Deputy Chairman of Committees. On March 22nd **Paul Dicks**, MHA (Humber West) delivered the Budget Speech. The provincial budget for the 1999/2000 fiscal year is \$3,535,653,800.

On March 24th a nurses' strike began. One week later the House passed legislation requiring the nurses to return to work. During the debate on April 1st the Speaker found it necessary to clear the Galleries twice. In a comment made after the clearing of the Galleries he stated that it was not necessary to clear the Press Gallery when the Public Galleries are cleared.

At midnight on March 31st, as the House was sitting, in recognition of the 50th anniversary of Confedera-

tion the Premier sought and obtained unanimous consent for the Members to sing "O Canada" and "The Ode To Newfoundland".

The Speaker ruled in response to a point of privilege raised by the Member for Signal Hill-Quidi Vidi that the Chair's failure to recognize him regularly during Oral Questions was not a breach of privilege and that criteria for recognition as a parliamentary group in the House were a matter for the House and not the Speaker to decide.

A Select Committee was struck on May 12th to review the Standing Orders including the matter of recognition as a parliamentary group in the House. The criteria for recognition were agreed upon but not included in the amendments to the Standing Orders. The number of Members required for recognition is three. The group must also be a registered party in accordance with the *Elections Act* and have contested two-thirds of the seats in the House at the previous General Election. The Committee tabled their report on December 13th and the amendments recommended were adopted the following day.

Among the amendments adopted are the following:

- The election of the Speaker by secret ballot
- The abolition of appeals of Speakers' rulings
- The inclusion of a provision allowing the Speaker to expel a Member for disregarding the authority of the Chair
- The elimination of Friday sittings and the addition of an extra hour on three of the other four days
- The elimination of the Thursday adjournment debate
- The inclusion of a Members' Statements period at the beginning of each sitting day

- Some streamlining of the Supply procedure to eliminate purely formal stages
- The inclusion of a Parliamentary Calendar in the practice notes as a guide to enable Members to plan their annual agendas with a greater degree of certainty than they could previously.

These amendments will come into effect the beginning of the Spring Session.

The House of Assembly adopted a resolution on April 29th requesting the Parliament of Canada to amend the Constitution to change the name of the province officially to Newfoundland and Labrador.

On December 16th after the Christmas adjournment, the House convened in special session for the unveiling of a plaque commemorating the 50th anniversary of Confederation. The plaque bears the names of the Members of the first Assembly after Confederation and of the present MHAs. All present and former MHAs were invited. Only four of the original Members are still living. They are **James R. Chalker** who represented the district of Harbour Grace, **Harold Horwood** who represented Labrador, **Samuel Drover** who represented White Bay and **Maxwell Button** who represented Trinity South.

The House of Assembly is expected to reconvene in mid-March.

Elizabeth Murphy
Clerk Assistant and
Clerk of Committees



Manitoba

The 1st Session of the 36th Legislature commenced on November 18, 1999 with the election of a new Speaker by secret ballot. **George Hickes**, NDP, Member for the Constituency of Point Douglas, was elected as Manitoba's first Inuit Speaker. Mr. Hickes has served 10 years as a Member of the Legislative Assembly of Manitoba, first being elected in the General Election of 1990.

Conrad Santos was appointed Deputy Speaker on November 18, 1999. Mr. Santos was first elected to the Legislative Assembly in 1981 representing the NDP in the constituency of Broadway. With the revisions to the electoral boundaries that passed in the spring of 1999, the electoral division of Broadway was eliminated. Mr. Santos now represents the electoral division of Wellington. **Harry Schellenberg**, MLA for Rossmere, and **Bonnie Korzeniowski**, MLA for St. James were each appointed Chairpersons of the Committees of the Whole House.

Legislative Session

On November 25, 1999, **Peter Liba**, Lieutenant Governor, presented the Speech from the Throne. The Leader of the Official Opposition moved an amendment to the Throne Speech which was defeated. The main motion to the Throne

Speech was agreed to on December 9, 1999.

During the debate on the Throne Speech, an all-party agreement was reached to introduce an emergency resolution regarding the crisis in Manitoba's farming community. The Minister of Agriculture and Food, **Rosann Wowchuk**, sponsored this resolution. The Official Opposition moved a friendly amendment to the resolution. On November 30, the main motion, as amended, was agreed to, unanimously. The resolution called for the Federal Government to take immediate action and grant Manitoba's request for \$300 million for Manitoba's farm families.

Two pieces of legislation received speedy passage during the brief 14 day session. Bill No. 3 – *The Retail Businesses Holiday Closing Amendment Act*; was passed in order to clarify the intent of certain sections of the existing Act. A provision of the Act as it existed allowed a business to open on a Sunday, with no restrictions to hours, if the business was closed on the Saturday. This year a dilemma arose whereby Christmas day fell on Saturday thereby closing businesses and Boxing Day, a statutory holiday in Manitoba, fell on Sunday. The existing Act allowed municipalities to pass a by-law that permitted businesses in their communities to open on Sundays from 12:00 p.m. to 6:00 p.m. The amendments included in Bill No. 3 will clarify the Act making it very clear that Sunday shopping hours were to remain as was originally stated in the Act regardless of whether a business was closed on the preceding Saturday. The Bill received Royal Assent on December 6, 1999.

The second piece of legislation to receive fast tracked approval was Bill No. 2 – *The City of Winnipeg*

Amendment Act. This bill was introduced as a result of a rash of arson fires in Winnipeg in general, but specifically in the inner city. In most cases, the arsonists were targeting vacant, boarded up properties, but several well-established businesses were also destroyed by fire. The purpose of this bill, as referenced in the bill's Explanatory Notes, was to allow the City of Winnipeg to register several types of orders against the land or property: orders prohibiting nuisances, orders regulating untidy and unsightly premises, orders issued by the health officer regarding unsanitary premises, orders requiring compliance with city by-laws regarding fire prevention and orders requiring compliance with city by-laws regarding building standards. This Bill received Royal Assent on December 14, 1999.

The Legislative Session adjourned on December 14, 1999. The date of the commencement of the Spring session has not yet been announced.

JoAnn McKerlie-Korol
Clerk Assistant



Saskatchewan

On Monday December 6, 1999, the 24th Legislature opened with the traditional speech from the Throne. The first order of business

was the election of Speaker. Liberal MLA **Ron Osika** (Melville) was the sole candidate and became the province's 21st Speaker. **Kim Trew** (Regina Coronation Park) was elected Deputy Speaker while **Peter Prebble** (Saskatoon Greystone) was appointed Deputy Chair of Committees of the Whole.

The main focus of the two-week session was the farm income crisis. The importance MLAs placed upon this issue was underscored by the extraordinary lengths the Assembly went to in affording the opportunity to debate the various aspects of this issue and to find solutions to the crisis. On one day, the regular business was set aside to debate an emergency resolution on the provision of an agricultural trade equalization payment. On another day, a farm Bill on agricultural equipment was passed through all stages and granted royal assent.

The Assembly also took the unprecedented step of allowing the Standing Committee on Agriculture to have its hearings in the legislative chamber. Farmers and representatives of farm organizations were invited to address the committee and to then respond to questions. The choice of venue enabled the committee's proceedings to be televised province-wide on the legislative channel and for the audio to be broadcast on the Internet via the Assembly's website. The additional space in the public galleries enabled more individuals to observe the presentations in person than would normally have been possible in a committee room. The Chamber itself was full as MLAs remained in their seats to listen to the witnesses.

Committees

The new year promises to be a busy time for legislative committees as

three special committees have been appointed, in addition to the usual complement of standing committees.

Mr. Prebble and **Arlene Julé** (Humboldt) are the co-chairs of the Special Committee to Prevent the Abuse and Exploitation of Children through the Sex Trade. This committee will travel to locations around the province to hold public hearings and to develop recommendations on government, community and police action to address the sexual abuse of children involved in prostitution.

The Special Committee on Tobacco Control has been holding public hearings around the province to review the impact of tobacco use on youth, tobacco control legislation, tobacco use bylaws and enforcement strategies. Under the chairmanship of **Myron Kowalsky** (Prince Albert Carlton), the committee is expected to present its report to the Assembly later this spring.

A Special Committee on Rules and Procedures has been established to hold meetings to examine "... the rules, procedures, practices and powers of the Legislative Assembly, its operations and organization, and the facilities and services provided to the Assembly, its committees and Members."

The Throne Speech also indicated that the Standing Committee on Crown Corporations would be asked to review and recommend legislation regarding a permanent body to review the province's monopoly utility rates. This mandate is in addition to its regular responsibility of scrutinizing the operations of the provincial crown corporations.

Installation of New Lieutenant Governor

On December 9, 1999, **Lynda Haverstock** was named as the Lieutenant Governor Designate for the province of Saskatchewan. Dr. Haverstock is a clinical psychologist and a former Member of the Legislative Assembly. She will assume the vice-regal position on February 21, 2000 when the term of the Hon. **John E.N. Wiebe** comes to a close.

Election Update

There has been an application under the *Controverted Elections Act* regarding the results of the Saskatoon Southeast constituency which **Pat Lorje** won. This was submitted by the Saskatchewan Party. The Saskatchewan Party has also indicated that they intend to make a similar application regarding the Wood River result but as of February 1 had not filed the application with the court.

Margaret A. Woods
Clerk Assistant



British Columbia

The British Columbia Legislative Assembly has been adjourned since July 15, 1999 and is expected to open the fourth session of the 36th Parliament in the coming weeks. Since adjournment, legislators'

attention has shifted to the work of a number of active committees. Government members have also been occupied with various aspects of the provincial New Democratic Party leadership contest, which recently concluded with the selection of Attorney General **Ujjal Dosanjh** as the party's new leader.

Legislative Committees

Several standing and special committees have continued their work over the past few months. The Select Standing Committee on Agriculture and Fisheries, with New Democratic Party MLA **Bill Hartley** (Maple Ridge-Pitt Meadows) as Chair, and Liberal MLA **Bill Barisoff** (Okanagan-Boundary) as Deputy Chair, is conducting its final deliberations reviewing agricultural and food policy in British Columbia. The Committee conducted public hearings in fourteen rural communities this autumn and heard over 325 oral submissions. The Committee intends to present its agri-food policy recommendations to the Legislature early in the next session.

The Select Standing Committee on Forests, Energy, Mines and Petroleum Resources has reconvened to complete its statutory review of the 1999/2000 Business Plan of Forest Renewal BC, a provincial crown corporation. And the Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills is expected to table its report reviewing the *Members' Conflict of Interest Act* early in the next session.

Since October, the Select Standing Committee on Public Accounts has reviewed numerous Auditor General reports on issues such as the management of woodlot licences, training and development

in the provincial public service, and government travel practices.

The Public Accounts Committee also spent two days reviewing the government's troubled fast-ferry program. However, government committee members passed a motion on January 25, which effectively ended the committee's investigation into the controversial program. The government members argued that the committee was inevitably going to accept the recommendations of the Auditor General's report on fast ferries, and that the further deliberations on the topic would unnecessarily prolong the work of the committee. However, the Liberal members, including Committee Chair **Rick Thorpe** (Okanagan-Penticton), objected to the motion, expressing disappointment that the Committee would not be able to hear from a number of remaining witnesses or to consider any further recommendations in addition to ones already specified by Auditor General **George Morfitt**.

The three Special Committees currently active have met with various levels of success over the past few months.

First, the Special Committee to Appoint an Auditor General has completed interviews with a number of prospective applicants seeking to succeed British Columbia's outgoing Auditor General who will be stepping down in April. The Committee expects to recommend the appointment of their selected candidate once the House reconvenes.

Secondly, the Special Committee on Information Privacy in the Private Sector, chaired by NDP member **Rick Kasper**, (Malahat - Juan de Fuca) is investigating the use of personal information in private sector

transactions. To date the Committee has held three public hearings and received a number of written submissions.

One question before this Special Committee is to consider the development of legislation to protect personal information held within the private sector. British Columbia currently protects personal information held in its public sector through the *Freedom of Information and Protection of Privacy Act*. However, this protection has not, as yet, been extended to the private sector. The Committee's work has been influenced by the federal government's re-introduction of Bill C-6, the *Personal Information Protection and Electronic Documents Act* (PIPED). The *PIPED Act* will legislate privacy protection in the private sector for federally regulated commercial activities. But three years later, it purports to apply to all commercial activities in British Columbia and other provinces unless a province has enacted "substantially similar" private sector privacy legislation.

Finally, the Special Committee on International Trade and Investment Agreements which was established to examine review British Columbia's international trade and investment agreements has met with some challenges in recent weeks.

Like its predecessor, the Special Committee on the Multilateral Agreement, the committee has been compromised by Liberal members' refusal to participate.

The Liberal members object to the creation and mandate of the committee, as well as the role of former premier **Glen Clark** (Vancouver-Kingsway) as Committee Chair.

Following attendance at World Trade Organization events in Seattle in December, the committee em-

barked on a review of British Columbia's Softwood Lumber Agreement (SLA). But, the Liberal committee members' refusal to participate was compounded by a lack of enthusiasm from forest industry representatives who were hesitant to discuss the status of sensitive SLA negotiations.

NDP Leadership Convention

On February 20, the governing New Democratic Party selected a new leader to replace interim Premier **Dan Miller** (North Coast). Attorney General **Ujjal Dosanjh** (Vancouver-Kensington) made history, as he was successful in his bid to become the first Indo-Canadian premier in Canadian history. The leadership contest started as a four-way race, but ended as a two-way battle between Mr. Dosanjh and Minister of Agriculture and Food **Corky Evans** (Nelson-Creston) after the other candidates, including Minister of Education **Gordon Wilson** (Powell River-Sunshine Coast) dropped out before the first ballot. However, the leadership convention was overshadowed by the criticisms of the delegate selection process, which sparked an internal investigation by the party into the sudden influx of 11,000 new members who had joined the party in recent few months.

By-election Result

Val Roddick, representing the B.C. Liberal Party, was elected as MLA for Delta South in the December 7th by-election resulting from the death of **Fred Gingell**. Following the swearing in of Ms. Roddick on January 19, the party standings in the legislature are 40 NDP, 34 Liberal, and 1 independent.

Staff Changes

The Legislative Assembly recently bid farewell to its departing Hansard Director, **Peter Robbins** who retired in January following a 20-year career with the Hansard office. **Tony Dambrauskas**, former Director of the Parliamentary Publications Directorate at the House of Commons has succeeded Mr. Robbins.

Kate Ryan-Lloyd
Committee Clerk



House of Commons

At the start of proceedings on November 16, 1999, Speaker **Gilbert Parent** rendered a decision on the question of privilege raised by **Jean-Paul Marchand** (Quebec East, BQ) on Monday, November 1, 1999, regarding a civil suit brought against him by a Senator who objected to the content of a document that Mr. Marchand had sent to his constituents. The Member argued that the Senator's action constituted contempt of the House of Commons and a violation of his right to free speech as an elected member of the House. After reviewing the facts, the Speaker concluded that there had been no violation of the Member's freedom of speech since the incident concerned information contained in a document distrib-

uted by the Member to his constituents and did not involve parliamentary proceedings. The protection of parliamentary privilege thus did not apply. With respect to the Member's complaint against the Senator, the Speaker said that since the two Houses are wholly independent of each other, neither can claim, much less exercise, any authority over a member of the other House. He ruled that this question did not constitute a question of privilege or contempt of the House.

Public Bill – Amendment Motions at Report Stage

At the start of Government Orders on December 2, 1999, and following the Chair's ruling on the selection and grouping of amendment motions at report stage of Bill C-9, *An Act to give effect to the Nisga'a Final Agreement*, **Randy White** (Langley-Abbotsford, Ref.) rose on a point of order regarding an amendment to attach the Final Agreement to the Bill as a schedule. That amendment had not been selected. The Speaker rendered down his decision on December 6, 1999, saying that the problem posed by the amendment was not covered by any defined usage or explicit procedural rule, and that after consulting decisions made by his predecessors, he realized that they had never been called on to address this particular issue. He therefore decided, for this time only, to give the Member the benefit of the doubt and to allow the amendment to be considered by the House.

House Proceedings – Extension Beyond the Normal Time of Adjournment

During report stage of Bill C-9, Reform Party members caused a recorded division to be taken on each of the 471 proposed amendments. Voting started in the evening of De-

ember 7 and continued without interruption until December 9. Some members raised points of order to ask the Chair why the calendar on the Clerk's table indicated that it was December 7 even though it was by then December 8. The Acting Speaker, **Yolande Thibeault**, replied that the calendar had not been changed because the sitting was still that of December 7. After the last amendment was voted on, the Acting Speaker adjourned the House at 12:20 p.m. until the next day, December 10, pursuant to Standing Order 24(1).

Divisions – Pairing

During the deferred recorded divisions at report stage of Bill C-9, **John Nunziata** (York South--Weston, Ind.) rose on a point of order regarding his pairing with the Secretary of State (Science, Research and Development), **Gilbert Normand**, between December 2 and December 7, saying he wished to know if the pairing was still in effect given that the House was continuing to sit into December 8. Acting Speaker **Yolande Thibeault** said that pairing is a private matter between two Members, but agreed to take the matter under advisement. Later, the Speaker rendered a decision noting that pairing is recognized in Standing Order 44.1, which deals with the Register of Paired Members who do not intend to take part in a recorded division on the date indicated and the entry of such Members' names in the Journals, but that the Standing Orders are silent on the reasons why Members are not taking part and on the question of a broken pair. He reiterated what the Acting Speaker had said earlier, that pairing is a private arrangement between two Members.

Debate – Motion That the House Do Now Adjourn

On December 13, 1999, during Government Orders and the debate at third reading on Bill C-9, **Claude Bachand** (Saint-Jean, BQ) moved that the House adjourn forthwith. Acting Speaker **Ian McClelland** ruled the motion out of order because consideration of the Bill was the subject of a special order (time allocation motion) and that under Standing Order 25, only a Minister of the Crown may move a motion to adjourn.

Supply – Appropriation Bill – Admissibility

Also on December 13, 1999, during Government Orders, **John Williams** (St. Albert, Ref.) rose on a point of order regarding Bill C-21, *Appropriation Act No. 3, 1999-2000*. According to the Member, clause 6(2) of the Bill was an attempt to obtain approval for expenditures over a two-year period, from April 1, 1999, to March 31, 2001, which is contrary to the practice set out in *Beauchesne's* 6th edition, citation 933. In addition, the Bill's title did not reflect its contents, because the title did not include expenditures anticipated into the year 2001. For these reasons, he asked that the Bill be ruled out of order. Later, the Speaker handed down his decision, to the effect that the multi-year appropriation authority was based on legislation passed in 1998, when two government agencies were authorized to carry over into 2001 any moneys not spent by the end of the 1999-2000 fiscal year, as provided by clause 6(2) in both the June bill and this current Bill. He therefore ruled that the Bill was admissible.

Pierre Rodrigue
Procedural Clerk
Journals Branch



Senate

This report covers the Senate sittings of December 1999 and the first two weeks of February 2000, a period that saw some interesting debate in the Chamber as well as considerable committee activity. Traditionally, the Senate tries to conduct its affairs by consensus and it is often flexible with respect to procedure in order to expedite the legislative process. Two examples are highlighted in this report.

Legislation

Pre-study of a bill by a committee used to be a common practice in the Senate and was often referred to as "the Hayden formula" named after the former long-term chair of the Banking, Trade and Commerce Committee, **Salter Hayden**. In recent years, however, this practice has been rarely used. But on November 24 the subject matter of Bill C-6, *Personal Information Protection and Electronic Documents Act*, was referred to the Committee on Social Affairs, Science and Technology with instructions to report back in two reports, one dealing with Part 1 of the bill and the other dealing with Parts 2 to 5, with completion of debate on second reading to follow. Sending the subject-matter to committee was a compromise. The bill was held up at second reading stage

because many Senators were uncomfortable with the broad scope of the bill, feeling it was really two bills in one. Part 1 of the bill dealt with the protection of personal information collected in the course of commercial activity, while Parts 2 to 5 validated the use of electronic documents and processes under various Acts to facilitate electronic commerce with the Government of Canada. In the end, the committee reported the bill with amendments, and the Senate concurred in the report on division. The bill was then read a third time, as amended, and sent to the House of Commons.

Usually the decision referring a bill to a committee is a straightforward one. But following a debate in which Senators explained that the issues raised in Bill S-3, *Income Tax Conventions Implementation Act, 1999*, fell properly under the mandate of two committees, the Senate decided to send the bill to both committees. Bill S-3 was first referred to the Banking, Trade and Commerce Committee to deal with its taxation provisions and then to the Foreign Affairs Committee to examine the bilateral relations aspects of the bill. However, this motion and the process used to implement it, caused some procedural challenges. Immediately following the presentation of the report of the Banking Committee, without amendment, the Speaker announced that pursuant to a special order of the Senate, Bill S-3 was now referred to the Standing Senate Committee on Foreign Affairs. A point of order was raised immediately by **Noel Kinsella**, Deputy Leader of the Opposition, challenging the intervention of the Speaker concerning the referral of the bill to the Foreign Affairs Committee. The Speaker subsequently ruled that due to the Senate's instructions, and the conflict with the Rules requiring

a bill to proceed to third reading stage at the next sitting when reported without amendment, there had to be a mechanism to have the bill referred to the other committee.

Speaker's Rulings

Only one question of privilege was raised during the period under review. **Lise Bacon**, Chair of the Committee on Transportation and Communications, raised the matter of the unauthorized release of working drafts of the report of the committee. This matter was similar to an earlier complaint of a leak of the draft report of the Aboriginal Peoples Committee. The Speaker ruled immediately that a *prima facie* case had been made and the question was referred to the Committee on Privileges, Standing Rules and Orders.

Several bills that had been before the Senate in the previous session were introduced again. However, when **Donald Oliver** moved that the materials and evidence gathered during a prior study of Bill S-6, *An Act to amend the Criminal Code respecting criminal harassment and other related matters*, be referred to the Legal and Constitutional Affairs Committee, some doubts were expressed about the procedure. The Speaker explained that since it had been the frequent practice of the Senate to refer papers and evidence received in the previous session to a committee examining the same bill or topic, he ruled that the motion of Senator Oliver was in order.

At second reading stage of Bill S-7, *An Act respecting the declaration of Royal Assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament*, **Anne Cools** proposed an amendment to delay second reading until certain conditions had been met regarding royal consent. **John Lynch-**

Staunton, Leader of the Opposition, raised a point of order. In his ruling, the Speaker addressed the two elements that were at issue. First, the Speaker noted that any amendment to a second reading motion that set a condition was out of order on its face. With respect to the issue of royal consent and whether it was required for a bill proposing to provide an alternative to the traditional ceremony of royal assent, the Speaker decided that there was insufficient evidence before him to resolve the matter conclusively. Canadian practice, however, suggested that when royal consent was signified, it was usually given in the House of Commons and rarely in the Senate. Accordingly, the Speaker ruled that he had heard nothing that would delay debate of the bill, although he did propose that if the bill received second reading, the issue of royal consent be studied by the committee to which it is referred.

Committees

Senate committees often make a valuable contribution to the legislative process and public policy development in Canada by carrying out in-depth, thoughtful and non-partisan studies. In the past three months, one committee completed a study undertaken during the autumn and two others issued reports on special studies that had been initiated during the previous session. Other committees outlined their work programs, setting out the parameters for special studies in the areas of agriculture, fisheries, environment, social affairs, and banking.

With a mandate from the Senate to examine the airline industry, the Committee on Transportation and Communications conducted hearings throughout the fall before tabling a report in December entitled

Airline Industry Restructuring in Canada. Having concluded that the structure of the airline industry was likely to be dominated by one owner controlling about 90% of domestic traffic, the committee made 19 recommendations aimed at protecting the customer and promoting some competition. This would be done through the growth of small regional carriers and the removal of obstacles to new entrants.

The Foreign Affairs Committee has a long history of examining developments in Europe, including its 1973 benchmark study on *Canadian Relations with the European Community* and a 1996 report on the state of integration in Europe. With Europe now moving ahead with economic and monetary union, the committee decided it was worthwhile to re-examine the subject of European integration. In November the committee released its study entitled *Europe Revised: Consequences of Increased European Integration for Canada.* The committee is also completing a special study on the ramifications to Canada of the changed mandate of the North Atlantic Treaty Organization (NATO) and Canada's role since the end of the Cold War and the increased membership in NATO.

In the fall of 1997 the Committee on Aboriginal Peoples began a special study to follow up on the work of the Royal Commission on Aboriginal Peoples. A key element of the Commission's report had been the creation of a new relationship with Aboriginal peoples leading to self-government and the committee decided to focus its work on that issue. As part of its special study the committee created a Round Table on Governance composed of committee members, representatives of national Aboriginal organizations, traditional and hereditary leaders.

The presence of Aboriginal leaders within this process demonstrated that Parliament is serious in its will to establish a new kind of relationship with Aboriginal peoples. The results of this special study were released in a report in February entitled *Forging New Relationships: Aboriginal Governance in Canada.*

The Committee on Social Affairs, Science and Technology is embarking on a multi-phase, multi-faceted study of the state of the health care system. This study will examine the fundamental principles of Canada's publicly funded health care system; its historical development; publicly funded health care systems in other countries; the pressures and constraints on Canada's current health care system; and the role of the federal government. Although the final report is scheduled for December 2002, the committee has indicated that it will issue interim reports on specific subjects throughout the study period. The first of these reports will be released in June 2000.

In 1995 the Special Committee on Euthanasia and Assisted Suicide tabled its report entitled *Of Life And Death.* This study has been widely recognized for bringing the topic of assisted suicide for discussion in the public domain. More than 10,000 copies of the report have been distributed and it is used extensively in courses for physicians and other health professionals. In November a subcommittee was established to examine the progress in the implementation of the unanimous recommendations and to report on the developments in Canada respecting the issues raised with in the original report.

The implementation of recommendations in committee reports is one measure of the time and effort taken by Senators to give "sober,

second thought" to public policy questions facing Canadians. On November 4 the Government introduced Bill S-10, *An Act to amend the National Defence Act, the DNA Identification Act and the Criminal Code.* In its Sixteenth Report (December 1998), the Committee on Legal and Constitutional Affairs had recommended certain changes to strengthen the DNA data bank legislation, and supported the Solicitor General's proposal to address those changes later in a separate bill. Bill S-10 reflects the recommendations proposed by the committee. The Minister requested that the bill be introduced in the Senate so that all concerns were appropriately addressed before proceeding to the House of Commons.

Milestones

In November two long-serving members of the Senate retired: **John Stewart** (Nova Scotia) served 15 years in the Senate as well as 6 years in the House of Commons (1962-68) and **Derek Lewis** (Newfoundland) who was a member of the Senate for more than 21 years. Shortly before Christmas, **James Balfour** (Saskatchewan) died after a lengthy illness. His 27-year parliamentary career included 20 years in the Senate and 7 years in the House of Commons.

In November, **Rose-Marie Losier-Cool** was nominated to serve as Speaker pro tempore, a position that had been vacant for some time.

There were several changes among the senior staff of the Senate. **Richard Greene**, Deputy Clerk of the Senate and Principal Clerk, Legislative Services, retired after a career spanning 42 years in the Senate. In recognition of his long service, he was appointed Honorary Officer of the Senate. **Gary O'Brien** was ap-

pointed as the new Deputy Clerk of the Senate and Principal Clerk, Legislative Services. **Heather Lank** replaced him as Principal Clerk, Committees and Private Legislation Directorate. **Charles Robert** was promoted to the position of Principal Clerk, Procedure.

Barbara Reynolds
Committee Clerk



The National Assembly adjourned its fall session on December 17, 1999. Since our last article was published last November, the Assembly passed 29 Government bills, 8 private bills, and two private Members' public bills. The following are the more noteworthy of these:

- the *Act to amend the Act respecting labour standards as regards differences in treatment*, which, as regards matters covered by labour standards, prohibits differences in treatment based solely on the date of hiring between employees performing the same tasks in the same establishment;
- the *Act to amend the Act respecting the Société des loteries du Québec*, whose object is to prohibit the operator of a business from selling to a minor a lottery ticket for a lottery scheme conducted and administered by Loto-Québec;
- the *Act to proclaim Holocaust-Yom Hashoah Memorial Day in Québec*, whose object is to proclaim Holocaust-Yom Hashoah Memorial Day in

Québec, as determined each year by the Jewish lunar calendar.

On December 8, 1999, the Speaker of the Assembly rendered his decision, regarding the constitutional principle of the financial initiative of the Crown, on Bill 390, *An Act to amend the Act respecting the Ministère du Revenu, with regard to the recovery of an amount under a fiscal law*, introduced by the Member for Beauce-Sud:

The Member was granted leave to introduce Bill 390 since this is not a bill which, in pursuance of the constitutional principle of the Crown's financial initiative, may be introduced only by a Minister on the grounds that it has a financial impact.

Pursuant to section 30 of the *Act respecting the National Assembly*, a bill has a financial impact when its object is to commit public funds, create a charge on the taxpayers, remit a debt owing to the Province or alienate property owned by the Province. Therefore, notwithstanding that Bill 390 may eventually have an indirect financial impact on the Province's revenues, it does not commit public funds. Moreover, the bill's object is not to remit a debt owing to the Province, as it does not aim to relieve a debtor of his debt to the Province. Finally, the bill does not aim to create a charge to the taxpayers, nor to alienate property owned by the Province.

At the same sitting, the Speaker of the Assembly gave a ruling on the question of privilege raised by the Member for Hull concerning the approval of a loan by-law by the Minister of State for Municipal Affairs and Greater Montreal:

The facts adduced by the Member do not constitute a *prima facie* contempt of Parliament, since they have no effect on the process by

which Bill 81 will be considered by the National Assembly. The Minister's approval of by-law 99-11 of the Municipalité de Mont-Tremblant in no way hinders the work of the Members. In approving this by-law, the Minister did not avail herself of legislative provisions that have yet to be passed by the Assembly.

Furthermore, the fact that the Chair took under advisement a matter of privilege concerning Bill 81 does not prevent the Government House leader from convening the Committee on Planning and the Public Domain for the consideration of this Bill. Even if the Chair had, at first sight, come to the conclusion that the Minister was in contempt of Parliament, such a conclusion would in no way prevent the legislative process with respect to Bill 81 from pursuing its course.

From December 3 to 7, 1999, Québec hosted the Annual Meeting and Forum of State Leaders of the Council of State Governments, during which 1700 decision-makers, Members of Parliament, and business people from the United States, Québec and Canada gathered. This meeting gave rise to discussions regarding current issues on the preoccupations of North American citizens as a whole. It should be mentioned that, at the outcome of the plenary session on *Governing in the 21st Century*, the participants unanimously agreed on the following: North American societies must invest in education, which is the key element for our future generations and for maintaining or even elevating our standard of living.

It is also in Québec that, from 26 to 29 January 2000, the Bureau and the Commission politique de l'Assemblée parlementaire de la Francophonie (APF) met. This institution, which was founded in

1967, is composed of 64 parliaments that are either members or associate members. In addition to contributing to the outreach of the French language and to the mutual knowledge of French-language cultures, the APF is active in the promotion of democracy, the constitutional State, and human rights. During this meeting, the Bureau of the APF adopted several resolutions concerning, in particular, Guinea, Haiti, and the situation in the Near East.

In order to mark its 35th anniversary, the *Journal des débats* (Hansard) organized three "open house" days, to which all personnel and Members of the National Assembly were invited. This event was most popular and many visitors took the opportunity to find out more about this department and its services. Furthermore, the Assembly unanimously carried a motion to congratulate the past and present staff of the Journal.

Denise Léonard

Secretariat of the Assembly

Translation: **Sylvia Ford**,

Secretariat of the Assembly



Ontario

The Ontario Legislature met throughout the Fall of 1999, for 54 sessional days, until December 23, far beyond the scheduled adjournment date of December 9.

During this period, the issue of the non-passage of the 1998 Supply Bill and the subsequent dissolution of the Legislature (previously recounted in Volume 22, No. 2 - Summer 1999) was again raised. The House Leader for the Official Opposition, **Dwight Duncan** (L/Windsor-St Clair), rose on a point of privilege, contending that the failure of the Government to re-introduce a Supply Bill in the new Parliament to sanction the government's expenditures for the fiscal year 1998-1999 (despite the use of a provision in the *Ministry of Treasury and Economics Act* to perfect the annual supply cycle by Order-in-Council, the legal validity of which Mr. Duncan questioned) prohibited the Assembly from holding the Crown accountable to the House for its stewardship of the public purse. In his view, the circumstances surrounding this issue represented a contempt of the House and of its rightful role to scrutinize and debate government bills. The Government House Leader, **Norm Sterling** (PC/Lanark-Carleton), countered that the government's actions in this regard were based on legal advice from the Ministry of Finance and that a challenge to those actions was not merited on procedural grounds, but perhaps in a court of law. As such, he argued that the Speaker was in no position to rule on a legal issue.

The Speaker, **Gary Carr**, reserved his decision and subsequently ruled that, in his view, he had been asked to consider and decide on legal and constitutional issues that are better left to courts and litigants. He noted that Speakers in this Parliament and other parliaments throughout the Commonwealth have consistently held the view that the Speaker will not give a decision upon a constitutional question or decide a question of law. The Speaker therefore found

that a *prima facie* case of contempt had not been made out.

On the legislative front, several significant bills were considered and passed in the Fall Session.

Bill 7, the *Taxpayer Protection and Balanced Budget Act*, established that a province-wide referendum, administered by the Chief Election Officer, must be held in order to authorize either an increase to an existing tax, or the levying of a new tax. However, no referendum is required if the action was clearly stated as part of the election platform of the party that forms the government. Nor is a referendum required for an increase or new tax if, in the opinion of the Minister of Finance, it is not designed to generate a net increase in provincial revenues and revenues raised for school tax purposes. The Bill also requires the Minister of Finance to present a balanced budget each year, although exceptions are made for such extraordinary circumstances as a natural disaster or the declaration of war, or when revenues decline 5 per cent or more (which decline does not result from a decrease in taxes). Financial penalties are imposed on the Executive Council for failure to balance the budget.

Bill 8, the *Safe Streets Act*, prohibits soliciting in an aggressive manner; prohibits disposing of needles, syringes, used condoms and broken glass in an outdoor public place unless reasonable precautions are taken to do so in a manner that will not endanger human health or safety; and prohibits a person on a roadway from stopping, attempting to stop or approaching a motor vehicle for the purpose of offering, selling or providing any commodity or service to the driver, except in the case of an emergency.

Bill 22, the *Sergeant Rick McDonald Memorial Act*, changed the penalties imposed under the *Highway Traffic Act* when the driver of a motor vehicle fails to stop the vehicle when requested to do so by a police officer. Maximum fines in such instances are increased from \$5,000 to \$10,000. Where a driver wilfully evades police in pursuit, the maximum fine is quintupled to \$25,000, and a minimum sentence of 14 days' imprisonment and a 5 year licence suspension are imposed. Where such wilful evasion results in bodily harm or death to another person, the minimum licence suspension is increased to 10 years, and may be increased to a lifetime suspension. The bill is named in memory of Sergeant Rick McDonald of the Sudbury Regional Police Service, who was killed in the summer of 1999 while placing a spike belt to stop a fleeing vehicle.

Bill 25, the *Fewer Municipal Politicians Act*, provided for significant municipal restructuring and the establishment of the towns of Haldimand and Norfolk and the cities of Greater Sudbury, Hamilton and Ottawa, and dissolves the old predecessor municipalities on January 1, 2001.

Prior to the Winter recess, the House passed motions calling for the appointment by the Lieutenant Governor-in-Council of two Legislative Officers, the Ombudsman and the Environmental Commissioner, following the expiry of the terms of **Roberta Jamieson** and **Eva Ligeta**, respectively. After selection processes by legislative committees, reports were made to the House by each recommending the appointment of **Clare Lewis** as Ombudsman and **Gord Miller** as Environmental Commissioner.

While the appointment of Mr. Lewis as Ombudsman was sup-

ported by all 3 Parties in the House, the appointment of Mr. Miller as Environmental Commissioner was not. Both opposition Parties dissented from the Committee's recommendation in its report to the House, and vociferously opposed the appointment during 2 days of debate in the Legislature. Eventually, closure had to be moved on the motion requesting Mr. Miller's appointment, which was allowed by the Speaker. All opposition members then present for the division cast their votes against, though the vote was carried by the government's greater numbers.

The appointments were subsequently made in the new year by the Lieutenant Governor-in-Council; both commenced their new duties on February 1.

Todd Decker

Clerk of Journals and Procedural Research

Committee Activity

One of the changes to the Standing Orders that affected the Committees Branch was the reduction of the number of Standing Committees to 8 from 11. The four policy field committees were combined into two to form the Standing Committee on General Government and the Standing Committee on Justice and Social Policy. The responsibilities of the Standing Committee on the Ombudsman were combined with the Standing Committee on the Legislative Assembly.

The Provincial Auditor, **Erik Peters** tabled his 1999 Annual Report on November 16, 1999. Reaction to the report focussed on the following areas: outsourcing, such as the privatization of highway maintenance contracts; government advertising, specifically the question raised was

what is the line separating legitimate government ads from partisan political ones; and health care. The Auditor found that only one-third of cancer patients actually begin radiation therapy within the standard set by government of four weeks for referral.

For the second year, the Auditor raised accountability issues related to the contract with the private consulting firm, Andersen Consulting. The firm was hired to develop new business practices and technology to transform the Family Benefits and General Welfare Assistance programs.

Chaired by **John Gerretsen**, the Public Accounts Committee started its review of these issues in the fall and will continue in the winter recess.

On November 1, 1999, the House authorized the Standing Committee on the Legislative Assembly to consider the matter of the appointment of the Ontario Ombudsman and report to the House its recommended candidate. Approval of the House was required as the Ombudsman Act requires the appointment be on the address of the Legislative Assembly. Chaired by **Gary Stewart**, the Committee commenced reviewing applications received through an advertisement. Interviews were set up and the entire process was conducted in closed session over the course of approximately six weeks. Human Resources provided support to the Committee.

When the Committee tabled its report, Mr. Stewart's statement in the House was as follows:

"We have moved a recommendation that the Legislature give consideration to the appointment of Mr. Clare Lewis as the next Ombudsman

for a period of five years. I want to emphasize the fact that this choice and selection was all done in camera. I want to thank the members of the committee for their discretion and indeed their co-operation during that particular time. I would like to say that the decision to recommend Mr. Lewis was done on the first recommendation, that it was the only recommendation, and that it was a unanimous decision by all members of the three caucuses."

The House approved the Committee's recommendation. Mr. Lewis will start in February for a 5-year term. Of note, recent legislation changed the term of office from ten years to five.

The Standing Committee on General Government considered the matter of the appointment of the Environmental Commissioner. The Committee recommended **Gordon Miller** for the position. This position too, after a great deal of debate, was adopted by the House. In addition, Bill 11, *An Act to reduce red tape, to promote good government through better management of Ministries and agencies and to improve customer service by amending or repealing certain Acts and by enacting four new Acts*, was referred to the Committee under a time allocation motion. However, the terms of this motion precluded further debate and the tabling of amendments while the bill was before the Committee.

The Standing Committee on Justice and Social Policy met for two days of public hearings and clause-by-clause discussion of Bill 8 – *An Act to promote safety in Ontario by prohibiting aggressive solicitation, solicitation of persons in certain places and disposal of dangerous things in certain places, and to amend the Highway Traffic Act to regulate certain activities on roadways, 1999*. The Committee

heard from 12 witnesses and received 11 written submissions. There were no amendments to the bill and it was reported to the House on December 1.

The committee also met for two days for public hearings on Bill 9 – *An Act respecting the cost of checking the police records of individuals who may work for certain non-profit service agencies, 1999*. This was a private member's bill introduced by **Peter Kormos**. The Committee heard from 6 witnesses and received 25 written submissions. The Committee decided not to proceed with clause-by-clause at this time but to revisit the Bill at a later date.

Bills sent to committees for review over the winter recess include:

- Bill 31, *Christopher's Law*, which establishes a sex offender registry. The registry will contain the names, addresses, dates of birth, list of sex offences and other prescribed information about persons convicted of sex offences anywhere in Canada. This information will be available only to police and correctional/justice authorities. The bill is named in memory of **Christopher Stephenson**, an 11-year-old boy abducted and brutally murdered by a convicted pedophile who was on federal parole when he committed this crime.
- Bill 33, the *Franchise Disclosure Act*, which will require fair dealing between parties to franchise agreements, to ensure that franchisees have the right to associate, and to impose disclosure obligations on franchisors. An interesting procedural feature relating to this Bill is that it is the first to be referred to a committee under the Assembly's new Standing Order, adopted in October, 1999, that permits committee referrals after 1st reading.

The Finance and Economic Affairs Committee will spend the Winter conducting pre-budget consultations.

Anne Stokes
Committee Clerk



Alberta

After some late night sittings, the fall sitting of the Third Session of the Twenty-Fourth Legislature concluded on December 8, 1999. The fall sitting comprised 13 sitting days. During this sitting, seven Government Bills were passed by the Assembly. One notable Bill to receive Royal Assent was Bill 40, *Health Information Act*, which allows for the sharing of certain health information with certain restrictions. At the time of adjournment, three Government Bills remained on the Order Paper: Bill 7, *Alberta Health Care Insurance Amendment Act, 1999*, Bill 15, *Natural Heritage Act*, and Bill 38, *Constitutional Referendum Amendment Act, 1999*.

Two Private Members' Bills also passed: Bill 208, *Prevention of Youth Tobacco Use Act*, introduced by **Leroy Johnson** (PC), MLA for Wetaskiwin-Camrose, and Bill 210, *Charitable Donation of Food Act*, introduced by **Bonnie Laing** (PC), MLA for Calgary-Bow.

New Appointment

On December 9, 1999, the federal government announced the appointment of **Lois E. Hole, CM**, as the next Lieutenant Governor of the Province of Alberta. Mrs. Hole succeeds **H. A. "Bud" Olson**.

Mrs. Hole is a long time resident of St. Albert. Her family has operated a greenhouse operation in the Edmonton area for many years. She is a well-known horticulturalist having published several books on the subject in addition to being a regular media contributor. Mrs. Hole has a history of public participation in various local, provincial and national organizations. Most recently, she was Chancellor of the University of Alberta. The installation of Mrs. Hole as Alberta's fifteenth Lieutenant Governor was held on February 10, 2000 in the Assembly Chamber.

Spring Sitting

On February 17, 2000, the Fourth Session of the Twenty-Fourth Legislature began with the Speech from the Throne read by Alberta's new Lieutenant Governor. The Throne Speech outlined a number of initiatives for the coming year including:

- The development of a plan to ensure long-term sustainability in the agriculture industry as well as an agricultural summit to be held in June 2000;
- A comprehensive business tax review;
- The implementation of a six-point plan for Alberta's health system;
- The introduction of a \$3 million academic scholarship program at the post-secondary level;
- A continuation of the \$900 million, three-year reinvestment in provincial infrastructure.

At the time of writing some of the Government's legislation has been introduced, including:

- *Bill 1, Alberta Heritage Foundation for Science and Engineering Research Act*, establishes a fund of \$500 million to support a long-term program of science and engineering research in Alberta;
- *Bill 2, First Nations Sacred Ceremonial Objects Repatriation Act*, allows for the return of religious and sacred objects from Alberta museums to First Nations;
- *Bill 6, Special Payment Act*, enables the Workers' Compensation Board to make a one-time payment to remarried widows and widowers whose spouses died from pre-1982 work related incidents.

One Bill that had not been introduced at the time of writing but which has been the subject of numerous questions this spring and last fall, will address the contracting-out of surgical services by regional health authorities. The Government has pledged to send a copy of the Bill to every household in the province.

Provincial Budget

On February 24th, Provincial Treasurer, **Stockwell Day**, presented the Government's budget for 2000-01. Highlights of the budget include:

- Total expenditures increase to \$17.7 billion;
- The base budget for the Department of Health and Wellness will increase by 9.3 per cent to \$5.6 billion in 2000-01. The base budget for the Department of Learning (which includes all levels of education) will increase by 9.2 per cent to \$4.4 billion;
- Additional funding is also being provided for income support for lower income seniors (\$21 million) and for children's programs (\$37 million);

- Revenue is projected to fall to \$19.1 billion. The budget estimates the price of oil at \$19 (U.S.) per barrel in the coming fiscal year;
- It was announced that the single-rate tax system is to take effect on January 1, 2001. The rate is projected to be 11 per cent on taxable income. Exemptions will be indexed to avoid "bracket-creep".

Resignation

On February 2, 2000, New Democrat Leader, **Pam Barrett**, announced that she was resigning as party leader and as MLA for Edmonton-Highlands. Ms Barrett cited a personal near-death experience after a severe reaction to an anesthetic at her dentist's office as her reason for resigning. **Dr. Raj Pannu**, MLA for Edmonton-Strathcona, will replace Ms Barrett as interim leader until a leadership convention is held.

Ms Barrett worked as a researcher for former New Democrat Leaders, **Grant Notley** and **Ray Martin**, from 1982 to 1986. She was elected in Edmonton-Highlands in 1986 and was re-elected in 1989. Ms Barrett did not run in the 1993 election; however, she returned to politics in 1996 when she was elected party leader. In 1997 she was again elected as MLA for Edmonton-Highlands.

Members' Services Committee

At its February 3, 2000 meeting, the Members' Services Committee considered the issue of liability insurance for Members. At present, this coverage is provided by the Risk Management and Insurance Division of Alberta Treasury. The Committee approved a process whereby Members would be able to notify and consult with the Speaker and appropriate resource people prior to deciding whether to forward a re-

quest for coverage to the Risk Management and Insurance Division of Alberta Treasury which would determine if coverage applied.

Committee Activity

The Standing Committee on the Alberta Heritage Savings Trust Fund will be holding public meetings with Albertans on the investment activities and results of the Heritage Fund. Meetings will be held on Thursday, March 16, 2000, in Red Deer and on Thursday, March 23 in Grande Prairie.

Other functions of the Committee include: approving the business plan, the annual report, reviewing quarterly reports on the operation of the Fund, reviewing the perform-

ance of the Heritage Fund and reporting to the Legislature as to whether the mission of the Heritage Fund is being fulfilled.

Other Matters

On January 18th, Speaker **Ken Kowalski**, together with **Stan Woloshyn**, Minister of Community Development, presided over a ceremony in the Legislature Building recognizing an art exhibit travelling across Canada honouring Alberta's Famous Five, **Nellie McClung**, **Henrietta Edwards**, **Irene Parlby**, **Louise McKinney** and **Emily Murphy**. The exhibit is a maquette consisting of five individual bronze sculptures by Edmonton artist, **Barbara Paterson**. Accompanying the

sculptures is a series of panels explaining the achievements of the Famous Five in respect of the "Persons Case" decided by the Judicial Committee of the Privy Council in 1929. It is a miniature version of the monument unveiled in Calgary last October. The tour is sponsored by the Girl Guides, the Famous Five Foundation and the Millennium Bureau of Canada.

Robert Reynolds
Senior Parliamentary Counsel