



Legislative Reports



Nunavut

The Fifth Session of the First Legislative Assembly convened in Iqaluit on February 21, 2001. The Fourth Session had prorogued on November 3, 2000.

Several noteworthy events took place during the period of extended adjournment. A by-election was held in the electoral district of Quttiktuq on December 4, 2000. **Rebekah Uqi Williams** was sworn in as MLA on January 30, 2001, following confirmation of the results by a judicial recount held earlier in the month. The communities that comprise the constituency are Arctic Bay, Resolute Bay, Nanisivik and Grise Fiord. Grise Fiord is Canada's most northerly inhabited community.

In November, the Standing Committee on Government Operations and Services, chaired by **Hunter Akat Tootoo**, MLA for Iqaluit Centre, held a public meeting with Nunavut's Information and Privacy Commissioner, **Elaine Keenan Bengts**. The Committee reviewed her first annual report to the Assembly.

During the same month, the Standing Committee on Culture, Education and Health, chaired by **Jobie Nutarak**, MLA for Tunnunuiq,

met with the Languages Commissioner of Nunavut, **Eva Aariak**. Proceedings of these appearances have been broadcast in Nunavut on the Aboriginal Peoples Television Network (APTN).

The Fifth Session began with an Opening Address delivered by Commissioner **Peter T. Irniq**. One of the announcements in the Opening Address was the Government's plan to initiate a program review exercise over the coming year.

The Standing Committee on Government Operations and Services tabled its review of the Information and Privacy Commissioner's annual report on February 23. The Committee has requested that the Government provide a comprehensive response to the Committee's recommendations within 120 days.

The Standing Committee on Culture, Language and Health tabled its review of the Languages Commissioner's annual report on February 26. One of the recommendations made was for the Legislative Assembly to establish a Special Committee to review Nunavut's *Official Languages Act*. The Committee was established by unanimous motion on February 26. This is the first Special Committee established by the Assembly. It has a two-year mandate to review the statute. The Committee is comprised of four Regular MLAs and one Minister, **Peter Katuk**, MLA for Sanikiluaq. The Committee elected **Rebekah Uqi Williams** as Chair and **Donald Havioyak**, MLA for Kugluktuk, as Co-Chair.

On February 27, **Kelvin Ng**, MLA for Cambridge Bay and Minister of

Finance and Administration, delivered his budget address for the fiscal year 2001-2002. The next month of proceedings were dominated by Ministerial appearances before the Committee of the Whole to defend departmental main and capital estimates.

On March 21, Minister of Indian and Northern Affairs **Robert Nault** announced the appointment of **Patricia Angnakak** of Iqaluit as the first Deputy Commissioner of Nunavut.

On March 26, the Auditor General of Canada arrived in Iqaluit to sign the first audited financial statements for the Government of Nunavut in a ceremony held at the Legislative Assembly. The Public Accounts are expected to be tabled later in the Fifth Session. The Public Accounts, along with the Auditor General's Report to the Legislative Assembly, will be reviewed by the Standing Committee on Government Operations and Services.

To date, a total of five Bills have received assent during the Fifth Session:

- *Appropriation Act, 2001-2002*
- *Supplementary Appropriation Act, No. 2, 2000-01*
- *Utility Rates Review Council Act*
- *An Act to amend the Interpretation Act (Time Zones)*
- *Nunavut Power Corporation Utility Assets Transfer Confirmation Act*

Sessional statistics to date for the Fifth Session are:

- 24 Sitting Days

- 64 Ministers' Statements
- 175 Members' Statements
- 212 Oral Questions
- 12 Written Questions
- 1 Reply to Opening Address
- 1 Reply to Budget Address
- 3 Petitions
- 21 Documents Tabled
- 2 Standing Committee reports tabled

The Fifth Session will reconvene on May 16, 2001, in Cambridge Bay.

Alex Baldwin
Director, Research and
Library Services



Manitoba

On April 10, 2001, the Second Session of the Thirty-seventh Legislature resumed with the presentation of the Budget Speech by **Greg Selinger**, Minister of Finance. Highlights of the budget, as outlined in a government news release included:

- schools and healthcare first;
- new investment in families and communities;
- renewed commitment to promote and build our hydro resources;
- better management of natural resources and environmental protection;
- tax cuts we can afford, balanced budgets and strong debt retirement measures; and

- improving transparency and accountability in government.

On April 11, 2001, a non-confidence motion was moved by **Stuart Murray**, Leader of the Official Opposition. The amendment was defeated on April 24, 2001 by a vote of Yeas 24, Nays 30. The budget motion was adopted on the same day by a vote of Yeas 30, Nays 24.

With the debate on the budget concluded, consideration of the expenditure estimates commenced on April 25. Manitoba's Standing Orders allow for a maximum of 240 hours for consideration of the departmental expenditure estimates. A \$2.113 billion interim special warrant was issued effective April 1, 2001 to allow the province to operate in the new fiscal year until the conclusion of the financial process in the House.

Matter of Privilege

On April 10, 2001, **Jack Penner** (Emerson) rose on a matter of privilege and moved "THAT on Tuesday next, the ordinary business of the House be set aside to debate the socio-economic crisis rural Manitoba communities are experiencing due to the ongoing impact of the downturn in the grains, oilseeds and specialty crops sectors and the resultant negative impact on rural businesses, industries and communities alike".

Speaker **George Hickes** took the matter under advisement. By unanimous consent, the motion moved by Mr. Penner was accepted as a motion of the House and was agreed to by the House. On April 11, 2001, Speaker Hickes delivered a ruling on the matter of privilege stating that a *prima facie* question of privilege had not been established nor were the collective privileges of the House or individual privileges of Members breached. He further indicated in his ruling that "This rul-

ing does not affect the decision of the House to deal with agricultural issues next Tuesday."

On April 17, 2001, **Rosanne Wowchuk**, Minister of Agriculture and Food, presented a Government Resolution in the House regarding federal financial assistance for grains and oilseeds producers. During debate on this resolution, Mr. Penner (Emerson) moved an amendment, and **Jon Gerrard** moved a sub-amendment, both of which were agreed to unanimously by the House. The main motion, as amended, was also agreed to unanimously by the House.

The resolution called for the Standing Committee on Agriculture to hold such meetings at such times and places as it deemed advisable to receive briefs and hear representations. A motion was moved in the House increasing the membership of this Standing Committee from 11 to 14, in order to add one additional Government Member, one additional member from the Official Opposition, and Mr. Gerrard, the Member for River Heights, for the purposes of considering the agriculture resolution only. The Committee travelled to Dauphin, Brandon, and Beausejour to hear public presentations. On May 1, presentations were held in Winnipeg. A total of 76 presenters and 20 written submissions were heard and received throughout the course of the week by the travelling committee. The Resolution called for the Standing Committee on Agriculture to report and make recommendations to the Assembly in a timely fashion.

Standing Committee Activity

Standing Committee activity was quiet during this quarter. On March 19, 2001, the Standing Committee on Public Utilities and Natural Resources met to consider the March

31, 1997, 1998, 1999 and 2000 Annual Reports of the Manitoba Liquor Control Commission. The March 31, 1997, 1998 and 1999 Annual Reports were passed by the Committee.

Other Matters

On March 12, 2001, Commonwealth Day was observed in Manitoba. The host of this year's event was Speaker Hickey. Other guest speakers were **Jean Friesen**, Deputy Premier of Manitoba and His Excellency **Datuk A.W. Omarkin**, High Commissioner of Malaysia. This year's theme was "A New Generation." Lieutenant Governor of Manitoba, **Peter Liba**, delivered the 2001 Commonwealth Day Message from Her Majesty Queen Elizabeth II.

JoAnn McKerlie-Korol
Clerk Assistant



The year 2001 began with important changes on the Quebec political scene. First, the Premier of Quebec, **Lucien Bouchard**, decided to return to private life. His resignation became official on March 8, 2001. Two other members of his cabinet, **Jacques Léonard**, Minister responsible for Administration and the Public Service and Chairman of Treasury Board, and **Jean-Pierre Jolivet**, Minister of Regions, also retired on the same date.

Bernard Landry, formerly Minister of State for the Economy and Finance, became president of the Parti Québécois on March 3 and acceded

to the position of Premier on March 8. That same day he announced the makeup of his cabinet, which, including the Premier, comprises 24 members, one of whom, **Richard Legendre**, has yet to be elected. He also innovated by creating four secretaries of state, whose role is to support certain ministers having responsibility for strategic sectors of government activity.

Finally, on April 9 a by-election was held in the electoral district of Mercier in order to fill a vacancy created there by the resignation of the Minister of Relations with the Citizens and Immigration, **Robert Perreault**, in October 2000. **Nathalie Rochefort**, the candidate for the Liberal Party of Quebec, was declared elected. She officially took her seat in the National Assembly on April 24.

Opening of the Second Session of the Thirty-Sixth Legislature

On Thursday, March 22, **Lise Thibault**, Lieutenant-Governor of Quebec, opened the Second Session of the Thirty-Sixth Legislature with an address, which was followed by the new Premier's opening speech. The Premier stressed efforts to reduce and eliminate poverty and to achieve a more equitable distribution of wealth among the regions of Quebec and the various strata of Quebec society. He also declared his intention to develop new policies regarding, in particular, water management and the clarification of the apportionment of responsibility within the health system. He concluded his speech by emphasizing the importance of Quebec sovereignty and of a new partnership with Canada in order to take up the many challenges that Quebec now faces within the context of globalization.

It should be noted that because the parliamentary agenda is unusually heavy, the debate on the opening speech has not yet been concluded. According to our rules of procedure, when the main estimates are before the standing committees for their consideration, the Assembly takes only the routine proceedings. The consideration of the estimates having begun on April 24, the debate on the opening speech was immediately suspended, and it will be resumed only after all business relating to supply has been concluded.

2001-2002 Budget

On Thursday, March 29, only a week after the opening of the new session, **Pauline Marois** read her first budget speech as Minister of State for the Economy and Finance. Taking up a number of the themes that had been broached in the opening speech of the session, she announced, among other things, increased investments in the elimination of poverty and in health, education, and job creation as well as further reductions in taxes and the debt.

The debate on the budget speech concluded on April 12, and the minister's motion that the Assembly approve the government's budgetary policy was carried on April 24.

Budgetary Estimates

It was also on March 29 that **Sylvain Simard**, the new Minister responsible for Administration and the Public Service and Chairman of Treasury Board, tabled supplementary estimates number 2 for fiscal year 2000-2001 and the main estimates for fiscal year 2001-2002.

Since the Quebec government's fiscal year begins on April 1, the Assembly was required to concur in both the supplementary estimates

for 2000-2001 and interim supply for 2001-2002 in the space of only two days, by March 31; yet no ordinary sittings were scheduled on the parliamentary calendar for March 30 or 31. The Premier therefore requested an extraordinary sitting for Friday, March 30, to enable the Assembly to dispatch all business relating to these urgent matters, including the passage of the two supply bills. Thus convened for Friday, March 30, at 9.00 a.m., the Assembly met until 3.10 on Saturday morning to resolve these matters.

Pursuant to our rules of procedure, the main estimates were then referred to the various standing committees. The 200 hours provided for the consideration of the main estimates began on April 24 and concluded on May 15.

Legislation

On February 22 the Assembly met for an extraordinary sitting – it was to be the final sitting of the First Session of the Thirty-Sixth Legislature – in order to pass Bill 186, *An Act to provide for the maintenance of pharmaceutical services in Quebec*. The purpose of this special bill was to forestall certain actions planned by the pharmacists of Quebec during the course of their conflict with the government over the remuneration of the services they provide in relation to prescription medications. In particular, the bill prohibited pharmacists from collectively opting out of the public drug-insurance plan, as they were legally permitted to do before this bill was passed.

Because the proceedings of the Assembly since the opening of the new session have been taken up almost exclusively by business having precedence, it has considered only one bill – apart from the two supply bills mentioned above – namely Bill 1, *An Act to amend the*

Election Act and other legislative provisions. Passed in a single day on March 28, this bill amends a variety of provisions respecting, in particular, the financing of political parties and independent candidates as well as the oversight of election expenses.

Parliamentary Conference of the Americas

While the third Summit of the Americas, held in Quebec city from April 20 to 22, was garnering headlines, parliamentarians from Quebec and elsewhere in the Americas were also examining the question of globalization.

On April 11 the National Assembly unanimously carried a motion moved jointly by the Premier, the Leader of the Official Opposition, and the independent Member for Rivière-du-Loup that affirmed the importance of maintaining open markets in the Americas while emphasizing the need for both transparency in this area and the respect of our constitutional jurisdiction, our social values, and our identity.

The National Assembly also hosted the executive committee of the Network of Women Parliamentarians of the Americas, which met on April 16 and 17, and the executive committee of the Parliamentary Conference of the Americas (PCOA), which held an extraordinary meeting from April 17 to 19. The proceedings of these two bodies resulted in a declaration by the Network of Women Parliamentarians on the effects of the Free Trade Area of the Americas on the lives of women and a declaration by the PCOA recalling the importance of dialogue and transparency in the processes leading to regional integration and affirming the key role that parliamentarians ought to play, as elected representatives of the

various populations, in developing these processes.

The PCOA also adopted an action plan for reinforcing democracy through dialogue with the executive powers of the Americas.

Charles A. Bogue
Secretariat of the Assembly

Committee Report

Winter 2001 was characterized by a number of events that slowed down the work of the committees despite careful planning and an extensive list of business to cover.

First of all came the resignation of Premier Bouchard, after which the government ordered the prorogation on March 9 of the 1st Session of the 36th Legislature. This interrupted all committee proceedings until March 22. In addition, the mandates of the committee chairs and vice chairs expired on March 5, when their two-year terms ended. Elections were held on March 27, and the priority with the resumption of parliamentary proceedings was the tabling of the budget and consideration of the estimates by the committees, whose reports were tabled on May 15, 2001.

Despite these interruptions, some six real weeks of business made it possible to complete several important matters.

Press concentration, in the form of two broadcasters that may share as much as 97% of the market, was the subject of a public consultation held by the Cultural Affairs Committee. This consultation made it possible to hear from the 34 individuals and organizations who had submitted briefs. The Committee, realizing what is at stake in a situation of such concentration, is now proposing to make a recommendation to the government setting out

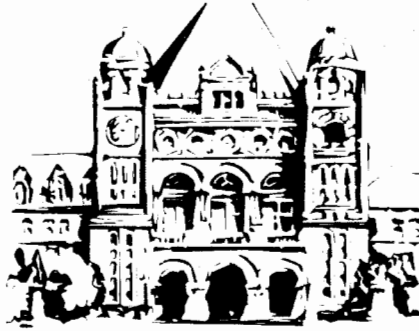
the terms of a suitable regulatory structure.

The Economy and Labour Committee concluded its detailed study of Bill 136, *An Act to amend the Forest Act and other legislative provisions*. The Bill proposes a major reform of the current forest system. One hundred and thirteen briefs were submitted in the autumn of 2000 and were the subject of a general consultation. The second issue for this Committee proved to have some rather unusual aspects, involving new legal concepts. It was Bill 161, *An Act to establish a legal framework for information technology*. The Bill, once adopted, will give the government a reference framework for information transfers, legal security, technical standards, and authentication and harmonization systems, both nationally and internationally.

An internal committee was set up by the General Secretariat following passage in June 2000 of Bill 82, the *Public Administration Act*. This committee was given a mandate to propose the way parliamentary committees should operate to meet the accountability requirements of deputy ministers and heads of public bodies set out in the new Act. The committee will table its report in June, and the National Assembly Committee will be called upon to rule on the possible solutions proposed in the report.

Committee activities will be continuing in the coming weeks, with priority given to a number of public consultations and consideration of bills.

Marie-Renée Beaulieu
Committees Secretariat



Ontario

Following a period of committee activity during the Winter adjournment, the 1st Session of the 37th Parliament was prorogued by Proclamation on March 2, 2001, and April 19 was set as the date for the commencement of the 2nd Session.

Shortly after the prorogation, Ontarians were shocked to learn of the sudden and untimely death of **Al Palladini**, a very well-known and flamboyant businessman whose easy manner and lust for life endeared him to all in the Queen's Park legislative community. Elected in 1995, he was immediately appointed to the Cabinet and had only shortly before his death resigned his executive post to devote more time to personal and business matters. As of this writing, a by-election in his riding of Vaughan-King-Aurora had not been announced.

The April 19 Speech from the Throne was novel in its approach. Delivered by Lieutenant Governor **Hilary M. Weston**, it was entitled "21 Steps Into the 21st Century" and set out generally the government's plans in 21 distinct areas. The Speech also specified upcoming dates in the near future, leading to the provincial Budget on May 9, when more detailed announcements on each of the 21 points would be made.

Of interest to the institution of the Legislative Assembly itself was the 21st step, which stated:

"The 21st century demands that Ontario's democratic processes be modern and responsive. The 21st step of the plan is support for parliamentary reform, particularly changes that enhance the role and responsibilities of MPPs.

- The government will propose that more issues, particularly those requiring in-depth examination and considered recommendations, be referred to legislative committees.
- The government continues to view only votes on the budget and identified confidence questions as matters of confidence, and encourages other parties to do the same.
- It wants to restore the importance of the process by which MPPs hold the government accountable through review and approval of its spending estimates. To this end, the government will not view the reduction or rejection of any line item in a ministry's estimates as a matter of confidence.
- It will propose that the Standing Committee on the Legislative Assembly explore other parliamentary reforms that would enhance the role of private members and expand the use of technology."

As of this writing, the Committee has not yet received terms of reference for inquiring into and making recommendations to the House on these matters.

Following the Speech from the Throne, the House welcomed its newest Member, **Norm Miller** (PC), who won a by-election in the riding of Parry Sound-Muskoka on February 22, 2001. The seat had become vacant due to the resignation of **Ernie Eves**, who had accepted a position in the private sector after a 20-year career in the Ontario Legislature, including serving as Deputy

Premier and Minister of Finance. Mr. Miller was subsequently given the honour of moving the Address in reply to the Speech from the Throne, his first act as a legislator. He is the son of the late **Frank Miller**, whose own 16-year legislative career was capped when he became Premier of Ontario in 1985.

In the last Legislative Report, the matter of the decision by the House to hold back publication of a part of the December 4, 2000 Hansard transcript due to the inadvertent naming of young offenders, was recounted. The House subsequently passed a motion authorizing the release of the relevant portions of the transcript (and of the video tape recording) to police authorities who requested the material for their investigations, but the general publication prohibition was maintained.

During the Winter adjournment of the House, an Ontario Provincial Police investigation into the matter was completed. The report found that the release of the information was inadvertent and that there was "no basis for laying charges". As a result, the Member who had released the names, **Doug Galt** (PC/Northumberland), was reinstated to his position as Parliamentary Assistant to the Minister of Agriculture, Food and Rural Affairs. **Rob Sampson** (PC/Mississauga Centre), the Minister of Correctional Services at the time the error was made, and who had also resigned this position in December, was likewise reinstated to the Cabinet.

Upon reconvening, the House concluded this matter by authorizing the publication of the affected portion of Hansard and the release of the affected portion of the House videotape, subject to the requirement that "the name or names of any young offenders in such remarks be first expunged in all versions by

suitable methods as determined by the Clerk of the House."

Due to strikes of school support workers (secretaries, caretakers and lunch-room supervisors, among others) in Windsor and Toronto, the House was forced to turn its attention to back-to-work legislation shortly after re-convening in April. Because schools had been closed and pupils were missing classes, the government introduced a bill to send both labour disputes to binding arbitration. The NDP caucus was opposed to the Bill and, employing (as far as can be determined) a never-before-used, arcane procedural tool in the Standing Orders, their House Leader, **Peter Kormos** (ND/Niagara Centre) accomplished what appeared to be a mandatory delay of the 2nd reading stage of the Bill from the Wednesday on which it was introduced until the following Tuesday. However, in an unlikely turn the Government House Leader, **Janet Ecker** (PC/Pickering-Ajax-Uxbridge), received the unanimous consent of the House to move a motion calling for the return of the House the next day, a Friday, for a special meeting during which the House would complete both 2nd and 3rd reading stages of the Bill. This motion itself, in a further unlikely turn, immediately passed without need for a recorded vote.

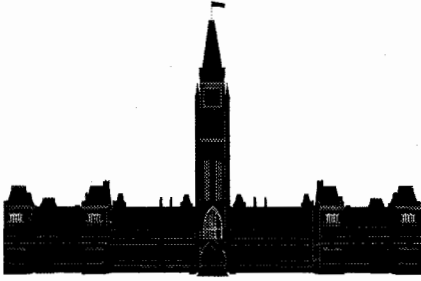
As the motion stipulated, therefore, the House had an unusual special sitting on what would otherwise not be a meeting day and in a marathon 10 hour, 20 minute non-stop session on April 27 it passed the Bill.

As alluded to earlier, the provincial Budget was presented by Finance Minister **Jim Flaherty** (PC/Whitby-Ajax) on May 9. The element of it that has provoked the greatest debate is a decision by the government to offer a tax credit against tuition paid by parents who

send their children to independent (private or denominational) schools. The credit will begin at \$700 per year and rise by like amounts over the next 5 years to a maximum credit of \$3,500. The budget estimated the measure will ultimately cost the treasury \$300 million per year when fully implemented. Critics of the proposal allege it will undermine the public education system in Ontario, that it will most benefit those who are relatively well-off financially, and that it will divert funds that are needed in the public schools. The government and supporters of the proposal counter that it will encourage the equitable treatment of all students, and that it complies with a declaration of the United Nations Human Rights Commission which criticized Ontario for publicly funding a separate catholic school system, but not other religion-based schools.

In addition to the previously mentioned back-to-work bill, the House also passed another piece of legislation in the current session. The *Good Samaritan Act*, a private Member's Bill sponsored by **Steve Gilchrist** (PC/Scarborough East) protects health care professionals and others from liability when they assist a person who is ill, injured or unconscious as a result of an accident or other emergency, except if they cause damages through gross negligence. The Bill came into force on the day it received Royal Assent, April 27, 2001.

Todd Decker
Clerk of Journals and
Procedural Research
Ontario Legislative Assembly



House of Commons

The opening session of the 37th Parliament has been characterized by contentious issues and acrimonious exchanges. Despite the difficult circumstances, the performance of Speaker **Peter Milliken**, has been praised for his fairness, efficiency, and procedural knowledge.

Procedure

Early in the new session, motions were adopted to amend Standing Order 104(2) regarding membership of standing committees. The Standing Committee on Natural Resources and Government Operations was divided between the Standing Committee on Aboriginal Affairs and Northern Development, and the Standing Committee on Transport. This action resulted in two new committees: the Standing Committee on Aboriginal Affairs, Northern Development, and Natural Resources; and the Standing Committee on Transport and Government Operations. The Standing Committee on Industry was also amended to become the Standing Committee on Industry, Science, and Technology.

Four special debates took place since the opening of the session: a debate on parliamentary reform, a take note debate on the Summit of the Americas, an emergency debate on foot-and-mouth disease, and a debate to take note of the state of

Canada's resource industries. The debate on Canada's resource industries took place in Committee of the Whole. Since this was the first time the House had considered this type of debate, the Chairman of the Committee opened the debate with a few remarks as to how the debate would be conducted.

Other interesting procedural points included the Government agreeing to support an opposition supply day motion for a national sex offender registry. The vote saw 255 MPs endorse the motion in a rare display of unanimity. Later in the session, on March 29th, the Opposition united to support a Bloc Québécois motion that the house do now adjourn, effectively closing House business for the day. Opposition MPs caught the Government Whip without enough Members in the House to maintain control of the Chamber. The Opposition characterized the motion as a protest move citing the government's refusal to answer questions surrounding the Auberge Grand-Mère affair. The motion carried by 98 to 95 votes despite a concerted effort to round up government MPs from buildings, taxis, and the airport. This was one of the rare occasions where the Opposition has won a vote. Contrary to the custom where both Whips approach the Table to indicate to the Chair that the House is ready for the vote, the Whip for the Official Opposition proceeded to the Table without the Government Whip.

Privilege

Roger Gallaway (Sarnia—Lambton, Lib.) raised a question of privilege concerning the termination of two legislative counsel of the House, some time after their testimonies before the Standing Committee on Procedure and House Affairs in the previous Parliament. The Member argued that the wit-

nesses had sought, and had received, the assurance of the Committee that there would be no reprisals for their testifying, and that their termination was a direct consequence of their testimony and therefore constituted a *prima facie* case of privilege. His argument raised the question of the "immunity of committee witnesses", which, if threatened, could result in the reluctance of witnesses to appear before committee. **Chuck Strahl** (Fraser Valley, CA) raised concerns about the need to increase resources of the House, especially with regard to legislative services. For his part, **Peter MacKay** (Picton—Antigonish—Guysborough, PC) noted the apparent lack of a forum to address the issues of certain House employees, and suggested that the Standing Committee on Procedure and House Affairs consider the whole matter. After the interventions of other Members, the Speaker stated that he would take the matter under advisement and report back to the House in due course. The following week, the Speaker delivered a ruling declaring that at the time counsel appeared before the Committee, a staff relations dispute between the legislative counsel and management had been longstanding and continuing. He subsequently concluded that there was not a *prima facie* case of privilege. As for the request of Mr. Strahl concerning the need for increased resources for the Office of the Law Clerk and Parliamentary Counsel, the Speaker drew the attention of Members to the ruling given on October 23, 1997 by former Speaker Parent in which he stated that "...similar questions...should be brought to the attention of the Board of Internal Economy and should not be raised on the floor of the House as a point of order nor as a question of privilege". In closing, the Speaker cautioned Members to

be wary of situations where they are asked to step into the role of *ad hoc* arbiters on individual cases involving staff relations.

André Bachand (Richmond-Arthabaska, PC) rose on a point of order with respect to a motion regarding the selection of report stage amendments by the Speaker (amendments to Standing Order 76(5) and Standing Order 76.1(5) adopted on Tuesday, February 27, 2001), specifically to part of the motion which states: “—in exercising this power of selection, the Speaker shall be guided by the practice followed in the House of Commons of the United Kingdom”. The Member argued that this new rule from the United Kingdom, which only exists in English, contravened not only his privileges and those of all francophone Members of the House, but also the *Official Languages Act*. Mr. Bachand asked that the Chair suspend the execution of this measure until his rights and those of other francophone Members are protected and respected. After interventions by other Members, Speaker Milliken declared that he would consider the opinions expressed and that he would return to the House later with a ruling. The Speaker pointed out that the role of the Speaker is to preside over the business of the House and to rule on procedural matters. He continued with a detailed history of Standing Order 1, which deals with unprovided cases in which the Speaker could refer to practices in other jurisdictions outside Canada, so far as they are applicable to the House. He added that in such circumstances, the availability of documents in either of the official languages was not a consideration. He also stated that he was currently studying the application of these notes to Standing Orders 76(5) and 76.1(5), and that he would return to the House with a statement on how this note

would be interpreted. Meanwhile, he could not grant the request made by the Member to suspend the implementation of the amendments in question because they were now part of the Standing Orders and only the House, not the Speaker, has the authority to change them. Later in the session, the Speaker issued interpretation guidelines, in both official languages.

Following the introduction of Bill C-15 (*An Act to amend the Criminal Code and to amend other Acts*) by the Minister of Justice, **Vic Toews** (Provencher—CA) raised a question of privilege concerning the disclosure of information regarding Bill C-15 in a briefing to the media prior to its introduction in the House. Members and their staff were denied access to this briefing. The Member argued that in so doing, the Minister and her Department were in contempt of Parliament, as they had brought the authority and dignity of the House into question. Following the interventions of other Members, the Speaker stated that he would take the matter under advisement and assured the House that he would return with a ruling. The Speaker upheld the question of privilege as a *prima facie* case, and the matter was referred to the Standing Committee on Procedure and House Affairs. He further stated that the Chair cannot condone information concerning legislation being first released to the media, and highlighted that no effective “embargo” took place. He added that once a bill had been placed on notice, the convention of the confidentiality of bills on the *Notice Paper* was necessary, not only so that Members themselves would be well informed, but also because of the pre-eminent role which the House plays and must play in the legislative affairs of the nation. In his view, it was clear that information concerning legislation, al-

though denied to Members, was given to members of the media without any effective measures to secure the rights of the House. The Speaker ruled that this constituted a *prima facie* contempt of the House and invited the Member for Provencher to move a motion. Subsequently, Mr. Toews moved that the matter be referred to the Standing Committee on Procedure and House Affairs. The Minister appeared before the Committee on April 26th, 2001. Other witnesses are scheduled to appear in May.

Committees

At the organization meeting of the Standing Committee on Procedure and House Affairs, Mr. Strahl (Fraser Valley, CA) moved a motion that the committee prepare and report to the House a standing order change to accompany the report establishing the list of committee members pursuant to Standing Order 104(1). He proposed that Standing Order 106(2) be replaced with one providing for the election of a Chair by secret ballot. After debate, the motion was negated on recorded division. Similar motions were brought forward in other committees, with the same results. The Committee also discussed a change to the parliamentary calendar to allow for a two-week break in March, with an early return in January to compensate. The recommendation was forwarded to the new Special Committee on the Modernization and Improvement of the Procedures of the House of Commons for its consideration. Following discussion, the Special Committee decided to return the question to the Standing Committee for a decision.

Don Boudria (Leader of the Government in the House of Commons) announced the Special Committee on March 21st. The Committee will be chaired by Deputy Speaker **Bob**

Kilger and will consist of the House Leaders of each officially recognized party. The Committee agreed not to meet unless every party is represented, and not to adopt any report without the unanimous agreement of all Committee members. The announcement was followed later that day by a special debate on parliamentary reform in which 44 MPs took part in a non-partisan atmosphere. Much of the debate centred on ways to improve relevant participation by backbench MPs.

Both the Chair of the Standing Committee on Procedure and House Affairs and the Chair of the Standing Committee on Industry, Science, and Technology faced appeals to their decisions regarding certain witnesses related to the Grand-Mère affair. In the first case, the Chair stated that the Committee did not have the mandate or the power to summon a Member to appear as a witness. In the second case, motions to summon certain witnesses were declared out of order for the following two reasons: the Committee did not have the mandate to examine questions related to the Conflict of Interest Code and therefore could not summon witnesses related to that issue; and moreover, a parliamentary committee does not have the power to examine the conduct of Members on its own initiative. Following debate, the rulings were sustained on recorded divisions.

On March 27th, the Standing Joint Committee on Official Languages met to study the issue of the broadcasting of the House of Commons' debates in both official languages. Currently, the House of Commons provides an audio signal in French, English, and floor sound, while the actual broadcasts are disseminated by CPAC in cooperation with private cable companies. In light of recent complaints to the Official

Languages Commissioner and a pending lawsuit, the committee is studying the issue. The current contract expires in August. Both Speaker Milliken, and the Clerk of the House, **William Corbett**, appeared before the Committee.

Legislation

Opposition MPs united in a four-party press conference to criticize Bill C-2 (*An Act to amend the Employment Insurance Act and the Employment Insurance (Fishing) Regulations*). Time allocation was used at both second reading, report, and third reading stages. The bill is currently in the Senate awaiting Royal Assent. Opponents of the bill maintain that the government is retreating from its 1996 reforms, while others maintain that the proposed amendments are not significant enough. The Act is based on Bill C-44 (*an Act to amend the Employment Insurance Act*) which died on the *Order Paper* with the dissolution of the 36th Parliament.

The government introduced Bill S-23 (*An Act to amend the Customs Act and to make related amendments to other Acts*) in the Senate on March 22nd, exercising its option to introduce bills first in the upper chamber. The bill deals with outgoing international mail and allows customs officers to open, inspect, and copy mail contents if illegal activity is suspected. This new power would mark a significant change from Canada Customs and Revenue Agency's traditional mandate to ensure incoming mail complies with Canada's tax, trade, and border laws.

Bill C-11 (*an Act respecting immigration to Canada and the granting of refugee protection to persons who are displaced, persecuted, or in danger*) has been referred to the Standing Committee on Citizenship and Immigration where it is expected to be

reported with significant amendments. The Committee travelled cross country between April 30th and May 4th to hear witnesses in Vancouver, Winnipeg, Toronto, and Montreal.

Private Members' Business

Stéphane Bergeron (Verchère—Les Patriotes, BQ) an MP of Acadian descent, introduced a motion asking for a Royal apology for the injustices caused to the Acadian people during the Deportation period. The president of la *Société nationale de l'Acadie*, **Euclide Chiasson**, demanded the motion be repealed, stating that any request for an apology to the Acadians should come from the Acadian people. The motion was made votable and two hours of debate remain on the *Order Paper*.

Peter MacKay (Pictou—Antigonish—Guysborough, PC) has introduced a bill in the House that would create a code of conduct for MPs and establish clear cut rules surrounding ethics. Currently, the lack of rules leaves numerous situations open to interpretation.

A Liberal MP's Private Member's Bill calling for mandatory labelling of genetically-modified foods has been awarded votable status. **Charles Caccia's** (Davenport, Lib.) initiative, Bill C-287 (*an Act to Amend the Food and Drugs Act*), would require companies to label genetically modified food, as well as track food through all stages of production.

A Winnipeg MP has received support from all parties in the House for her motion to institute warning labels on alcohol products regarding the danger of using alcohol during pregnancy. **Judy Wasylcia-Leis** (Winnipeg North Centre, NDP), was heartened by the victory since the House rejected warning labels in a previous Parlia-

ment. The motion was adopted on April 23rd, 2001.

Other Matters

Parliamentarians paid tribute to the memory of **Gildas Molgat**, Senator from 1970 to 2001 and Speaker of the Senate from 1994 to 2001, and to **David Iftody**, former Member of the House of Commons (1993 to 2000). In the case of Mr. Molgat, the Speaker asked the House to rise for a moment of silence. The House will also see the departure of **Preston Manning** sometime between now and the end of the year. He will retire from the political scene by resigning his Calgary Southwest seat. He plans to continue working outside of politics, in a business or research setting. Many colleagues praised his contributions as a parliamentarian.

On February 22nd, a special joint session of the Senate and the House of Commons welcomed Prime Minister **Tony Blair**. Mr. Blair is the first British prime minister to visit Canada since 1988. His address was warmly received, and a traditional reception followed in the Speaker's office.

Prime Minister **Jean Chrétien** appointed Intergovernmental Affairs Minister **Stéphane Dion** the minister responsible for official languages. Mr. Dion's task is to reaffirm the government's commitment to bilingualism and the *Official Languages Act*. Currently, programs are found throughout the federal government and Mr. Dion will coordinate this issue for the ministries involved.

At the end of April, the Canadian Alliance made several changes to its caucus officers following the resignations of **Deborah Grey**, **Chuck Strahl**, and **Grant McNally**. **Grant Hill** became Deputy leader, **John Reynolds** was made House leader, and **Cheryl Gallant** Deputy House

leader. **Dick Harris** was promoted to Whip, and **Randy White** was elected Caucus Chair. Mr. Harris was subsequently appointed to the Board of Internal Economy in place of Mr. Strahl.

Bonnie Charron

Procedural Clerk
Table Research Branch
House Proceedings and Parliamentary
Exchanges Directorate



New Brunswick

As a result of a legal strike by the Province's hospital workers, the Third Session of the 54th Legislature, which had been adjourned to March 27, 2001, reconvened earlier than expected for a special sitting to consider back-to-work legislation. The House reconvened Saturday, March 3, 2001, and sat three consecutive days before passing Bill 30, *An Act to Ensure the Continuation of Certain Public Services in the Public Service*. The Bill received Royal Assent after representatives of the government and hospital workers reached a tentative agreement allowing the workers to return to work.

On March 20, Leader of the Opposition and former Premier **Camille Thériault** (Lib., Kent South) announced his resignation. First elected in 1987, Mr. Thériault served as Minister of Fisheries and Aquaculture, Minister of Advanced Education and Labour, and Minister of Economic Development and Tourism. Following the resignation of

then Premier **Frank McKenna**, Mr. Thériault was sworn in as the 29th Premier of New Brunswick on May 14, 1998. A by-election was immediately called for April 23, 2001, to fill the vacancy left by Mr. Thériault's resignation.

On March 21 **Bernard Richard** (Shediac - Cap-Pelé) became Interim Leader of the Liberal Party of New Brunswick and Leader of the Opposition.

The Committees of the Legislature remained active throughout the period of adjournment of the House. The Standing Committee on Public Accounts held meetings throughout February and reviewed the expenditures of several government departments for the fiscal period covering 1999 - 2000.

The Standing Committee on Law Amendments held public hearings at the Legislative Assembly on March 22 with respect to the issues raised by the proposed *Privacy Act*, Bill 23, which would make invasion of privacy a tort for which a person may commence legal action. Representatives for community newspapers, other media outlets, private investigation firms, and medical and legal associations appeared before the Committee.

On March 27, 2001, the Third Session reopened with the presentation of the budget as the day's only order of business. Finance Minister, **Norm Betts** (PC, Southwest Miramichi) introduced his second budget, which contained expenditures of approximately \$5 billion. Highlights included:

- a record investment in health care;
- a record investment in education;
- personal income tax reductions totalling \$34 million;
- corporate income tax reductions totalling \$14.3 million;

- second consecutive budgetary surplus of \$34.8 million;
- projected two-year reduction in net debt of \$67.9 million; and
- a new fiscal stabilization fund of \$100 million.

In criticizing the budget, Opposition Finance Critic **Marcelle Mersereau** (Lib., Bathurst) stated that it "falls short of boosting the economy" and that it contains "no plan and certainly no vision" for the future. She criticised the budget for lacking substance and noted that it failed to address the real problems faced by the province.

During the spring sitting, a number of noteworthy pieces of legislation were introduced:

- *Bill 42, An Act to Amend the Legislative Assembly Act*, limits the level of increase of the indemnity payable to each Member to 1% commencing January 1, 2001, and a further 0.5% commencing July 1, 2001, which approximates the level of increase given to civil servants in the province.
- *Bill 44, Fiscal Stabilization Fund Act*, establishes a fund to assist in stabilizing the financial position of the province and to improve long term fiscal planning.
- *Bill 54, An Act to Amend the Executive Council Act*, is similar to Bill 42 in that it limits the level of increase of the salary payable to Ministers to 1% commencing January 1, 2001 and a further 0.5% commencing July 1, 2001.

On May 1, the Select Committee on Health Care presented a Report entitled *Working Together for Wellness: A Wellness Strategy for New Brunswick*, focusing on five clear priorities. The all-party Committee Report addressed the challenge of how government and society can better promote wellness, prevent illness, and address the factors that

influence wellness, to help New Brunswickers stay healthy longer.

The Committee identified five priorities for action: healthy lifestyles, children and youth, seniors, communities, and workplace wellness.

The Committee heard over ninety oral presentations during eight days of public hearings on wellness held throughout the province last fall, and received over forty written briefs.

The Report recommended the establishment of a wellness mechanism within government, to work with other departments and stakeholders, provide wellness expertise and information, communicate research findings, release an annual wellness report, and work to foster a community approach to improving wellness.

The Committee also recommended that government departments develop a healthy public policy, and review existing policies that impact on the wellness of New Brunswickers or their ability to improve their own health.

In addition, the Report recommended establishing a deputy ministers committee to oversee implementation of the strategy.

In May, Speaker **Bev Harrison** presided over the Twelfth Annual Student Legislative Seminar. Fifty-five students from around the province attended various workshops and lectures focusing on the judicial, executive and legislative branches of government. Guest speakers included Judge **Alfred Brien**, chief judge of the Provincial Court; **Madeleine Dubé** (PC MLA, Edmundston); Justice Minister **Brad Green** (PC, Fredericton South); and Premier **Bernard Lord** (PC, Moncton East). The weekend event culminated with the students participating in a model Parliament within the Legislative Assembly's historic chamber.

On May 14, as a result of the *Video Lottery Scheme Referendum Act*, the province held its first referendum in more than three decades on the future of video lottery terminals in the province. Video lottery terminals are currently permitted in licensed establishments only. The referendum was held during the municipal elections and posed the question: "Should the Province of New Brunswick continue to permit the legal and regulated operation of video gaming devices (commonly known as video lottery terminals or VLTs)?" In a close vote, the majority of New Brunswickers voted to permit the continued operation of these devices in the province.

As a result of the April 23 by-election, the Progressive Conservatives increased their majority in the House when **Claude Williams** was elected to fill the Kent South vacancy. This brings the official standings in the New Brunswick Legislature as of April 24, 2001, to Progressive Conservatives, 47; Liberals, 7; NDP, 1; for a total of 55 seats.

Shayne Davies

Committee Clerk - Research Assistant



Northwest Territories

The Third Session of the Fourteenth Legislative Assembly reconvened on February 14, 2001. **Joe Handley**, Minister of Finance, gave notice that the budget address for the fiscal year 2001-2002 would be presented on Thursday, February 15, 2001.

In his Budget Address, Mr. Handley highlighted some of the as-

pects of the tremendous economic potential in the Northwest Territories. These include incredible opportunities in the oil and gas sector, diamond mining and manufacturing, hydro-electricity and tourism.

He also highlighted some of the key initiatives for the year, including initiative to match northerners with jobs that utilize their training and skills and ensuring that our children get every opportunity to lead fulfilling and productive lives. The government will continue to work with aboriginal governments, the federal government and with industry to ensure the future prosperity of the Northwest Territories and will focus on the need to create business and employment opportunities for Northerners, while being mindful of the need to protect the environment.

The Northwest Territories is in a position that is unique in Canada, and perhaps the world," said Mr. Handley. "We are beginning to experience significant new economic development opportunities while continuing to enjoy clean water, air and land, and abundant wildlife and fish.

In the budget there was a continued emphasis on maximizing northern employment and ensuring that the jobs that are going to arise in the next few years in the developing industries in the NWT, can be filled with qualified, educated Northerners.

The government will continue to focus on literacy as a priority for Northerners. There is a need to emphasize the importance of literacy and to ensure that all Northerners with literacy needs have access to programs and services that strengthen their skills.

The Assembly has identified Early Childhood Development as a priority. They have responded to this challenge and are prepared to

implement an Early Childhood Development Action Plan.

The government intends to focus on these key initiatives and continue to invest in education, health care and Income Support. There will also be significant contributions to upgrading highways throughout the Northwest Territories over the next four years.

During this sitting, five Bills received Royal Assent. These include:

- Bill 14, *An Act to Amend the Student Financial Assistance Act*
- Bill 17, *An Act to Amend the Legislative Assembly and Executive Council Act*
- Bill 19, *Appropriation Act; 2001-2002*
- Bill 20, *Supplementary Appropriation Act, No. 2*
- Bill 21, *An Act to Amend the Labour Standards Act*

During the previous sitting, Bill 13, *Hotel Room Tax Act*, received Second Reading and was referred to the Standing Committee on Governance and Economic Development. The Standing Committee met on several occasions to discuss and review the background research material and legal issues. The committee also conducted public hearings on Bill 13 in Inuvik, Hay River, and Yellowknife. The Committee reported back to the House that a majority of the Committee Members came to a position that they could not support the implementation of the *Hotel Room Tax Act*. Subsequently, the Bill was not reported back to the Assembly and ultimately died on the Order Paper when the Session was prorogued.

The Legislative Assembly also struck two Special Committees during the previous sitting, before the House was recessed on November 16th.

During the February/March Session, Terms of Reference for the Spe-

cial Committee to Review the Official Languages Act and the Special Committee on the Implementation of Self-Government and the Sunset Clause were adopted.

Joe Handley, Minister of Resources, Wildlife and Economic Development announced that the GNWT had finalized the Non-Renewable Resource Development Strategy. The Strategy was developed at the encouragement of federal Finance Minister **Paul Martin**. It is the only comprehensive plan of action for non-renewable resource development that identifies all the issues that need to be addressed, irrespective of which government is responsible.

Minister Handley, along with **Ethel Blondin-Andrew**, Secretary of State for Children and Youth and Member of Parliament for the Western Arctic, met with Mr. Martin in early March. Mr. Handley reported to the House that the meeting was very positive and very productive. Mr. Martin stated that, after reviewing the GNWT's Non-Renewable Resource Development Strategy, he is prepared to support the initiatives it includes when they are brought forward through federal departments. He also recognized the GNWT's commitment to move ahead on infrastructure developments and has agreed to increase the borrowing limit to allow the government to proceed with the proposed Highway Strategy. Mr. Martin said that he is prepared to meet again and to continue discussions on these issues.

Jane Groenewegen, Minister of Health and Social Services reiterated the government's commitment to developing a social agenda. She indicated that work on the initiative is underway. The purpose of the Social Agenda is to address how the NWT can collectively improve social conditions and the quality of life for all Northerners. The Agenda

will outline the broad direction that the government is taking with respect to addressing social conditions, affirm the partnerships necessary to address social conditions and identify concrete actions that the government, communities and non-government agencies can jointly work toward. An initial conference that will bring together front line workers will be held on the Hay River Reserve from June 18 to 20, 2001.

On March 7th, **David Krutko**, Member for the Mackenzie Delta, introduced Motion 19-14(3): "Support for the Protection of the Arctic National Wildlife Refuge." The Motion resolved:

That the Members of the Legislative Assembly of the Northwest Territories proclaim their opposition to oil and gas exploration and development activity being carried out in the Arctic National Wildlife Refuge and its Coastal Plain and further that the Honourable **Stephen Kakfwi**, Premier of the Northwest Territories, communicate this resolution to the Right Honourable **Jean Chrétien**, Prime Minister of Canada and furthermore that the Prime Minister and the Government of Canada, through the office of the Minister of the Environment, be encouraged to continue to vigorously oppose any threat to the shared natural resources of northern Alaska, the Yukon Territory and the Northwest Territories.

The Motion was carried on a recorded vote by a ten to zero margin, with all Cabinet Ministers present abstaining from the vote.

The Third Session was prorogued on March 7, 2001. The Fourth Session of the Fourteenth Legislative Assembly is scheduled to convene on June 5, 2001.

Julia Heyland

Public Affairs and Communications
Advisor



British Columbia

With election fever in the air, the Legislative Assembly of British Columbia convened on the morning of March 14, 2001 for the prorogation of the fourth session of the Thirty-Sixth Parliament. The fifth session opened that afternoon with the Speech from the Throne read by Lieutenant Governor **Garde B. Gardom**. The Speech identified the government's fiscal and legislative priorities as balancing the budget, increasing funding for health care and education, promoting a family-friendly social agenda, building a modern economy, protecting the environment and ensuring public safety.

The fifth session turned out to be a memorable one. For the first time in the history of the Legislative Assembly, the official opposition used a different strategy in debating and scrutinizing legislation. During the Budget Debate on March 19, 2001, the opposition leader, **Gordon Campbell** (Vancouver-Point Grey), announced that his party would designate only one speaker at second reading to address the principle of each government bill, in order to hasten the election call.

As a result, in the space of just four weeks, 23 government bills were introduced and passed. One other bill was intentionally left on the order paper – *Genetically Engineered Food Labelling Act* (Bill No. 18) – to enable an advisory panel to make recommendations on the requirements and standards for the

packaging and labelling of genetically engineered foods sold in British Columbia.

The government bills passed by the House during the fifth session included:

- Bill (No. 7) - *Environment and Sustainability Statutes Amendment Act, 2001*, establishes the position of commissioner for environment and sustainability, who will work in the Office of the Auditor General and report to the Legislature.
- Bill (No. 10) - *Protection of Public Participation Act*, makes it more difficult for people to launch strategic lawsuits against public participation.
- Bill (No. 11) - *Sex Offender Registry Act*, establishes a provincial registry of known sex offenders for police use.
- Bill (No. 15) - *Protected Areas of British Columbia Amendment Act, 2001*, establishes new ecological reserves and provincial parks.
- Bill (No. 17) - *Human Rights Code Amendment Act, 2001*, extends pay equity to the private sector.
- Bill (No. 20) - *Drinking Water Protection Act*, creates a planning framework to ensure safe drinking water throughout the province.
- Bill (No. 21) - *Abortion Services Statutes Amendment Act, 2001*, provides new safeguards for users and providers of abortion services.

Another noteworthy event was the successful passage of the *Medical Practitioners Amendment Act, 2001* (Bill M202) – the first private member's bill to be enacted for over 15 years. A NDP backbencher, **Steve Orcherton** (Victoria Hillside) sponsored the bill to enable doctors to use alternative and complementary therapies in their treatment of patients.

During the fifth session, the Select Standing Committee on Public Ac-

counts tabled eight reports, including one on the governance and risk management of the controversial fast ferry project. As well, the Special Committee on Information Privacy in the Private Sector presented its recommendations, along with the findings of an Ispos-Reid opinion survey it commissioned. The report of the Speaker's Advisory Panel on Murals in the Parliament Buildings was also tabled in the House. This report was prompted by complaints from the First Nations Summit Task Group about the depiction of Aboriginal people in four murals in the main rotunda, which were painted in 1935 by **George Southwell**. Since its release, the advisory panel's report has generated considerable media attention.

The House adjourned on April 11, 2001. One week later the Thirty-Sixth Parliament was dissolved and the election writ issued for May 16, 2001. During the 28-day campaign, 456 candidates competed in 79 ridings, including four new electoral districts created in the high-growth areas of the lower mainland. A televised leaders' debate took place on April 30, 2001, with four parties represented (BC Liberal Party, Green Party, the New Democratic Party, Unity Party). As the format precluded direct exchanges between the participants, the tone was more subdued than the leadership debates in the previous two election campaigns of 1991 and 1996.

The unofficial election results (with standings at dissolution in brackets) are: BC Liberal Party - 76 (32); New Democratic Party of BC - 3 (39); Independents - 0 (4). The Liberals won 58 percent of the popular vote, with the remainder being split between the New Democrats (22 percent), Greens (12 percent) and Others (8 percent). The Liberal caucus now includes 46 newly elected members. Two of the three NDP in-

cumbents who survived the Liberal landslide were cabinet ministers representing ridings in east Vancouver. The outcome of the election marks the end of almost ten years of NDP rule, during which four Premiers have held the reins of power.

Premier-elect **Gordon Campbell** has already set a precedent for other Canadian jurisdictions, by announcing May 17, 2005 as the date for the next provincial election, barring unforeseen circumstances. As other parliamentary reforms are promised when the new House convenes, legislative staff anticipate a busy workload in the next four years.

Josie Schofield

Research Analyst, Office of the Clerk of Committees



Saskatchewan

Members of the Saskatchewan Assembly elected a new Speaker on March 20, 2001. The election had been necessary with the resignation of **Ron Osika** prior to his appointment to cabinet. Two Members let their names stand, **Lindy Kasperski** (Regina Sherwood) and **Myron Kowalsky** (Prince Albert Carlton). Once the ballots were counted, Mr. Kowalsky was declared the province's 22nd Speaker. The following day, Mr. Kasperski was acclaimed Deputy Speaker. **Graham Addley** (Saskatoon Sutherland) was appointed

Deputy Chair of Committees of the Whole on March 29th, 2001.

Almost two months later, MLAs were asked to participate in a second election for Deputy Speaker after Mr. Kasperski submitted his resignation for personal reasons on May 7th. The *Rules of the Saskatchewan Assembly* gave MLAs until five o'clock that day to put their names forward for consideration. Mr. Addley and **Ron Harper** (Regina Northeast) contested the secret ballot election on May 8th. Mr. Addley proved successful while Mr. Harper was subsequently appointed to Mr. Addley's former position as Deputy Chair of Committees. Mr. Addley was almost immediately able to test his abilities when he was called upon to chair Oral Question Period the following day.

Opening of New Session

The opening of the 2nd Session began with the traditional Speech from the Throne by Lieutenant Governor **Lynda Haverstock**. The speech outlined the government's agenda of connecting to the future by identifying three priorities: a thriving economy; healthy citizens, families and communities; and responsive and effective government. Finance Minister **Eric Cline's** 2001 Budget Address on March 30th echoed the theme of "Connecting to the Future" and focused on investments in education, transportation and technology.

House Business

It has been the custom in Saskatchewan to prorogue the previous session on the morning of the opening of a new session. However this year, three additional items of business were addressed. These began with the election of a new Speaker, described earlier. Next, two bills were presented, passed through all stages and granted Royal Assent.

The bills permitted the newly elected members in two recent by-elections to take their seats in the Assembly prior to the return of the writs. One of these new MLAs was Premier **Lorne Calvert**, who had been elected the day before.

The resumption of the sitting of the Assembly provided MLAs with a venue in which to raise the province's agricultural concerns. On March 21st, leave was granted for the Minister of Agriculture and Deputy Premier, **Clay Serby** to introduce an emergency motion calling upon the federal government to immediately provide \$1 billion to Canadian farm families. The motion was seconded by the Opposition agriculture critic, **Bill Boyd**, who nevertheless chose to move an amendment. The amendment addressed the roles of the provincial and federal government and then called upon the Assembly to briefly adjourn to allow MLAs to travel to Ottawa to deliver the motion in person to the federal government. The amendment was defeated along party lines but the main motion was agreed to.

A second emergency debate took place on May 10th and was motivated by the situation in North Battleford where many residents became ill after drinking contaminated water. The motion was moved by the Leader of the Official Opposition, **Elwin Hermanson**, and seconded by the Premier. It called for the federal government to work in consultation with the provincial governments to develop and fund a National Water Quality Infrastructure Program and that this initiative be added to the agenda of the Western Premiers' Conference, the annual Premiers' Conference and the next First Ministers' Meeting. Several MLAs participated in the debate before the motion was unanimously adopted.

Andrew Thomson (Regina South) achieved the honour of

sponsoring the first Private Members' Public Bill to receive Royal Assent in the 24th Legislature. *The Holocaust Memorial Day Act* came into force on April 18, 2001, shortly before Yom haShoah was observed on April 22, 2001. The Act declares Holocaust Memorial Day throughout Saskatchewan to mark the atrocities and victims of the Holocaust and to honour those who fought to defeat the Nazis.

Beginning May 14th, the proceedings of the Assembly became available for viewing on the Internet through the Assembly's website. Television viewers in a number of centers within the province are also able to watch rebroadcasts of the previous day's sitting on the Saskatchewan Legislative Channel, prior to the start of proceedings. These initiatives are the latest efforts to expand the distribution and availability of the Assembly's broadcasting signals to as wide an audience as possible.

Privilege Motions

Two questions of privilege have been raised for the Speaker to consider during the current session. The first question of privilege was raised on March 23rd by the Opposition House Leader, **Dan D'Autremont**. At issue were remarks made by the Minister of Northern Affairs, **Keith Goulet**, in which it was argued the Minister was in contempt of the Assembly for falsely alleging that there were financial and other connections between Official Opposition Members and the First Nations Party of Saskatchewan and for comparing these connections to illegal election financing activities by the Progressive Conservative Party in Manitoba.

In his ruling, Speaker Kowalsky found that a *prima facie* case of privilege had not been made. The statements by the Minister, while

possibly offensive to some, dealt primarily with political party organizations and did not impede the abilities of any MLA from carrying out their duties in the Assembly. Nevertheless, the Speaker did find the remarks out of order in that they indirectly questioned the integrity or motives of other MLAs. Mr. Goulet was then called upon to withdraw the offending words and the matter was concluded.

A second question of privilege was raised on May 1st concerning an allegation made by **Jack Hillson** to a newspaper, that a senior official of the Crown Investments Corporation of Saskatchewan (a provincially-owned crown corporation) had offered him a trip in return for not criticizing certain CIC investments while he was a Minister. In making his case that the allegation constituted a breach of privilege, Mr. D'Autremont pointed to Rule 102 which states that "the offer of any money or other advantage to any Member of the Assembly for the promotion of any matter whatsoever pending or to be transacted in the Legislature, is a high crime and misdemeanor, and tends to be a subversion of the Constitution".

Mr. Hillson responded to the question both in a letter to the Speaker and in a statement to the House. He verified the accuracy of the newspaper article but indicated that he would not have characterized the exchange as "bribery", nor would he regard it as a breach of privilege or a contempt. In light of these statements, the Speaker concluded that Mr. Hillson had not felt he had been impeded in the performance of his duties. Nor did the Speaker find that the allegations had impeded the parliamentary duties of any other MLA, collectively or individually. Accordingly, a *prima facie* case of privilege had not been established.

Speaker Kowalsky concluded his ruling by noting that he shared the concern of the Opposition House Leader that this was a serious matter as it diminished the respect accorded to the Assembly and to all MLAs. He then suggested that there were other avenues to address the matter, including referring it to a committee for investigation. This was the route taken in a comparable situation involving bribery allegations in 1916. The Opposition followed this advice by introducing a Private Members' motion the following week. The motion was debated but adjourned without coming to a vote.

Royal Visit

The annual ceremony awarding the Saskatchewan Volunteer Medal had special significance this year for the 16 recipients. Not only did their awards come during the International Year of the Volunteer but they were bestowed upon them in the presence of His Royal Highness the Prince of Wales. The ceremony in the Chamber also included the investiture of **Prince Charles** as the first honorary member of the Saskatchewan Order of Merit. An amendment to *The Provincial Emblems and Honours Act* providing for honorary membership in the order for non-residents of the province had been passed in anticipation of the Prince's visit to the Legislature.

Prince Charles also opened the new barrier-free entrance to the Legislature named in his honour and took part in a dedication ceremony marking the end of the four-year Legislative Building Rehabilitation Project. Prince Charles visited the province from April 26th until 28th and took in a variety of sites and events in Regina, Moose Jaw, Assiniboia and Saskatoon.

Committees

For the first time in almost 25 years, a private individual was invited to appear before a Committee of the Whole. Commissioner **Ken Fyke**, accompanied by two staff persons, appeared before a Committee of the Whole on April 19th to answer questions from MLAs on the Final Report of the Commission on Medicare. The Assembly chose this approach in order to allow all MLAs an opportunity to participate while also permitting the proceedings to be broadcast on the Saskatchewan Legislative Channel.

A new Standing Committee on Health Care has been proposed. The terms of reference for this committee have not been established at the time of writing.

A number of existing Standing Committees have resumed their meetings. The Private Members' Bills Committee considered six private bills petitions and recommended their passage to the Assembly. The Public Accounts Committee has returned to its regular business with a newly elected Vice-chair, **Ron Harper**. The Crown Corporations Committee also elected a new Vice-chair, **Kevin Yates**, before continuing its review of the annual reports of the provincial crown corporations. Mr. Adley presided over the deliberations of the Estimates Committee- a committee which meets each session to review the estimates of all House Officers. The Special Committee to Prevent the Abuse and Exploitation of Children through the Sex Trade has continued its deliberations on its final report. A report date in June is anticipated. Finally, the Special Committee on Rules and Procedures has continued to visit other jurisdictions in preparation of recommending a restructuring of the existing committee structure. An

interim report is planned for later this year.

Margaret A. Woods
Clerk Assistant



Alberta

The Fifth Session of the 24th Legislature commenced and ended on February 12, 2001. The Lieutenant Governor of Alberta, **Lois Hole**, read the Speech that afternoon which focused on the visions for the future of Alberta's economy, agriculture, energy, healthcare, education and communities. Upon returning to the Chamber after escorting the Lieutenant Governor to her office, Premier **Ralph Klein** announced that he had sought the dissolution of the 24th Legislature and that a provincial general election would be held on March 12, 2001. At the dissolution, the standings in the Assembly were: 64 - Progressive Conservatives 15 - Liberals 2 - New Democrats 1 - Independent and 1 - vacant seat. Following the March 12th election the standings in the Legislative Assembly are: 74 - Progressive Conservatives, 7 - Liberals, 2 - New Democrats.

The Progressive Conservative party won 61 per cent of the popular vote and gained 10 seats in the Legislative Assembly. The election marked the ninth consecutive victory for the Progressive Conservative Party and its third under Premier Klein.

The leader of the Alberta Liberal Party, **Nancy MacBeth**, was defeated in the riding of Edmonton McClung by Progressive Conservative candidate **Mark Norris**. Mrs. MacBeth resigned as party leader on March 15th. The interim party leader, and Leader of the Official Opposition in the Assembly, is Dr. **Ken Nicol**, MLA Lethbridge-West. Dr. Nicol was first elected in the provincial general election of 1993.

New Cabinet

Premier Klein announced the Cabinet on March 15, 2001. Six new Ministerial Portfolios were created in the areas of Aboriginal Affairs and Northern Development, Revenue, Seniors, Solicitor General, Sustainable Resource Development and Transportation. The number of cabinet members increased from 20 to 24, including the Premier. Two Associate Minister positions were eliminated.

Returning Cabinet Members with different portfolios include: **Pearl Calahasen** is Minister of Aboriginal Affairs and Northern Development; **Mike Cardinal** is Minister of Sustainable Resource Development; **Halvar Johnson** is Minister of International and Intergovernmental Relations; **Ty Lund** is Minister of Infrastructure; **Shirley McClellan** is Deputy Premier and Minister of Agriculture, Food and Rural Development; **Patricia Nelson** is Minister of Finance; **Murray Smith** is Minister of Energy; **Ed Stelmach**, is Minister of Transportation; **Lorne Taylor** is Minister of Environment; **Stan Woloshyn** is Minister of Seniors; and **Gene Zwozdesky** is Minister of Community Development and Deputy House Leader.

Ministers maintaining their previous portfolios include: **Clint Dunford**, Minister of Human Resources and Employment; **Iris Evans**, Minister of Children's Services; **Gary**

Mar, Minister of Health and Welfare; **Dr. Lyle Oberg**, Minister of Learning; and **David Hancock** as the Minister of Justice and Attorney General, Government House Leader.

New Ministers are: **Ron Stevens**, Minister of Gaming and Deputy House Leader; **Guy Boutilier**, Minister of Municipal Affairs; **Victor Doerksen**, Minister of Innovation and Science; **David Coutts**, Minister of Government Services; **Heather Forsyth**, Solicitor General; and **Greg Melchin**, Minister of Revenue. **Mark Norris** is the only "rookie" MLA appointed to the Cabinet. He is the Minister of Economic Development.

First Session of the 25th Legislature

On April 9, 2001, the Members of the Legislative Assembly of Alberta met to elect presiding officers for the 25th Legislature. **Ken Kowalski** is, once again, Speaker of the Alberta Legislative Assembly having served as Speaker since 1997. Mr. Kowalski is now the longest serving Member of the Assembly having first been elected for what is now the constituency of Barrhead-Westlock in a 1979 by-election. **Donald Tannas**, (P.C. Highwood) is Deputy Speaker and Chairman of Committees. Mr. Tannas has held this position since 1993. He was first elected in 1989. **Shiraz Shariff**, (P.C. Calgary-McCall) is Deputy Chair of Committees. Mr. Shariff was first elected in a 1995 by-election. Alberta elects its presiding officers by secret ballot but this time only one candidate was nominated for each of the three offices.

On April 10, 2001, the Lieutenant Governor delivered the post-election Speech from the Throne. Similar to the one delivered in February, the Speech highlighted visions for Alberta's future. It laid out

the government's agenda for the economy, agriculture, environment, health, education and for a strong and safe community. The Speech also outlined a number of initiatives including increased funding to school boards for improved student learning, a mentoring program to provide guidance to youth leaving child welfare, and a "Future Summit" hosted by the Alberta Economic Development Authority along with the departments of Economic Development, Finance, Revenue and Community Development.

On April 10th, the House Leaders of all three parties reached an agreement concerning changes as to how the Assembly conducts its business. Part of this agreement addressed changes to the Standing Orders of the Legislative Assembly. Among the changes to the Standing Orders agreed to by the House Leaders are: making the "Recognitions" item a permanent feature of the Daily Routine for Mondays and Wednesdays whereby up to seven Members may speak for one minute each, an increase in the number of "Members' Statements" on Tuesdays and Thursdays from 3 to 4, and the inclusion of the singing of O Canada on the first sitting day of each week. These changes came into effect on April 23, 2001 when approved by the Assembly. House Leaders also agreed to certain changes to the procedure for considering supply estimates. The result is the estimates are considered over 15 sitting days.

After the House Leaders were unable to agree on the rotation of questions asked daily during Question Period, Speaker Kowalski addressed the issue in an April 11th statement given prior to the first Question Period of the session. He confirmed that the Official Opposition would continue to be entitled to ask the first three main questions, as has been the practice since 1993.

The New Democrats will continue to be permitted to ask the fourth question each day, with a private member from the government caucus entitled to the fifth question. Questions would then alternate between the Official Opposition and the government caucus. The New Democrats are entitled to the eleventh question. Government members get the fourteenth and subsequent questions, time permitting. Speaker Kowalski also noted that the practice of permitting a main question, preceded by a short preamble, followed by two supplementary questions, without a preamble, will continue in the 25th Legislature.

Bill 1, *Natural Gas Price Protection Act*, was introduced by Premier Klein. This Bill sets out a legislative framework to ensure that consumers are shielded from drastic increases in natural gas prices. Bill 9, *Victims of Crime Amendment Act, 2001*, was introduced by the Solicitor General, **Heather Forsyth**. This Bill will strengthen the programs for victims of crime as well as simplify the appeal process, aiming to secure greater equity in financial restitution decisions. Bill 11, *Employment Standards Amendment Act, 2001*, was introduced by **Clint Dunford**, Minister of Human Resources and Employment. This Bill will give legislative force to the parental leave increases established by Regulation earlier this year. The legislation will provide mothers, fathers and adoptive parents with up to 37 weeks of protected parental leave in addition to 15 weeks of maternity leave for birth mothers. The parental leave can be taken by either mothers or fathers and this leave is available to parents of children born or adopted on or after December 31, 2000.

On April 24, 2001, **Patricia Nelson**, Minister of Finance, presented the Budget speech and the estimates

for the 2001-02 fiscal year. Her speech placed emphasis on the repayment of the provincial debt nine years ahead of schedule, as well as assuring Albertans of the lowest overall tax regime in Canada. The Budget increases the base budget for the Department of Health and Wellness by 13.5 per cent for 2001-02. It is projected to increase by 28.1 per cent by 2003-04. Funding for the Department of Learning (elementary, secondary and post-secondary education) increases by 7.7 per cent in this fiscal year and by 19.1 per cent over the next three years. By 2003-04, Health and Wellness and Learning are projected to account for 62 per cent of total government spending. The Budget also secures an additional \$100 million to be assigned to Alberta's children over the next three years.

Other Events

Speaker Kowalski hosted a ceremony recognizing the Muslim Festival of Eid-ul-Adha in the Rotunda of the Alberta Legislature Building on Thursday March 15, 2001. Eid-ul-Adha means the Festival of Sacrifice which is celebrated by all Muslims worldwide.

Robert H. Reynolds
Senior Parliamentary Counsel



Senate

Contrary to normal expectations in a new Parliament, the Senate

has been quite busy from the outset with much time devoted to dealing with legislation that had not been completed when the general election was called in October 2000. Thirty-five bills have been introduced in the Senate including 9 Senate Government bills, 10 Commons Government bills, 15 Senate Public bills and 1 Senate Private bill. One bill that generated considerable debate over several sittings was Bill S-4, *an Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law*. While the content of the bill was not controversial and was readily supported, the inclusion of a preamble with a reference to Quebec society resulted in intense debate at third reading. Three amendments were proposed, one of which was adopted on division. The two other amendments were defeated with votes crossing party lines. In the end, however, the final vote on the bill at third reading was 55 to 0 with six senators abstaining.

On Thursday, March 29 the Speaker informed the Senate that the Royal Assent Ceremony would take place at the end of the afternoon. Two supply bills were scheduled for Royal Assent: one on supplementary estimates for the year 2000-2001 and the other, an interim supply bill for the year 2001-2002. However, when the Usher of the Black Rod went to summon the Members of the House of Commons, she returned with a message that the Commons had adjourned early. This had come about because of an insufficient quorum. Since it was the end of the fiscal year and without these bills, the government would not have funds, the Senate accepted the proposal of Leader of the Government to convene on Friday in order to hold the Royal Assent ceremony.

Speaker's Rulings

The last issue of the *Canadian Parliamentary Review* printed the Speaker's Ruling on February 21 regarding the designation of the Leader of the Opposition. Subsequent to this ruling, at the request of Senator **Gerry St. Germain** (British Columbia), the Senate asked its Committee on Privileges, Standing Rules and Orders to examine the *Rules of the Senate* to see how procedures might be changed to take into account the reality of a third party in the Senate.

The Speaker made two other rulings. As it happened, both were on March 28. The ruling dealt with two issues: who can present a report of a committee and who can move a motion for third reading. The previous week, Senator **Jack Wiebe** (Saskatchewan), a member of the Committee on Banking, Trade and Commerce, had presented, on behalf of the Chair of that committee, a report dealing with Bill S-16, *an Act to amend the Proceeds of Crime (Money Laundering Act)*. Since the bill was reported without amendment, the report stood adopted automatically. Then, Senator **Fernand Robichaud** (New Brunswick), Deputy Leader of the Government, moved that the motion for third reading be placed on the Orders of the Day for consideration at the next sitting. Senator **Noël Kinsella** (New Brunswick), Deputy Leader of the Opposition, raised a point of order questioning whether the bill had been properly reported and whether Senator Robichaud had acted correctly in moving the motion to set the date for third reading. The Speaker took this matter under advisement.

Regarding the first issue, Speaker **Dan Hays** (Alberta) pointed out that Rule 97(1) provides that a report from a select committee shall be presented by the chair of the

committee or by a Senator designated by the chair. He provided two examples, one on February 24, 1998 and another on December 8, 1999 when a Senator other than the chair presented a report. During a Speaker's ruling on this latter situation, then Speaker **Gildas Molgat** (Manitoba), had noted that, as Speaker, he had no authority to question whether the senator presenting the report had been designated and that he must depend upon the committee chair to have done so. Speaker Hays concluded that the report had been properly presented.

Regarding the second issue, the Speaker pointed out that under Rule 97(4) when a committee reports a bill without amendment, it is adopted automatically, and the Senator in charge of the bill shall move that it be read a third time on a future day. He noted that the Rules do not provide a clear definition of "Senator in charge of the bill". Referring to various examples in the Second Session of the 36th Parliament, he found that Senate practice would suggest that, at least for Government legislation, the Leader of the Government, the Deputy Leader of the Government, the sponsor of the bill or the designate can move the motion to set the date for third reading. Thus, the Speaker ruled that the motion moved by Senator Robichaud was in order and properly moved.

The second Speaker's ruling dealt with a question of privilege raised by Senator **Pat Carney** (British Columbia) on March 27 related to an incident that had occurred on March 15. She argued that her privileges were breached when her request to extend her remarks beyond the 15 minutes allowed by the Rules was denied. She explained that the denial of leave was inequitably applied to her in that other senators

had been allowed to extend their remarks, while her request for leave had been denied. Senator **Sharon Carstairs** (Manitoba), Leader of the Government, argued that Senator Carney had not raised this matter at the earliest possible opportunity as there had been three full sitting days since the incident. Senator Carney replied that she had been unable to attend because of health problems. The Speaker took the matter under advisement.

In making his ruling, the Speaker began by referring to Rule 43 which states that questions of privilege must meet certain tests. He ruled that this matter was not raised at the earliest possible opportunity, adding that the Rules do not include an exemption for any reasons, medical or otherwise. He also stated that this matter did not directly concern the privileges of Senator Carney. While freedom of speech is an unquestioned privilege, another privilege is that of the Senate to regulate its own proceedings. Freedom of speech is not necessarily freedom to speak. He concluded by referring to another test in Rule 43 that asks if a question raised as a matter of privilege could possibly be remedied by another parliamentary process. He suggested that Senator Carney might raise with the Committee on Privileges, Standing Rules and Orders, the question of time limits on speeches, leave to extend remarks as well as medical exemptions to raising question of privilege.

Committees

Committees have often been described as the heart and soul of the Senate. Their role, activities, number and composition, however, have recently been the focus of considerable debate and study. For the first time, the Selection Committee included the names of independent

senators when it presented its report on the membership of various standing committees. The Senate also agreed to create two new committees, one on defence and security, including veterans affairs, and the other on human rights. In addition, the Senate instructed the Committee on Privileges, Standing Rules and Orders to undertake an extensive examination of the structure of committees. This study which is to be completed by October 31, 2001 will consider available human resources, the schedule of committees, the mandate of each committee, the total number of committees, and the number of senators on each committee.

Committees have spent the first few months of this new Parliament getting their work underway: obtaining new orders of reference, drawing up work plans and submitting budgets. Some committees that were in the midst of substantial special studies when the election was called, received permission from the Senate to transfer the evidence taken previously in order to complete these studies. The Committee on Social Affairs, Science and Technology which is conducting an extensive health care study released on March 28 its report on phase one entitled *The Story So Far*. Hearings on phase two which deals with future trends, their causes and impact on health care costs and phase three which deals with models and practices in other countries are expected to be finished by June. During the final phases, committee members will produce an options paper, hold hearings on these options and draft a final report, all to be completed by March 2002.

Other committees completing studies include the Fisheries Committee that is working on its survey on aquaculture and on inland and

northern fisheries. The Aboriginal Affairs Committee has re-established a subcommittee to complete its investigation on opportunities for improving co-management practices and economic development expansion, including tourism and employment, associated with national parks in Northern Canada. The Foreign Affairs Committee is carrying over two investigative studies: the first one being a two-year analysis of the evolving European Union. The second inquiry will survey emerging political, social, economic and security developments in Russia and the Ukraine as well as Canada's policy and interests in this region. It will report by the end of March 2002.

The Energy, Environment and Natural Resources Committee has been tackling a number of issues including nuclear safety and Bill S-15, the *Tobacco Youth Protection Act*, left over from the last Parliament as well as the new issue of water policy. This latter project will include such topics as the federal mandate with respect to water, management of drinking water, bulk exports and the treatment of water as a commodity. It also includes review of Bill S-18 *An Act to amend the Food and Drugs Act (clean drinking water)* introduced by Senator **Jerahmiel Grafstein** (Ontario). The National Finance Committee is also going back to its earlier report on Canada's emergency and disaster preparedness to see what recommendations have been implemented.

A new survey of international trade in agriculture and agri-food products, and short-term and long-term measures for the health of the Canadian agricultural and agri-food industry is being conducted by the Agriculture and Forestry Committee.

Detailed examination of legislation has been the main activity for three committees. The Banking, Trade and Commerce Committee has studied three bills, including Bill S-11 *An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act* which it reported with 17 amendments. The Legal and Constitutional Affairs Committee has reported back two bills, one with an amendment and is currently studying two other bills. The Transport and Communications Committee has also reported back two bills, one with three amendments and is currently studying one bill. The Banking Committee is also undertaking a special investigation of the present state of the domestic and international financial system.

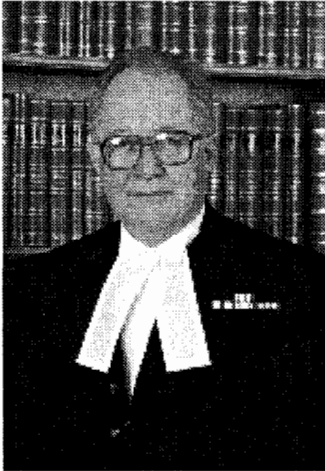
Finally, the Senate has re-established the Special Committee on Illegal Drugs with a membership of five senators. Mandated to review Canada's anti-drug legislation and policies on cannabis, it is scheduled to report in August 2002.

Milestones

On March 13 three new Senators were sworn in: **Yves Morin** (Quebec), **Elizabeth M. Hubley** (Prince Edward Island) and **Jim Tunney** (Ontario). Senator Hubley is a former member of the PEI Legislature and former Deputy Speaker. Senator **Eric Bernston** (Saskatchewan) and Senator **Thérèse Lavoie-Roux** (Quebec) resigned.

Gildas Molgat

The former Speaker, the Honourable **Gildas Molgat** died suddenly of a massive stroke on February 28. Senator Molgat who was summoned to the Senate in 1970, had a



Gildas Molgat
1927 - 2001

distinguished political career with almost 50 years of public service in the Manitoba Legislature as well as the Senate.

Barbara Reynolds
Committee Clerk



Nova Scotia

There have been several significant developments in the Nova Scotia House of Assembly during 2000 and the first part of 2001.

Both **Russell MacLellan**, the Leader of the Liberal Party and **Robert Chisholm**, the Leader of the New Democratic Party have stepped down as party leaders. Mr. Chisholm remains as a member of the House, but Mr. MacLellan resigned his seat effective June 30,

2000. **Wayne Gaudet**, MLA for Clare and a Deputy Speaker, became interim leader of the Liberal Party pending a leadership convention. However the New Democratic Party has held a leadership convention that chose **Helen MacDonald**, a former member of the Nova Scotia House of Assembly who, until the 1999 general election, sat for Cape Breton the Lakes, as leader. Meanwhile, **John MacDonell**, MLA for Hants East, was chosen by the NDP caucus to lead the New Democrats in the House.

As a result of being chosen interim leader of the Liberal Party, one of our deputy speakers, Mr. Gaudet resigned as a deputy speaker and has been succeeded as a deputy speaker by **David Wilson**, MLA for Cape Breton East.

All members of the House were deeply saddened by the death of **Eileen O'Connell**, MLA for Halifax Fairview after a long and courageous battle with breast cancer.

On March 6, 2001, by-elections were held to fill the vacancies created by the resignation of Russell MacLellan and the death of Eileen O'Connell. The Leader of the New Democratic Party was one of the candidates in the by-election in Cape Breton North. Although the results of the by-elections had no effect on the majority held by the Government, they did result in a change in status of the two opposition parties. After the 1999 General Election and up until the by-elections, both the opposition Liberals and New Democrats had the same number of members, namely, ten each.

Party Standings

The new Speaker elected after the General Election, **Murray Scott**, ruled that because both these parties had an equal number of members, there would not be an official opposition party. Accordingly, spe-

cial arrangements as to precedence in debates and other matters had to be made in view of this unique situation. However, the by-elections resulted in the election of the Progressive Conservative candidate, **Cecil Clarke**, in Cape Breton North and the NDP candidate, **Graham Steele**, in Halifax Fairview thus giving the NDP one more seat than the Liberals. Accordingly, the NDP is now the Official Opposition, with John MacDonell continuing to lead that party in the House as the Leader of the Official Opposition. However, on April 24, 2001, the Leader of the New Democratic Party resigned as its leader.

The centre piece of the 2000 Spring sitting was the budget, although twenty bills were also passed at that sitting, including a bill reorganizing the health care authorities. There were also some Private and Local Bills. Although Private and Local Bills are important to the people who seek them, a Private or Local Bill very rarely attracts the attention of the media. However, a Bill that would have changed the composition of the Board of Governors of Acadia University was hotly contested by several interest groups which resulted in the Private and Local Bills Committee holding long hearings with a lot of media attention. In the end, the Bill remained in committee and did not pass.

As is customary, the 2000 fall sitting was devoted completely to legislation. Twenty bills, two of which were large omnibus bills dealing with justice matters, were passed. Notable among these were a bill that provides for the adoption of a *Code of Conduct* for members of the Executive Council, a bill that reorganizes the dairy industry, a bill dealing with income assistance and a bill providing for the sale of Sydney Steel. There was long, and very

lively debate on the income assistance and Sydney Steel bills.

Early in 2001, the first Cabinet shuffle of the present government took place. This saw the resignation from Cabinet of **John Chataway**, for health reasons, with **David Morse**, MLA for Kings South, joining the Cabinet as Minister of Environment and Labour. Mr. Chataway has now fully recovered to health and continues to sit as a private member for the electoral district of Chester-St. Margarets.

On March 22, 2001, a new Session of the House of Assembly was convened by the Lieutenant Governor with a Throne Speech and a new Budget.

Other Matters

In April of 2000, the term of office of the Honourable **J.J. Kinley** as Lieutenant Governor expired; he has been succeeded by the Honourable **Myra Freeman**. The term of the Nova Scotia Ombudsman, **Douglas Ruck**, ended in December, 2000. In his place **Mayann Francis**, Executive Director of the Human Rights Commission, has been appointed Interim Ombudsman and will continue as Executive Director of the Human Rights Commission.

During the last year our members were saddened by the passing of our Sergeant-at-Arms, **Douglas Giles**. As a result of the loss of Mr. Giles, an all-party committee was formed to recommend the appoint-

ment of a new Sergeant at Arms, and it was the unanimous recommendation of that committee that **Noel Knockwood** be appointed as Sergeant-at-Arms, and he was unanimously elected to that position by the House on March 27, 2000. A member of the Nova Scotia Mi'kmaq community, Mr. Knockwood has been a strong voice for his people and has had a distinguished military career, having been recognized with the United Nations Medal for his services in Korea. He has served the community in many ways, including serving as an addiction counsellor.

Arthur G. H. Fordham, Q.C.
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