



Legislative Reports



Manitoba

Since the last report Manitoba has been in the midst of a busy legislative session.

On May 1, 2000, **Rosann Wowchuk**, the Minister of Agriculture and Food, introduced a government resolution urging the Federal Government to reconsider its decision with regard to the 1999 flooding which occurred through southwestern Manitoba. On May 2, 2000, **Jack Penner** moved an amendment to this motion. On May 8, 2000, the amendment was voted on and was defeated. A subsequent amendment was moved but to date, neither the amendment nor main motion have been voted on and therefore remain on the order paper awaiting future debate.

Ruling

On May 8, 2000, Speaker **George Hickes** brought down his ruling on the application of the *sub-judice* convention. During Oral Questions on April 27, 2000, a point of order was raised by the Government House Leader, **Gordon Mackintosh** re-

garding the content of a question asked. The question referenced a civil case that Premier **Gary Doer** had personally been named in. The Speaker took the matter under advisement. On May 8, 2000, Speaker **Hickes** delivered his ruling, even though the civil case had been settled without a trial. The Speaker ruled there was no point of order and offered the following reasons“.

...the matter in question was a civil case that had not yet commenced trial proceedings. I would rule that it would be appropriate for the Member asking the question, and the Minister answering the question to determine the appropriateness of discussing the matter in the House, but I would offer the caution that Members should be cognizant that discussion of the matter in the House could impact on the outcome of the trial. Such questions should be very carefully asked. In addition, the Minister could choose to not answer the question.”

On May 10, 2000, Finance Minister **Greg Selinger**, introduced the first balanced budget of his government’s mandate. Total expenditures and revenues for the province were forecast at 5.9 billion and 6.4 billion respectively. The budget included increased spending for health care and education and reduced personal income tax reductions. Highlights from the budget address included:

- new personal income tax reductions to exceed \$100 million annually by 2002;

- lower property taxes by way of a \$75 increase to the Property Tax Credit;
- reduction in the Small Business Tax from 7% to 5% by 2002.

Mr. Selinger also indicated that there would be “a long-term plan for comprehensive debt retirement that includes unfunded pensions.”

On May 11, a non-confidence motion was moved by **Eric Stefanson**. The amendment was defeated on May 19, 2000, Yeas 24, Nays 30. The budget motion was adopted on the same day by a vote of Yeas 30, Nays 24.

Once the budget debate was concluded, consideration of the expenditure estimates commenced. Manitoba’s Standing Orders allow for a maximum of 240 hours for consideration of the departmental expenditure estimates. This year’s process commenced on May 23. The 240 hours was exhausted on July 31, 2000.

On May 25, 2000, **Gary Filmon** officially stepped down as Leader of the Manitoba Progressive Conservative Party. Mr. Filmon was Leader of the Party from December 1983 until May 25, 2000. He served as the Premier of the Province from May 9, 1988 until October 5, 1999. Mr. Filmon led the Conservatives to victory in three provincial elections.

On June 28, 2000, the Finance Minister introduced *The Interim Appropriation Act, 2000*. The legislation was introduced as a result of the expiration of funding granted by a special warrant issued on March 22,

2000. The special warrant covered the period up to and including July 14, 2000. Passage of this legislation allowed for 38% or \$2,270,289,138 of the total amount voted upon in the main estimates to be paid out of the Consolidated Fund in order to defray charges and services of the province. The Bill was introduced for First Reading on June 28. Second Reading debate continued for several days with the bill ultimately receiving Royal Assent on July 5, 2000.

Legislation

Currently, 46 pieces of legislation have been introduced. Some of the more significant pieces before the House are:

- Bill (No. 5) – *The Wildlife Amendment Act*, which provides for government regulation on captive hunting of wildlife and exotic wildlife;
- Bill (No. 15) – *The Water Rights Amendment Act*, which clarifies the province's authority over the construction and operation of water control works such as dykes, dams and drainage ditches;
- Bill (No. 42) – *The Public Schools Amendment and Consequential Amendments Act*, which provides for a new scheme of binding arbitration;
- Bill (No. 44) *The Labour Relations Amendment Act (2)*, which makes a number of changes to the *Labour Relations Act*, including changes to certification votes, ratification votes, last offer votes, settlement of collective agreement by the Labour Board or an arbitrator.

Of the pieces of legislation mentioned above, Bills 42 and 44 have received the most public and media attention. Public hearings for Bill 42 were held on July 25 and 26, with 59 presenters in support of and in op-

position to the Bill. Hearings for Bill 44 are pending Second Reading.

On July 19, 2000, **Jack Penner** by leave, brought forward an opposition day motion requesting compensation for flooded southwestern Manitoba farmers. **Steve Ashton**, Minister of Highways and Government Services, moved an amendment to the motion and subsequently, **Jack Penner** moved a sub-amendment. The sub-amendment, the amendment and the main motion, as amended were agreed to by the House.

The Standing Committees have been very busy considering both legislation and annual reports. The Standing Committee on Public Utilities and Natural Resources has met 12 times considering both legislation and annual reports, the Standing Committee on Law Amendments has met 11 times to consider legislation referred, the Standing Committee on Public Accounts met once to consider a backlog of annual reports and Public Accounts and the Standing Committee on Privileges and Elections met once to consider reports of the Chief Electoral Officer.

At the meeting of the Standing Committee on Public Accounts, the Committee unanimously agreed to a reform of the practices and procedures of the Public Accounts. The Public Accounts Committee agreed, to recommend a future meeting of the Public Accounts Committee to consider the recommendations put forward by the Provincial Auditor regarding Committee reform. The Rules of the House Committee will be reviewing the recommendations of the Public Accounts Committee at a later date.

JoAnn McKerlie-Korol
Clerk Assistant



Saskatchewan

The Legislative Assembly of Saskatchewan adjourned the first session of the 24th Legislature on June 29th. After 71 sitting days, the budget was passed and 88 pieces of legislation were assented to.

One of those bills permitted the newly elected member for the Wood River constituency to take his seat in the Assembly just two days after polling day. The Saskatchewan Party's **Yogi Huyghebaert** had been defeated in last fall's general election by a single vote. A judicial recount failed to resolve the matter and an application was subsequently made under *The Controverted Elections Act*. Before a final decision could be rendered, the incumbent, Liberal **Glen McPherson**, conceded that he had been unduly elected and announced that he would not run in the by-election. The by-election on June 26th returned Mr. Huyghebaert with a clear majority. *The Wood River Constituency By-election Act* was passed on June 27th and Mr. Huyghebaert, a former commander of the Snowbirds air demonstration team, took his seat in the Assembly the following day. The Saskatchewan Party now has 26 seats, the New Democrats 29 seats and the Liberals 3 seats.

Days following the summer adjournment, Deputy Premier and Agriculture Minister **Dwain Lingenfelter** announced his resigna-

tion from cabinet. Mr. Lingenfelter was first elected in 1978 and is the second longest serving Member of the Assembly. Mr. Lingenfelter indicated that he wished to pursue opportunities in the private sector. He will remain as MLA for Regina Elphinstone but has indicated that he anticipates resigning his seat in the near future.

Premier **Roy Romanow** announced that **Janice MacKinnon**, Minister of Economic and Co-operative Development, would act as Deputy Premier until a permanent appointment is made later this year. **Clay Serby** takes over as Minister of Agriculture while **Jack Hillson** adds responsibility for Municipal Affairs, Culture and Housing to his duties as Intergovernmental and Aboriginal Affairs Minister.

Margaret Woods
Clerk Assistant

Committee Activity

With the resignation of **Wayne Strelhoff** from the position of Provincial Auditor in April (he left to become the Auditor General of British Columbia), the Standing Committee on Public Accounts considered a process for the appointment of a new Provincial Auditor. In the past the Minister of Finance recruited the Provincial Auditor without formal input from the Public Accounts Committee. In doing so, the Committee also took into consideration other proposed changes to *The Provincial Auditor Act*, as advocated by both the Office of the Provincial Auditor and the Minister of Finance's Provincial Auditor Advisory Committee.

The Committee had before it two documents. The first was the *Special Report by the Provincial Auditor to the Legislative Assembly of Saskatchewan*

regarding Changes to the Provincial Auditor Act. This document addressed both issues as did the *Report of the Provincial Auditor Advisory Committee*, which was forwarded to the Chair of the Standing Committee on Public Accounts, **Ken Krawetz** by the Minister of Finance, **Eric Cline**. The Committee heard from the Acting Provincial Auditor, **Fred Wendel** (previously the Deputy Provincial Auditor) as well as members of the Advisory Committee.

Both reports were of significant importance to the Committee because they affected not only the appointment process for a new Provincial Auditor, but also the operating principles of the Public Accounts Committee and the mandate of the Provincial Auditor. A major recommendation proposed by the Minister's Advisory Committee was to transform the Audit Committee into an advisory body to the Standing Committee on Public Accounts. As such, it was proposed that the Advisory Committee would assist the Public Accounts Committee with the selection of a new Provincial Auditor and with the annual review of the Provincial Auditor's budget and his annual report on operations; provide advice on audit technical issues; and facilitate discussion and resolution of issues between Provincial Auditor and the Department of Finance and the Crown Investments Corporation.

All of these issues received considerable deliberation in June 2000 but the committee has yet to come to any conclusions. The appointment of a new Provincial Auditor, changes to the *Provincial Auditor's Act*, the necessity of an Audit Advisory Committee and other matters related to the Provincial Auditor will be taken up again in the Fall.

The Special Committee on Tobacco Control concluded its public

hearings and tabled its first report in the Legislative Assembly in May. In submitting the report to the Assembly, the Chair **Myron Kowalsky** said the Committee heard a universal concern about the high cost of tobacco use in Saskatchewan communities — both financially and in the cost of life and good health. The Committee heard strong arguments to adopt a province-wide tobacco use reduction strategy during its two months of hearings, which were held throughout Saskatchewan. Among the recommendations were a call to license tobacco vendors; fines for the sale of tobacco products to minors; mandatory school-based anti-tobacco education; prohibit smoking in any enclosed public place; and a ban on the display of tobacco products, including a prohibition on signage, promotional materials, and advertisement of price and availability of tobacco products. With respect to a ban on smoking in public places, the Committee recommended that restaurants, bars and bingo halls be exempt until the committee has had a chance to further examine this aspect of the issue. Hearings are expected to continue in the Fall.

Greg Putz
Deputy Clerk



British Columbia

The Fourth Session of the Thirty-Sixth Parliament of the British

Columbia Legislative Assembly adjourned on July 6 after 50 sitting days. The session featured a modest legislative agenda - with only 32 bills tabled, as compared with 101 bills during the Third Session. The majority of House time was devoted to Estimates debate and other budgetary matters. As expected given the close party standings in the House, a number of votes were narrowly decided, primarily on bills and amendments. However, the governing New Democratic Party was able to successfully carry all votes.

Although the government tabled a package of proposed procedural reforms earlier in the session, the motion did not have full support of the opposition and was left on the order paper upon adjournment. Consequently, the Assembly did not adopt the government's proposed legislative calendar, and speculation continues about a possible fall session to deal with three exposure bills presented in July, as well as other legislative matters.

Balanced Budget Legislation

One of the more significant pieces of legislation passed by the House was Bill 28, the *Balanced Budget Act*, introduced by Minister of Finance and Corporate Relations, **Paul Ramsey** on June 29. The bill was the third piece of fiscal legislation introduced by the government as part of its pledge to set a new direction in fiscal management. Towards this end, the government also introduced the *Budget Transparency and Accountability Act*, and the *Income Tax Amendment Act* as well as amendments to the *Financial Administration Act* and the *Financial Information Act*. Generally, these changes had the effect of conditioning the cabinet's unilateral fiscal powers permitting more public scrutiny into a previously invisible planning process.

The new legislation is reflective of balanced budget provisions in place in seven other provinces, but it also features unique provisions related to ministerial penalties and a requirement to recall the legislature if the act's provisions cannot be met due to an emergency or unexpected circumstances.

Highlights of the balanced budget act include:

- A statutory requirement to meet or exceed deficit targets and balance the budget in 2004 and every year thereafter.
- A 20 per cent cut in pay for the premier and cabinet ministers if targets are not met.
- Changes in accounting policies must be fully disclosed and cannot be used to meet targets.

Since the proposed legislation was a marked departure from the party's earlier position on the issue, speculation abounded that Bill 28 had thin support within the government caucus due to concerns about maintaining funding levels for health and education.

Although the balanced budget legislation was similar to legislation previously proposed by the Official Opposition, Liberal members vigorously opposed Bill 28, voicing scepticism about the government's commitment to fiscal prudence. Premier **Ujjal Dosanjh** raised the stakes with the announcement that every stage of debate on Bill 28 would be a matter of confidence.

In spite of the Liberal members voting against the bill at every stage, including first reading, Bill 28 was adopted by the House, receiving royal assent on July 6.

Other Legislation

Other significant legislation introduced this session include the *To-*

bacco Damages and Health Care Costs Recovery Act which revised legislation previously struck down by the Supreme Court of British Columbia due to extraterritorial provisions. The revised bill enables the government to continue pursuing tobacco companies to recover health care costs and does not include the offsetting provisions.

The new *Cost of Consumer Credit Disclosure Act* requires all banks, credit card companies, department stores, and other agencies extending consumer credit to disclose the entire cost of a purchase. The aim of the legislation is to have consumers informed up front how much a loan would cost once all interest and administrative fees are included.

The controversial *Secure Care Act*, introduced as Bill 25, established a process for allowing high risk youth, whose health and safety are in immediate danger, to be taken into care without their consent for up to 72 hours. Although the legislation is similar to an Alberta law recently declared unconstitutional by a provincial court, the British Columbia legislation is said to include procedural safeguards which may protect it from a similar legal challenge.

Exposure Bills

Towards the end of the session, the government tabled three bills which received first reading and may receive further debate later this year if the House opts to have a fall session.

Attorney General, **Andrew Petter** introduced Bill 29, the *Protection of Public Participation Act*, which aims to protect British Columbians from Strategic Lawsuits Against Public Participation (SLAPPs) targeting individuals, community groups and others who speak out on issues of public concern.

Bill 30, the new *Gaming Control Act*, also received first reading. This

bill proposes the creation of a new Gaming Control Authority, an independent agency that will oversee all major decisions in gaming. It is intended that the new agency will effectively protect the public interest and bring stability to the gaming industry.

Bill 32, the *Electronic Transactions Act*, was introduced by Minister of Advanced Education, Training and Technology, **Graeme Bowbrick**, on July 5. The bill gives electronic contracts, documents and signatures the same weight in law as contracts, documents and signatures printed on paper. It also proposes rules for conducting and correcting automated transactions, and adopts national and international standards for e-commerce law. The bill is intended to apply to both the public and private sectors, and government-to-business as well as business-to-business transactions.

Legislative Committees

Several legislative committees are continuing their work from the previous session.

The Select Standing Committee on Agriculture and Fisheries released two reports related to its consideration of a new agri-food policy for British Columbia. The first report was presented to the House on May 16 by Committee Chair, **Bill Goodacre**. The report summarized the key issues presented to the Committee by the hundreds of British Columbians who participated in the committee's public consultation process last fall.

The second report of the Committee, released August 8, contained two recommendations specifically aimed to reform the agricultural lease program. Due to financial hardship facing many leaseholders, the Committee recommended that agricultural leaseholders be granted a five-year extension of

their lease without penalty, and that a direct sale option be made available. A final Committee report, with substantial recommendations, is expected to be presented to the Legislative Assembly later this year.

The Select Standing Committee on Forests, Energy, Mines and Petroleum Resources is expected to continue its review of the Forest Renewal BC Business Plan for 1999-2000 and 2000-2001. The Special Committee on Information Privacy in the Private Sector continues its investigation of the use of personal information in private sector business transactions.

The Select Standing Committee on Public Accounts, under the leadership of Committee Chair, **Rick Thorpe**, continues its consideration of numerous reports by the Office of the Auditor General. The committee recently tabled three reports titled, 1999 Follow-up of Performance Audits/Reviews: Management of Travel, Executive Severance Practices, Trucking Safety; Protecting Drinking-Water Sources; and, Government Financial Accountability for the 1997/98 Fiscal Year.

Two new committees are also expected to be active during the fall and winter. Pursuant to the new *Budget Transparency and Accountability Act*, the Select Standing Committee on Finance and Government Services will conduct pre-budget consultations throughout the province and report on the results of those consultations by December 31. A Special Committee to Appoint a Child, Youth, and Family Advocate has been struck to recommend the appointment of a successor to outgoing statutory officer **Joyce Preston** who will be stepping down in May 2001.

Kate Ryan-Lloyd
Committee Clerk



Alberta

The 2000 Spring Sitting of the Alberta Legislative Assembly adjourned on May 25th. During the busy 15 week sitting, 20 Government Bills and 3 Private Members Bills received Royal Assent. When the sitting adjourned, 4 Government Bills remained on the Order Paper: Bill 3, *Statute Revision Act*, Bill 14, *Alberta Treasury Branches Amendment Act, 2000*, Bill 20, *Justice Statutes Amendment Act, 2000*, and Bill 22, *Alberta Corporate Tax Amendment Act, 2000*.

Notable Government Bills

The following Bills received Royal Assent:

- Bill 11, *Health Care Protection Act*, allows for regional health authorities to contract out certain surgical services. This controversial Bill dominated the Spring Sitting. It comes into force on Proclamation.
- Bill 19, *Alberta Income Tax Amendment Act, 2000*, eliminates the 8 percent high-income surtax retroactive to January 1, 2000. A motion for the previous question was moved during the second reading debate and closure was invoked at the Committee of the Whole stage. The Bill received third reading on May 25th.

- Bill 18, *Alberta Personal Income Tax Act*, implements a new single rate personal income tax system. There were two amendments passed at the Committee of the Whole stage which changed the tax rate from 11 percent to 10.5 percent, and increased the personal exemptions from \$11,620 to \$12,900. The Bill received third reading on May 24th after the implementation of closure at second reading, the Committee of the Whole stage and at third reading.

Emergency Debate

An emergency debate occurred on Wednesday, May 24th to discuss the measures being taken to prevent harm to the public health care system from an illegal strike of 10,000 health care workers. Speaker **Ken Kowalski** ruled that the request by the Leader of the Official Opposition, **Nancy MacBeth**, was in order as the issue was an urgent matter and there would be no other opportunity for the subject to be debated. Although objection was taken, a sufficient number of Members stood to support the debate proceeding. The Standing Orders require that if 15 Members agree, the debate proceeds. The ordinary business for the afternoon was set aside for the emergency debate and, as prescribed by the Standing Orders, concluded without the Assembly deciding on the matter.

By-Election

A by-election took place in the constituency of Edmonton-Highlands on June 12, 2000 to fill the vacancy created by the resignation of New Democrat leader, **Pam Barrett** on February 2nd. New Democrat candidate **Brian Mason** won the by-election and was sworn in on July

5th. As a result of the by-election the standings in the Assembly are: Progressive Conservatives: 64; Liberals: 16; New Democrats: 2; and Independent: 1.

Arising from events surrounding the Bill 11 debate, CBC television cameras were barred from the Chamber for the July 5th swearing-in of Mr. Mason. The ban arises from when the CBC was allowed on to the floor of the Chamber on May 10th. All broadcasters requesting permission to be on the floor that evening had been advised to only film the speakers during the debate. Despite these warnings, CBC filmed and then proceeded to air footage of protesters in the public galleries that evening. As a result of these actions, CBC's access to the floor of the Chamber was restricted for the rest of the year. The CBC maintains access to the pool feed from the Chamber and to the Press Gallery.

Resignation

Stockwell Day submitted his resignation as Provincial Treasurer on June 1, 2000 and also resigned his seat for the Constituency of Red Deer-North on July 11th after winning the leadership of the Canadian Alliance Party.

Cabinet Shuffle

Premier Klein announced a cabinet shuffle on June 2nd outlining four changes to the provincial Cabinet. **Gary Mar** (former Minister of Environment) became the Minister of Health and Wellness, **Halvar Jonson** (formerly the Minister of Health and Wellness) became Minister of Environment, Dr. **Stephen West** (formerly the Acting Provincial Treasurer and Minister of Natural Resources) became Provincial Treasurer and **Mike Cardinal** (formerly the Associate Minister of For-

estry) became the Minister of Resource Development. The four Ministers were officially sworn in on June 7th.

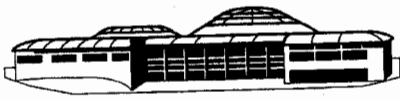
Statue Unveiling

Speaker Kowalski hosted a ceremony on the Legislature grounds in honor of the 100th anniversary of the Lord Strathcona's Horse (Royal Canadians) Regiment on the South Lawn of the Legislature on May 17th. To commemorate the occasion, a statue of Lord Strathcona, funded by the soldiers and private and corporate donors of the regimental society, was unveiled by the Governor General **Adrienne Clarkson**. The Lieutenant Governor, **Lois Hole**, Premier **Ralph Klein**, the 4th Baron Strathcona and Mount Royal, **Donald Euan Palmer Howard**, and the Colonel of the Regiment, Lieutenant General **J.A. Fox**, were also in attendance.

State Funeral

The first state funeral in almost four decades was held in honor of **Grant MacEwan** who passed away on June 15th at the age of 97 from complications after a serious fall. Grant MacEwan was an author, teacher, the former leader of the Opposition and MLA from 1955 to 1959. He served as the Lieutenant Governor of Alberta from 1966 to 1974. The last state funeral in Alberta was held in 1963 for Rev. **Peter Dawson**, the Speaker of the Legislative Assembly at the time. Grant MacEwan's closed casket laid in state in the rotunda of the Legislature on June 19th allowing hundreds of Albertans to pay their respects.

Robert Reynolds
Senior Parliamentary Counsel



Northwest Territories

The third session of the 14th Legislative Assembly commenced on June 20th with the delivery of the Budget address by **Joseph L. Handley**, Minister of Finance. He highlighted the key initiatives with optimism. Minister Handley's plans included the prosperous vision that was released in the Caucus document *Towards a Better Tomorrow*, in March. Mr. Handley, indicated that the strategies that the Government intends to focus on are, "building partnerships with other governments principally aboriginal governments, so that we are not working in isolation, but rather are sharing information and decision making; and making key investments in our people, in our infrastructure and in our future."

At the outset of his address, Minister Handley noted that financial resources are limited. However, he reassured that the budget did allocate resources to keep pace with the growing demands in health, education and social services. During this fiscal year the Government intends to finalize their strategies and determine how they can be financed. The Government's plan to do this incorporates partnership with Cabinet, Regular Members, Federal and Aboriginal Governments.

Minister Handley also tabled *Common Ground, the Final Report of the Economic Strategy Panel*. The panel was appointed last June to de-

velop an economic strategy for the Northwest Territories. The panel represented a cross section of northern organizations with an interest in economic development. The panel's report mirrors this broad interest base and includes not just industry and sector associations' concerns, but those of aboriginal governments as well as communities and organizations dealing with environmental and social issues. The panel's report provides a comprehensive approach to economic priorities and actions needed to guide economic development efforts. The *Common Ground* report, along with additional input from the public, will form the basis of a GNWT Economic Action Plan for those recommendations directed to the Government of the Northwest Territories. Minister Handley informed the House that it is his intention to table the GNWT Economic Action Plan during the next sitting of the Legislative Assembly in the fall. He will also reconvene the Economic Strategy Panel in one year's time to review progress made on implementing the recommendations contained in the report.

On June 21st **Stephen Kakfwi**, Premier of the Northwest Territories delivered his sessional address. Premier Kakfwi, reported how the Government has started to tackle the challenges that were laid out in the First Session of the 14th Legislative Assembly and through the shared vision of *Towards a Better Tomorrow*. Premier Kakfwi indicated that this document laid the foundation for the actions this Government has initiated. The Cabinet has identified specific strategies that were designed to help the Government achieve the goals outlined in *Towards a Better Tomorrow*. These are:

- Support for the non-renewable resource development strategy;

- Support for the economic strategy panel;
- Support for a social strategy focusing on early childhood development, personal responsibility and community ownership of wellness;
- Broad support for regional reorganization and capacity-building initiatives designed to ensure that regional administrative structures are responsive to changes brought about by self-government initiatives that communities can take on expanded responsibilities and manage their own futures.

The key priorities and goals contained in *Towards a Better Tomorrow* and the strategies that flow from them now guide the work of this government.

This Session also saw the appointment of three statutory officers of the Legislative Assembly. The Commissioners for Languages, Conflict of Interest, and Information and Privacy were appointed on June 21st.

The Languages Commissioner is Ms. **Fibbie Tatti**. Ms. Tatti has spent her entire adult life working in the field of Aboriginal language and culture. She has worked with the Department of Education Culture and Employment, the Dene Nation and CBC. Ms. Tatti brings many years of experience and skill with her to the position of Languages Commissioner, which represents all the language groups in the Northwest Territories.

Elaine Keenan-Bengts was appointed as the Information and Privacy Commissioner. This is Ms. Keenan-Bengts second term in this position. She is a long time northerner and has been the Information and Privacy Commissioner since 1997. Ms. Keenan-Bengts was also recently appointed as Nunavut's first Information and Privacy Commissioner. Ms. Keenan-Bengts pre-

vious experience has provided her with the skills and necessary abilities to make her extremely qualified to fulfill this role.

Carol Roberts has been appointed as the Conflict of Interest Commissioner. Ms. Roberts is a lawyer and has a private law practice in Victoria, BC. She was a student at law and Barrister and Solicitor in Yellowknife with a local firm. Ms. Roberts worked for various departments in the Government of the Northwest Territories from 1983 - 1991. She has also worked as the Executive Director for the Native Women's Association of the Northwest Territories from 1981 - 1982. Ms. Roberts is extremely qualified and will bring her years of experience in administrative law and as an arbitrator and adjudicator to this position. Ms. Roberts was born and raised in Hay River.

In making these appointments the Speaker of the Legislative Assembly, **Tony Whitford** on behalf of all Members expressed that; "these three truly northern women are role models and are well qualified to take on these challenging positions."

The third session saw the introduction of Bills 1 - 6 on June 20th and Bills 7-10 on June 27th.

- **Bill 1 - Appropriation Act, 2000 - 2001.** This Bill authorizes the Government of the Northwest Territories to make operations expenditures and capital investment expenditures for the 2000-2001 fiscal year.
- **Bill 2 - Write-Off of Debts Act, 2000-2001.** This Bill authorizes the write-off of debts in accordance with section 24 of the *Financial Administration Act*.
- **Bill 3 - Forgiveness of Debts Act, 2000-2001.** This Bill authorizes the forgiveness of debts in accordance with section 25

of the *Financial Administration Act*.

- **Bill 4 - An Act to Amend the Workers' Compensation Act.** This Bill facilitates the determination of appeals by removing a limitation on the number of members of the appeals tribunal. This Bill also amends the Act to provide that members of the Board and review committees may not be appointed to the appeals tribunal. In addition, this Bill authorizes the appointment of a vice-chairperson and an acting vice-chairperson of the appeals tribunal, and sets out certain transitional rules respecting the continuation in office of members of the appeals tribunal.
- **Bill 5 - An Act to Amend the Workers' Compensation Act, No. 2.** This Bill will enable the Workers' Compensation Board to make a special payment to dependant surviving spouses who have lost compensation entitlements under the Act or any predecessor to the Act because they married or remarried before April 17, 1985, the date the equality provisions of the *Canadian Charter of Rights and Freedoms* came into force.
- **Bill 6 - An Act to Amend the Nursing Profession Act.** This Bill provides for the appointment of a Registrar and the establishment and appointment of the Registration Committee. This Bill also sets out the powers and duties of the Registrar and the Registration Committee. In addition, this Bill repeals a provision in the Act that permits a person to practice without holding either a certificate of registration or a temporary certificate of exemption. Finally, this Bill sets out certain transitional rules respecting pending applications for certificates, the validity of prior and existing certificates, and the continuation in office of the Registrar and the Registration Committee currently appointed under the by-laws of the Association.

- **Bill 7 - Miscellaneous Statutes Amendment Act, 2000.** This Bill corrects inconsistencies and errors in the Statutes of the Northwest Territories.
- **Bill 8 - Justice Statutes Amendment Act.** This Bill makes minor amendments to seven Acts that relate to the administration of justice in the Northwest Territories.
- **Bill 9 - An Act to Amend the NWT Power Corporation Act.** This Bill provides the Northwest Territories Power Corporation with the same investment powers that public agencies have under the *Financial Administration Act* and in addition to permit the Corporation to invest in any securities and investment instruments that it determines to be prudent.
- **Bill 10 - An Act to Amend the Adoption Act.** This Bill makes a number of amendments including appointment of a Deputy Director of Adoptions and a Deputy Registrar of the Adoption Registry.

Bills 1, 4, 5 & 7 were granted assent, while Bills 2, 3, 7, 8, 9, & 10 were sent to Standing Committees for further review. Also during this Session the Main Estimates for the fiscal year 2000-2001 were considered.

The Legislative Assembly also recognized the retirement of the Sergeant-at-Arms, **Corporal Ouellette**. He was recognized for his dedicated service for the terms of two governments. Presented with a plaque in recognition of his service to the Legislative Assembly of the Northwest Territories and to the honourable members that he has so dutifully served over the years.

On July 6th the third session was adjourned until October 31st.

Pamela Colquhoun
Public Affairs and
Communications Advisor



Senate

When the summer recess began at the end of June, the Senate had adopted 22 Commons Government bills, 3 Senate Government bills and 3 Commons Public bills since the start of the session in October 1999. In addition, the Senate amended 2 Commons Government bills and 2 Senate Government bills.

Legislation

In its report, the Royal Commission on the Reform of the House of Lords (Wakeham Report) proposed that the role of a second chamber should be complementary to that of the House of Commons. Second chambers are useful institutions for identifying points of concern and raising questions about the Government's policy intentions. Nowhere was that role more apparent than during the Senate consideration of Bill C-20 *An Act to give effect to the requirement for clarity as set out in the opinion of the Supreme Court of Canada in the Quebec Secession reference*. The Senate devoted considerable time and energy examining this legislation, debating it in the Chamber for almost 30 hours and examining it in committee for another 35 hours. While the special committee established to examine Bill C-20 scheduled several lengthy meetings outside of regular sitting times in order to hear from

outstanding constitutional scholars, these meetings were attended not only by committee members but also attracted a sizeable number of other senators. The calibre of the speeches, the quality of the arguments and the penetrating analysis of underlying concepts illustrated the knowledge, expertise and experience that the Senators can bring to their work. Moreover, Senators did not follow strict party lines in advancing their arguments, as illustrated by the fact that the five amendments proposed at third reading were all from the government bench. Furthermore, there was considerable independence in the voting on these amendments, all of which were defeated, the first very narrowly 46-50, with three abstentions. Bill C-20 received Royal Assent on June 29, 2000.

Speaker's Rulings

Several procedural issues were raised during the Senate consideration of Bill C-20. Just prior to the Easter recess, Senator **John Lynch-Staunton**, Leader of the Opposition, moved a motion that upon commitment of Bill C-20 to committee, that the committee be instructed to amend C-20 to rank the Senate with the House of Commons in assessing the clarity of any referendum question and the significance of any vote. Senator **Dan Hays**, Deputy Leader of the Government, raised a point of order, questioning whether the Senate could mandate a committee to do something that it already had the power to do. He argued that this kind of motion of instruction must be permissive, rather than mandatory. In his ruling, the Speaker pointed out that motions of instruction are relatively infrequent in Canadian parliamentary practice. According to Senate rules and usage, committees possess the authority to amend legislation so long as

the amendments are within the scope of the bill and are relevant. Thus, an instruction must be permissive if it is to apply to a committee that already possesses a pertinent authority. Since the motion of Senator Lynch-Staunton was mandatory in its form, the Speaker ruled that the motion was contrary to established norms and out of order.

When the Government moved a motion, prior to second reading, to appoint a special committee to examine Bill C-20, Senator Lynch-Staunton raised another point of order about the timing of the motion. He argued, on May 4, that establishing a special committee anticipated the decision on second reading. The Senator also maintained that committees are limited and bound by their orders of reference, and consequently, it would not be proper to consider the motion until after second reading. At the next sitting, the Speaker gave his ruling. With respect to anticipation, the Speaker concluded that the motion on second reading and the motion to establish a special committee are separate and distinct questions from a procedural point of view. The Speaker also noted that the motion to create a special committee is debatable, unlike the motion to refer a bill to one committee or another following second reading. Thus, the only way for a bill to be referred to a special committee or a legislative committee is to create that committee by a separate, debatable motion and that motion must be adopted prior to the decision on second reading of the relevant bill. The Speaker ruled that the motion was in order.

On June 20 Senator **Serge Joyal** (Quebec) raised another point of order, stating that Royal Consent was needed for Bill C-20 because the Leader of the Government in the Senate had indicated this bill would

place some limits on the prerogative powers of the federal Government. The Deputy Leader of the Government, suggested that it was a legal matter that could be decided by the courts after the bill passed. Senator **Joan Fraser**, Chair of the Special Committee on Bill C-20, pointed out that the committee had heard from a number of experts and witnesses on constitutional law and none of them had raised the issue of Royal Consent. The Speaker then took the matter under advisement. In the end, Senator **Bernard Boudreau**, Leader of the Government, advised the Senate on June 29 that Royal Consent had been given. Consequently, the Speaker explained it was unnecessary for him to give a ruling.

Another interesting procedural issue was raised on two separate occasions when the House of Commons sent an incorrect copy of a bill to the Senate. Just before the Easter recess, the Senate gave first reading to Bill C-22 *An Act to facilitate combating the laundering of proceeds of crime, to establish the Financial transactions and Reports Analysis Centre of Canada and to amend and repeal certain Acts in consequence*. Later it was discovered that the parchment copy did not include a series of Commons amendments. The Commons corrected the error by sending a new parchment. Since the Senate could not have two versions of the same bill, the Deputy Government Leader proposed that the Senate adopt a motion to nullify and void first reading proceeding with respect to the faulty version of Bill C-22. This motion was adopted unanimously on May 11 and, later that day, the correct version of Bill C-22 was read a first time.

A similar situation arose in early June when the Senate received Bill C-12, *An Act to amend the Canada Labour Code (Part II) in respect of occupational health and safety, to make*

technical amendments to the Canada Labour Code (Part I) and to make consequential amendments to other Acts. After first reading had been given to the bill, the Deputy Leader of the Government again explained that the version of the bill sent to the Senate did not include an amendment that had been adopted by the Commons at report stage. Subsequently, he introduced a motion to resolve the problem. The Speaker pro tempore found this motion to be procedurally acceptable.

Another Speaker's ruling of interest was given on May 11. It dealt with time limits when granting leave for a senator to continue speaking. The Rules of the Senate set a limit of 15 minutes for most speeches, but there is practice to give leave whenever a senator requests additional time. When the Deputy Leader of the Government, proposed that the leave be limited to 15 minutes, Senator **Noel Kinsella**, Deputy Leader of the Opposition, argued that this would be contrary to the meaning of leave. Faced with this objection, Senator Hays asked for a ruling. Following a review of established practice, the Speaker noted that leave is used to suspend any notice requirement and to offer something else in place of the relevant rule. Therefore, the Speaker determined that it is not "procedurally objectionable to have a request for leave to suspend the rules limiting the time for debate combined with a proposal to fix the time of the extension".

Committees

Senate committees have been described as "the heart and soul of the Senate" because of the impact that they have on public policy development. Not only do they provide an important forum for the examination of proposed legislation, they also conduct serious investigations

on significant issues that affect Canadians.

Prior to the adjournment, several special studies were completed, including one by the Senate Committee on Agriculture and Forestry, *Repairing the Farm Safety Net to Meet the Crisis: Simple, Successful, Sustainable*. This report summarizes testimony received by the Committee in Ottawa on economic changes that should be made to ensure that government programs will meet the needs of Canadian farmers in the future. It makes five recommendations with respect to crop insurance, the Net Income Stabilization Account, a disaster assistance program and the consistency of farm safety net programs with Canada's international trade obligations. A sixth recommendation addresses the range of issues brought to the Committee's attention that fall outside the current study of the farm safety net.

Noting that Canada is subject to the global competitive pressures and the international market for capital and labour, the Senate Committee on Banking, Trade and Commerce examined Canada's policy on capital gains taxation. Its objective was to identify how the Government might improve Canada's investment and savings environment, thereby ensuring greater availability of capital and job opportunities. In its report, tabled in May, the Committee recommended that the capital gains tax should be quickly lowered to match the American rate and that international competitiveness should be the criterion guiding the choice of a capital gains tax regime.

The state of Canada's emergency and disaster preparedness was the subject of an examination by the Senate National Finance Committee. The Committee heard from a wide range of expert witnesses and stakeholders as it considered the

human and economic costs of natural disasters as well as Canada's present and future state of readiness to face such disasters. Citing evidence that Canada is ill prepared to face these possible catastrophes, the Committee called for energetic measures from the public and private sectors to reduce the effects of future natural disasters, the Committee

On occasion, the Senate decides to monitor the impact of its reports by conducting follow up hearings to see how recommendations have been implemented. In 1995, the Special Senate Committee on Euthanasia and Assisted Suicide tabled its landmark report entitled *Life and Death*. More than 10,000 copies of the report have been distributed and it used extensively in courses for physicians and other health professionals.

In November 1999, a subcommittee of the Social Affairs, Science and Technology Committee was established to examine the progress in implementing the unanimous recommendations pertaining to palliative care, pain control and sedation, withholding and withdrawal of life-sustaining treatment, advance directives and research, and to report by June 2000.

A national strategy on end-of-life care was the foremost recommendation of its report entitled *Quality End-of-Life Care: The Right of Every Canadian*. The Subcommittee also recommended the federal government implement income security and job protection for family members who care for the dying. It also urges the federal government, in collaboration with the provinces, to establish and fund home care and pharmacare programs for the dying.

Since 1996, the Senate has given an order of reference for special studies on safety in all modes of transportation. The latest study, *Re-*

port on Air Safety and Security, was completed in June by the Subcommittee on Transportation Safety of the Senate Committee on Transport and Communications. Stressing the importance of developing and maintaining a culture of safety in Canada, the report's 18 recommendations cover such specific safety issues as training, automated weather observation systems, fatigue, drug and alcohol testing, air rage/disruptive passengers, dangerous goods, ageing aircraft and plane design.

Milestones

There were a number of recent changes in the membership of the Senate. Senator **Normand Grimard** (Quebec), retired on June 16. Over the summer Senators **Calvin Ruck** (Nova Scotia), **Melvin Perry** (Prince Edward Island) and **William M. Kelly** (Ontario) reached the mandatory retirement age of 75.

Just prior to the adjournment, four new senators were also appointed. On June 13, **Raymond G. Squires** (Newfoundland and Labrador) and **Jane Marie Cordy** (Nova Scotia) were sworn in. A week later, they were joined by **Betty Kennedy** (Ontario) and **Raymond C. Setlakwe** (Quebec).

In early July, Senator **Gerry St. Germain** (British Columbia) announced his intention to sit as an independent. Currently, the political standings in the Senate are: Liberals - 59; Progressive Conservatives - 36; and 6 independents. There are 4 vacancies: Ontario (2); Quebec (1) and Prince Edward Island (1).

Barbara Reynolds
Committee Clerk



On June 16, 2000, the National Assembly adjourned for the summer after having adopted, since the resumption of proceedings in March, some forty public bills (five of which were passed within the framework of a motion to suspend rules moved the day before the adjournment of the House) and close to a dozen private bills. It should be noted that the Act to establish a national identification card, which was mentioned in our previous report has not yet been passed.

The following are among the principal bills of the session:

- the *Act to provide for balanced budgets in the public health and social services network*, which enacts measures requiring public institutions to maintain a balanced budget
- the *Act to amend the Act respecting prescription drug insurance and the Act respecting the Régie de l'assurance maladie du Québec*, which amends certain rules applicable to the financing of the basic prescription drug insurance plan as regards the maximum amount of the annual premium. This plan, which guarantees to beneficiaries the payment of pharmaceutical services and prescription drugs provided to them in Québec regardless of health-related risk, requires that persons or families benefitting from the plan pay according to their economic situation.

- the *Fire Safety Act*, which determines the parameters of fire safety in its main aspects, namely fire prevention, emergency response procedures and operations, training of personnel, and the determination of the point of origin, probable causes and circumstances of fires;
- the *Police Act* (drafted following the holding of a public investigation committee), while promoting basic training and skills in police patrolling, police investigation and police management, also provides that all police chiefs will be required to establish a professional training plan for their police force, and update it annually.
- the *Act to amend the Act respecting municipal territorial organization and other legislative provisions*, which provides for various measures to foster, in particular, the amalgamation of territories of local municipalities and also provides for adjustments to the equalization scheme in respect of certain municipalities;
- the *Act respecting the Communauté métropolitaine de Montréal*, which defines the territory in which the new Community is authorized to act, and determines its organization, powers and jurisdiction, together with the rules governing its financial administration. The bill assigns jurisdiction to the Community in several areas, including land use planning, economic development, social housing, equipment, infrastructures, services and activities of metropolitan scope, public transportation and residual materials management planning. Public hearings will have to be held before the passage of the bill establishing the new Community, as these hearings were unable to be scheduled before the adjournment of proceedings.
- the *Act respecting Nasdaq Stock exchange activities in Québec*,

which recognizes The Nasdaq Stock Market, Inc., a company incorporated in the United States, for the purpose of stock market activities in Québec;

- the *Act to amend the Act respecting the Ministère du Revenu as regards the suspension of recovery measures*, which modifies the Quebec tax system to provide for the suspension of recovery measures when an objection or an appeal is filed by a taxpayer. The bill allows for a taxpayer in certain cases to apply for the repayment of an amount paid or the discharge of security given. By adopting this Bill, the Revenue ministry, strongly supported by the opposition, aimed principally to counter the inequity to which were subject Quebec taxpayers who were faced with paying an amount and were obliged to pay this sum to the Revenue ministry before having had the opportunity to defend their case. The suspension of recovery measures shall apply to all taxpayers: individuals, small and medium-sized businesses, etc. However, in the case of large businesses, the ministry shall have the right to take measures to recover 50 % of the amount in controversy.
- the *Dam Safety Act*, which introduces a new authorization system for high-capacity dams that imposes a series of obligations on dam owners, particularly as concerns dam safety assessment and monitoring, the performance of remedial work and the implementation of impounded water management plans and emergency action plans. This Bill was drafted following the torrential rains of July 1996 in the Saguenay-Lac-Saint-Jean region and in view of the recommendations made by the members of the Nicolet commission.
- the *Act to amend various legislative provisions respecting education as regards professional*

matters; the Act to establish the Québec Youth Fund, established following the Québec Youth Summit and oriented towards the financing of activities furthering the social, community, cultural and professional integration of young Quebeckers;

- the *Act respecting the Office Québec-Amériques pour la jeunesse*, an agency whose mission is to develop relations between young people of Québec and young people from other communities in the Americas, in particular through exchange programmes that include financial assistance measures, thus making them accessible to young people from all backgrounds.

Appointment

Last April 19, **Marcel Blanchet**, formerly Assistant Deputy Minister of Municipal Affairs and Greater Montreal, was appointed Chief Electoral Officer for a seven-year term beginning on May 3, 2000.

Ruling from the Chair

Last May 3, the Speaker of the National Assembly, **Jean-Pierre Charbonneau**, rendered an important decision on a question of privilege raised by the Member for Hull, who alleged that the Minister of State for Municipal Affairs and Greater Montreal had been in contempt of Parliament by revealing publicly, on 25 April, the contents of six bills and by announcing that certain of these bills would be passed in the spring of 2000 and others in the fall of the same year. Furthermore, he alleged that the Minister had intentionally omitted to indicate, in a document entitled *La Réorganisation municipale* and in press releases accompanying this document, the basic role of the Assembly and of its Members in the consideration and passage of bills.

In his ruling, the Speaker stated that the facts adduced by the Member for Hull did not allow him to conclude at first glance that contempt of Parliament had occurred and that, at best, the white paper published by the Minister of State for Municipal Affairs and Greater Montreal constituted solely the position of the Government on municipal reorganization. By informing the population, in this white paper, on the bills that the Government intended to introduce with respect to municipal reorganization and by providing for a schedule with respect to the passage and coming into force of these bills, the Minister did not act as though the bills incidental to the municipal reorganization had force of law. In order to conclude at first glance that contempt of Parliament took place, there would have to be proof clearly indicating that the Minister acted as though the bills had force of law, and this, by knowingly availing herself of provisions contained in these bills.

Nevertheless, Speaker Charbonneau concluded by reminding the Government that advertisements and dissemination of information towards the public, made by a Ministry or a public agency and involving measures prescribed by legislative provisions that have yet to be passed, should mention the role of the Assembly and of its Members in the legislative process with respect to the passage of the said measure.

In this case, even if the document on municipal reorganization stated that bills shall be introduced in the Assembly, it could have contained more detailed information as to the roles that the Assembly and its Members play in the process leading to the passage of these bills. Also, the press releases should have indicated that the Government would like to see these bills passed

at a given time instead of stating that the bills introduced would be passed at a specific time. By acting the way it did, the Municipal Affairs ministry gave the impression that the role of the Parliament was more cosmetic than anything else.

Parliamentarism and Democracy

Within the framework of their observer mission on the legislative and presidential elections which were held in Mexico last July 2, the Members for Saint-Hyacinthe and LaFontaine, Messrs. **Léandre Dion** and **Jean-Claude Gobé**, provided a positive assessment of the work accomplished by the Institut fédéral électoral mexicain (IFE) and by all of the Mexican political parties. After having visited, along with other observers, the 40 polling stations in the Mexican States of Morelos, Puebla, Mexico and the Federal District, both Quebec Members stated that the people of Mexico were an example of democracy during this historic election.

For his part, Speaker Charbonneau, headed a delegation of eight Quebec Members on the occasion of the Second Meeting of the General Assembly of the Parliamentary Conference of the Americas (referred to as COPA) held in Rio Grande, Puerto Rico, from 19 to 23 July, and which was attended by over 200 national and provincial parliamentarians from some twenty countries. Speaker Charbonneau, who, as founding president of the COPA, had hosted the first Conference which had been held in Quebec in September of 1997, stated that the Conference aimed to promote parliamentary dialogue on common interest issues within the context of the integration process of the Americas, in order to take part in building a community of the Americas based on peace, democracy and social justice.

Focus on the Parliament Building

Since June 15, 2000, the Parliament Building and adjacent buildings have a bright new look. At dusk, an electric network of over 1000 permanent lighting fixtures, strategically placed on the Parliament Building as well as on Pamphile-Le May and Honoré-Mercier Buildings, gives a new nocturnal look to the scene of democratic life in the national capital. The electric infrastructures and control systems, along with the installation of lighting fittings cost \$1,700,000, which was defrayed by the partners involved in this project (Hydro-Québec and the Commission de la capitale nationale).

The Parliament Building hosted two new exhibitions during the summer of 2000. The first, comprising the work of 30 artists specialized in the field of visual arts in the riding of Borduas, was inaugurated by the Minister of Culture and Communications last May. Speaker Charbonneau stated that these paintings and sculptures were the expression of the various tendencies and preoccupations motivating the creative artists from an electoral riding that he is proud to represent at the National Assembly. This exhibition, composed of oils and pastels, along with acrylics, ceramics, metal and textile, was entirely realized by the Musée d'art de Mont-Saint-Hilaire, at the request of the Speaker of the Assembly. It is on display in the Speaker's Lounge and in the offices of the Speaker. The latter took the opportunity to announce that all of the Members will also have the opportunity to encourage the artists hailing from their respective regions by allowing them to display their work in their riding or Assembly office.

The second exhibition was organized jointly by the National Assembly and the Committee on Human

Rights and the Rights of Young People in order to mark the 25th anniversary of the *Quebec Charter of Human Rights and Freedoms*. This interactive-type exhibition is located at the Presidents' Gallery, where rather unique figures help visitors discover the illustrated history of the Charter, the scope of the rights and freedoms it protects and how the Charter can become an important tool in helping to improve social relations.

Technological Innovation

Since last spring, Internetters can take a guided tour of the areas most frequented by Members on a typical day. Indeed, the multimedia virtual tour of the Parliament Building can be made in three ways. Firstly, visitors may click directly on the images appearing on their screen. Or, they may select one of the areas identified on the plans of the Parliament Building. Finally, visitors may follow a chronological order by clicking on the clock which indicates the work day schedule of a Member.

The tour contains panoramas, a video, music, background sounds, images and text. In total, 17 panoramic views are presented, including those of the National Assembly Room and of the Legislative Council Room. Visitors also have the privilege of taking a tour of areas which are not accessible to the public during guided tours, such as the offices of the Speaker of the National Assembly and the office of a Member. This site was entirely prepared by the staff of the National Assembly and is accessible via the Assembly Web site at the following address: www.assnat.qc.ca. Certain parts of the site have not been translated into English.

Recent Publications

Shortly before the adjournment of parliamentary proceedings, the Na-

tional Assembly press published two important documents.

The Report on Activities for 1999-2000 is in the words of the Secretary General, **Pierre Duchesne**, an access card for all other parliamentary assemblies and for the population in general, which has a vested interest in the actions of its representatives.

La procédure parlementaire du Québec which was prepared by the Parliamentary Procedure Research Directorate under the authority of Mr. Duchesne, is divided into fourteen chapters and discusses, among other subjects, parliamentary privilege, order and decorum, the decision-making process, rules for parliamentary debate and the organization of time, the legislative process, the budgetary process, and parliamentary committees.

In the opinion of Speaker Charbonneau, this publication is necessary to ensure that the rules which constitute an integral component of our parliamentary procedure are known and will not be forgotten. This is the first publication devoted exclusively to the rules of parliamentary procedure of the National Assembly of Quebec.

Francine Boivin Lamarche
Secretariat of the Assembly

Committees Report

After having examined the estimates of expenditure during most of April 2000, the parliamentary committees of the National Assembly turned to the consideration of bills during the months of May and June. The committees were off in July for the summer holidays.

Thirty-nine of the 77 mandates undertaken by the committees during these two months concerned the clause-by-clause consideration of

public and private bills and the hearing of interested parties. Upon adjournment the consideration of three quarters of the bills examined in committees was completed; the consideration of four bills was still underway, while that of five other bills was interrupted by a motion to suspend certain rules of procedure moved in the Assembly by the Government House Leader in order to enable these bills to be immediately passed.

Municipal reform took up most of the proceedings of the Committee on Planning and the Public Domain. Following the tabling in April 2000 of the white paper on this subject, the Minister of State for Municipal Affairs and Greater Montreal, **Louise Harel**, introduced two public bills: a bill respecting municipal territorial organization and a bill establishing the Communauté métropolitaine de Montréal. After having held several consultations and spent countless hours on the clause-by-clause consideration of these bills, both were referred back to the Assembly before their consideration had been completed in committee.

Regarding health issues, the Committee on Social Affairs held public hearings and gave clause-by-clause consideration to Bill 102, *An Act to amend the Supplemental Pension Plans Act*. This bill updates and simplifies the Act that has been in existence for 35 years and establishes the framework for 2200 private pension plans. Within the context of an aging population and a decline in the number of supplemental pension plans, the objective of the bill is to ensure the financial security of current and future retirees. It aims to clarify the possibility for employers and employees to reach an agreement as to the premium holiday with regard to surplus assets, to improve benefits paid to employees who retire more than

ten years before normal retirement age, and to simplify the administration of pension plans. Public consultations were held in committee, and the clause-by-clause consideration of this bill had not been completed at the time of adjournment in June.

The Committee on Public Finance completed its clause-by-clause consideration of Bill 82, *Public Administration Act*, and the bill was assented to on 30 May 2000. The new Act is important for all of the standing committees of the National Assembly, since it confers upon them the responsibility to ensure that public administrators are held accountable for the management of the ministries and public agencies within their field of jurisdiction.

For its part, in addition to its legislative work, the Committee on Institutions accomplished a first for the National Assembly by providing citizens with the opportunity to express their point of view in a public consultation via Internet. It is within the framework of its order of initiative on a Free-Trade Area for the Americas (FTAA) that the citizens are called upon to express their opinion by using either the traditional brief format or by filling out a questionnaire online. The FTAA project raises major issues in that it establishes an extensive free-trade area of goods, services and capital among the 34 participating States, which represent 800 million consumers and a combined GDP of some \$10 trillion (ten thousand billion) American dollars. (www.assnat.qc.ca/eng/publications/consultation/index.html)

Furthermore, on May 8, 2000, the members of the Committee on Culture examined, within the framework of an order of initiative, the issue of globalization and the importance for Quebec. The main ideas retained for the accomplishment of this mandate consisted in

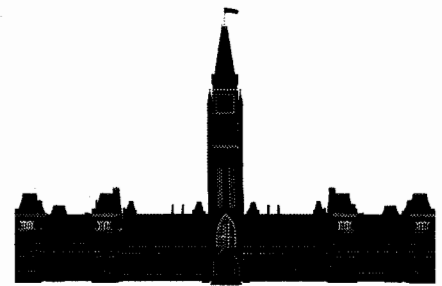
the publication of a research paper prepared at the request of the Committee on Culture by Professor **Ivan Bernier** of the Laval University Law Faculty, entitled *Mondialisation de l'économie et diversité culturelle: les enjeux pour le Québec* and in the holding of a colloquium. Several representatives from the economic and cultural sectors came before the Committee to give their opinion. Since the proceedings were broadcast, they are available both on paper and online, as well as on videotape.

Finally, the Review Committee on the work of committees tabled its report in June. This committee, which was established last November by the Speaker of the National Assembly, examined the difficulties in relation to the organization and proceedings of committees. The report suggests several possible approaches to enable the committees to regain their autonomy and exercise a more tangible influence on the public debate.

The committees resumed their proceedings on August 15, 2000 with the continuation of the clause-by-clause consideration of Bill 102 regarding the supplemental pension plans, while five general consultations and two special consultations (by invitation) were scheduled for the following weeks. The committees will also continue their regular activities as regards the surveillance of ministries and public agencies.

Alain Major
Co-ordinator
Committee's Branch

Translated by: **Sylvia Ford**,
Secretariat of the Assembly



House of Commons

On May 10, during Private Members' Business, motion M-222 of opposition Member **Yvon Godin** on employment insurance benefits, after being amended, was agreed to unanimously. It is relatively rare that motions from Private Members' Business are adopted.

On May 16, during Statements by Members, **Derek Lee** paid tribute to former Members who had passed away during the year as well as to those former Parliamentarians who had attended a memorial service in honour of the deceased. The commemoration service replaced the individual tributes previously made by Members in the House. At the end of Statements by Members, the Speaker recognized in the gallery those former Members who had attended the memorial service.

On May 29, at the end of Routine Proceedings, **Pierre Brien** rose on a point of order to ask the Speaker if Standing Order 36 could be interpreted to permit the presentation of electronic petitions. The Deputy Speaker quoted S.O. 36(2)f which states that petitions *must contain only original signatures and addresses written directly onto the petition and not pasted thereon or otherwise transferred to it*. He suggested that the Member raise the matter with the Standing Committee on Procedure and House Affairs which could recommend changes to the Standing Orders.

Loyola Hearn, Member for the electoral district of St John's West, was introduced in the House on May 30, by **Peter MacKay**, and **Norman Doyle**. Elected under the banner of the Progressive Conservative Party of Canada during a by-election on May 15, 2000, Mr. Hearn brought the number of Members for this Party to 18.

The House of Commons adjourned for the summer on June 15.

Committees

On May 2, 2000, **Bob Mills** sent to the Clerk of the Standing Committee on Health a notice of a motion that **Lynn Myers** no longer be Chair of this Committee. For lack of quorum during the previous meetings, the motion could only be moved during the May 29 meeting of the Committee. However, after debate, the motion was withdrawn.

Further to its order of reference of March 16, resulting from questions of privilege raised in the House, the Standing Committee on Procedure and House Affairs held a series of meetings to determine the level of confidentiality that should exist in the office of legislative counsel of the House. **Robert Marleau**, Clerk of the House of Commons, and **Rob Walsh**, Law Clerk and Parliamentary Counsel, appeared before the Committee as well as two of the legislative counsel of the House and **Diane Davidson**, former General Legal Counsel of the House of Commons.

The Committee was required to present a report to the House proposing concrete solutions by June 1, 2000. On May 31, 2000, the deadline for reporting was extended to June 15, 2000.

Mr. Lee, Parliamentary Secretary to Leader of the Government in the House of Commons and Chairman of the committee, presented the Report on June 9.

The Report recommended :

That the process for drafting Members' amendments to bills, and Private Members' Bills and Motions, including the confidentiality accorded thereto and the people with whom information is shared, be clearly outlined in practice guidelines.

That all Members be referred to the guidelines and be made aware of them when requesting the drafting of amendments, Bills or Motions.

That only the legislative counsel and the staff and procedural clerks who work under their direction be involved in or given access to amendments drafted for Members, unless the Member explicitly authorizes in writing disclosure to other persons.

That the House of Commons revive the practice of printing on the Order Paper the text of all amendments tabled with the Journals Branch, including those which are ruled out of order, for a trial period of two years.

The Report was concurred in by unanimous consent on June 14.

On May 17, Mr. Lee presented the 31st Report of the Committee (proposed changes to the Standing Orders). The Committee recommended to amend on a temporary or provisional basis, Standing Orders 45 and 78(3). Standing Order 45 deals with recorded votes and more specifically applied votes. In the recent years, it has been a practice to apply votes when it was necessary to proceed to many successive recorded votes. The Committee felt it was now necessary to introduce in the Standing Orders this recent practice. The Report also recommended to amend Standing Order 78 (3) which deals with time allocation on any public bill. The aim of the recommendation is to permit question and com-

ment periods of not more than thirty minutes to the Minister responsible of the bill. The proposed amendment would also provide rules concerning the organisation of the Business of the House when such proceedings would take place.

However, as of the time of summer adjournment, the Report had not been concurred in by the House.

Clerk and Senior Officials of the House

On July 3, the Clerk of the House, accepted an appointment to serve as Senior Advisor to the Speaker of the House. In this capacity, Mr. Marleau will lend his expertise to the Speaker and the new Clerk, and will continue with duties at the Table, as required. Mr. Marleau had been Clerk of the House of Commons since 1987 and has been with the House since 1969.

William Corbett was appointed Clerk of the House of Commons. With this appointment, Mr. Corbett becomes the 11th Clerk since Confederation. He first joined the House in 1976 as a Committee Clerk and has served in many capacities, including Principal Clerk, Committees and Associations and Clerk Assistant, Corporate Resources. Most recently, he served as Deputy Clerk.

Audrey O'Brien was appointed Deputy Clerk of the House of Commons. Ms. O'Brien first joined the House in 1976. She has served as a Table Officer since 1987, originally as Principal Clerk, Table Research and most recently as Clerk Assistant, Procedure and Administration.

Marc Bosc has been appointed Clerk Assistant. Mr. Bosc joined the House in 1986 and has served as Deputy Principal Clerk of Committees and most recently as Principal Clerk, Committees and Associations. He became a Table Officer in 1994.

Camille Montpetit, most recently Senior Adviser to the Clerk of the House of Commons and formerly, Deputy Clerk retired from the House of Commons. On May 11, during Statements by Members, **Chuck Strahl** paid tribute to Mr. Montpetit, and later, after Question Period, the Speaker paid also tribute to Mr. Montpetit who had served the House with distinction in various positions, since 1968.

New Leaders Elected

A week before the House resumed by-elections were held in Nova Scotia and British Columbia.

In Okanagan-Coquihalla the Leader of the Canadian Alliance, **Stockwell Day** won a seat in the House of Commons where he became Leader of the Official Opposition.

Joe Clark, Leader of the Progressive Conservative Party won the by-election in King-Hants and returned to the House where he had served as Prime Minister in 1979 and a senior cabinet minister from 1984-1992.

Before the House resumed on September 18, two Conservative members, **Diane St-Jacques** and

David Price announced they were going to the Liberal Caucus.

The standings at the start of the fall session were: Liberals - 159; Canadian Alliance - 58; Bloc Québécois - 44, NDP - 20; Progressive Conservatives - 15 and Independents - 5.

Marie-Louise Paradis
Procedural Clerk
House Proceedings and
Parliamentary Exchanges
Directorate