



Legislative Reports



Manitoba

On October 18, 2001, Premier **Gary Doer** announced that the Third Session of the Thirty-Seventh Legislature would open with the Speech from the Throne on November 13, 2001. The Premier also indicated that the government would be introducing legislation pertaining to security. Manitoba's provisional rules state that the House can sit for a minimum of 12 days in any one of the months of September, October, November or December but the 12 days cannot commence after December 1st. The rules further state that the House shall be adjourned at the end of the first full week in December.

All-Party Task Force on Security Issues

In the aftermath of the September 11, 2001 terrorist attacks on the United States, Manitoba is taking steps to increase security throughout the province. An All-Party Task Force on Security Issues has been struck by Premier Doer. The Task Force allows representatives from the government and opposition

parties the opportunity to be up-to-date on security procedures and to provide input into Manitoba's overall security issues. The members of the Task Force are: **Gord Mackintosh**, Minister of Justice; **Steve Ashton**, Minister Responsible for the Manitoba Emergency Management Organization; **Stuart Murray**, Leader of the Official Opposition; **Jon Gerrard**, Leader of the Liberal Party; **Jean Friesen**, Deputy Premier and Minister of Intergovernmental Affairs; and **Scott Smith**, Minister of Consumer and Corporate Affairs.

The security for the Legislative Building is also being re-evaluated. Minister Ashton has indicated that the government is looking at options such as x-ray machines and metal detectors.

New Critic Responsibilities

On September 27, 2001, Mr. Murray, Leader of the Progressive Conservative Party, announced new critic responsibilities for his caucus. Under the previous administration, the Departments of Rural Development and Urban Affairs were two separate entities. The new Department of Intergovernmental Affairs combines these two departments into one. The most significant change made by Mr. Murray was the breaking down of this department into two separate categories and assigning the responsibility of Urban Affairs to **Bonnie Mitchelson** (River East) and Rural Development to **Larry Maguire** (Arthur-Virden). **Mervin Tweed** (Turtle Mountain) was appointed Deputy Leader.

Restoration of the Legislative Building

Portions of the restoration work on the Legislative Building are nearing completion. The renovations to the central tower should be completed by mid-November. The refurbishing of the Golden Boy will be delayed until September 2002 due to corrosion found on the support armature.

Former Members' Association

Manitoba is in the process of establishing an Association of Former Members of the Legislative Assembly. On September 25, 2001, an Annual General Meeting was held and the following former Members were elected as Members of the Executive Committee: **Al Mackling** (Chair), **Avis Gray** (Vice-Chair), **Len Evans** (Treasurer), **Clif Evans** (Secretary) and **John Angus** (Member-at-Large). The executive has been given the task of defining the role and the mandate of the organization, in addition to drafting by-laws.

Attachment from the Northern Province of South Africa

Manitoba is scheduled to host two Members from the Northern Province of South Africa for an attachment from October 29th to November 2nd. **Papati Robert Malavi**, Speaker of the Legislature of the Northern Province and **Raulisa Ezekiel Katama**, Acting Secretary/Acting Clerk of the Legislature of the Northern Province will be meeting with representa-

tives of the Government and Opposition Caucuses as well as staff from the various Assembly offices during their stay in Winnipeg.

JoAnn McKerlie-Korol
Clerk Assistant



Prince Edward Island

During the Second Session of the 61st General Assembly, a total of 59 Acts received Royal Assent. Most notable during the Spring sitting were:

- *The Freedom of Information and Protection of Privacy Act* (No. 2) (Bill #47), which formalizes the way information is handled within the public service and ensures that both access and privacy rights are adhered to when government handles personal information.
- *Agricultural Crop Rotation Act* (Bill #48), which promotes the responsible management of the land by legislative crop rotation practices or by allowing farmers to set out management plans on crop rotation practices.

Chester Gillan, MLA for Parkdale-Belvedere was appointed Minister of Fisheries, Aquaculture and Environment November 14, 2000. He was first elected to the Legislative Assembly in 1996, and was subsequently re-elected in April 2000. Mr. Gillan replaced **Kevin MacAdam** who resigned October 19 to seek a seat in the House of Commons.

Following the November 27 federal election, Mr. MacAdam ran as the Progressive Conservative candidate in the February 26, 2001, Provincial By-election in District 2 (Morell-Fortune Bay). He was successful and was welcomed back to the Legislature March 29th.

The Second Session of the 61st General Assembly was prorogued on May 15, 2001, after 39 sitting days.

A number of Standing Committees continued to meet during the intersession. The Standing Committee on Community Affairs and Economic Development was authorized to meet between the Second and Third Sessions to review the draft franchise legislation. The Standing Committee Agriculture, Forestry & Environment was directed by the Legislative Assembly to complete a full examination on the potato wart crisis. The Standing Committee on Public Accounts met to review the annual Report of the Auditor General and took the unusual step of calling **Patricia J. Mella**, Provincial Treasurer, and **Michael F. Currie**, Minister of Development and Technology, before it to answer questions arising from the Report. All three Standing Committees will report the during the Third Session.

The Third Session of the 61st General Assembly will convene on November 15, 2001, at 3:00 pm, with the reading of the Speech from the Throne by Lieutenant Governor **J. Léonce Bernard**.

A change at the Table will occur as **Marian Johnston** assumes the Assistant Clerk & Clerk of Committees position, replacing **Jill Walsh**.

Marian Johnston
Assistant Clerk &
Clerk of Committees



House of Commons

Parliament reconvened on September 17, 2001, with several pressing issues at hand and agreement on the need for a debate on terrorism issues. A *Special Order Paper* was published giving notice of a government motion related to the terrorist attack in the United States on September 11, 2001. The House observed a minute of silence and then the Speaker gave the floor to the Prime Minister to start debate on a motion that expressed sorrow at the attack on the United States, condolences to the American people, and reiterated our commitment to democratic society. Upon adoption, the motion was conveyed to the Congress of the United States of America with the names of every Member appended thereto.

Procedure

The Speaker delivered a ruling on Tuesday, September 18, 2001, on the point of order raised by **Peter MacKay** on June 12, 2001, relating to the use of the provisions of Standing Order 56.1 as a mechanism for limiting debate. While this Standing Order usually covers "routine motions", the Government had moved a motion concerning the disposition of business for the final two sitting days prior to the summer adjournment, including changes to the voting method to be followed on the last supply day of the period ending June 23, 2001. The Speaker stated that at that time, he had allowed the motion to go ahead as no

objections had been raised at the earliest opportunity. He had also indicated his intention to return to the House with a statement on the use of Standing Order 56.1. Based on close examination of past precedents and the most recent use of Standing Order 56.1 as a tool to bypass the decision-making functions of the House, the Speaker advised the House that the motion adopted on June 12, 2001 would not be regarded as a precedent.

The face of the House of Commons has changed with the announcement of a conservative coalition between the Conservative Party and several former Canadian Alliance members. The new group is called the Progressive Conservative Democratic Representative Caucus (PC/DR) Coalition. The group has opted to sit together, share research budgets, and develop a joint strategy for Question Period. **Joe Clark** is the Leader of the Coalition, while **Chuck Strahl** will serve as Deputy Leader. **Deborah Grey** becomes caucus chair, **Jay Hill** serves as Whip, and **Peter McKay** becomes House Leader.

On September 19, 2001, Mr. MacKay rose on a point of order to ask in the name of the 20 Members who have united to establish the PC/DR Coalition, that the Speaker recognize them as the fourth largest political entity in the House and that they may claim all the privileges and rights associated with that position. On September 24, the Speaker made his ruling concerning the Coalition's status. He stated that the procedural authorities recognize a party as a group with at least 12 Members, with an appointed slate of House Officers, working as a cohesive unit and serving under the same banner. The Speaker therefore concluded that he did not find any procedural objection to the request that Members be allowed to

sit together and represent themselves as a group for parliamentary purposes. However, he also concluded that since the group had declined to present themselves as a party in the Chamber, they could not be awarded any additional privileges associated with that status such as precedence and allocation of time in Question Period, debate, etc. With full party recognition not being possible, the Speaker pointed out that the recognized parties in the House are of course able to negotiate what they will amongst themselves. The decision also stated that it was appropriate for the Speaker, and not the House, to rule on the issue. This was significant as the Liberals, Canadian Alliance, NDP, and Bloc all argued against recognition of the coalition, insisting that the dissident MPs should join the Tories if they want to be recognized.

A number of special debates have taken place in Committee of the Whole format since the return from the summer adjournment. They covered the planned meeting between the Prime Minister and the President of the United States, the Canadian airline industry and finally, terrorism. Two emergency debates were also held, one on agriculture and the other on softwood lumber. Finally, the *Report of the Special Committee on the Modernization and Improvement of the Procedures of the House of Commons* was adopted on October 4 and its provisions came into force on October 15, 2001.

Privilege

On September 27, 2001, PC/DR Coalition member Deborah Grey rose on a question of privilege and stated that she had been denied access to her computer files, claiming that her files had been frozen and shut down by the Canadian Alliance. Further-

more, she argued that without negotiation or representation from her office, the House of Commons Information Services Directorate (ISD) had given permission to a staff member of the Alliance Whip to access her computer files. The Member stated that there had been an infringement on her responsibilities as a Member of Parliament. The Speaker delivered his ruling on October 15, 2001, and began by highlighting "the relative newness of the information age" as the central problem. The Speaker acknowledged that a Member must rely on his or her staff for many administrative matters, and that the Member had relied on her staff to manage her files during the period she became acting leader of the Canadian Alliance and also when she subsequently stepped down from that position. ISD had transferred her files to the Canadian Alliance caucus server, with all directories password protected by Miss Grey. Her files remained in that location even after she stepped down from the position, since the Information Services Directorate did not have proactive protocols for these situations, but relied on requests from individuals. On September 20, 2001, during routine administrative work, a staff member for Miss Grey discovered she could no longer access the files. Miss Grey contended that the documents and data stored on the Alliance server were hers and should be returned to her, while Canadian Alliance officials claimed that the server belonged to the Alliance and the party had a legitimate right to review the files, and ensure that no caucus documents were released or compromised during a transfer of files to Miss Grey. Information Services had been advised that they could not refuse a request from the owner of a server to access files held on that server, and so granted read-only access to Alliance

officials. The Speaker likened the situation to a person with a locked suitcase stored in the locked trunk of someone else's car. The Speaker then ruled that since the files of the Member were in her own private compartment on the server and accessible only to her, that all disputed files be returned forthwith to the Member for Edmonton North. The Speaker further directed ISD to establish new protocols to ensure that files and data belonging to an MP be kept on MP servers and not on caucus servers.

Legislation

Since the Standing Order changes concerning report stage adopted earlier this year, prolonged consideration of amendments to bills has been pushed back to committee stage. Bill C-5, the *Species at Risk Act*, is currently before the Environment and Sustainable Development committee where the government is facing hundreds of amendments, including those from its own members.

On September 26, Mr. Boudria, Minister of State and Leader of the Government in the House of Commons, rose on a point of order and sought and received unanimous consent to move that Bill C-15 (*An Act to amend the Criminal Code and to amend other Acts*) be deemed to have been read a second time and referred to the Standing Committee on Justice and Human Rights; and that an instruction be given to the Committee to divide the Bill into two bills. This same Bill had been subject to a Speaker's ruling on Thursday, September 20, 2001 where the Speaker had ruled that it was not for the Chair to divide a bill in the House. The Standing Committee on Justice and Human Rights considered Bill C-15, and reported that the Bill had indeed been divided into two bills. The provisions

in Bill C-15 respecting protection of children from sexual exploitation, criminal harassment, disarming or attempting to disarm a peace officer, home invasions, allegations of miscarriage of justice and reform and modernization of criminal procedures now compose Bill C-15A, *An Act to amend the Criminal Code and to amend other acts*; while provisions respecting cruelty to animals and firearms and amendments to the *Firearms Act*, now compose Bill C-15B, *An Act to amend the Criminal Code (Cruelty to Animals and Firearms) and the Firearms Act*. Bill C-15A was read the third time and passed on October 18, 2001, while Bill C-15B remains in Committee.

In light of the terror attacks, the government has introduced new anti-terrorist measures in the form of an omnibus bill, and has withdrawn Bill C-16 (*An Act respecting the registration of charities and security information and to amend the Income Tax Act*). Bill C-16 had been referred to the Finance Committee prior to second reading, and had involved the removal of charitable status from groups involved in fundraising in support of terrorism. The new Bill C-36 (*An Act to amend the Criminal Code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other Acts, and to enact measures respecting the registration of charities, in order to combat terrorism*), includes amendments to the *Criminal Code* and to federal regulations and statutes in areas such as immigration, border patrol systems, and intelligence cooperation. A question of privilege concerning the leak of information regarding Bill C-36 prior to the legislation being introduced in the House was deemed to be *prima facie* by the Speaker on Monday, October 15, 2001. As a result, the Minister of Justice appeared before the Standing Committee on Procedure and House Affairs for the

second time in the current session on the issue of legislative information reaching the media before a bill is introduced in the House.

Other Matters

On September 14, 2001, flags flew at half mast in Ottawa, and Parliament Hill was the site of a ceremony to honour the victims of the terrorism attacks in the United States. Members, many parliamentary employees and some 100,000 citizens attended the service.

Bonnie Charron
Procedural Clerk
Journals Branch



The National Assembly resumed its proceedings on Tuesday, October 16, 2001. Owing to the economic slowdown intensified by the events of September 11, 2001, the Minister of Finance brought down her 2002-2003 budget five months earlier than expected, on November 1. The budget aims mainly to reassure consumers and to support employment and economic activity.

Resignations and By-elections

Gabriel-Yvan Gagnon, Member for Saguenay, resigned on September 16 and Jean-Sébastien Lamoureux, Member for Anjou, resigned on September 25. Following the municipal elections held on November 4, 2001, Cosmo Maciocia, was elected as a municipal councillor in Montreal. He gave up his seat as Member for Viger and resigned on November 13.

By-elections were held on October 1, 2001 in four electoral ridings. The Quebec Liberal Party had two of its candidates elected, **Françoise Gauthier** in Jonquière and **Julie Boulet** in Laviolette. As for the Parti Québécois, two of its candidates were also elected, **Sylvain Pagé** in Labelle and **Richard Legendre** in Blainville. Mr. Legendre was appointed Minister for Tourism, Recreation and Sport on March 8, 2001. The party standings of the National Assembly is as follows: 72 Members of the Parti Québécois; 49 Members of the Quebec Liberal Party; 1 Independent Member (Action démocratique du Québec Party); 3 vacant seats.

Parliamentary Simulations

From September 17-19, 2001, some 110 retirees from all regions of Quebec took part in the second edition of the Seniors' Parliament, which is a parliamentary simulation organized by the Association for Retiree and Pre-retiree Advocacy, in collaboration with the National Assembly and the Former Members' Association.

During the proceedings of this simulation, the seniors held debates on the following bills, which they drafted for the occasion:

- *An Act respecting welfare homes*, which aims to promote the construction of welfare homes in order to ensure the right to dignity and a quality of life for individuals without a permanent address, individuals who have a low income, individuals who are unattached and the elderly.
- *An Act respecting the consolidation of certain transportation services*, which aims for more equity in access to quality public transportation.
- *An Act respecting the situation of the elderly*, which establishes a committee to assess the situation of the elderly in Quebec, so as to propose strategies and

means enabling the elimination of all discrimination linked to age.

Parliamentarism

An important conference on parliamentarism in the 21st century, which was to be held from September 12-14, 2001, was postponed until a later date due to the events that took place in the United States September 11. Several participants from the United States, France and Canada were unable to travel because of the closing of American airports and the cancellation of all flight departures in Canada.

Technical Innovations

The computerization of the Table currently being developed is focusing mainly on the following aspects: the improvement of the tools available to the Clerks; the automation of mechanical and repetitive tasks; the elimination of duplication of work; the sharing of data; and facilitation in producing the *Order Paper and Notices*, the *Votes and Proceedings* and the *President's Papers*. The tasks of the Clerks in the House and of the professionals of the Secretariat of the Assembly could be somewhat modified in view of these technological changes.

On a larger scale, the principles of data sharing and elimination of duplication could extend to all branches of the National Assembly. **Charles Bogue**, who was given the mandate by the Associate Secretary General for Parliamentary and Institutional Affairs, is working in collaboration with other branches in order to examine the possibilities in relation thereto.

Appointments

Claudie St-Hilaire was selected, following a competition, to replace Mr. Bogue as person responsible for

the French Votes and Proceedings. Mr. Bogue will be working at the Office of the Associate Secretary General for Parliamentary and Institutional Affairs. **Hélène Galameau**, Director of the Secretariat of Committees, has joined the team of Clerks-at-the-Table.

Anne Deronzier
Secretariat of the Assembly

Committees Report

In recent months, the Committee on Culture met several times, within the framework of two orders of initiative. The first concerns the follow-ups to 35 recommendations contained in the April 2000 report on the Quebec Arts and Letters Council and on the Cultural Business Development Corporation. The Committee heard the executive officers of two organizations as well as **Diane Lemieux**, Minister of Culture and Communications, and tabled its final report in the Assembly on November 8.

The second order of initiative dealt with media concentration. The Committee held several deliberative meetings for the purpose of writing up its final report following public hearings held in February and March 2001. This report was tabled in the Assembly on November 13.

Finally, within the framework of an order of surveillance of agencies on the Place des arts de Montréal and the Grand Théâtre de Québec, the Committee heard the head officers of both these cultural institutions as well as some fifteen interested organizations. The final report of the Committee will be tabled in the following weeks.

For its part, the Committee on Labour and the Economy undertook an order of its own initiative for the purpose of examining the increase

in the price of oil and its effects on Quebec's economy. Within this framework, it held a general consultation and heard all of the organizations that submitted a brief and who were interested in coming before the Committee. The Minister of Natural Resources was also invited to exchange views on this subject with the members of the Committee.

Last 28 August, the Committee on Public Finance elected a new chairperson, **Rita Dionne-Marsolais**. This election followed the appointment of its former chairman, **Rosaire Bertrand**, as Minister responsible for the Capitale Nationale region last June. However, this position is once again vacant as Mrs. Dionne-Marsolais was appointed Minister for Natural Resources on November 13.

Regarding the legislative mandates, the Committee adopted two bills introduced by the Minister of Revenue and held special consultations on Bill 14, *An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions as regards the protection of confidential information*. This bill aimed to clarify and give greater precision to the provisions of that Act relating to the confidentiality of fiscal information and to coordinate the application of those provisions and the provisions of the *Act respecting Access to documents held by public bodies and the Protection of personal information*. Finally, the Committee also heard the Inspector General of Financial Institutions within the framework of the examination of its management, activities and orientations.

At the beginning of autumn 2001, the Committee on Education held hearings within the framework of special consultations on Bill 35, *An Act to amend the Education Act*, which provides that the members of a school's governing board who are students in the second cycle at the secondary level are to be entitled to

vote. Subsequently, the Committee gave clause-by-clause consideration to the bill and the report was tabled in the Assembly on November 6, 2001.

During the fall, the Committee on Transportation and the Environment heard 12 agencies within the framework of special consultations on Bill 17, *An Act to amend the Highway Safety Code and the Code of Penal Procedure as regards photographic speed-measuring devices*.

It also held a general consultation on the reference paper entitled "Le Régime public d'assurance automobile du Québec" (Quebec Automobile Insurance Plan). Several aspects of the automobile insurance plan were discussed; however, numerous debates dealt with the issue of automobile accidents caused by drunk drivers. In all, 31 individuals and agencies were heard in the course of six sittings devoted to this consultation.

On October 25, 2001, **Roger Paquin**, the Member for Saint-Jean since 1994, became a member of the Committee on Transportation and the Environment replacing **Gabriel-Yvan Gagnon**, the Parti Québécois Member for Saguenay, who left the political scene last summer.

Denise Léonard

Committees Secretariat
Translated by **Sylvia Ford**
Secretariat of the Assembly



Northwest Territories

The Fourth Session of the Fourteenth Legislative Assembly of

the Northwest Territories re-convened on Tuesday October 23, 2001. During this Session a number of significant reports were tabled and several Bills were granted Royal Assent. This Session also saw the resignation of one Cabinet Minister, and two senior employees from the Office of the Premier.

The Report of the Special Committee on Conflict Process entitled, *Confidence in the Integrity and Standard of Government* was presented on the first day of the sitting by the Chairman, **Brendan Bell**. This was the second report issued by the Committee as its mandate had been expanded and extended to address allegations of bias made by a Member against the Conflict of Interest Commissioner, a surreptitious tape recording made by that same Member and the actions of senior staff members in the Premier's office. The extended mandate of the committee was as follows:

That notwithstanding the withdrawal of the (bias) application, the Legislative Assembly authorizes and extends the mandate of the Special Committee on Conflict Process to consider the allegation of an apprehension of bias in relation to the investigation conducted by the Conflict of Interest Commissioner, and to consider related matters which have arisen or may arise during the normal course of proceedings of the Special Committee. (Section 2 of Motion 4-14 (4) as amended July 23, 2001).

The Committee refined the aspects of its mandate into three issues, which they addressed in their report: *Bias Allegations* made against the Conflict Commissioner by the Member for Hay River South, **Jane Groenewegen**; whether inaccurate submissions were made on behalf of the Conflict of Interest Commissioner to the Special Committee; and whether there were any circumstances which would ex-

plain the apparent error in judgment associated with the tape recording made by the Member for Hay River South, Jane Groenewegen on March 26th, 2001 of a telephone conversation between the Conflict of Interest Commissioner and a senior employee from the Office of the Premier.

The Committee made four recommendations and they were as follows: Recommendation 1, dealt with the refusal of **Lee Selleck** from CBC, to appear before the Committee. The Committee felt "that these actions were a breach of the well established constitutional privileges of the Assembly and amount to a clear and deliberate contempt of its authority and proceedings. However, after careful reflection, the Committee has chosen not to request the House to embark in a side-line dispute with either Mr. Selleck or the CBC".

Recommendation 2 dealt with the surreptitious tape recording made by the MLA for Hay River South, Jane Groenewegen. The Committee came to the conclusion that these actions did not reflect the behavior that is expected of a Minister and Deputy Premier of the government. Therefore the Committee recommended that the Minister submit her resignation from her Cabinet position.

The third recommendation addressed the bias allegations against the Conflict of Interest Commissioner. Her actions were found to be less than what is expected from that office. The relationship between Members and the Conflict of Interest Commissioner had, in the Committee's view, broken down to a degree that it could not reasonably be rehabilitated. The Committee recommended that the Conflict of Interest Commissioner submit her resignation or be removed from office.

The fourth recommendation addressed the need to restore integrity to the Office of the Premier and regain the public trust. The Committee suggested that Premier **Stephen Kakfwi** request the resignation of two of his senior staff members and that this action was essential in order that the Premier retain the confidence of the House.

The following day, October 24, 2001, Mrs. Groenewegen resigned from her Cabinet position and the debate on the Report of the Special Committee began. Some Members expressed their view that the Committee had overstepped its mandate and scope of investigation, while others felt it had adequately addressed the concerns of the public and those of the Members.

The recommendations were then voted upon. No vote was required for recommendation 2 because Mrs. Groenewegen had resigned as a Minister. Recommendations 1, 3 and 4 were subsequently adopted as resolutions of the House.

Despite recommendation 4 being agreed upon by the Members, the Premier indicated that he would not ask for the resignation of the Chief of Staff and the Principle Secretary and he would decide if he would continue as Premier. The Minister of Finance, **Joe Handley**, subsequently introduced a motion of confidence in the Premier. The results were 13 in favor, one opposed and four abstentions. The motion of confidence was carried. Over the ensuing days the two senior staff members in question submitted their resignations.

With the vacant position in Cabinet, a Territorial Leadership Committee meeting was called to select a new Cabinet Minister. The Territorial Leadership Committee is the process used in the NWT to elect its Speaker, Premier and Ministers. In keeping with the regional balance approach to Cabinet, there were 5

eligible candidates. Four candidates allowed their names to stand. On the third ballot, the Member for Thebacha, **Michael Miltenberger**, was chosen to serve on the Executive Council. The Commissioner of the Northwest Territories, **Glenna Hansen** swore in Mr. Miltenberger on October 31, 2001. A Cabinet shuffle was announced on November 7th in part to formalize Cabinet responsibilities for Mr. Miltenberger. He became the Minister of Health and Social Services, Minister Responsible for Seniors, and the Minister Responsible for Persons with Disabilities. **Jim Antoine** assumed the role of Deputy Premier.

Legislative Agenda

During this Session eight bills were granted Royal Assent:

- Bill 5, *An Act to Amend the Education Act*;
- Bill 6, *National Aboriginal Day Act*;
- Bill 7, *Powers of Attorney Act*;
- Bill 8, *An Act to Amend the Motor Vehicles Act*;
- Bill 11, *Architects Act*;
- Bill 13, *An Act to Amend the Income Tax Act*, No. 2;
- Bill 14, *Supplementary Appropriation Act*, No. 2 2001-2002;
- Bill 15, *Supplementary Appropriation Act*, No. 3, 2000-2001.
- Bill 6, *National Aboriginal Day Act* gained significant attention and was well received. It establishes June 21st as a public holiday in the Northwest Territories, the first jurisdiction in Canada to do so.

The Standing Committee on Governance and Economic Development tabled its report on the review of Bill 9, *Commercial Vehicle Trip Permit Act* and Bill 10, *Public Highway Improvement Fund Act*. These Bills



Deputy Commissioner Cal Mains being sworn in
by Commissioner Glenna Hansen



Saskatchewan

For the first time in recent years, the spring session of the Assembly extended into July, finally adjourning for the summer recess on July 6th. The members met for a total of 71 sitting days and passed 59 government bills, 1 private members' public bill and 6 private bills. The members were kept busy on many fronts right until the final week, with two significant committee reports being released and a significant procedural issue occurring in the final ten days.

The procedural issue arose out of the defeat of a supply resolution for the Department of Economic and Co-operative Development in the Committee of Finance late in the evening of June 26th. In Saskatchewan, departmental estimates are considered in a committee of the whole before being reported back to the Assembly. The defeat left many unsure of the ramifications of what had just occurred.

The question immediately on the minds of some was whether the defeat constituted a vote of non-confidence in the coalition government. The Government responded the next day with the introduction of a Priority of Debate motion refuting that the Committee of Finance vote was an expression of non-confidence and further that the Government did retain the confidence of the Assembly. The motion was adopted on a recorded division with all members of the coalition government voting in the affirma-

would authorize the Department of Transportation to issue permits and collect fees from specified commercial vehicles carrying cargo over the territorial highway system. This revenue would then be used to improve the existing highway system. The report indicated that the proposed strategy had generated a good deal of controversy and that these Bills should not be proceeded with. The Bills were subsequently discussed in Committee of the Whole and Cabinet eventually agreed that they would let them die on the *Order Paper*. The Minister of Transportation indicated that a revised strategy will be introduced during the Fifth Session scheduled for February and March 2002.

Jim Antoine, Minister of Justice, tabled a draft of the proposed *Human Rights Act*. He indicated that the human rights project has been a high priority for the government. Tabling the draft *Human Rights Act* at this time will allow members of the public and interested groups to start reviewing the proposed legislation. The Minister welcomed any comments that people may have on the proposed Act. The Bill to establish this Act will likely be introduced during the next session.

Appointment of Deputy Commissioner

On Thursday, October 25, 2001, **Cal Mains** was sworn in as the 11th Deputy Commissioner of the Northwest Territories. The role of the Commissioner in the Northwest Territories is similar to that of the Lieutenant Governor in the provinces. Mr. Mains has lived in the North since 1950 when he began his northern service as a RCMP officer. After retiring from the RCMP in 1969, Mr. Mains assumed the position of Deputy Clerk of the Supreme Court of the Northwest Territories. He will be a welcome presence in his role as Deputy Commissioner of the Northwest Territories.

The Commissioner of the Northwest Territories, Glenna Hansen, prorogued the Fourth Session of the 14th Legislative Assembly on Tuesday November 6, 2001. The Fifth Session will convene on Tuesday, February 19, 2002 at 1:30pm.

Pamela Colquhoun

Public Affairs and
Communications Advisor
Legislative Assembly of the
Northwest Territories

tive and the sole Independent Liberal voting with the Official Opposition. The Government then gave notice of motion for the Assembly to instruct the Committee of Finance to reconsider the supply resolution for the Department of Economic and Co-operative Development. This was subsequently adopted on July 3rd.

With the matter back before the Committee of Finance, the Opposition House Leader, **Dan D'Autremont**, raised a point of order regarding the procedural acceptability of what had transpired. The Chair, **Graham Addley**, listened to the comments from both sides before delivering a ruling.

Mr. Addley first noted that it was within the authority of the Assembly to issue an instruction to the Committee of Finance to enlarge its order of reference. He then noted that it was the prerogative of the Assembly to recommit any matter back to a committee with an instruction to overturn a decision made in the committee. Precedents involving budgetary supply from *Erskine May*, British Columbia, Manitoba and Quebec were reviewed and in agreement with the approach taken by the government.

The Chair then concluded that the Assembly does have final authority over the decisions made in its committees, even if it means re-voting the same question. The same question rule did not apply as an over-riding factor in the case of a parliament giving one of its committees an instruction. Accordingly, the Committee of Finance was directed to re-vote the question on the estimates for the Economic and Co-operative Development Department. The supply resolutions, with their restored original sums, were subsequently adopted.

Committees

Three significant committee reports have been tabled in the past months.

The Special Committee to Prevent the Abuse and Exploitation of Children through the Sex Trade completed its deliberations and tabled an extensive final report on June 27th. The report included a comprehensive framework of 49 recommendations that, taken together, were intended to stop the sexual abuse of children. One recommendation that was acted upon quickly by the government involved legislative amendments to permit the impoundment or forfeiture of motor vehicles used in the commission of prostitution-related offences. Those convicted of a prescribed offence would also face a license suspension.

The Assembly accepted the Second Report of the Special Committee on Rules and Procedures on July 4th. The Report identified as priorities the reform of the legislative committee system and Private Members' Business. As a result, a reorganization of committees and their mandates was proposed. This was targeted at creating a more effective means of dealing with public policy issues, increasing public participation in the parliamentary process and enhancing the role and importance of the committees. Alterations to the existing Private Members' Day were also proposed with the aim of enhancing the avenues available to private members to address issues of concern to them.

Following the release of the report, it was recognized that significant work still had to be done to develop the procedural and administrative mechanics of implementing the proposed changes. The committee is currently preparing a set of draft rules and procedures for

the Assembly to consider in the next session.

The recently formed Standing Committee on Health Care released its first report on August 30th. The committee's mandate was to receive and report on the views of interested individuals and organizations on the Final Report of the Commission on Medicare, more commonly known as the *Fyke Report*, after its chairman, **Ken Fyke**. The terms of reference precluded the committee from offering specific recommendations or policy direction regarding a health care strategy for the province. The committee conducted its extensive public hearings in the legislative chamber to permit the proceedings to be broadcast province-wide. In total, over 109 individuals and organizations made oral presentations while over 666 written briefs were received.

The Standing Committee on Public Accounts has embarked on three new areas of work. All have arisen from amendments made to *The Provincial Auditor Act* last spring.

The first new responsibility is the selection of a Provincial Auditor. The Public Accounts Committee was authorized to unanimously recommend an individual to the Legislative Assembly for appointment to the position. The Committee anticipates conducting a search over the winter with a view of reaching a decision for the Assembly to consider at its next session.

The second area involved the appointment of a provincial Audit Committee by the Speaker of the Legislative Assembly. The Public Accounts Committee, in consultation with the Standing Committee on Crown Corporations, was tasked with recommending up to five individuals to the Speaker. The functions of the Audit Committee include assisting the Standing Committee on Public Accounts with recommending a provincial auditor,

assisting in the review of the estimates and reports of the provincial auditor, and any other matters that the committee may request. In addition, the Audit Committee may be requested to review matters referred to it by the Provincial Auditor, the Minister of Finance, the Minister responsible for *The Crown Corporations Act, 1993* or the Standing Committee on Crown Corporations. The Public Accounts Committee has begun consultations with various professional associations to seek names of qualified individuals and hopes to have the process completed early in the New Year.

Finally, the committee has assumed responsibility for reviewing the estimates of the Office of Provincial Auditor. Previously, this role was carried out by the Board of Internal Economy, which will continue to review the estimates of all other House Officers.

Members News

Premier Calvert shuffled his cabinet on October 12, 2001 by elevating four backbenchers. **Andrew Thomson** (Regina South) received the Energy and Mines portfolio while **Deb Higgins** (Moose Jaw Wakamow) became Labour Minister. **Mark Wartman** (Regina Qu-Appelle Valley) assumed responsibility for Highways and Transportation. **Judy Junor** (Saskatoon Eastview) returned to cabinet as Provincial Secretary and Minister responsible for Seniors and the Status of Women.

In addition, three ministers were assigned new duties. Former Provincial Secretary **Pat Lorjé** replaced **Glenn Hagel** in the Post-Secondary Education portfolio, with Mr. Hagel in turn moving to Social Services. **Kim Trew** relinquished the Labour ministry and took over responsibility for the Saskatchewan Property

Management Corporation. **Jim Melenchuk** and **Ron Osika**, the two Liberal coalition partners, remained as Minister of Education and Minister for Municipal Affairs and Housing respectively.

The Liberal Party of Saskatchewan elected a new leader on October 27th. Saskatoon businessman **David Karwacki** defeated MLA **Jack Hillson** (North Battleford). The election had repercussions for the party standings in the Assembly as both Mr. Karwacki and Mr. Hillson favoured withdrawing the Liberal Party from the coalition government. The two other Liberal MLAs, Education Minister **Jim Melenchuk** and Municipal Affairs and Housing Minister, **Ron Osika**, chose to remain in the coalition and in cabinet. They are now sitting as Independents in the Legislature as is Mr. Hillson. The Saskatchewan Legislature requires a party to have at least two seats before gaining caucus status.

Earlier this fall, former Finance Minister, **Janice MacKinnon**, resigned her seat in the Legislature. The resulting vacancy in the Saskatoon Idylwyld constituency was filled on November 8th with the election of **David Forbes**. Mr. Forbes is an educator and community activist who will continue to hold the seat for the New Democratic Party.

The current party standings are 29 New Democrats, 26 Saskatchewan Party members and 3 Independents, of which two Independents are in the coalition government.

Internship Program

The inaugural Saskatchewan Legislative Internship Program will welcome its first students in January 2002. The internship program will complement existing programs in other jurisdictions while offering a

unique Saskatchewan perspective. The program will combine academic and practical components to offer four university students an opportunity to gain hands-on experience and knowledge of the political and parliamentary processes.

The interns will spend seven months working at the Legislature as special assistants to MLAs. Their internship will coincide with the spring legislative session and will see the interns assigned to a Government member for three months and an Opposition member for three months. Each intern will also be required to undertake an organizational project and submit a 25-page research paper.

The Saskatchewan Legislative Internship Program is a joint effort of the Legislative Assembly and the Universities of Saskatchewan and Regina. It will be co-ordinated by the Office of the Speaker and an academic director drawn from the universities. The first Academic Director is Dr. **Gordon Barnhart**, formerly Clerk of the Saskatchewan Assembly and Clerk of the Senate, and now University Secretary at the University of Saskatchewan.

Margaret A. Woods
Clerk Assistant



British Columbia

The 2nd session of British Columbia's 37th Parliament adjourned on August 27 after 19 sitting days. Although it was one of the shorter sessions in recent memory, the new

BC Liberal government rapidly set to fulfilling a series of election promises within their first 90 days in office.

Legislation

The government introduced more than two-dozen pieces of legislation, including the *Skills Development and Labour Statutes Amendment Act, 2001* (Bill 18), which restored education as an essential service and the *Skills Development and Fair Wage Repeal Act* (Bill 21), which repealed fixed-wage legislation that previously restricted competition on public construction projects in British Columbia. The government initiated the first step in their commitment to provide local governments with greater autonomy through the introduction of the *Community Charter Council Act* (Bill 12) on August 20. The *Community Charter* initiative aims to minimize provincial government offloading of costs onto local taxpayers, thereby providing local government better opportunities to plan for and manage pressures on property taxes.

The *Lobbyists Registration Act* (Bill 20), introduced August 16, requires the registration of anyone paid to lobby government for government contracts or legislative or policy changes. Information contained in the registry, such as the targets of the lobbyists' efforts and the issues they are trying to influence, will be open to public scrutiny.

The five-week session saw the introduction of an economic and fiscal update, also referred to as a "mini-budget", which reported a \$1.5 billion deficit. A plan to implement a core review of all government programs and services was also announced, a step which observers say may set the stage for dramatic budget cuts in early 2002.

First Public Written Question

The first public written question, submitted by the Chairperson of the University of Victoria Students Society, was put by **Jenny Kwan** (Vancouver-Mount Pleasant) to Hon. **Shirley Bond** (Prince George-Mount Robson) during question period on August 27. The opportunity for the students society to pose a question was instituted by Sessional Order on August 2 when the Legislative Assembly approved a motion to allow provincial or local public bodies to submit written questions to the Speaker, which could be read by any private member to a member of the Executive Council during question period. The first public written question concerned the government plan to review the tuition fee freeze currently in effect in British Columbia.

Parliamentary Calendar

In keeping with another election commitment of the new government, on August 27 the House approved a Sessional Order establishing British Columbia's first parliamentary calendar. During the third session of the 37th Parliament, the Legislative Assembly is expected to be in session from February 12, 2002 to May 30, 2002 and from October 7, 2002 to November 28, 2002, with the exception of Fridays and the occasional week dedicated to constituency work. The second Tuesday in February each year will be reserved for the Throne Speech, while the third Tuesday in February each year will be reserved for the Budget speech. The new government's first complete budget will be presented on Tuesday, February 19, 2002.

Legislative Committees

Following the adjournment of the House on August 27, legislative

committees embarked on an unprecedented high level of activity. A total of seven committees have been issued specific tasks, and four Committees have already embarked on extensive public hearing schedules this fall.

The Select Standing Committee on Aboriginal Affairs, chaired by **John Les** (Chilliwack-Sumas), travelled to 15 communities to hold public hearings on the questions to be used in a one-time, province-wide referendum on the principles to the provincial approach to treaty negotiations. Although the Committee's terms of reference included a rare provision for the publication of a minority report, the Opposition declined to participate on the committee citing concerns about the government's controversial referendum proposal. The Committee, which is consequently comprised of 10 government Members, will be producing their report by November 30.

The Select Standing Committee on Finance and Government Services was issued two distinct responsibilities. First, the Committee was asked to conduct pre-budget consultations on proposals and recommendations regarding the provincial budget and fiscal policy for the coming fiscal year. The Committee released its report on the budget consultation process on November 15 recommending that the provincial government should proceed with its plan to reinvigorate the British Columbia economy, but also cautioning the government "that the most vulnerable people in society must also be protected" during the process. The Committee travelled to 16 communities and heard from over 650 British Columbians during a six-week period.

Secondly, the Finance and Government Services Committee has also been asked to review the annual reports, performance plans,

budgets and business plans of the seven independent statutory officers, such as the Auditor General and the Ombudsman. The Committee, which is chaired by **Blair Lekstrom** (Peace River South), will begin this second stage of its work in late November in meetings with independent officers to review their achievements of the past year and to consider their plans and recommendations for the fiscal year 2002-03.

The Select Standing Committee on Education has been asked to perform a broad based review of a key sector: the provincial education system. The Committee's terms of reference state that it must report no later than February 28 on measures to improve access, choice, flexibility and quality in public education, as well as measures to strengthen the network of colleges, institutes and on-line learning throughout the province. The Committee, along with Chair **Wendy McMahon** (Columbia-Revelstoke) is currently travelling to 10 communities.

The Select Standing Committee on Health, under the leadership of **Val Roddick** (Delta South), has been asked to report by December 15 on its public consultations on proposals to promote the sustainability of the provincial health care system, including immediate, medium and long term solutions to better plan and manage health services, costs and funding. The Committee is also examining measures to improve and renew the provision of health care services in British Columbia to ensure the accessibility, quality and timeliness of health care services, as well as to improve health outcomes and the overall health of British Columbians.

The Select Standing Committee on Public Accounts is also active this fall, under the oversight of Chair **Jenny Kwan** (Vancouver Mount Pleasant), an Opposition

member. The Committee has been directed to review numerous reports of the Auditor General, and was also re-referred a report considered by the Committee in the previous parliament on the controversial fast ferry project. The Select Standing Committee on Crown Corporations, chaired by **Ken Stewart** (Maple Ridge-Pitt Meadows), has been activated for the first time in 12 years to review the annual reports and performance plans of British Columbia crown corporations. The Special Committee to Review the Police Complaint Process has begun meetings with stakeholder groups in its statutory review of Part 9 (Complaint Procedure) of the *Police Act* (RSBC 1996, c. 367) and the work of the Police Complaint Commissioner. The Committee, chaired by **John Nuraney** (Burnaby-Willingdon), is considering a public hearing schedule in communities served by a municipal police force. The Committee will report back to the Legislative Assembly by August 9, 2002.

Kate Ryan-Lloyd
Committee Clerk



Senate

The disastrous events of September 11, 2001 had a profound impact on the business of the Senate this fall. On September 18, the first sitting day after the summer adjournment, Senator **Sharon Carstairs**, Government Leader, initiated a special debate on terrorism.

Many Senators participated in the timely discussion of the resolution which expressed the Senate's condemnation of the senseless and vicious attack. Adopted unanimously by the Senate on the same day, it was conveyed by the Speaker of the Senate to the Congress of the United States of America.

Legislation

In the wake of the terrorist attacks and with a heightened concern about security, consideration of two bills in particular took prominence. The Senate was asked by the Government to conduct a pre-study of Bill C-36, *An Act to amend the Criminal Code, the Official Secrets Act, the Canada Evidence Act, the Proceeds of Crime (Money Laundering) Act and other Acts, and to enact measures respecting the registration of charities, in order to combat terrorism*. Pre-study, which had not been used in the Senate for more than ten years, is a practice that allows the Senate to present its advice and recommendations on the subject-matter of a bill to the Government while it is still in the House of Commons. On October 17, a special committee was appointed to examine the subject-matter of Bill C-36. The Committee heard from three ministers and 30 witnesses during intense hearings and just two weeks later, on November 1, tabled its First Report. The Committee made 23 recommendations in three areas of concern: comprehensive parliamentary review; sunset clauses and on-going independent oversight and review.

The second item of legislation affected by September 11 was Bill C-11, *An Act respecting immigration to Canada and the granting of refugee protection to person who are displaced, persecuted or in danger*. Although it had come to the Senate on June 14 it assumed greater importance with the terrorist attacks in the United

States. The bill, essentially the first major overhaul of Canada's immigration system since 1978, puts in place measures that would protect Canadians from those who would abuse the system and who might threaten the safety and security of Canadians. Time allocation motions to complete second reading and third reading were passed. Conservative Senators objected to the cavalier action taken by the Government and tried to resist the demands to rubber stamp the bill. They argued that the Senate be allowed to fulfill its rightful role in the legislative process.

Although the bill was reported from the Social Affairs, Science and Technology Committee without amendment, 13 pages of observations were appended to the report. One of the main concerns raised in the observations was that there was no definition of "terrorism". Without a clear definition, some Senators feared that innocent people might be tracked as terrorists. The issue of definition had come up before in the Senate's Special Committee on the Subject-Matter of Bill C-36 when the Committee recommended that the word "terrorism" be changed throughout the bill to "terrorist activities" throughout the bill. In the case of Bill C-11, the Senate wanted to ensure that the same definition would be used in both C-36 and C-11. Senator **Raynell Andreychuk** was anxious that if Bill C-11 passed, it would give the misconception that the Senate had dealt with terrorism. To signal her objections to the bill, she proposed a six-month hoist amendment. Many Senators expressed support for this amendment but, in the end, the amendment was defeated and the bill passed, both on recorded votes.

Royal Assent was given to Bill C-11 on November 1. Other bills that received Royal Assent this fall were Bill S-23, *An Act to amend the*

Customs Act and to make related amendments to other Acts and Bill C-14, *An Act respecting shipping and navigation and to amend the Shipping Conference Exemption Act, 1987 and other Acts*.

On October 25, the Speaker of the Senate ruled on a point of order that had been raised by Senator **Serge Joyal** on June 5. Senator Joyal maintained that Bill S-20, *An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions*, required Royal Consent because it affected the prerogatives of the Crown. In a lengthy ruling, the Speaker cited various parliamentary and legal authorities to explain the meaning of prerogative and the significance of Royal Consent. Based on this analysis, the Speaker ruled that Royal Consent was necessary in the case of Bill S-20.

On October 2, due to unusual actions, the Rules, Procedures and the Rights of Parliament Committee was discharged from considering Bill S-13, *An Act respecting the declaration of royal assent by the Governor General in the Queen's name to bills passed by the Houses of Parliament* sponsored by Senator **John Lynch-Staunton**. This was done in order to withdraw the bill and introduce Bill S-34. Although Royal Consent had been an issue in previous royal assent bills, it was not so in this case. Senator Carstairs, Government Leader, rose on October 4, before the start of second reading, to advise the Senate that the Governor General had given Royal Consent to this bill.

Committees

Some reports from Senate committee caused heated debate this fall. One was the Second Report of the Defence and Security Committee which was adopted on November 6.

The subject of the report was the committee budget. The committee, which had received its mandate from the Senate to conduct a survey of major security and defence issues facing Canada, requested additional funds to travel and begin its study. Many Senators were concerned about authorizing such a large expenditure before the committee had prepared a detailed work plan. They questioned why the committee had to travel in order to determine the substantive role of the committee. Senator Carstairs, Leader of the Government, expressed concern with the whole budget process. She felt that it should not be up to the Internal Economy, Budgets and Administration Committee to determine a committee budget after the Senate had approved the mandate of the committee. She noted that committee budgets were rarely debated in the Senate and stressed the importance of getting good value for the work done in the Senate, a sentiment supported by Senators on all sides. There was no real disagreement about the public's right to know how the Senate spends public funds in meeting its responsibilities and when the report was finally adopted many Senators noted how useful the discussion had been.

The Defence and Security Committee was also the subject of the Fourth Report of the Privileges, Standing Rules and Orders Committee. The report, whose only purpose was to change the name to the Standing Senate Committee on National Security and Defence, was not expected to be controversial. However several Senators made comments and raised concerns, not about the name change, but about the mandate of the committee. Senator **Lowell Murray's** point was that the new committee risked duplicating the work of other standing committees by dealing with matters

already in their mandates. Other Senators noted that the scope of the committee's mandate was not the issue here. The only issue at hand was to change the name of the committee and since this was not a problem, the report was adopted.

The Fifth Report of the Agriculture and Forestry Committee, presented on October 18, requested that the Minister of Agriculture appear before a Committee of the Whole to explain the actions of the government in dealing with the farming crisis in Manitoba and Western Canada. The charge in the report, that the Minister had cancelled his appearance before a meeting of the committee, prompted an angry response from Senator Carstairs. She said the report showed disrespect to the Minister who had never confirmed that he would attend that particular meeting and asked Senator **David Tkachuk**, Chair of the committee, to apologize to the Minister. Senators recorded their agreement by voting against the adoption of the report.

On October 25, the Senate agreed to resolve into a Committee of the Whole on October 30 to receive officials from the Department of National Defence and the Department of Public Works and Government Services for a briefing on the procurement process for maritime helicopters. Senator **Michael Forrestall** raised strong objections to the proposal. He protested the presence of Government-sponsored witnesses instead of the Minister and the fact that other witnesses would not be called. He claimed that this was another attempt by the Government to ram this matter through the Senate. Senator **Lynch-Staunton's** amendment, which was a list of witnesses they would like to call, was defeated. The Senate did agree, however, to the amendment moved by Senator **Noël Kinsella**, to have the proceedings televised.

In addition to the work of the Special Committee on the Subject-Matter of Bill C-36, many other committees completed special studies. The Fisheries Committee tabled a report on aquaculture in the Atlantic and Pacific regions on September 19. The next day, the Agriculture and Forestry Committee tabled its report on the present and future state of forestry. The Eighth Report of the Social Affairs, Science and Technology Committee on its study of the health care system was tabled on September 26. Also in late September, the Aboriginal Peoples Committee tabled its report on aboriginal economic development and northern national parks. The committee was authorized on that same day to examine and report on the crisis affecting urban aboriginal youth in Canada. The National Finance Committee, on October 30, tabled its report on the role of the government in the financing of deferred maintenance costs in Canada's post-secondary institutions. The Legal and Constitutional Affairs, for the tenth time since 1975, considered the miscellaneous statutes and reported on October 31. As well, the Scrutiny of Regulations reviewed the Royal Canadian Mounted Police Regulations 1988 and tabled a report November 8.

Milestones

When the Senate resumed sitting September 18, new Senators were sworn in: **Laurier Lapierre**, **Viola Léger**, **Mobina Jaffer** and **Jean Lapointe**. One month later, on October 16, the Senate welcomed three more members, **Gerard Phalen**, **Joseph Day** and **Michel Biron**. Warm tributes were paid to the memory of the late Senator **Jean-Maurice Simard** who died on June 16 and to Senator **Léonce Mercier**, the Government Whip, who retired on Au-

gust 11. Condolences were also expressed in the Senate upon the deaths of several former Senators, **Joseph-Philippe Guay**, **Sidney Buckwold** and **Solange Chaput-Rolland**.

Mary Mussell
Senate Journals



Ontario

The Ontario Legislative Assembly resumed the 2nd Session of the 37th Parliament on September 24, only a few days following the horrifying and appalling terrorist attacks in the United States. As was the case throughout the world, Ontarians were devastated and deeply saddened by the large loss of life, and shaken by the evident vulnerability of daily life in our peaceful society. In the sad, poignant and uncertain atmosphere of September, 2001, the Legislature spent its first day discussing a resolution, jointly sponsored by Premier **Mike Harris** (PC/Nipissing), Leader of the Official Opposition **Dalton McGuinty** (LIB/Ottawa South) and Third Party Leader **Howard Hampton** (ND/Kenora-Rainy River), which condemned the attacks; dedicated Ontarians to pledging the Province's resources to assist the victims; reaffirmed Ontario's desire for and pursuit of peace and justice; committed Ontario's support in the war to eradicate terrorism and its agents; and calling for tolerance and respect for diversity. Following opening re-

marks by the 3 leaders, the Legislature observed 2 minutes of silence.

During the debate, in which 82 Members participated, every MPP wore red, white and blue ribbons signifying Ontario's support for its American neighbors and friends. After the resolution carried unanimously, in an unprecedented and emotional expression of harmony and shared aims with Americans, the National Anthem of the United States, the *Star Spangled Banner*, was played in the Legislature, followed by *O Canada*.

Within mere days, the world again witnessed tragedy when an explosion caused by an unbalanced individual killed and injured several people at the State Parliament Building in Zug, Switzerland. The Ontario Legislature again observed silence respecting this tragedy.

On October 2, the House welcomed its newest Member. **Michael Prue** (ND/Beaches-East York) was the successful candidate in the September 28 by-election in the riding of Beaches-East York, which had become vacant with the resignation in July of **Frances Lankin**, who left a career in elected politics to head up the United Way of Greater Toronto. Mr. Prue retained the seat for the New Democratic Party.

The Legislature has passed a number of bills since September 24, including:

- *Brownfields Statute Law Amendment Act*, which sets out rules and eliminates obstacles related to the cleanup and redevelopment of contaminated lands
- *Improving Customer Service for Road Users Act*, which permits delivery by private providers of various Ministry of Transportation services, most specifically driver testing
- *Brain Tumour Awareness Month Act*, which promotes awareness and detection of brain tumours by proclaiming October

each year to be Brain Tumour Awareness Month

Other legislation currently before the House includes:

- *Student Protection Act*, which will implement procedures to identify, report and formally deal with instances of professional misconduct and sexual abuse against students by teachers
- *Vital Statistics Statute Law Amendment Act*, which, arising from the terrorist attacks in the United States, will implement stringent procedures and safeguards with respect to vital personal identification documents, most specifically birth certificates and applications for them. Such applications will now require the signature of a guarantor, similar to passport applications, and individuals will be required to report the loss or theft of a birth certificate
- *Municipal Act, 2001*, omnibus legislation to implement a new, modern, more streamlined, easier-to-use *Municipal Act*
- *Oak Ridges Moraine Conservation Act*, which implements an ecologically based land use plan to protect 100% of the natural features and water resources on this environmentally sensitive area in perpetuity, and to permit new development, subject to strict controls, only in settlement areas
- *Ontarians with Disabilities Act*, which imposes a number of obligations, with respect to improving access for persons with disabilities, on the Government of Ontario and other organizations. Of relevance to the Legislative Assembly is an obligation placed on the Speaker to produce and implement an accessibility plan that addresses the identification, removal and prevention of barriers to persons with disabilities in the Legislative Chamber and the other parts of the Legislative Building that are under the Speaker's control

- *Interjurisdictional Support Orders Act*, which will simplify the process for obtaining or varying an interjurisdictional child support order

Following up on a citation in the Speech from the Throne earlier in the year, the government proceeded with a motion assigning terms of reference for the Standing Committee on the Legislative Assembly, authorizing it to consider parliamentary reforms related to expanding the use of technology in the House and its committees, and relating to enhancement of the role of private members. The motion was passed in mid-October and the committee decided to study first the matter of technology, in which it is currently engaged.

Also on the theme of parliamentary reform, the Leader of the Official Opposition, Dalton McGuinty, released a "Democratic Charter for Ontario", a series of proposals designed to transform the electoral and democratic processes in the Province. Mr. McGuinty's proposals are of significance since he has pledged to be bound by them in that the proposals will be part of his Party's election platform in the next election. They include:

- Limits on the amount of money parties can raise and spend on election campaigns, and limits on the amount of money candidates for a Party leadership can raise and spend
- Study of, and a binding referendum on, alternatives to the "first-past-the-post" electoral system
- Increasing the use of technology, including online voting, to increase voter participation
- Augmenting the permanent voters list with targeted enumeration
- Fixed election dates based on four-year terms, similar to

what British Columbia has already implemented

- Requiring the Premier and Cabinet to attend at least two-thirds of Question Periods, and reducing salaries for failing to do so
- Giving committees more powers and the ability to initiate legislation

A dominant issue on the legislative scene this Fall in Ontario was the October 16 announcement by Premier Harris of his resignation as

leader of the Progressive Conservative Party of Ontario, and Premier, as soon as a replacement can be chosen by that Party's membership. The date for selecting a new leader has been set for March 23, 2002.

Mr. Harris was first elected to the Ontario Legislature in 1981 and became leader of the PC Party in 1990. Mr. Harris formed a majority government and became Premier of Ontario in 1995, and formed a second majority government in 1999. Following his replacement as Premier,

Mr. Harris will continue to represent his riding of Nipissing for the duration of the 37th Parliament.

Another significant departure from the legislative scene will be that of Lieutenant Governor **Hilary Weston**, whose term officially expires in January 2002.

Todd Decker

Clerk of Journals and
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