



Legislative Reports



When proceedings adjourned on December 16, 2004, Members of the Quebec National Assembly had passed 22 public bills and 10 private bills since the resumption of proceedings last October 19.

The adoption of a motion to suspend certain rules of procedure three days before the adjournment enabled the passage of five bills, namely the *Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions*, which provides for the creation and establishment of a social trust to be known as the Fonds d'assurance automobile du Québec; the *Act respecting the Agence des partenariats public-privé du Québec*, which establishes an agency that is responsible for advising the Government on any public-private partnership matter; the *Act respecting Services Québec*, establishing Services Québec as a legal person and mandatary of the State, whose mission is to offer citizens and businesses a single window for simplified access to public services; the *Act to amend the Act respecting the Caisse de dépôt et placement du Québec*, which defines the objectives to be pursued by the Fund in performing its mission; and the *Act respecting the exercise of certain municipal powers in certain urban agglomerations*, which

gives effect to the results of the referendum polls held on June 20, 2004 under the *Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities*.

On the last day of proceedings, following an agreement reached between the Government and the Opposition Members, the Government House Leader moved a motion to enter upon all stages of Bill 90, *An Act to amend the Act respecting off-highway vehicles*. The purpose of this bill is to exclude, for a limited time, certain legal proceedings arising from the operation of an off-highway vehicle. The passage of this bill was deemed necessary owing to the situation prevailing in the snowmobile industry in Québec.

During a statement made on December 15, 2004, the Minister for the Reform of Democratic Institutions introduced a draft bill which proposes to replace the *Election Act*. This draft bill includes measures designed to facilitate the voting process and provides for a new mixed-member proportional electoral system.

Rulings from the Chair

On November 30, 2004, the Official Opposition House Leader requested that an urgent debate be held on the mad cow disease crisis. The President ruled that this request was receivable for the following reasons:

The request concerned a specific matter of special importance falling within the jurisdiction of the Assembly. Notwithstanding the fact

that the subject was broached on certain occasions during Oral Questions and Answers, there was still urgency to discuss the matter, owing to new developments that had arisen at that time. Even if priority must be given to the legislative business of the Government when the Assembly has extended hours of meeting, there remained sufficient time for the Government's legislative business, as the extended hours of meeting had only just begun.

Interparliamentary relations

From October 17-20, 2004, the President of the Quebec National Assembly, **Michel Bissonnet**, hosted the first meeting of the New Brunswick-Quebec Parliamentary Association.

Other than the President, the Quebec delegation was composed of **Nancy Charest** (Matane), **Serge Deslières** (Beauharnois), **Maxime Arsenaault** (Îles-de-la-Madeleine), **Raymond Bernier** (Montmorency), **Norbert Morin** (Montmagny-L'Islet) and **Sylvie Roy** (Lotbinière). The Speaker of the Legislative Assembly, **Bev Harrison**, led the New Brunswick delegation.

During the workshops, the topics for discussion included regional economic development through tourism; Government on-line; automobile insurance; and interprovincial trade and cross-border manpower mobility. The next session of the Association will take place in New Brunswick in autumn 2005.

Close to a dozen parliamentarians from Quebec and Ontario took part in the 14th general assembly of the Ontario-Quebec Parliamentary Association, which was held from November 17-19, 2004. Three topics of current interest were on the agenda, namely current political affairs in Ontario and in Quebec, the energy situation and health care for seniors.

The Quebec delegation comprised President Bissonnet and the Deputy Chairman of the Quebec section of the Association, **Charlotte L'Écuyer** (Pontiac), as well as **Geoffrey Kelly** (Jacques-Cartier), **Denise Beaudoin** (Mirabel), **Daniel Bernard** (Rouyn-Noranda-Témiscamingue), **Russell Copeman** (Notre-Dame-de-Grâce), **Elsie Lefebvre** (Laurier-Dorion) and **Sylvie Roy** (Lotbinière). The Speaker of the Legislative Assembly of Ontario, **Alvin Curling**, headed that province's delegation.

From November 22-26, 2004, the President of the National Assembly hosted a delegation of parliamentarians from Mali for a study visit on parliamentary control as well as other issues of interest to their Assembly. The work group, led by the First Vice-President of the National Assembly of Mali, **Mountaga Tall**, became acquainted with Quebec's parliamentary system and took a closer look at parliamentary committee operations. The Malian parliamentarians also met the Auditor General of Quebec, the Chief Electoral Officer and the Public Protector.

Youth Parliament and Student Parliament

Both of these Parliaments are directed by university students aged 25 years and under. Each year, they conduct their simulation of parliamentary proceedings in the National Assembly Chamber. The

objectives of these Parliaments are similar: to increase awareness of the National Assembly and its legislative process. Their operating procedure differs, however, as the Youth Parliament does not have party discipline, while the Student Parliament exactly reproduces the Quebec National Assembly. The proceedings of the 55th Legislature of the Youth Parliament took place from December 26-30, 2004, and those of the 19th Legislature of the Student Parliament from January 3-7, 2005.

Sylvia Ford

Secretariat of the Assembly

Committees

Among the legislation referred to committee by the National Assembly this autumn, certain gave rise to consultations. During October and November 2004, the Committee on Social Affairs (CSA) received 76 briefs and heard 62 individuals and organizations within the framework of a general consultation on Bill 57, *Individual and Family Assistance Act*. During the same period, the Committee on Public Finance (CPF) heard 40 individuals and groups with respect to Bill 61, which creates a public-private partnership agency.

It should be mentioned that the Committee on Labour and the Economy (CLE) examined a draft regulation on pay equity in enterprises, pursuant to section 114 of the *Pay Equity Act*. The purpose of this regulation is to provide male comparators to enterprises in which there are no predominantly male job classes in order that they may complete their pay equity plan. This is the second time that the Committee has carried out such an order since 1998.

Other Orders of the Assembly

The Assembly ordered the committees to hold five public consultations. Among these, the CLE will hear, beginning on January 25, 2005, the interested individuals and organizations on the document entitled *The Energy Sector in Quebec—Context, Issues and Questions*. Incidentally, the CLE held hearings within the framework of special consultations on this same document on December 1 and 2, 2004. Six experts in the field were heard on this occasion. The CSA was ordered to hold a general consultation, also beginning on January 25, on the document entitled *For a New Social Contract of Equality Between Women and Men*. This order also includes the holding of an on-line consultation. An on-line consultation form is available on the Internet site of the Assembly.

The committees adopted orders of surveillance of public agencies, in pursuance of Standing Order 294. On December 1, 2004, the Committee on Planning and the Public Domain (CPP) examined the orientation, activities and management of the Commission municipale du Québec. On January 25 and 26, 2005, it will hear the head officers of the Commission de la capitale nationale du Québec, followed by the head officers of the Société d'habitation du Québec. On January 19, 2005, the Committee on Education (CE) will hear, within the framework of a similar mandate, the head officers of the Conseil supérieur de l'éducation. Furthermore, on December 16, 2004, the CPF tabled its final report following the examination of the orientation, activities and management of the Commission administrative des régimes de retraite et d'assurances (CARRA). The Committee made three recommendations to increase

the effectiveness of this organization's general operation.

In December 2004, the Committee on Public Administration (CPA) tabled its thirteenth accountability report. This report concerns more particularly help to students experiencing problems, the Quebec Sales Tax and the Goods and Services Tax, as well as the subway network extension project on the territory of the city of Laval. Upon the conclusion of its proceedings, the Committee made seven recommendations. Its members underlined, after eight years of accountability, the increased transparency of the ministries and organizations heard and the greater openness demonstrated with regard to the role played by the CPA in continuously improving the management of the machinery of government.

Ruling Rendered in Committee

An event that took place during a sitting of the CPF gave rise to an interesting ruling concerning the participation of the chairman in the proceedings of the committee he was chairing.

On December 7, 2004, during the opening statements on the clause-by-clause consideration of Bill 78, *An Act to amend the Act respecting the Caisse de dépôt et placement du Québec*, the chairman of the CPF, the Member for Laval-des-Rapides, yielded his chair to a Committee member, the Member for Montmorency, in order to make opening statements on the bill. At the end of his comments, a point of order was raised in which his impartiality and his capacity to continue chairing the proceedings on this matter were questioned. In his ruling, rendered on December 9, the Member for Montmorency, who chaired the proceedings, acknowledged the right of the chairman to take part in the Committee proceed-

ings, pursuant to Standing Order 138, and this, while carrying out the duties of chairman. In the case in point, the Member for Laval-des-Rapides could even have made his opening statements without leaving the chairman's seat.

As regards the capacity of the Member for Laval-des-Rapides to chair the proceedings for the remainder of the mandate, the chairman referred to paragraph (5) of Standing Order 35, which states that no Member speaking shall cast reflections upon the conduct of another Member, unless he shall present some motion impugning that conduct in accordance with Standing Order 315.

The Standing Subcommittee on Parliamentary Reform

The standing subcommittee on parliamentary reform of the Committee on the National Assembly, which is responsible for examining matters relating to parliamentary reform, held a deliberative meeting on November 25, 2004 to begin its discussions with the framework of the parliamentary reform process initiated in June 2004. Two reform proposals are under examination, one submitted by the Government House Leader, the other by the President of the National Assembly.

Pursuant to the Standing Orders of the Assembly, the subcommittee on parliamentary reform consists of the President of the National Assembly, the Vice-Presidents, the House leaders and the whips of the parliamentary groups, as well as three committee chairmen, of whom one must be a member of a parliamentary group sitting in opposition. Moreover, the Assembly consented to set aside the Standing Orders to include the independent Member for Chutes-de-la-Chaudière as a member of the subcommittee.

At the sitting of November 25, the members agreed in particular to discuss the reform proposals according to the four themes they fall within. They also chose to form a technical committee charged with producing the necessary analyses. Finally, it was agreed that the subcommittee will mainly hold deliberative meetings and, if need be, public hearings.

Sonia Grenon

Secretariat of committees

Translation: **Sylvia Ford**

Secretariat of the Assembly



Alberta

On October 25, 2004, Premier **Ralph Klein** announced that he had sought the dissolution of the 25th Legislature and that a provincial general election would be held on November 22, 2004.

The main campaign issues were health care and education. Other issues included deregulation of the electricity industry, automobile insurance reforms, infrastructure and the BSE crisis.

At dissolution, the standings in the Legislative Assembly were 73 Progressive Conservatives, 5 Liberals, 2 New Democrats, 1 Independent Member and 2 vacant seats in the Legislative Assembly. Following the November 22 election the standings in the Legislative Assembly are: Progressive Conservatives - 62, Liberals - 16, New Democrats - 4 and Alberta Alliance - 1.

The Progressive Conservative party obtained 47 percent of the

popular vote, down from 62 percent in the 2001 election, and lost 11 seats in the Legislative Assembly. The election marked the tenth consecutive victory for the Progressive Conservative Party and its fourth under Premier Klein, who earlier announced that this would be his last election. Voter turnout was 46 percent, down from 52.8 percent in 2001.

The Leader of the Alberta Liberal Party, **Kevin Taft**, was re-elected in his constituency of Edmonton-Riverview. Dr. Taft was first elected in the provincial general election of 2001. The Liberals obtained 29 percent of the popular vote and won 5 new seats in Edmonton, one in St. Albert and 3 in Calgary. Economic Development Minister **Mark Norris** was defeated in his riding of Edmonton-McClung by Liberal candidate **Mo Elsalhy**.

The Leader of New Democrat party, **Brian Mason**, was re-elected to the riding of Edmonton-Highlands. Mr. Mason was first elected to the Assembly in a by-election in June 2000. Former leader **Raj Pannu** was re-elected in the constituency of Edmonton-Strathcona. The New Democrats also won two new seats in Edmonton: **David Eggen** won the riding of Edmonton-Calder and **Ray Martin** (former leader of the New Democrat party) won in the riding of Edmonton-Beverly-Clareview. Both were former Progressive Conservative seats. The New Democrats, who now have 4 seats and received 10 percent of the popular vote, are now a recognized opposition party under the *Legislative Assembly Act*.

The Alberta Alliance Party, a newly registered party in Alberta since April 2004, won one seat in the Assembly. **Paul Hinman** won the rural seat in the constituency of Cardston-Taber-Warner from Progressive Conservative incumbent

Broyce Jacobs. The Alberta Alliance obtained 9 percent of the popular vote in the election. Party Leader **Randy Thorsteinson** did not get elected.

On January 24, 2005, the Alberta Court of Appeal held that Progressive Conservative incumbent **Thomas Lukaszuk** received the most votes in the constituency of Edmonton-Castle Downs to defeat his opponent, Liberal **Chris Kibermanis** (5022 - 5019). Kibermanis had a 3 vote margin after the election and after a recount by a Court of Queen's Bench Justice. The Court of Appeal decided that several excluded ballots should have been counted. Kibermanis stated he would not be appealing. It was the first time a recount has gone to the Court of Appeal level in Alberta.

Senate Election

Alberta also held a Senate election in conjunction with the provincial general election and 35 percent of eligible voters cast ballots. It was the third senator-in-waiting election held in the province since the first in 1989. Ten candidates ran including five Progressive Conservatives, three Alberta Alliance and two Independents. The following four candidates were selected: Edmonton nurse **Betty Unger**; farmer and two-time senator-in-waiting **Bert Brown**; former MP **Cliff Breitzkreuz**; and former magazine publisher **Link Byfield**. There are currently three Senate vacancies in the province. The only elected senator to ever be appointed to the Senate from Alberta is **Stan Waters**.

New Cabinet

Premier Klein announced the Cabinet on November 24, 2004. Three portfolios were changed and a new Ministry was added. The number of

Cabinet Members remains at 24, including the Premier. Some portfolio changes include:

- the Ministry of Learning has been divided into two Ministries: Education for kindergarten to grade 12 and Advanced Education for postsecondary education;
- Finance and Revenue have been combined into one Ministry of Finance;
- the portfolios of Infrastructure and Transportation have also been merged to form the Ministry of Infrastructure and Transportation;
- the responsibility for community supports has been added to the Seniors portfolio;
- the new Ministry of Restructuring and Government Efficiency will be responsible for the development of policy to streamline the delivery of government services and will be responsible for the Alberta Corporate Service Centre which was previously under the Government Services portfolio;
- two MLAs will now sit at the Cabinet table and serve as Caucus Liaisons. Southern Alberta will be represented by **Cindy Ady** (PC, Calgary-Shaw) and Northern Alberta by **Hector Goudreau** (PC, Dunvegan-Central Peace).

Returning Cabinet Members with different portfolios include: **Shirley McClellan** – Deputy Premier and Minister of Finance; **David Hancock** – Minister of Minister of Advanced Education; **Ron Stevens** – Minister of Justice and Attorney General; **Iris Evans** – Minister of Health and Wellness; **Ed Stelmach** – Minister of International and Intergovernmental Relations; **Gene Zwozdesky** – Minister of Education; **Greg Melchin** – Minister of Energy; **Gary Mar** – Minister of Community Development; **Lyle Oberg** – Minister of Infrastructure and Transportation; **Mike Cardinal** – Minister of Human Resources and

Employment, and Minister responsible for Personnel Administration Office; **Guy Boutilier** – Minister of Environment; Heather Forsyth – Minister of Children's Services; **David Coutts** – Minister of Sustainable Resource Development; **Ty Lund** – Minister of Government Services; and **Clint Dunford** – Minister of Economic Development.

Ministers maintaining their previous portfolios include **Victor Doerksen**, Minister of Innovation and Science and **Pearl Calahasen**, Minister of Aboriginal Affairs and Northern Development.

New Ministers are: **Gordon Graydon**, Minister of Gaming; **Rob Renner**, Minister of Municipal Affairs; **Luke Ouellette**, Minister of Restructuring and Government Efficiency; **Harvey Cernaiko**, Solicitor General; **Yvonne Fritz**, Minister of Seniors and Community Supports; and **Doug Horner**, Minister of Agriculture, Food and Rural Development.

Other Matters

On January 6, 2005, the Honourable **Lois E. Hole**, C.M., A.O.E., Lieutenant Governor of Alberta, passed away from abdominal cancer. She was installed as Alberta's 15th Lieutenant Governor on February 10, 2000. Mrs. Hole was a long time resident of St. Albert and a well-known horticulturalist having published fifteen books on the subject. Prior to her role as Lieutenant Governor, she was Chancellor of the University of Alberta. Her Honour was well known in various local, provincial and national organizations and recognized for her contributions to libraries, education and the arts.

New Appointment

On January 19, 2005, the federal government announced the appointment of **Norman Kwong**,

C.M., A.O.E., as the next Lieutenant Governor of the Province of Alberta. His Honour was installed as the 16th Lieutenant Governor in a ceremony at Government House on January 20, 2005. Mr. Kwong, who was born in Calgary in 1929 to Chinese immigrants, is Alberta's first Lieutenant-Governor of Asian heritage. In 1948, he became the first Chinese Canadian to play in the Canadian Football League, where he won four Grey Cups, one with the Calgary Stampeders and three with the Edmonton Eskimos.

After retiring from football in 1960, he became a well-respected businessman and community leader in Calgary. His Honour was inducted into the CFL Hall of Fame in 1969, the Canadian Sports Hall of Fame in 1975, and the Alberta Sports Hall of Fame in 1980. He was appointed a member of the Order of Canada in 1998.

Spring Sitting

The Spring Sitting of the 1st Session of the 26th Legislature is expected to commence in late February or early March, 2005. The first item of business will be the election of the presiding officers.

Micheline Gravel
Clerk of Journals/Table Research



Northwest Territories

The Third Session of the Fifteenth Legislative Assembly adjourned on Friday, October 29, 2004 until Wednesday, February 9, 2005. Finance Minister **Floyd Roland** will

be introducing his second budget of the Fifteenth Assembly when the Third Session reconvenes. The following four weeks should prove eventful as Members debate the merits of a budget that they reviewed in draft estimate form in Standing Committees in January.

The Standing Committee on Rules and Procedures has completed its public review of the *Report of the Chief Electoral Officer on the Administration of the 2003 General Election* and will present its report to the House when the Session resumes. Among the Chief Electoral Officer's recommendations considered by the Committee were options for a fixed election date, enhanced public education regarding the electoral process and a comprehensive administrative review of the *Elections Act*.

Legislation

A total of seven Bills received assent on October 29th:

- Bill 7, *An Act to Amend the Legal Profession Act*;
- Bill 8, *Miscellaneous Statutes Amendment Act, 2004*;
- Bill 9, *Write-off of Assets and Debts Act, 2004-2005*;
- Bill 10, *Forgiveness of Debts Act, 2004-2005*;
- Bill 12, *An Act to Amend the Education Act*;
- Bill 13, *Supplementary Appropriation Act, No. 2, 2004-2005*; and
- Bill 14, *Supplementary Appropriation Act, No. 4, 2003-2004*.

The following Bills received Second Reading in October and are currently before Standing Committee:

- Bill 15, *Tli Cho Community Services Agency Act* - This Bill proposes to establish the Tli Cho Community Services Agency to perform func-

tions related to education, health and social services in Tlicho communities and on Tlicho lands. The Agency is required by the *Tlicho Intergovernmental Services Agreement* made under the *Tlicho Land Claims and Self-government Agreement*.

- Bill 16, *Northwest Territories Business Development and Investment Corporation Act* - This Bill proposes to establish the Northwest Territories Business Development and Investment Corporation. The purpose of the Corporation will be to support the economic objectives of the Government of the Northwest Territories by encouraging the creation and development of business enterprises and by providing information and financial assistance to, and making investments in, such enterprises. This Bill also proposes to repeal the *Northwest Territories Business Credit Corporation Act* and the *Northwest Territories Development Corporation Act*.
- Bill 17, *Modernization of Benefits and Obligations Act* - This Bill proposes to amend several Acts to ensure that references to "spouse" appropriately capture persons who live in spousal relationships outside marriage, so that the rights or obligations provided for, or imposed under those Acts, are equitably applied to persons in different forms of spousal relationships.
- Bill 18, *An Act to Amend the Territorial Court Act* - This Bill proposes to repeal the requirement that territorial court judges and deputy territorial judges cease to hold office at age 65, subject to re-appointment. The ultimate requirement that such judges cease to hold office at 75 is retained.

It is anticipated that Standing Committees will have concluded their reviews and will report these Bills back to the House when the Third Session reconvenes.

Other Matters

On November 29, 2005 the constituents of Inuvik Twin Lakes went to the polls and elected **Robert C. McLeod** by the slimmest of margins – 11 votes more than the nearest candidate. The subsequent judicial recount confirmed the margin of victory and Mr. McLeod was sworn in on December 13, 2004. He replaces **Roger Allen**, who resigned in October.

Former Member of the Legislative Assembly, Minister, Speaker and Sergeant-at-Arms, **Anthony (Tony) Whitford** was sworn in as the Twelfth Deputy Commissioner of the Northwest Territories on Tuesday, December 14, 2005. Interestingly, Mr. Whitford was sworn in by the Chief Judge of the Supreme Court of the Northwest Territories, Justice **J. E. (Ted) Richard**, a Member of the Tenth and Eleventh Legislative Assemblies until he resigned in 1988 and was replaced by Mr. Whitford as the Member for Yellowknife South.

David Inch

Clerk of Committees



New Brunswick

The Second Session of the Fifty-fifth Legislature opened on Thursday, December 2, 2004, instead of on the traditional Tuesday.

Herménégilde Chiasson, who was appointed the Province's 29th Lieutenant-Governor in August of 2003, delivered his first Speech from the Throne. The Throne Speech marked the continued implementa-

tion of the government's platform, *New Brunswick: Reaching Higher, Going Further*, and promised a stronger economy for workers and entrepreneurs; a stronger educational system for children and youth; stronger health care for seniors and families; stronger communities and services for people, and stronger value for taxpayers, including another balanced budget.

Official Opposition Leader **Shawn Graham** (Kent) claimed that the Throne Speech "included 20 ideas that were either drawn from Liberal platforms, Liberal speeches, or Liberal legislation or raised by Liberal Members. These ideas range across the whole scope of the government's throne speech, including the Office of the Public Trustee, the Child Advocate, better enforcement of child support orders, better protocols for victims of abuse, welfare reform, better treatment of volunteer fire-fighters, tax exemptions for non-profit housing, fiscal responsibility, and more."

On December 14, 2004, the Assembly adopted a resolution recommending the appointment of **Ronald Godin** as the first Consumer Advocate for Insurance under the *Consumer Advocate for Insurance Act*. The Act came into effect January 1, 2005, and established the Office of the Consumer Advocate for Insurance. The Consumer Advocate is an officer of the Legislative Assembly and has the following responsibilities under the Act:

(a) to examine the underwriting practices and guidelines of insurers, brokers and agents, and report the use of any prohibited underwriting practices to the Superintendent;

(b) to conduct investigations in relation to insurers, brokers and agents concerning

- (i) the premiums charged for contracts of insurance, and
- (ii) the availability of contracts of insurance;

- (c) to respond to requests for information with respect to insurance;
- (d) to develop and conduct educational programmes with respect to insurance for the purpose of educating consumers; and
- (e) to carry out tasks or investigations in relation to insurance matters or the insurance industry as directed by the Legislative Assembly.

The new Office of the Consumer Advocate for Insurance will be established in the city of Bathurst which is in the north-eastern region of the province; costs associated with the Office will be charged back to the insurance industry. The Consumer Advocate will report directly to the Legislature.

On December 16, 2004, Minister of Finance **Jeannot Volpé** (Madawaska-les-Lacs) introduced the 2005-2006 Capital Budget, a practice begun in the late 1980s by the McKenna Government. The Minister noted the government's one clear plan: "live within our means and focus on priorities." The gross capital budget of \$423.8 million, an increase of \$51.2 million from the 2004-05 revised budget included

- a \$95.7 million capital investment in health care, an increase of \$38.3 million over 2004-2005 revised budget;
- increase capital investment for K to 12 schools and for improvements to the community college network;
- strategic focus on infrastructure for municipalities and rural communities including improving "green municipal infrastructure," ensuring safe drinking water and more effective waste management systems, and purchase of emergency equipment;
- focus on public safety with replacement of courthouses, capital repairs to government buildings, rehabilitation of concrete dams, investment in tourism and upgrading aboideaux to prevent flooding;

- \$242 million allocated for roads and highways, plus another \$100 million in additional road construction activity for the Route 2 developer portion of the Trans Canada Highway, representing a 42.7% increase in road construction activity over the previous year.

On December 16, the Standing Committee on Law Amendments tabled its report with respect to Bill 55, *Restricted Dogs Act*. The Bill would require owners to have licenses for certain breeds of dogs and to carry certain liability insurance to cover damages, would hold owners strictly responsible for injuries caused by these dogs, and would allow for the seizure of dogs in specific circumstances. The Committee, chaired by **Jody Carr** (Oromocto-Gagetown) recommended that breed specific legislation such as Bill 55 not be proceeded with. The Committee further recommended that the Legislative Assembly urge the government to consider the advisability of developing province-wide dangerous dog legislation that does not focus on specific breeds of dogs, but rather focuses on education, prevention, responsible dog ownership and commitment to enforcement.

Among the noteworthy pieces of government legislation passed by the House were:

- Bill 12, *An Act to Amend the Human Rights Act*, introduced by Minister of Training and Employment Development, **Margaret Ann Blaney** (Saint John Kings) to redefine the term 'social condition,' making New Brunswick the third province that has adopted 'social condition' as a prohibited ground of discrimination in its human rights legislation. The amendments ensure that the new ground of discrimination based on social condition protects the socially and economically disadvantaged and the working poor, which was clearly the intent when the bill was introduced. The amendment refines the term

"social condition" under Bill 24 of the same name, which was brought forward by New Democratic Party Leader **Elizabeth Weir** (Saint John Harbour) during the previous session and given Royal Assent.

- Bill 15, *An Act to Amend the Pension Benefits Act*, introduced by Mrs. Blaney proposed to amend some of the regulation-making authority provided in the Act to the Lieutenant-Governor in Council. The Minister noted that when the Act was proclaimed in 1991, one of the procedures set out in the general regulations is the distribution priority that will take place if a plan winds up with insufficient funds to pay all benefits. She further stated that "Until the tragic situation occurred at St. Anne-Nackawic, this distribution model was deemed to be fair and equitable. We now know, however, that in these exceptional circumstances there are unintended consequences to applying the present distribution model. The amendment we are introducing today does not change the distribution model. It simply ensures that government has the ability to revisit this distribution model should that be the wish of those affected. As well, it gives us the flexibility to look at and discuss other options that may be available to the people of Nackawic."

Mrs. Blaney was referring to the bankruptcy and closure of the St. Anne-Nackawic Pulp and Paper Mill in the south-eastern region of the province leaving hundreds of workers uncertain of their future and their pension contributions.

- Bill 16, *Pension Benefits Guarantee Fund Act*, introduced by the Leader of the Official Opposition, Mr. Graham, proposed to establish a fund that would ensure the benefits in a provincially registered private pension plan. Under the *Pension Benefits Guarantee Fund Act*, private sector corporations would essentially pay an insurance premium into the fund. In the case of shortfalls in pension funds, the fund would ensure payment for a portion of an em-

ployee's pension benefits. The Superintendent of Pensions would be responsible for the administration of this fund. Mr. Graham further noted that workers contribute to pension funds and they deserve to know that they will not be left empty-handed. He urged all members to support the workers of the province and to support the *Pension Benefits Guarantee Fund Act* because the existing legislation did not provide the safeguards to the workers of the province. The subject matter of the Bill was referred at second reading to the Standing Committee on Law Amendments for consideration.

For the first time, the Assembly adopted a sessional calendar setting out the sitting days of the House for the balance of the Second Session. The resolution was supported by the Opposition parties. In accordance with the calendar, the House will sit for three-week periods, then adjourn for one week. The House will sit for three weeks in January, resume on March 30, and sit until June 10, 2005.

The House which adjourned from December 17 to January 4, 2005 for the holiday period, resumed January 4, 2005, and continued its consideration of the 2005-2006 Capital estimates and a number of government and Private Members Public Bills.

During the January 6 sitting, Premier **Bernard Lord** informed the Assembly of the passing of **Louis J. Robichaud** (1925-2005), former Premier of New Brunswick. Premier Lord recognized Mr. Robichaud's contribution to the province as a Liberal Member of the Legislative Assembly (Kent 1952-1971), as Leader of the Liberal Party (1958-1971), as Premier (1960-1970), and as a Senator (1973-2000).

The Premier noted that as the first Acadian elected Premier, Mr. Robichaud implemented the Equal Opportunity Program which mod-

ernized the public service and the structure of provincial and local government; he oversaw the unanimous adoption of the first *Official Languages Act*, and he reorganized post-secondary education by establishing the Université de Moncton and presiding over the expansion of the University of New Brunswick and the relocation of St. Thomas University to Fredericton. On behalf of all Members, the Premier extended condolences to the family, friends, and former colleagues of the late Premier. The House observed a minute of silence in memory of the former Premier. Mr. Graham, Leader of the Opposition, and Ms. Weir, New Democratic Party Leader, joined with the Premier in offering condolences and acknowledging the former Premier's contribution to the province.

The House was immediately adjourned until January 18 out of respect for the former Premier and his family.

Intergovernmental and International Minister **Percy Mockler** (Madawaska-la-Vallée) rose in the House on January 18 to extend his government's sincere congratulations to former New Brunswick Premier **Frank McKenna** on his recent appointment as Canada's Ambassador to the United States. The Minister noted that Mr. McKenna is a man who is respected across the province, in Canada, and the world over. Mr. McKenna served as the Liberal Member for Chatham from 1982 to 1995 and Miramichi-Bay du Vin from 1995-1997 and as Premier from 1987 to 1997.

Commission on Legislative Democracy Report

On January 19, Premier Lord tabled the *Final Report and Recommendations of the Commission on Legislative Democracy* established in the fall of 2003 with a broad mandate to mod-

ernize the province's democratic institutions. The Report recommends a mixed member Proportional Representation Electoral System for New Brunswick and recommends that the government take the steps necessary to hold a binding referendum no later than at the next provincial general election, to allow the people of New Brunswick to choose whether or not to adopt the Commission's recommendations.

The proposed model of proportional representation consists of a regional Mixed Member Proportional Representation (MMP) system combining 36 single-member riding seats and 20 list PR seats elected within four approximately equal size multi-member regional districts. The MLAs for the 36 single-member riding seats would continue to be elected using the current first-past-the-post plurality vote system. In addition to voting for the local single member riding candidate of their choice, voters in each of the four multi-member regional districts would elect five MLAs from closed party lists on the basis of the party vote received within the region.

The Commission recommends that the electoral boundaries for the 36 single-member ridings and the four multi-member regional districts be drawn by a Representation and Electoral Boundaries Commission.

Other important recommendations include fixed election dates, fixed legislative calendars, fixed dates for Throne and Budget Speeches, a new independent process to draw electoral boundaries after every decennial census, a new independent electoral commission called Elections New Brunswick, and changes to election laws to boost voter turnout. The Commission also recommended an enhanced role for MLAs and the

Legislature, making them more independent, with more authority and resources to represent citizens; new rules to make political parties more open and democratic; and a new process for appointments to agencies and boards and commissions giving New Brunswickers the chance to apply for positions, additional resources for MLAs, a greater role for committees in policy-making, and greater citizen participation.

The House adjourned January 21 until March 30, the day set for the presentation of the Budget.

Committee Work

Since the adjournment of the House, Committees have maintained an active schedule with the Standing Committee on Public Accounts and the Standing Committee on Crown Corporations being the most active.

The Select Committee on Health Care, chaired by Kent South MLA **Claude Williams**, will begin two weeks of public hearings in late February and early March on the subject matter of a Bill entitled *Health Charter of Rights and Responsibilities Act*, which was introduced during the previous Legislature (54th). The legislation would ensure that New Brunswickers know both their rights and responsibilities within the health care system. To ensure the *Health Charter* is applied and respected, the legislation would create an Office of the Health and Wellness Advocate. The responsibilities of the Health and Wellness Advocate would be:

- to promote the understanding of this Act within the New Brunswick health care system and among the public at large,
- to advise and assist individuals in the exercise of their rights and the performance of their responsibilities under this Act,

- to receive, consider and attempt to resolve complaints by individuals that proper effect has not been given to their rights under this Act,
- to promote the appropriate and responsible use of the New Brunswick health care system,
- to make recommendations designed to improve the quality and sustainability of the services provided by the New Brunswick health care system, and
- to promote measures that will improve the health and wellness of New Brunswickers.

Other Matters

On January 20, the House divided equally on the motion for second reading of two Private Members' Public Bills; namely, Bill 28, *An Act to Amend the Electricity Act*, and Bill 29, *Fairness in Fees Act*. In both instances, Speaker **Bev Harrison** cast his deciding vote in the negative.

Standings in the House at adjournment were: Progressive Conservatives - 28; Liberals - 26; NDP -1.

Loredana Catalli Sonier
Clerk of the Legislative Assembly



Senate

Much of what happened in the Senate during the early months of the First Session of the Thirty-eighth Parliament took place, not in the Senate Chamber,

but in its committee rooms. A light legislative calendar permitted Senators to begin committee work almost immediately. Some committees continued special studies on a variety of issues which they had not finished in the previous Parliament while others received orders of reference to begin new ones. A number of committees reported their findings to the Senate and it was this important work that took the spotlight in the Senate Chamber during the weeks leading up to the Christmas break.

Committees

Three reports released by the Social Affairs, Science and Technology Committee marked the conclusion of the initial phase of its mental health study, the first comprehensive national overview of the subject ever undertaken in Canada. Entitled *Mental Health, Mental Illness and Addiction: Overview of Policies and Programs in Canada, Mental Health Policies and Programs in Selected Countries and Mental Health, Mental Illness and Addiction: Issues and Options for Canada*, the reports were tabled in the Senate on November 23. Recommendations for reforming the mental health system will be contained in the committee's final report expected to be released in November 2005.

The Third Report of the Energy, the Environment and Natural Resources Committee called on all levels of government and individual Canadians to become actively and directly involved in helping to reduce greenhouse gas emissions. Tabled on November 24, the report entitled *The One-Tonne Challenge: Let's Get On With It!* contains recommendations to make the One-Tonne Challenge useful and effective.

The first edition of the *Canadian Security Guide Book* was released on December 7 by the National Secu-

riety and Defence Committee. Intended to make both the media and public aware of security problems that exist in Canada, the Guide Books lists the most significant ones identified by the Committee over the past three years. Already the National Security and Defence Committee has published nine reports on national security since it began its study in 2001.

A report on the current status and importance of developing value-added agriculture in Canada was tabled in the Senate by the Agriculture and Forestry Committee on December 14. The committee's 22 recommendations relate to those contained in its last report, an interim report on bovine spongiform encephalopathy in Canada which was tabled in the spring of 2004.

On December 14 the Human Rights Committee tabled its Fourth Report entitled *On-Reserve Matrimonial Real Property: Still Waiting*. It contains recommendations to the Minister of Indian Affairs and Northern Development to assist him in directing the House of Commons Committee on Aboriginal Affairs and Northern Development as it studies the issue of matrimonial real property on reserves. The Human Rights Committee will continue to monitor the progress of the House of Commons Committee and the Department of Indian Affairs and Northern Development on this issue.

The Public Good and Private Funds: The Federal Tax Treatment of Charitable Giving by Individuals and Corporations, the Fourth Report of the Banking, Trade and Commerce Committee, was also tabled in the Senate on December 14. An interim report, it concludes the first phase of the committee's study which focussed on tax policy and measures to enhance charitable giving in Canada.

Speaker's Rulings

On November 4, Senator **Lowell Murray** rose on a point of order during second reading debate of Bill S-13, an amendment to the *Constitution Act, 1867* to provide for the election of the Speaker and the Deputy Speaker of the Senate. He asked for clarification from the Speaker as to whether the bill required Royal Consent. In his ruling on November 17, Speaker **Dan Hays** agreed with Senator Murray that the objective of the bill, to elect the Senate Speaker by secret ballot, diminished the authority of the Governor General to appoint the Speaker. He concluded that the bill required Royal Consent but explained that it need only be given before final passage and for that reason second reading of the bill was allowed to continue.

The application of Senate rule 46 was the subject matter of another point of order, raised on December 7 by Senator **David Tkachuk**. According to the Senator, speeches that were given by the Senate sponsors of Bill C-4, the *International Interests in Mobile Equipment (aircraft equipment) Act* and Bill C-7, an amendment to the *Department of Canadian Heritage Act* and the *Parks Canada Agency Act* violated rule 46 of the *Rules of the Senate* because they were identical to speeches delivered by ministers in the House of Commons. When Speaker Hays delivered his ruling on December 9, however, he could not justify the point of order. His argument was based on an important exemption in rule 46 that permits the direct use of a minister's speech on government policy. He reasoned that government legislation such as C-4 and C-7 were expressions of government policy and as such, the speeches given in the Senate by the sponsors, even when relying on ministerial speeches made in the House of

Commons, were not forbidden by rule 46.

Royal Assent

The following bills received Royal Assent in a formal ceremony held in the Senate Chamber on December 15:

- S-10, *Federal Law-Civil Law Harmonization Act, No. 2*
- C-5, *Canada Education Savings Act*
- C-34, *Appropriation Act No. 2, 2004-2005*
- C-35, *Appropriation Act No. 3, 2004-2005*

Motions

The Senate concluded debate on two motions that called on the Government to take action on human rights issues. The first, to compel China to resolve the Tibet problem and the second, to condemn Burma for undemocratic actions were adopted on December 9 and December 13 respectively.

Milestones

Tributes were paid to Senator **Laurier LaPierre** who retired on November 21, to Senator **Yves Morin** who retired on November 28 and to Senator **Herb Sparrow** who retired on January 4. All had reached the mandatory retirement age of 75 years. Tribute was also paid to the distinguished career of Senator **Richard Kroft** who resigned from the Senate on September 24 and to the memory of former Liberal Senator **Philippe Gigantès** who died on December 9.

Mary Mussell
Journals Branch



Manitoba

The Third Session of the Thirty-Eighth Legislature began on November 22, 2004 with the NDP government's seventh Speech from the Throne. This event marked the first opportunity for Lieutenant-Governor **John Harvard** to deliver such an address to the Assembly since his installation in June 2004.

Speech from the Throne

Debate on the Throne Speech dominated the three week fall sitting. Highlights from the address included:

- Continuation of an action plan for economic growth, in collaboration with the Premier's Economic Advisory Committee;
- The introduction of Manitoba's first province wide diabetes prevention strategy;
- A one-third increase in college and university enrolment with 13,000 more students today than five years ago;
- The Healthy Kids, Healthy Futures Task Force;
- A new Manitoba law guaranteeing any new share in federal gas taxes will be invested directly in roads, highways and municipal infrastructure; and
- A 33 per cent cut in farmland education property taxes in 2004, rising to 50 per cent in 2005.

Official Opposition Leader **Stuart Murray's** (PC - Kirkfield Park) amendment to the Address in Reply

motion catalogued a number of deficiencies in the government's performance, including:

- Failure to commit to elimination of all education tax off residential property and farmland;
- Failure to provide any strategy to address growing wait lists throughout Manitoba;
- Failure to develop a long-term economic strategy to address job growth;
- Failure to adequately address the BSE crisis; and
- Failure to commit to strengthening the role and function of the Public Accounts Committee.

Following the custom of throne speech debates, **Jon Gerrard** (Independent Liberal - River Heights), moved a sub-amendment to Mr. Murray's amendment. Mr. Gerrard's critique dealt with a number of issues, among them: the government's failure to provide Manitobans with accessible health care, the problem of child poverty in Manitoba, and the failure to implement an effective strategy to address the growing problem of crime.

Mr. Gerrard's sub-amendment was defeated on a voice vote, while the House negatived Mr. Murray's amendment on a vote of 20 yeas, 34 nays. On December 2, 2004 the main motion carried by a margin of 34 yeas, 19 nays.

Legislation

In addition to the throne speech debate, the House spent a few days dealing with Government and Private Member Bills. Three of these bills received Royal Assent on December 9, 2004:

- Bill 4 - *The City of Winnipeg Charter Amendment Act (Differential Business Tax Rates)* - which enables The City of Winnipeg to divide business premises into different

classes, and tax the classes at different rates;

- Bill 47 - *The Legal Aid Services Society of Manitoba Amendment Act* - which makes a number of changes to the Act, including: replacing the practice of allowing legal aid recipients to choose their own lawyers with the selection of lawyers by Legal Aid Manitoba, requiring investigation of the financial resources of applicants, and the creation of an offence for making a false or misleading statement to obtain legal aid;
- Bill 49 - *The Municipal Amendment Act* - which enables municipalities to establish financial assistance programs and tax increment financing programs.

The House moved Bill 4 through all stages of the legislative process during this fall sitting, while Bills 47 and 49 were reinstated from the previous session as per a motion passed by the House at the close of the previous session in June 2004.

Matters of Privilege

Matters of Privilege occurred with uncommon frequency during the fall session, with ten being raised during the 13 sitting days. While the issues addressed by Members in these matters covered a number of concerns, most of them related to issues flowing from the Manitoba Public Accounts Committee's (PAC) - in particular, the committee's consideration of the "Hydra House" issue. Hydra House Ltd., an adult community living facility, was the object of an Auditor General's Investigation which included a review of the Department of Family Services and Housing Financial Accountability Framework. The issue dominated recent PAC proceedings.

On November 22, 2004, Jon Gerrard rose on a matter of privilege contending that statements re-

garding Hydra House made in 2002 by the former Minister of Family Services and Housing, **Tim Sale** (NDP - Fort Rouge) were misleading in light of information provided by the Auditor General's report and further by discussions in the PAC. Based on the procedural authorities and rulings from previous Manitoba Speakers, on November 29 Speaker **George Hickes** ruled that no *prima facie* case of privilege had been established.

On November 23, 2004, **Len Derkach** (PC - Russell - Official Opposition House Leader) raised a matter of privilege regarding the content of a PAC report. The report had been presented in the House and received on a motion earlier in the sitting day. Mr. Derkach expressed concern that actions endorsed by the PAC would not be acted on by the House. The actions had been adopted in Committee by motion and dealt with provisions for calling witnesses in committee, establishing a minimum of 20 PAC meetings annually, and granting authority to the Chair and Vice-Chair of the committee to call meetings and set agendas. On December 1, 2004 Speaker Hickes ruled that no *prima facie* case of privilege had been established. He did note however that the motion to receive the report of the Committee did not prohibit further action from being taken regarding the content of the committee report. In accordance with this ruling, **John Loewen** (PC - Fort Whyte) filed a motion to concur in the report which came up for debate under Private Member's business later in the session.

Glen Cummings (PC - Ste. Rose) raised a matter of privilege on November 24, 2004 complaining that the government and the current Minister of Family Services and Housing (**Christine Melnyk** - NDP

- Riel) had breached his privileges by failing to table financial information sought by the Opposition in relation to Hydra House. While Minister Melnyk had said that once a PAC meeting had been called she would release the document in question to the committee members, Mr. Cummings believed that it should be made available to all Members. Later that same sitting day the Government House Leader (**Gord Mackintosh** - NDP - St. Johns) announced a PAC meeting and Ms. Melnyk agreed to release the document to the committee and the media. After consulting the procedural authorities and reviewing Manitoba practices, on December 7 Speaker Hickes ruled that there was no *prima facie* case of privilege in this instance.

This particular chapter of the story continued the next sitting day (November 25, 2004) when Mr. Cummings raised a second matter of privilege regarding the provision of the aforementioned documentation to PAC members and the media after the House had adjourned for the day. He asserted that having the information presented in this manner circumvented the privileges of the Members in the Chamber. Following a careful examination of the circumstances surrounding this incident and the corresponding procedural considerations, on December 7, 2004 Speaker Hickes delivered the following ruling:

Although Members of the House may disagree with how the information was released in this situation and may find the actions to be discourteous, I must rule that these actions do not fulfil the criteria for a *prima facie* case of privilege. Having said that, members of the government may wish to reflect on the complaint that was raised, and in order to avoid creating similar complaints in the future, government members may wish to

consider the advisability of also tabling the information in the House in the future, so that all Members may have access to the material sought.

Also on November 25, 2004, Mr. Derkach raised another matter of privilege regarding a letter sent to the PAC Chair (**Jack Reimer** - PC - Southdale) by the acting Clerk of the Executive Counsel. Mr. Derkach contended that this action was a muzzle on the civil service, as the letter indicated that civil servants were being advised not to attend the Public Accounts meeting in spite of letters of invitation from the PAC Chairperson. Following additional research the Speaker again ruled that no *prima facie* evidence of a breach of privilege had been presented. The Speaker also suggested that the issue of witnesses appearing before the PAC was one of several items which might be more appropriately be discussed by the Rules Committee.

Matters referred to Rules Committee

As has been mentioned in previous reports, the Manitoba PAC has spent time in recent years revising and updating its procedures. Further (as noted earlier in this report) provisions for calling witnesses before the Committee have been an area of particular interest. This discussion is now continuing in the forum of our Standing Committee on Rules of the House, which has been tasked with considering these PAC related issues, along with other potential rule changes, during the winter intersessional period.

All-Party Task Force

Minister of Healthy Living **Theresa Oswald** (NDP - Seine River) launched the *Healthy Kids, Healthy Futures Task Force* in the fall of 2004. This all-party group has been man-

dated to tour the province to seek the views of Manitobans on how to keep children and youth active and healthy. Public meetings occurred in Winnipeg and several rural centres throughout January and February 2005. In addition to these meetings, the Task Force will also be visiting schools and holding a youth forum in order to hear directly from Manitoba kids. Aside from Minister Oswald, who will serve as Chair, the other Task Force members are:

- **Tom Nevakshonoff** (NDP - Interlake)
- **Marilyn Brick**, Vice-Chair (NDP - St. Norbert)
- **Andrew Swan** (NDP - Minto)
- **Mavis Taillieu** (PC - Morris)
- **Cliff Cullen** (PC - Turtle Mountain)
- **Jon Gerrard** (Independent Liberal - River Heights)

In Session

Barring an emergency session, the House will next meet on March 7, 2005 to continue the Third Session of the Thirty-Eighth Legislature.

Rick Yarish
Clerk Assistant/
Clerk of Committees



British Columbia

Four committee reports have been released since our last update. In November, the Select Standing Committee on Education, chaired

by MLA **Richard Stewart** (Coquitlam-Maillardville), deposited its report *A Future for Learners: The Path to Renewal of Education in British Columbia*. As required by the Committee's terms of reference, the report assesses the progress made in K-to-12 and post-secondary education since the Committee tabled its first report of this Parliament in 2002, and reviews the benefits to students of enhanced tuition revenues. The Committee reported that significant progress in the direction of its 2002 recommendations has been made, in effect shifting the focus of the education system from bureaucratic procedures to learning outcomes. The Committee also found that greater tuition revenues have enabled post-secondary institutions to provide more student financial aid, more university spaces, and additional lab and classroom equipment. During its deliberations, the Committee consulted with the Minister of Education, the Minister of Advanced Education, the BC School Trustees Association, the BC College Presidents and the University Presidents Council of BC.

Also in November, the Chair of the Select Standing Committee on Health, MLA **Val Roddick** (Delta South), deposited its third report of this Parliament, entitled *The Path to Health and Wellness: Making British Columbians Healthier by 2010*. The Committee was tasked, in April 2004, with looking into effective strategies for encouraging British Columbians to adopt healthy lifestyles and to consider the potential cost savings that may result from having a healthier population. From June to October, the Committee heard presentations and received submissions from 47 expert witnesses. Of the many preventive health issues raised during the course of its deliberations, the risks of poor diet, inactivity and obesity

were common themes. Many of the Committee's 29 recommendations therefore focus on improving the health of BC residents through programs to encourage healthy eating and regular, moderate exercise. As indicated by the report title, the Committee suggests that with government strategies and community support, British Columbians can challenge themselves to become healthier and more fit by 2010, the year that Olympic athletes will converge in Vancouver and Whistler, BC for the Olympic and Paralympic Winter Games.

The Select Standing Committee on Crown Corporations, chaired by MLA **Ken Stewart**, (Maple Ridge-Pitt Meadows), reported out in December. The Committee's First Report of the Fifth Session of the Thirty-Seventh Parliament contains the results of its reviews of the service plans and annual reports of the British Columbia Liquor Distribution Branch, Forestry Innovation Investment Ltd., and Land and Water British Columbia, Inc.

Lastly, in December the Chair of the Select Standing Committee on Finance and Government Services, MLA **Bill Belsey** (North Coast), reported with its *Annual Review of the Budgets of the Independent Offices of the Legislative Assembly*. The Committee recommended funding increases for five of the six statutory officers. Officers variously submitted that additional funds were required to offset contingencies in their largely demand-driven operations, to undertake service improvements and to provide for equipment updates.

The Select Standing Committee on Public Accounts and the Special Committee on the Citizens' Assembly on Electoral Reform are continuing their work and are expected to report to the House in February.

Electoral Reform

The much-anticipated final report of the Citizens' Assembly on Electoral Reform was submitted to the Attorney General on December 10, 2004. *Making Every Vote Count: The Case for Electoral Reform in British Columbia* contains the Assembly's key recommendation: that a referendum be held on May 17, 2005 asking British Columbians "[s]hould British Columbia change to the BC-STV electoral system as recommended by the Citizens' Assembly on Electoral Reform?"

BC-STV is the name the Citizens' Assembly has given to the customized single-transferable vote system it has proposed for the province. Like other single-transferable vote systems, BC-STV is a form of proportional representation that uses preferential ballots. Constituents reside in multi-member electoral districts and vote by ranking candidates on the ballot according to their preferences with respect to party affiliation and/or individual merit. The seats allotted to each electoral district are filled by those candidates receiving a quota of the district's popular vote, whether at the count of voters' first choices or after transferring votes to second, third and subsequent choices. However, there are also made-in-BC elements to the proposed STV system. For example, while existing constituencies would have to be reconfigured into multi-member ridings, the total number of MLAs and the number of MLAs representing each region would remain unchanged, as would the ratio of voters to MLA. The new ridings will have between two Members (in northern and rural ridings) and seven members in densely populated urban ridings in order to maximize proportionality. Another special feature is that no votes would be "wasted": using a formula to calculate reduced

"transfer values", all votes used to elect a candidate, rather than just "surplus" votes, would be redistributed to voters' next-choice candidates.

The Citizens' Assembly proposed BC-STV as the system that it believes best expresses the democratic values of British Columbians. After extensive public consultation, the Citizens' Assembly decided upon three necessary criteria to guide its work: proportionality to ensure that the number of seats won accurately reflects the percentage of votes garnered by a party; effective geographic representation; and more opportunities for choice, in terms of both candidates and parties. These criteria reflect common themes raised by the 383 formal presentations made at 50 public hearings throughout the province and the 1603 written submissions made to the Assembly.

The next step is a provincial referendum to be held on May 17, 2005. Under the *Electoral Reform Referendum Act*, which came into force May 20, 2004: "[i]f the Citizens' Assembly on Electoral Reform recommends, in its final report, a model for electing Members of the Legislative Assembly that is different from the current model, a referendum respecting the recommended model must be held in conjunction with the general election...to be held in May 2005." To pass, the assembly's recommendation would have to be approved by 60 per cent of all voters and by a simple majority of voters in 60 per cent of the 79 electoral districts. If voters endorse the BC-STV system, the *Electoral Reform Referendum Act* also requires that the new electoral system be in place for the 2009 provincial general election.

With the submission of its final report, the Citizens' Assembly fulfilled its mandate and it has now disbanded. The Ministry of Attor-

ney General has taken over responsibility for maintaining the website developed by the Citizens' Assembly and has distributed its *Final Report* to every household in British Columbia. That ministry is also in the process of establishing a public information office, a website and a 1-800 number to make additional impartial information available to British Columbians in the months prior to the referendum.

Government has announced that it will remain neutral with respect to the Assembly's recommendation.

Cabinet and Caucus Changes

The BC cabinet and party caucuses have seen numerous changes this past autumn and winter, as ministers and Members contemplate their professional and personal commitments in advance of the next provincial general election scheduled for May 17, 2005. In September Deputy Premier and Minister of Children and Family Development **Christy Clark** (Port Moody-Westwood) announced her resignation from those positions and her intention to sit as a private Member until another representative for her constituency can be chosen in the election. In December Finance Minister **Gary Collins** (Vancouver-Fairview) resigned both his position as minister and his seat as MLA. Most recently, **Sandy Santori** (West Kootenay-Boundary), Minister of State for Resort Development, announced in January his resignation from cabinet and his intention to vacate his seat in the House on January 31. These resignations have prompted the following cabinet changes:

- **Graham Bruce** (Cowichan-Ladysmith), Minister of Skills Development and Labour, replaced Mr. Collins as Government House Leader;

- Minister of Health, **Colin Hansen** (Vancouver-Quilchena) left the Health portfolio and was appointed Finance Minister;
- **Shirley Bond** (Prince George-Mount Robson) became Deputy Premier and left her position as Advanced Education Minister for the position of Minister of Health;
- **Ida Chong** (Oak Bay-Gordon Head), moved from Minister of State for Women's and Seniors' Services to the post of Minister of Advanced Education;
- **Wendy McMahon** (Columbia River-Revelstoke), Government Caucus Chair, replaced Mr. Chong as Minister of State for Women's and Seniors' Services;
- Minister of Human Resources, **Stan Hagen** (Comox Valley), moved to the position of Minister for Children and Families that was vacated by Ms. Clark;
- **Susan Brice** (Saanich South) replaced Mr. Hagen as Minister of Human Resources, leaving her position of Minister of State for Mental Health and Addiction Services;
- New to cabinet is **Brenda Locke** (Surrey-Green Timbers), who was appointed Minister of State for Mental Health and Addiction Services;
- **Patrick Wong** (Vancouver-Kensington) also moved into cabinet taking the new portfolio of Minister of State for Immigration and Multicultural services; and
- The newest cabinet minister is **Patty Sahota** (Burnaby-Edmonds), who was recently named to replace Mr. Santori as Minister of State for Resort Development.

There have been changes among the ranks of private Members, as well. NDP MLA **Jagrup Brar** took his oath of office on November 23, 2004, having won the Surrey-Panorama Ridge by-election on October 28, 2004. As mentioned in previous reports, the by-election was precipi-

tated by the resignation of Liberal MLA **Gulzar Cheema** in May last year. Also in November, MLA **Tony Bhullar** (Surrey-Newton) returned to the Liberal caucus after sitting as an Independent for over two years. And, Independent Member, **Elayne Brenzinger** (Surrey-Whalley), announced her affiliation with the Democratic Reform BC Party shortly after its founding convention, which took place on January 15.

Party standings in the House are now 72 BC Liberals, 3 NDP, 2 Independent and 2 vacant.

Wynne MacAlpine
Research Analyst



Ontario

The fall session of the Ontario Legislative Assembly began on October 12, 2004 and adjourned on December 16, 2004.

In terms of legislation, the Legislature passed the *Audit Statute Amendment Act*, an Act that was 15 years in the making and changes the title of both the Auditor and the Office. It is now known as the Office of the Auditor General of Ontario. The Act also gives new powers to the Auditor General, including the ability to conduct value-for-money audits of organizations in the broader public sector that receive government grants (hospitals, colleges, universities, school boards) as well as of Crown-controlled corporations (the new Hydro corporations).

The *Liquor Licence Amendment Act* was also passed, permitting the public to bring their own wine to participating restaurants.

The *Executive Council Amendment Act* received Royal Assent on December 16, 2004. The Act provides that ministers must attend Question Period on at least two-thirds of the days on which the House holds Routine Proceedings. Certain absences may be excused by the Premier or another member whom the Premier designates. At the end of every session, the Premier or designate is required to prepare and publish a status report showing each minister's attendance at Question Period. When the Legislature is dissolved, the Premier or designate is required to determine for each minister the number of days during the term, if any, on which the minister did not attend as required, assess a penalty of \$500 for each day of non-attendance, and verify that the minister pays that amount into the Consolidated Revenue Fund.

The *Government Advertising Act*, which provides for the review by the Auditor General of specified types of advertising by government offices, received Royal Assent on December 9, 2004.

On April 15, 2004, the Legislature gave Royal Assent to the *MPP Salary Freeze Act*, freezing members' annual salaries at October 2, 2003 rates until March 31, 2005.

Committee Activity

Over the winter recess, various Committees held public hearings and travelled throughout the province.

The Standing Committee on the Legislative Assembly held public hearings on Bill 132, *Public Safety Related to Dogs Statute Law Amendment Act*, also known as the "Pit Bull Legislation." The Act seeks to prohibit the "owning, breeding, trans-

ferring, abandoning, importing" of pit bulls and training them to fight. There are exceptions for pit bulls owned by Ontario residents when the Bill comes into force and pit bulls born in Ontario within 90 days of the Bill coming into force. These pit bulls will have to be muzzled and leashed when taken out in public. The proposed legislation also includes a \$10,000 fine and six-month jail terms for owners of any breed of dog that bites, attacks or poses a threat to public safety.

The Standing Committee on General Government considered Bill 135, *Greenbelt Act*. The purpose of the Bill is to establish a Greenbelt Plan for all or part of the Greenbelt Area that is designated by regulation.

The Standing Committee on Social Policy held public hearings on Bill 118, *Accessibility for Ontarians with Disabilities Act*. The Bill provides for the establishment of accessibility standards which will apply to persons and organizations in both the public and private sectors that employ other persons or that deal with the public by providing goods, services, facilities or accommodation or by owning or occupying premises that are open to the public. The Committee travelled to Niagara Falls, London, Thunder Bay and Ottawa.

The Standing Committee on Finance and Economic Affairs held its annual Pre-budget Consultations. The hearings began in Toronto on December 16, 2004 with a presentation by the Minister of Finance, **Greg Sorbara**, MPP. They continued in Sault Ste. Marie, Sudbury, Ottawa, Kingston, London and Whitby, as well as two further days in Toronto. The Committee was scheduled to begin report-writing in February.

Other Matters

In December 2004, two new officers of the Legislature were appointed and one appointment was extended. **Jim McCarter** was named as Auditor General of Ontario. (He had been the Acting Provincial Auditor since September 30, 2003). **André Marin** was named the Ombudsman for the Province of Ontario replacing **Claire Lewis**, who retired in January. **Gord Miller's** appointment as Environmental Commissioner was extended to May 1, 2005.

There were several 'unveilings' at the Legislature including the portraits of former Speaker **Gary Carr**, and former Lieutenant Governor **Hillary Weston**, as well as the bust of former MPP **Agnes Macphail**, one of the two first women to be elected to the Legislative Assembly of Ontario.

An unusual procedural event took place when unanimous consent was given for **Donald L. Revell** to present himself on the floor of the Chamber in order to accept the congratulations of the House on the occasion of his retirement as Chief Legislative Counsel for the Province of Ontario.

Susan Sourial
Committee Clerk



House of Commons

Throughout November and December, the House continued to navigate its way through a new Parliament and the unfamiliar terrain

of minority government. While there was undoubtedly a great deal of negotiating among the House leaders, events in the House unfolded relatively smoothly. Credit should be given to the Speaker and Chair Occupants, who have taken every opportunity to explain potentially confusing procedural situations. The House has been seized with a considerable amount of legislation and has also made efforts to extend its discussions to other issues of public concern. The Main and Supplementary Estimates were adopted in December, with small but significant modifications; the related Appropriations Acts were passed on the same day.

The Chamber

The business of supply occupied a significant amount of House time during the months of November and December, including consideration of five of the seven opposition motions allotted to the period ending December 10, 2004, as well as concurrence in the Main Estimates, tabled on October 8, and Supplementary Estimates (A), tabled on November 4, for the 2004-2005 fiscal year.

With a minority parliament, the outcome of votes on Opposition motions is unpredictable. The first motion (provisioning Canada's armed forces) proposed by **Gordon O'Connor** (Carleton-Mississippi Mills, CPC) received support only from its CPC sponsors. The motion on fiscal imbalance by Bloc finance critic, **Yvan Loubier** (Saint Hyacinthe-Bagot), was adopted, with all opposition parties voting in favour. The Government and the Bloc teamed up to defeat the Opposition Leader's motion on provincial rights to Atlantic offshore oil royalties, while the NDP motion on trans fats (**Pat Martin**, Winnipeg Centre) was adopted with only the CPC dis-

senting. A second motion by **Stephen Harper** (selling back land expropriated for Mirabel Airport) was adopted, with combined opposition support and against the wishes of the Government, as was the BQ motion (**Roger Gaudet**, Montcalm) for government assistance to BSE-affected cattle farmers affected by BSE. A final Official Opposition motion for a judicial enquiry into the collapse of the sockeye salmon stocks (**Randy Kamp**, Pitt Meadows-Maple Ridge-Mission) attracted only the support of the sponsoring party.

The Leader of the Official Opposition moved to consider the 2004-2005 Estimates for Canadian Heritage, as well as Health Canada, in Committee of the Whole. The Heritage Estimates were taken up on Tuesday evening, November 16; the Health Canada Estimates were taken up on the following Tuesday.

December 9 was the final allotted day for the Supply period ending December 10, 2004. The House defeated motions by Treasury Board President **Reg Alcock** to restore cuts in the budgetary allocations to the Governor General and the Privy Council Office, made by the Government Operations and Estimates Committee. The Opposition's efforts to deny appropriations for the Canadian Firearms Centre, however, were unsuccessful.

Private Members' Business

Under the (provisional) new rules for Private Members' Business, all items are now votable unless the Subcommittee on Private Members' Business recommends otherwise. To date, only Bill C-268 (definition of marriage), standing in the name of **Rob Moore** (Fundy Royal) has been designated non-votable, on the grounds that the bill violates the *Canadian Charter of Rights and Freedoms*.

During consideration of other items of Private Members' Business, Members were reminded that Private Members' bills authorizing public spending require a royal recommendation, without which they cannot be read a third time. The Speaker has drawn the House's attention to two such bills currently on the *Order of Precedence*: Bill C-243 (establishment of the Office of Victims Ombudsman of Canada), standing in the name of **Raymond Bonin** (Nickel Belt, Lib.), and Bill C-278, *An Act to amend the Employment Insurance Act (improvement of the employment insurance system)*, standing in the name of **Paule Brunelle** (Trois-Rivières, BQ). Comments have been invited on status of a third bill, C-331 (Ukrainian Canadian Restitution), standing in the name of **Inky Mark** (Dauphin-Swan River-Marquette, CPC).

Legislation

As of the end of January 2005, the Government has introduced 37 bills in the House; eleven have passed and three of those have received Royal Assent. While ministers continue to refer bills to committee before second reading, there are considerably fewer now than earlier in the session (only three of the last 18, as compared with six of the first 18). Eight such bills remain in committee, including those dealing with child pornography (C-2), public service whistleblowers (C-11), non-profit corporations (C-21), and the *Competition Act* review (C-19).

Among the several bills currently before committees are five 'law and order' bills—C-2 (child pornography), C-10 (mental disorder), C-13 (DNA identification), C-16 (impaired driving), and C-17 (controlled substances)—that stand referred to the Standing Committee on Justice, Human Rights, Public

Safety and Emergency Preparedness. To date, the Committee has studied only two of the bills, C-10 and C-13, of which only C-10 has been reported to the House (and subsequently passed). Among the more controversial pieces of government legislation, C-17 was introduced on November 1 and referred to the Committee before second reading the following day. The bill decriminalizes the possession of small amounts of marijuana while doubling to 14 years the sentences for large scale cannabis cultivation. The new provisions, which also include enhanced sanctions for driving under the influence and a public education program, are intended to reinforce the government's message that cannabis is illegal and harmful.

Several bills of interest stand referred to other committees, including the new governance guidelines for federally incorporated not-for-profit organizations (C-21) and the *Competition Act* review (C-19), both referred to the Industry Committee before second reading; the whistleblower legislation (C-11), referred to Government Operations, also before second reading; and Bill C-30, MP compensation, currently with the Standing Committee on Procedure and House Affairs. The salary legislation removes the current provision linking increases in parliamentary remuneration to increases for judges, and pegs them instead to the government's annual average wage settlement index.

Two First Nations bills passed third reading—C-20, *First Nations Fiscal and Statistical Management Act* and C-14, *Tlicho Land Claims and Self-Government Act*. First introduced in March 24, 2004, the Tlicho legislation brings into effect the comprehensive land claims and self-government agreement between the Tlicho and the govern-

ment of the Northwest Territories. It is the first combined land claim and self-government agreement in the Northwest Territories and one of the first such agreements in Canada. The *First Nations Fiscal and Statistical Management Act* was initially introduced in 2002 and then reintroduced in March 2004 and again in November 2004, with most of the previously proposed amendments now incorporated into the text of the bill. It establishes four institutions: the First Nations Tax Commission, First Nations Finance Authority, First Nations Financial Management Board and First Nations Statistical Institute. The legislation, which was supported by all four parties at third reading, is intended to provide the information, regulatory framework and infrastructure needed to attract investment to First Nation lands. The legislation is optional—it will apply only to those First Nations that have chosen to access the services offered by the institutions.

In addition to the First Nations legislation, the House adopted two appropriation bills (C-34 and C-35), as well as legislation to protect migratory birds (C-15), and legislation to strengthen the law enforcement measures in relation to drug-impaired driving (C-16).

By unanimous consent, four bills were considered at all stages and passed by the House. These were Bill S-10 (*Federal Law-Civil Law Harmonization Act, No. 2*), and three bills dealing with electoral districts—C-36, boundary adjustments for the ridings of Acadie-Bathurst and Miramichi, and C-302 and C-304, name changes for the Ontario riding of Kitchener-Wilmot-Wellesley-Wollwich, and the Alberta riding of Battle River, respectively.

Among those bills currently on the House agenda is Bill C-24 (*Fed-*

eral-Provincial Fiscal Arrangements Act), the Government's highly contentious legislation on equalization.

Three Issues of Privilege

During the Inquiry into the Sponsorship Program and Advertising Activities, questions arose as to whether Commission counsel might cross-examine witnesses on the basis of their prior testimony before the Standing Committee on Public Accounts. As a result, Commissioner **John Gomery** asked whether the House would be prepared to waive parliamentary privilege and allow the Commission to use the Committee transcripts as evidence.

The matter was referred first to the Public Accounts Committee and subsequently, by virtue of concurrence in that Committee's Third Report to the House, to the Standing Committee on Procedure and House Affairs. A subcommittee of Procedure and House Affairs heard testimony from **Rob Walsh**, House of Commons Law Clerk and Parliamentary Counsel, **J.P. Joseph Maingot**, former Law Clerk and Parliamentary Counsel and author of *Parliamentary Privilege in Canada*, and **Robert Marleau**, former Clerk of the House and co-editor of *House of Commons Procedure and Practice*. Mr. Walsh warned that if the House affirmed its privileges without exception, it must be prepared to defend its privileges in the courts, if necessary. Mr. Maingot maintained that privilege may only be waived by way of a statute, and not by resolution of the House. Mr. Marleau referred Members to the *1999 Report of the United Kingdom Joint Committee on Parliamentary Privilege*, which held that improper, untrue, or misleading testimony in a parliamentary proceeding should be handled by the House.

The Committee's Fourteenth Report, while recognizing the importance of establishing the facts about the sponsorship program, as well as the relevance of witness cross-examination in eliciting evidence and establishing credibility, held that parliamentary privilege went to the very essence of parliamentary government and should be waived only rarely. Witnesses believed, and were given to believe, that their testimony before the Public Accounts committee would be privileged. To withdraw such protection after the fact would be not only unfair to them as individuals, but contrary to the best interests of Parliament.

While misleading the House and its committees undermines the integrity of parliamentary proceedings, the Report acknowledged that it is up to the House to punish the offenders. In the opinion of the Committee, to allow parliamentary testimony to be used in the Commission of Inquiry (or other judicial body) would violate Article 9 of the *Bill of Rights, 1689* and would not be appropriate or in the public interest.

Tight security arrangements during the presidential visit of **George W. Bush** were responsible for another question of privilege, raised by BQ Whip, **Michel Guimond**. During the time Mr. Bush was physically within the parliamentary precinct, several Members were delayed or denied access to the Hill when security personnel refused to recognize their parliamentary identification. One Member, **Dale Johnston** (Wetaskiwin CPC), missed a vote in the Chamber. Mr. Guimond cited cases where Members were interrupted while in the washroom or their offices and told they could not use the hallways at certain times. There were also complaints about the lack of bilingual officers. A number of Members rose in support of Mr.

Guimond, including **Don Boudria**, **Bill Blaikie** and **Jason Kenney**.

The matter was ruled immediately a *prima facie* case of privilege and referred to the Standing Committee on Procedure and House Affairs. The Committee heard from a number of senior officials, including the Sergeant-at-Arms, RCMP C/Supt **Line Carbonneau** and Sgt. Major **François Desfosseés**, and City of Ottawa Police Chief, **Vince Bevan**. Given that privilege is based on the House's pre-eminent claim to the attendance and service of its Members, and their right to be free from obstruction, intimidation and interference in carrying out their parliamentary duties, the Committee had no hesitation in concluding that Members' privileges had been infringed.

The Committee acknowledged that visits by heads of state or other dignitaries invariably involve heightened security precautions and that this was President Bush's first official visit to Canada and the first presidential visit since the events of September 11, 2001 and the war in Iraq. According to the RCMP, the security in place was the highest for any visit ever. While Members understand the need for security, denying them access to the House – even temporarily – is unacceptable. It is particularly unacceptable when other individuals were allowed through the security cordons.

In its report to the House (Twenty-First Report) the Committee expressed concern about the lack of communication among the different security players. Chief Bevan admitted that neither he nor his officers had ever seen or been told about the House of Commons pins and identity cards issued to Members of Parliament. Moreover, many of the planning decisions had not been shared with the Members, ei-

ther individually, or through the Whips or the Speaker's Office. The Committee asked that policies and protocols be implemented before the next heightened security situation to prevent a recurrence of these events. The Committee also asked that the Sergeant-at-Arms and the RCMP provide written reports to the Committee by the end of February 2005 outlining the specific measures to be implemented.

The Report finished by referencing the Committee's ongoing concern about the division of responsibility for Hill security between House and Senate staff and recommended that the Board of Internal Economy urgently discuss creating a unified parliamentary security service by January 1, 2006.

Mr. Guimond also rose in the House to accuse former Liberal Member for Beauharnois-Salaberry, **Serge Marcell**, of continuing to use the title 'Member of Parliament' and the address of his old constituency office in publicity material clearly published after his defeat. The riding is now represented by Bloc Québécois MP **Alain Boire**. Mr. Guimond also tabled, with permission, a copy of the advertisement in question. The matter was ruled a *prima facie* question of privilege and referred to the Standing Committee on Procedure and House Affairs.

Committees

The amendments to the motion for an Address in Reply to the Speech from the Throne contained recommendations that the Standing Committee on Human Resources' Skills Development, Social Development and the Status of Persons with Disabilities consider the employment insurance program; that the Standing Committee on Finance consider the provision of independent fiscal forecasting advice to parliamentari-

ans, and that the Standing Committee on Procedure and House Affairs consider and recommend a process to engage citizens and parliamentarians in a review of our electoral system and review all the options. Orders referring these matters to these committees were adopted in the House on Thursday, November 25, 2004.

Both the Human Resources and Finance Committees struck or had struck subcommittees to study the referred matters. The Subcommittee on Fiscal Imbalance will begin its hearings in February. The Subcommittee on the Employment Insurance Funds has already made its report to the main Committee, which, in turn, tabled some of the Subcommittee's recommendations as its Second Report, presented to the House on December 16. The rest of the Subcommittee's report will be taken up by the main Committee when the House returns. Procedure and House Affairs has decided to study electoral reform as a full Committee, setting aside their Tuesday morning meetings for their hearings on the issue. Representatives from several major think tanks and research organizations, as well as the individual responsible for the work of the British Columbia Citizens' Assembly, political scientist **Ken Carty**, will be invited to brief the Committee at the outset of its study. The Committee also agreed to televise the proceedings, whenever possible.

In the Standing Committee on Procedure and House Affairs, the disclosure requirements resulting from the implementation of the new Conflict of Interest Code has elicited a number of complaints from MPs. Many felt the form – which also requires Members to list the assets of spouses and dependent children – is overly-intrusive, too time-consuming and too complex.

Formerly, only cabinet ministers and parliamentary secretaries were subject to this level of scrutiny. The issue was taken up by the Standing Committee on Procedure and House Affairs, which established a subcommittee to work with staff from the Office of the Ethics Commissioner to improve the clarity of the document and assist Members in interpreting its requirements. The Subcommittee intends to continue working with the Ethics Commissioner to improve the form before the next election.

The Standing Committee on Finance tabled its 2004 Pre-Budget Consultation Report (Third Report of the Committee) on December 20. The Committee heard from over 300 witnesses, who had been asked to outline their priorities for government taxation and program spending. The Committee's Report, entitled *Moving Forward: Balancing Priorities and Making Choices for the Economy of the Twenty-First Century*, advanced 33 recommendations and was accompanied by dissenting or supplementary opinions from all four parties.

The Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness has been designated as the committee responsible for reviewing the *Anti-terrorism Act (2001)*, in accordance with section 145 of the legislation.

A number of committees were authorized to travel. The Standing Committee on National Defence and Veterans Affairs will travel to Halifax to hear witnesses on the Defence department's acquisition of

British submarines. Citizenship and Immigration will hold hearings across Canada on the new citizenship legislation, family reunification, and recognition of foreign credentials. Finally, both the Agriculture and Agri-Food, and Fisheries and Oceans committees will visit the west coast in relation to their studies on avian flu and declining sockeye salmon stocks, respectively.

The annual Report of the Auditor General of Canada for the year 2004 was tabled on Tuesday, November 23, and referred to the Standing Committee on Public Accounts.

The final printed version of the Report of the Chief Electoral Officer on the 38th General Election, held June 28, 2004 was tabled on Tuesday, December 14, and referred to the Standing Committee on Procedure and House Affairs.

Other Business

On Wednesday, November 24, 2004, at the request of **Borys Wrzesnewskyj** (Etobicoke Centre, Lib.), the House held an emergency debate on the deteriorating situation in Ukraine. The following day, the House adopted a motion upholding the conclusions of international observers-including two Canadian Parliamentary delegations-that the process electing Mr. Yanukovich as president was fraudulent, and resolving that Canada would seek international support for, and introduce, 'appropriate and effective measures' should President Kuchma and the government of Ukraine not respect the democratic will of the Ukrainian people.

The House held four additional take-note debates: Hepatitis C (Tuesday, November 2), credit cards (Tuesday, December 7), pine beetle (Monday, December 13), and the textile industry (Tuesday, December 14). The Hepatitis C debate followed on the heels of an earlier debate on a motion by **Rob Merrifield** (Yellowhead, CPC) to concur in the First Report of the Standing Committee on Health in relation to compensation for Hepatitis C victims. Similarly, the textile industry discussion effectively continued the debate on Mr. Martin's (Winnipeg Centre, NDP) motion to concur in the First Report of the Standing Committee on Finance (apparel industry). Both motions were transferred to Government Business when the debate was interrupted.

On November 1, the House saluted Canada's 2004 Olympic and Paralympic athletes who were seated on the floor of the House

On November 16, the House paid tribute to the late **Ellen Fairclough**, former Member of Parliament and Canada's first female Cabinet minister.

On December 6, Members made statements commemorating the fifteenth anniversary of the tragedy at Montreal's École polytechnique and condemning violence against women. The House then observed a moment of silence.

The House resumed Monday, January 31, 2005, at 11:00 a.m.

Pat Steenberg
Procedural Clerk
House Proceedings