



# Legislative Reports



## Manitoba

On November 20, 2007 Lieutenant Governor **John Harvard** delivered the NDP government's eleventh Speech from the Throne since 1999, commencing the second session of the 39th Manitoba Legislature. The address conveyed a range of government commitments and proposals, including:

- A commitment to reduce total greenhouse gas emissions in Manitoba below 2000 levels over the next two years;
- New restrictions on household use of dishwashing detergents and lawn fertilizers to help protect lakes and rivers;
- Further capital investments for university campuses in Winnipeg and Brandon;
- An enhanced driver's licence to be offered beginning in the fall of 2008;
- Beginning the phase-out of the province's corporate capital tax and making the Manufacturing Investment Tax Credit 70 per cent refundable;
- Expansion of child-care spaces by another 2,500 over the next two years;

- New nurse training spaces to be added at Manitoba's universities and colleges;
- New training spaces to be added at the University of Manitoba school of medicine;
- Adding two new investigative teams to assist communities in tackling organized crime;
- Introducing new legislation to provide protection for witnesses who testify against gangs;
- An increase in the minimum wage based on previous public consultations;
- An increase to the child benefit to provide support to working families;
- Appointment of a new privacy commissioner with the power to issue orders under Manitoba's freedom of information and protection of privacy legislation;
- An increase in the farmland tax rebate to 70 per cent; and
- Finalize agreements to be signed for the Museum for Human Rights that will trigger the establishment of the first national museum outside Ottawa.

In his non-confidence amendment to the Address in Reply motion, Official Opposition Leader **Hugh McFadyen** identified a number of government shortcomings, including:

- the government's misguided directive to Manitoba Hydro to construct the BiPole III transmission line on the west side of the province, resulting in more than \$500 million in additional capital costs, 40 megawatts of line loss and more than \$17 million annually in lost sale revenues;

- the government's refusal to provide answers to the 34,000 Manitobans who lost over \$100 million of their savings in the Crocus Investment Fund scandal;
- the government's failure to ensure that the safety of children in the care of Child and Family Services is a paramount consideration;
- the government's failure to address the unprecedented number of shootings and criminals in possession of illegal firearms;
- the government's lack of efforts to develop strategies to help the agricultural sector dealing with challenges such as the effects of the rising Canadian dollar, high input costs, and the potential effects of Country of Origin Labeling;
- the government's ineffectiveness in addressing ongoing infrastructure challenges in key areas such as bridges, highways, roads, sewage and water treatment, and telecommunications such as rural broadband; and
- the government's chronic under-funding of post-secondary institutions for almost a decade.

**Jon Gerrard** (Independent Liberal – River Heights) identified a number of additional faults with the government's performance in his sub-amendment to Mr. McFadyen's amendment, including:

- the lack of real targets set out in the reduction of nutrient-loading into Lake Winnipeg;
- the government's refusal to move forward with a comprehensive Liberal initiative to ban plastic bags;

- the government's continuing to commit an injustice to children by failing to reduce child poverty; and
- the government's continuing refusal to sufficiently address the societal issues surrounding crime.

Following the defeat of Mr. Gerrard's sub-amendment on a voice vote, Mr. McFadyen's amendment was defeated on a recorded vote of yeas 21, nays 32. On November 30, 2007 the main motion carried on a recorded vote of yeas 32, nays 19.

The government introduced 13 bills during this fall sitting, addressing a variety of governance areas including:

- *Bill 2 – The Public Schools Amendment Act* (Trans Fats and Nutrition) requires every school to have a food and nutrition policy. Also, school boards must ensure that schools do not sell or distribute food products containing artificial trans fats, with certain exceptions.
- *Bill 3 – The Highway Traffic Amendment Act*. Under provisions of *The Highway Traffic Act*, a person who is convicted of certain offences can have his or her vehicle forfeited or driver's licence automatically suspended. This Bill makes those provisions apply in the case of street racing offences recently added to the *Criminal Code*.
- *Bill 7 – The Child and Family Services Amendment Act* (Child Pornography Reporting) requires that child pornography be reported, and sets out what actions are to be taken when such a report is made.

These bills are all awaiting the conclusion of Second Reading debate before proceeding through the rest of the legislative process.

The Standing Committee on Crown Corporations met on several occasions in November and Decem-

ber 2007 to consider Annual Reports from the following Crown Corporations:

- Manitoba Liquor Control Commission
- Manitoba Lotteries Corporation
- The Worker's Compensation Board

On the last day of the session the House passed a motion establishing a Special Committee on Senate Elections. The all-party Committee has been tasked with consulting the public on how federal senators from Manitoba should be elected should the federal government amend the process for appointing senators. The Committee, with representation from all political parties in the legislature, will conduct several public hearings across Manitoba in 2008, reporting its findings and recommendations to the legislative assembly in June.

*The Elections Reform Act*, passed by the assembly in 2006, called on the legislature to establish an all-party committee to consult with Manitobans on matters relating to the election of federal senators. The preferred position of Manitoba, as represented in the legislation, is the abolition of the Senate of Canada. Manitoba abolished its upper house in 1876.

The House rose for the winter on December 6, 2007. In accordance with a sessional order passed in June of 2007 the House will sit from no later than April 9, 2008 to June 12, 2008 to consider the next budget and legislative agenda.

On February 4, 2008, **Andrew Swan** (NDP - Minto) was appointed minister of Competitiveness, Training and Trade. First elected in a 2004 by-election, Mr. Swan has served as the legislative assistant to the ministers of justice and labour and immigration. In addition to assuming the

responsibilities for competitiveness, training, and trade, he will also be responsible for the Manitoba Liquor Control Commission and Manitoba Lotteries Corporation.

Additionally, Premier **Gary Doer** made four other appointments:

- **Drew Caldwell** (NDP - Brandon East), as legislative assistant to the premier with special responsibility for Brandon and western Manitoba;
- **Flor Marcelino** (NDP - Wellington), as legislative assistant to the minister of culture, heritage, tourism and sport;
- **Marilyn Brick** (NDP - St. Norbert), as legislative assistant to the ministers of justice, and labour and immigration; and
- **Bonnie Korzeniowski** (NDP - St. James) as Manitoba's special envoy for military affairs.

**Rick Yarish**  
Clerk Assistant /  
Clerk of Committees



## Senate

The Senate was occupied during the early days of the Second Session of the Thirty-ninth Parliament with the customary duties of a new session. Debate on the Address in Reply to the Speech from the Throne, the formal response from the Senate to the Governor General's recitation of the Government's agenda for the session, began immediately and continued until its adoption on November 27. Twenty-three senators spoke, in-

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cluding Senator **Bert Brown**, a new senator who took the occasion to make his maiden speech in the Senate.

There is also business that must be completed at the beginning of a new session so that committees can begin their work. On November 1, the Senate confirmed the appointments of senators nominated by the Committee of Selection to serve on standing committees for the session. Each committee subsequently reported on expenses incurred during the previous session, in accordance with the *Rules of the Senate*. Several committees also received their mandates from orders of reference adopted by the Senate and approval for new budgets to carry out their special studies.

### Legislation

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At times it becomes necessary to expedite the passage of legislation, especially when a lengthy adjournment is imminent. This occurred in December when three important Government bills arrived during the final week before the Senate adjourned for the holidays.

Due to the urgency of these bills, the Senate considered two of them in Committee of the Whole. Bill C-38, to mandate the re-opening of the Chalk River nuclear plant, impacted on the health and safety of Canadians and for this reason was perhaps the more critical. The legislation was created to end the medical emergency caused by the shutdown of the nuclear facility which resulted in a shortage of medical isotopes. On December 12, the Minister of Health, **Tony Clement**, and the Minister of Natural Resources, **Gary Lunn**, in addition to officials from Atomic Energy of Canada Limited and the Canadian Nuclear Safety Commission, appeared as witnesses to answer questions about the bill. Twenty-one

senators took part during the course of the meeting which lasted over three hours before reporting the bill to the Senate without amendment. Third reading and Royal Assent by written declaration, signified by Governor General **Michaëlle Jean**, proceeded immediately afterwards.

All voters are required by the *Canada Elections Act* to demonstrate their identity and residence before they vote. This was a problem, in particular, for electors living in rural and northern communities who lost their right to vote because they did not have identification containing a residential address. On December 14, the Senate met once again in Committee of the Whole, this time to examine an amendment to the *Canada Elections Act* which corrected the problem of verifying the residency of voters. Bill C-18 meant that voters who have identification containing an address with a rural route number, for example, can establish their residence before they vote if this mailing address is consistent with information on the list of electors. More broadly, Bill C-18 was about protecting the *Charter* and ensuring that legitimate voters are able to exercise their constitutional right to vote in the next federal election. Called as witnesses, the Leader of the Government in the House of Commons and Minister of Democratic Reform, **Peter Van Loan**, and **Marc Mayrand**, Chief Electoral Officer, responded to 14 Senators who asked questions. Bill C-18 was also reported without amendment.

The Senate revived a method it had not used since 1993 to deal with the third piece of urgent legislation, Bill C-28, the *Budget and Economic Statement Implementation Act*. It was important to pass this bill before January 1, 2008 when a reduction in the goods and service tax was to take effect. The *Rules of the Senate* al-

low for the pre-study of bills that have been introduced in the Commons but not read the first time in the Senate. It is a way to move a bill more swiftly when it formally arrives in the Senate without forfeiting a thorough and proper review of the bill. The subject-matter of Bill C-28 was therefore studied by the National Finance Committee on December 12 while the bill was still before the Commons. Approximately 32 witnesses appeared before the committee during its hearings and approval of the bill in general was reported to the Senate on December 13. With the pre-study completed, the Senate was then able to pass all stages of the bill on December 13 when it was received from the Commons.

A traditional Royal Assent ceremony took place in the Senate Chamber on December 14, with **Marshall Rothstein** presiding as Deputy Governor General. Six bills, including bills C-28, C-18 and C-35, the first supply bill of the session, received Royal Assent.

### Committees

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The Agriculture and Forestry Committee tabled its Fourth Report on December 11. In this interim report, entitled *Livestock Industry*, the Committee addressed the crisis in the cattle and hog industry brought about by a decrease in livestock prices and an increase in feed prices. One of its recommendations was for an interest-free loan program that would help producers cover their living and operating costs until conditions improve.

Also on December 11, the Joint Committee for the Scrutiny of Regulations released its Second Report which explained its position that the incorporation by reference in regulations of external material is proper only where a fixed text is in-

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corporated, as opposed to a text “as amended from time to time”.

The Fifth Report of the Legal and Constitutional Committee entitled *Taking Section 35 Rights Seriously: Non-derogation Clauses relating to Aboriginal and treaty rights* was tabled in the Senate on December 13. The Committee's main recommendation urged the government to add a comprehensive non-derogation provision to the *Interpretation Act* which would apply to all federal legislation. This was the final report on the Committee's study of non-derogation clauses relating to constitutional Aboriginal and treaty rights in federal legislation started in 2003.

### Speaker's Ruling

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Senator **Sharon Carstairs** rose on a point of order on November 29 to challenge the propriety of a motion seeking, in accordance with rule 131. (2), to adopt the report of the Foreign Affairs and International Trade Committee on Sub-Saharan Africa, tabled in the last session, and to request a government response. The senator argued that the report itself was not actually before the Senate and could not be amended, since as an item of business it had died with the prorogation of the previous session. On December 11, Speaker **Noël A. Kinsella**, ruled on the point of order. The Speaker began by explaining that a report of a committee only becomes a report of the Senate if and when it is adopted. He then reviewed the issues of reinstatement or revival of business from a previous session. Finally, the Speaker suggested the Rules, Procedures and the Rights of Parliament Committee might revisit and clarify the process for requesting government responses to committee reports. In this case, however, debate on the current motion could not

proceed and the motion was discharged from the Order Paper.

### Motions

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The Senate adopted a motion on November 21 urging the Government of Canada to update the 1989 Phosphorus Concentration Regulations to prevent the growth of toxic algae in Canada's lakes, rivers and streams.

### Milestones

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The Senate paid tribute on November 28 to the memory of former Senator **Maurice Riel**, who died on July 20, 2007. Appointed in October 1973, Senator Maurice Riel served as Speaker from December 1983 to November 1984. He was also active for over ten years on the Agriculture and Forestry Committee and participated in several other committees before his retirement in 1996.

On December 12 and January 31, the Senate joined in paying tribute to two retiring senators from British Columbia. Senator **Pat Carney**, who announced her resignation effective January 31, 2008, was a former Member of Parliament and the first female Minister of International Trade. In 1990 she became the first Conservative senator to be appointed from British Columbia since 1931. During her time in the Senate, Senator Carney was a strong advocate for the protection of heritage lighthouses and the rights of Aboriginal women.

Senator **Ross Fitzpatrick**, who retired on February 4, was also honoured by his fellow senators. Appointed ten years ago, senators noted how ably he represented his home province. The senator was acknowledged for his work on behalf of the Aboriginal people of British Columbia in addition to his business experience which was an asset to the Banking, Trade and Com-

merce Committee of which he was a member for many years.

Mary Mussell  
Senate Journals



## Ontario

Following the general election of October 10, 2007, the 39th Parliament of Ontario was convened by Lieutenant Governor **David Onley** on Wednesday, November 28, 2007. The election resulted in re-election of the Liberal Party led by **Dalton McGuinty**. The new 107 Member Legislature is now composed of 71 Liberals, 26 Progressive Conservatives and 10 New Democrats. Twenty-nine women were elected, up from twenty-six at dissolution.

In preparation for the ceremonial opening of the Legislature, the Clerk of the House held a seminar on parliamentary procedure for Members of Provincial Parliament in the Chamber. Although this exercise was aimed at first-time elected Members, it also drew the attendance of a number of veterans. The program led MPPs through a “typical day” in the Legislature with the emphasis on Chamber protocol.

On the opening day of parliament, five Members let their names stand for election to the prestigious post of Speaker and after four ballots, **Steve Peters**, a Member of the Assembly since 1999 from the riding of Elgin-Middlesex-London, was elected.

Immediately preceding the election of the Speaker, an old tradition

of many decades ago was revisited with the taking of an official photograph of all the Members seated in their places in the Chamber, together with the Table Officers, Sergeant-at-Arms and Chamber attendants. The photograph was taken from the West end of the Speaker's gallery by **Matthew Plexman**, a widely recognised Toronto-based leader in digital commercial photography.

The Legislature began its regular sittings on Monday, December 3, and before adjourning on Thursday, December 13, 2007, the House adopted the following:

- Appointment of **Bruce Crozier** as Deputy Speaker and Chair of the Committee of the Whole House; **Ted Arnott** as First Deputy Chair; **Jim Wilson** as Second Deputy Chair and; notwithstanding S.O. 4(c), **Andrea Horwath** was appointed Third Deputy Chair.
- Ordered the creation of an all party panel to make recommendations to the Speaker on ways to make working at the Ontario Legislature more family friendly for MPPs.
- Established nine Standing Committees, its memberships and meeting schedules.
- Authorized the Standing Committee on Finance and Economic Affairs, the Standing Committee on Public Accounts and the Standing Committee on Social Policy to meet during the Winter Adjournment.
- Passed Bill 2 - *Fairness for Military Families Act, 2007* to provide job protection for reservists and to eliminate the waiting period for families coverage for publicly funded health services.

## Committees

The Standing Committee on Finance and Economic Affairs conducted public hearings for pre-budget consultations 2008

across the province and will be tabling a report to the House when the Legislature resumes.

The Standing Committee on Public Accounts will also meet in February to review the 2007 Annual Report of the Auditor General.

**Katch Koch**  
Committee Clerk



## Newfoundland and Labrador

As reported in the last issue the General Election took place on October 9, 2007 however there was some unfinished business flowing from that event. The deferred election in the District of Grand Falls-Windsor-Buchans occasioned by the untimely death of the Liberal candidate, Dr. **Gerry Tobin**, took place on November 6. **Susan Sullivan** was the successful candidate. The Liberal candidate had withdrawn leaving just Ms. Sullivan representing the Progressive Conservative Party and **James Downey** representing the New Democratic Party to contest the election.

In the District of The Isles of Notre Dame **Derrick Dalley** was confirmed as the winner following the official recount. Mr. Dalley narrowly defeated the Leader of the Opposition **Gerry Reid**. The standings in the House are now 44 Progressive Conservatives, three Liberals and one New Democrat.

The Liberal Party selected **Yvonne Jones** the Member for Cart-

wright L'Anse au Clair as interim leader. Ms Jones was elected to the House in 1996 and served as Minister of Fisheries and Aquaculture and Minister Responsible for the Status of Women in the administration of Premier Grimes. The Liberal Party will hold a leadership convention in the Spring of 2010.

In January the Audit Committee, a committee of the House of Assembly Management Commission, held their first meeting. The Audit Committee comprises two Members of the House and two external members who are Chartered Accountants. The Committee has oversight of audit reviews and advises the Clerk on matters pertaining to financial practice and governance in the House administration, similarly to the Audit Committees of the House of Commons, Westminster. Their duties are set out in Section 23 of the recently adopted *House of Assembly Accountability, Integrity and Administration Act*.

The House has a new Information and Privacy Commissioner (Acting), **Edward Ring** who succeeds **Phil Wall**. Mr. Wall had served in the office since December of 2004. The appointment of the Privacy Commissioner is subject to confirmation by the House.

On February 4, 2008, **John C. Crosbie** was sworn by **Clyde K. Wells**, Chief Justice of Newfoundland and Labrador as the 12th Lieutenant Governor of the Province.

The 46th General Assembly is expected to convene in mid-March.

**Elizabeth Murphy**  
Clerk Assistant



## Alberta

The Fall sitting of the 3rd Session of the 26th Legislature adjourned on December 5, 2007, after 17 sitting days, including a record 21-hour and 53 minute sitting from December 4, 2007, to December 5, 2007. This was the second all-night sitting in the Third Session, the first of which occurred during the Spring sitting. At the conclusion of the sitting, 29 Government Bills and one Private Members' Public Bill had been passed by the Assembly.

During the Fall sitting the Assembly also approved supplementary estimates for 16 departments totaling \$1,530,638,000.

### Government Bills

Notable Bills passed during the Fall sitting include:

- Bill 1, *Lobbyists Act*, requires lobbyists to register and allows individuals to access the lobbyist registry regarding people, groups and organizations who lobby the Provincial Government. The Bill also prohibits lobbyists from simultaneously lobbying and being paid by the Government to provide advice to the Government on the same issue and contains provisions to have the listing of entities who receive payment from the Government posted online. The Policy Field Committee recommended several amendments which were adopted. A Government amendment broadened the exemption for non-profit organizations.

- Bill 31, *Mental Health Amendment Act, 2007*, amends the Act by broadening the criteria for involuntary admission and introducing community treatment orders in Alberta. Substantial Government subamendments were proposed to the recommended Policy Field Committee amendments in the case of Bill 31.

In the Spring, Bill 1, *Lobbyists Act* was referred to the Assembly's new Standing Committee on Government Services. Bill 31, *Mental Health Amendment Act, 2007*, was referred to the new Standing Committee on Community Services. After holding public hearings, both Committees recommended that the respective Bills proceed with amendments. A great deal of time was spent in Committee of the Whole on Bills 1 and 31 despite the Bills having received substantial consideration by the relevant Policy Field Committees.

- Bill 46, *Alberta Utilities Commission Act*, separates the Alberta Energy and Utilities Board into two separate regulatory bodies: a new Energy Resources Conservation Board and the Alberta Utilities Commission. The Bill would have established a Utilities Consumer Advocate as part of the Commission and restricted intervener funding. The opposition was critical of the Bill and outlined numerous concerns including what they felt was an insufficient amount of time to debate the legislation. During Second Reading consideration the Official Opposition moved a hoist amendment and the New Democrat Opposition moved that the Bill be referred to the Standing Committee on Resources and Environment. The Government moved substantial amendments in Committee of the Whole which the Committee decided to divide into 24 parts for the purposes of voting. The amendments lessened the restriction on intervener funding and struck out the provisions concerning the Utilities Consumer

Advocate. There were a record number of 25 standing votes in Committee of the Whole. Time allocation motions were also moved at Second Reading, Committee of the Whole and Third Reading. During Third Reading consideration the Official Opposition moved that the Bill be recommitted to Committee of the Whole to reconsider certain sections of the Bill.

### Private Members' Public Bills

The Private Members' Public Bill passed by the Assembly was Bill 212, *Safer Communities and Neighbourhoods Act*, sponsored by **Art Johnston** (PC, Calgary-Hays). This Bill provides a tool to help combat crime in neighbourhoods by holding property owners accountable for threatening activities regularly occurring on their property. The Bill also creates a new safety agency responsible for observing disruptive behaviour in communities and subsequent complaints by residents. It received Royal Assent on December 7, 2007.

### Emergency Debate

On November 5, 2007, **Ray Martin** (ND, Edmonton-Beverly-Clareview) requested leave to move, pursuant to Standing Order 30, that the ordinary business of the Assembly be adjourned for an emergency debate regarding "the failure of the Government to promptly introduce and pass royalty legislation to prevent the loss of billions of dollars to the public treasury as oil prices rise dramatically." Speaker **Ken Kowalski** ruled in favour of the motion, indicating that given that it did not appear, based on the Order Paper, that there would be another opportunity to debate the issue and that much of Alberta's economy revolves around nonrenewable energy resources, it would be difficult to find that the matter of royalty

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rates in the province is not a genuine emergency. He did, however, express concern with the “provocative, pejorative, and in parts simply incorrect” wording of the motion. The last Standing Order 30 application to proceed in the Assembly was in 2005 regarding the Auditor General’s report which concluded that basic standards of care were not being met in several long-term facilities.

### **Privilege**

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On November 5, 2007, **Laurie Blakeman**, the House Leader of the Official Opposition raised a purported question of privilege regarding deliberately misleading statements delivered to the Assembly during Oral Question Period on April 30, 2007, by the Minister of Energy, **Mel Knight**. The statement that was the essence of the purported question of privilege related to a 2005-06 internal royalty review. When responding to a question, the Minister said that “there is nothing in any of those documents that would indicate to anybody that we have not collected a fair share of royalties for Albertans.”

The Official Opposition House Leader alleged that the Minister’s statements intended to mislead the House and that this became evident following the release of the Auditor General’s October 2, 2007, report.

Speaker Kowalski ruled that there was no *prima facie* question of privilege as the Minister’s statement was clearly subjective when he referred to “a fair share of royalties.” In his ruling the Speaker also noted that it was interesting that the Member raising the question of privilege referred to the Auditor General’s report as the basis for the allegation. He commented that “while the Auditor General is an Officer of the Legislature and performs important work for Members, his views on

policy do not supplant the views of those chosen by the people of Alberta to represent them.”

### **Select Special Committee Report**

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On November 14, 2007, the *Report of the Select Special Personal Information Protection Act Review Committee* was tabled in the Assembly. The Committee outlined 48 recommendations in its report including notifying individuals about security breaches that place personal information at risk and protecting personal information when it moves outside the borders of Alberta.

### **Standing Committee on Resources and Environment**

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On July 11, 2007, the Minister of Environment requested the Standing Committee on Resources and Environment review key issues affecting the Beverage Container Recycling Regulation, that expired on October 31, 2007. The Committee, one of the four Policy Field Committees established in the Spring of 2007, received 114 written submission and heard 14 oral presentations in Calgary and Edmonton. The Committee tabled its report in the Assembly outlining several recommendations including establishing different deposit rates for different sized containers and equal deposit rates of 10 cents on pop cans and beer cans. The committee also included milk cartons in the system and recommended that the impacts be monitored closely. It also made recommendations concerning the operation of the Beverage Container Management Board.

### **Standing Committee on Privileges and Elections, Standing Orders and Printing**

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In the Spring of 2007, the Standing Committee on Privileges and Elec-

tions, Standing Orders and Printing was assigned the task of reviewing the temporary Standing Orders and recommending additional changes or reforms. The committee was to report to the Assembly by the conclusion of the Fall 2007 sitting regarding the process used for Committee of Supply, and by February 2008 with respect to the other temporary amendments to the Standing Orders. The Committee met on November, 26 and December 3, 2007, and was scheduled to meet on December 5 to review the draft report on the Supply process, but was unable to do so as the Assembly was sitting. As a result, the report on the Supply process was not given final approval by the Committee for subsequent tabling in the Assembly until its January 2008 meeting, and was therefore incorporated in the Committee’s final report which is expected to be tabled in the Spring sitting of 2008.

After reviewing the temporary Standing Orders and relevant procedural research, and considering presentations from two House Leaders, the Committee decided at its January 7, 2008, meeting to recommend to the Assembly that the temporary amendments to the Standing Orders have effect until the end of the 2008 calendar year and that the process for Committee of Supply as it currently exists under the temporary Standing Orders also be extended for one calendar year in order to provide Members of the Assembly with time to further consider and evaluate its effectiveness.

### **Information and Privacy Commissioner**

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On November 20, 2007, the Assembly approved a motion to concur in the November 15, 2007, Report of the Standing Committee on Legislative Offices to reappoint **Franklin J.**

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**Work** as Information and Privacy Commissioner for a four-year term.

### Other Events

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On November 8, 2007, the Speaker invited **Nicole Stewart**, a grade 10 student from Catholic Central High in Lethbridge, to recite the poem she wrote in commemoration of Remembrance Day, entitled "Eyes". Miss Stewart's poem placed first in the Alberta 2007 Intermediate Poem Competition, Alberta-Northwest Territories Command, and second place in the Dominion 2007 Intermediate Poem Competition, Royal Canadian Legion.

### Spring Sitting and Election Call

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The Spring sitting of the Fourth Session of the 26th Legislature commenced on February 4, 2008, with the Speech from the Throne by Lieutenant Governor **Norman Kwong**. The same day the Legislative Assembly was dissolved for a provincial election to be held on March 3, 2008.

**Micheline S. Gravel**  
Clerk of Journals/Table Research



## New Brunswick

**T**he Fall sitting of the Second Session of the 56th Legislative Assembly of New Brunswick, which opened on November 27, 2007, adjourned on December 20, 2007, after sitting a total of 15 days. The agenda of the House for the Fall sitting was devoted to debating the Throne Speech, capital budget, and various

pieces of legislation and private members' resolutions.

### Capital Budget

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On December 11 the Minister of Finance, **Victor Boudreau**, introduced the 2008-2009 Capital Budget, which totals \$486 million. Excluding the one-time Trans-Canada Highway payment made in 2007-2008, the 2008-2009 Capital Budget is the largest in New Brunswick history. The focus of the capital budget is the \$325.8 million investment in the rehabilitation of the province's existing roads, bridges and highway infrastructure. The province will also move from the current approach of road infrastructure management to an Asset Management System, which is the first of its kind in Canada. The capital budget also includes \$57.5 million for health care; \$41.6 million for K-12 schools; \$3.0 million for community colleges; \$5.5 million investment in tourism infrastructure; \$16.1 million for municipal infrastructure; \$22.5 million for buildings and other public infrastructure; and \$14.0 million to upgrade the provincial fleet of vehicles.

### Legislation

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Premier **Shawn Graham** introduced twenty-three Bills during the course of the Fall sitting. Among the noteworthy pieces of government legislation introduced in the House were the following:

- Bill 4, *An Act Respecting Payday Loans*, introduced by the Minister of Justice and Consumer Affairs, **Thomas J. Burke**, to provide a consumer protection framework for short-term, small-dollar amount loans. The Bill sets limits on the costs of borrowing and regulates business practices of payday lenders within the province.

- Bill 8, *Public Interest Disclosure Act*, introduced by the Minister of Human Resources, **Wally Stiles**, to facilitate the disclosure and investigation of wrongdoing in the public service. The Bill provides for processes by which employees can make good-faith disclosures of suspected government wrongdoing; empowers the Conflict of Interest Commissioner to receive and investigate any disclosed incidents; and provides job protection should any employee suffer workplace reprisal after making a disclosure.
- Bill 11, *An Act to Amend the Employment Standards Act*, introduced by the Minister of Post-Secondary Education, Training and Labour, Dr. **Ed Doherty**, to protect the civilian jobs that reservists leave behind when they are serving their country. The Bill allows reservists to be away on unpaid leave for up to eighteen months and return to their previous civilian jobs or to positions at a similar level.
- Bill 12, *An Act to Amend the Workers' Compensation Act*, introduced by Minister Doherty, to protect paid and volunteer firefighters who suffer a heart attack or who are diagnosed with a specified cancer. Specifically, the Bill permits certain cancers to be treated as an occupational disease and defines a heart attack occurring within twenty-four hours of active firefighter duty as a work-related illness.
- Bill 21, *An Act to Amend the Municipal Elections Act*, introduced by the Minister of Health and Government House Leader, **Michael Murphy**, to provide for better service and to improve voting options with respect to municipal elections. The Bill addresses the technological advances in the municipal election process and simplifies the procedures for candidates, voters, poll workers, and other election officials.

The Official Opposition, led by Opposition Leader **Jeannot Volpé**, introduced nine Bills for the consideration of the House. Among the

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noteworthy pieces of opposition legislation were Bill 16, *An Act to Amend the Motor Vehicle Act*, introduced by **Wayne Steeves**, which places certain restrictions on novice drivers of motor vehicles; Bill 24, *Referendum Act*, introduced by **Bev Harrison**, which regulates the use of referendums in the province; and Bill 25, *An Act to Amend the Harmonized Sales Tax Act*, introduced by Mr. Volpé, which provides for a tax credit on the purchase of home heating fuels.

### **MLA Compensation Review**

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On January 14, 2008, the Conflict of Interest Commissioner, **Patrick A.A. Ryan**, submitted the *Report of the MLA Compensation Review Commission 2007*, Volume I & II, to the Speaker of the Legislative Assembly. Among the recommendations contained in the report are: converting the annual tax free allowance into taxable salary; increasing the salary by 3.93%, for a total salary of \$85,000 to each Member; providing for the payment of a taxable and non-pensionable sum for each day a Member is engaged in the work of a committee; making the expense allowance for committee meeting attendance reimbursable only upon the production of receipts; capping the re-establishment allowance at six years, instead of eight sessions, and providing the allowance to former Members regardless of pension entitlement; reimbursing a maximum of \$5,000 for career counseling, which includes education and training, to former Members, upon the production of receipts; monetary sanctions for the failure to attend a sitting of the Legislature; increasing the Premier's additional salary to \$79,000; linking the additional salaries of Ministers, the Speaker, Leader of the Opposition and other House Officers to a percentage of the Premier's salary; vest-

ing pensions after six years of service, instead of eight sessions; and a mandatory review of Members' compensation by an independent body at regular intervals.

### **Resignation from Cabinet**

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On January 17, 2008, Supply and Services Minister **Roly MacIntyre** announced his decision to step down from Cabinet. Mr. MacIntyre was first elected to the Legislative Assembly in 1995, and served as Minister of Advanced Education and Labour, and later as Minister of Economic Development, Tourism and Culture. Re-elected to the Legislature in 2003 and 2006, Mr. MacIntyre was sworn in as Minister of Supply and Services and Minister responsible for the Regional Development Corporation on October 3, 2006. He will continue to represent his constituents as the Member for Saint John East. Finance Minister **Victor Boudreau** has assumed the duties as Acting Minister responsible for the Regional Development Corporation, and Energy Minister **Jack Keir** is Acting Minister of Supply and Services.

### **Committee Work**

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Since the adjournment of the House on December 20, Committees have maintained an active schedule. The Select Committee on Wellness, chaired by **Chris Collins**, held public hearings throughout the province in January and February, 2008. The Committee is consulting New Brunswickers on the importance of adopting and maintaining healthy lifestyles and engaging stakeholders in discussions on wellness and its connection to other public policy areas. Both the Standing Committee on Public Accounts, chaired by **John Betts**, and the Standing Committee on Crown Corporations, chaired by **Rick**

**Miles**, have also been active in their review of the annual reports and public accounts of various government departments, agencies, and Crown corporations. On January 25, 2008, the Select Committee on Life Long Learning held its first meeting and elected **Joan MacAlpine-Stiles** as chairperson.

### **Legislature Recalled**

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The Legislative Assembly, which had been adjourned to March 11, 2008, was recalled to consider back-to-work legislation for striking CUPE workers on February 13, 2008. The strike commenced on January 10, 2008, and includes approximately five hundred community college custodians, corrections officers and human service counsellors. Several of the community colleges in the province have been closed as a result of the strike. Once the labour relations issues have been resolved, it is expected that the House will again adjourn until March 11, 2008.

The current standings in the House are 32 Liberals and 23 Progressive Conservatives.

**Shayne Davies**

Clerk Assistant & Committee Clerk



## **Saskatchewan**

**P**remier **Brad Wall** introduced his first cabinet on November 21, 2007 at a ceremony at Government House. While none of the eighteen ministers had previous cabinet experience, fourteen had served on

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the opposition benches. All but one of the original founding members of the Saskatchewan Party who retained their seats in the Assembly received appointments. The last original member, **Don Toth**, was later elected Speaker of the Assembly. Premier Wall provided each minister with a letter outlining the expectations and priorities expected of each. These mandate letters were then posted on the government website.

**Ken Krawetz** was named Deputy Premier and Minister of Education. **Rod Gantefoer** will lead both the Finance ministry and the government in the Chamber as House Leader. The Health portfolio will be headed by **Don McMorris** while **Bill Boyd** takes on Energy and Resources and Intergovernmental Affairs. **June Draude** will oversee First Nations and Métis Relations and Northern Affairs. **Bob Bjornerud**, **Don Morgan** and **Dan D'Autremont** will lead the Agriculture, Justice and Government Services ministries.

Premier Wall also announced the appointments of seven legislative secretaries, each of whom was assigned responsibility for specific tasks. **Randy Weekes** will serve as whip while **Doreen Eagles** was chosen as caucus chair.

Appointments were also announced on the opposition side of the House. The shadow cabinet announced by Leader of the Opposition **Lorne Calvert** included sixteen former ministers and three members entering the Assembly for the first time. Among the assignments were **Pat Atkinson** as Deputy Leader of the Opposition and critic for Agriculture and Immigration. **Len Taylor** will serve as Opposition House Leader, **Andy Iwanchuck** as whip and **Frank Quennell** as caucus chair.

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### New Presiding Officers

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Following tradition, the 26th Legislature opened with the selection of new presiding officers. Don Toth was elected by acclamation as the Assembly's 23rd Speaker. Mr. Toth has represented the Moosomin constituency since 1986, first as a Progressive Conservative and then as one of the founding members of the Saskatchewan Party. The role of presiding officer is not entirely new to Speaker Toth as he served as Deputy Chair of Committees from 1989 until 1990. Over the course of his political career, he has served as the Legislative Secretary to the Minister of Health and as chair of the Standing Committees on Crown Corporations and on Regulations. He has held many critic responsibilities and served as Opposition Deputy House Leader and Deputy Whip. Mr. Toth continues to participate in the running of the family's farming operation in Langbank.

**Greg Brkich** was elected the 22nd Deputy Speaker, also by acclamation. Mr. Brkich has served as the representative of the Arm River - Watrous constituency since 1999. He has served as the Deputy Chair of the Private Members' Bills Committee and as a member of the House Services and Crown Corporations Committees. He also served as Deputy Whip on both the Opposition and Government sides of the House. Mr. Brkich operates a comprehensive grain and cattle operation near Bladworth.

The Assembly subsequently endorsed the Premier's nomination of **Tim McMillan** as Deputy Chair of Committees of the Whole. Mr. McMillan was elected for the first time in the November general election. He operates an oilfield service company and runs a 300 head of cattle ranch near Lloydminster.

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### Opening Session of 26th Legislature

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The themes of growth and security dominated the Speech from the Throne that was delivered on December 10th. Relying heavily on the main tenets of the Saskatchewan Party's recent campaign platform, Lieutenant Governor **Gordon Barnhart's** speech outlined the government's short and long term priorities.

The government's policy regarding the province's fiscal management was laid out with the introduction of *The Saskatchewan Growth and Financial Security Act*. This act requires the General Revenue Fund to be balanced annually and the yearly preparation of four-year financial plans and public debt management plans. The act further specifies that annual surpluses are to be divided equally between the Growth and Financial Security Fund and the Debt Retirement Fund.

A new approach to economic development was the subject of the government's second piece of legislation. The creation of a public-private partnership entitled Enterprise Saskatchewan was a prominent feature of the party's platform. The agency will be governed by a twelve-member board representing a cross-section of stakeholders.

Advanced Education, Employment and Labour Minister **Rob Norris** introduced legislation to address a third priority of the government. The *Public Service Essential Services Act* will set out the framework in which the rights of workers are balanced with the need to ensure essential services are provided during labour disputes. The act defines what services are essential and established the processes to identify which employees are necessary to maintain those services during a

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work stoppage. Amendments were also introduced to *The Trade Union Act* which will require 45% written support for an application to certify or decertify a union and for any such votes to be by secret ballot. Employers will be permitted to communicate their views and positions to their employees.

The opposition challenged the government's Throne Speech, claiming that it fell short of fulfilling the promises made during the election campaign. In particular, the government was accused of misleading the public on the province's financial situation and on the reopening of the Prince Albert pulp mill. Equalization and the 100% exclusion of non-renewable natural resource revenues from the equalization formula were other issues that divided the parties, with the Opposition leader accusing the premier of backing away from his earlier positions.

The fall session adjourned on December 20th. The spring session is scheduled to resume in early March.

### Committee appointments

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In a series of brisk meetings, five standing committees met on the morning of December 18th to attend to a number of administrative matters and to consider supplementary estimates carried over from the previous administration. All committees agreed to the appointment of steering committees and authorized the broadcasting of their public proceedings. Veteran members from both sides were elected to the positions of chair and deputy chair, including:

- **Dustin Duncan** (SP) and **Kim Trew** (NDP) for the Crown and Central Agencies Committee;

- **Yogi Huyghebaert** (SP) and **Ron Harper** (NDP) for the Economy Committee;
- **Glen Hart** (SP) and **Judy Junor** (NDP) for the Human Services Committee;
- **Delbert Kirsch** (SP) and **Deb Higgins** (NDP) for the Intergovernmental Affairs and Infrastructure Committee;
- **Harry Van Mulligen** (NDP) and **Warren Michelson** (SP) for the Public Accounts Committee.

### Rules Reform

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The procedural reform that was initiated in the previous legislature was brought to a conclusion when the Assembly convened in December. The first report of the Standing Committee on House Services recommended a number of revisions to the Rules of the Assembly. These revisions were intended to simplify and streamline existing rules, codify current practices, eliminate out-dated or irrelevant rules and rebalance the competing interests of the government and the opposition. The Assembly agreed to immediately implement the new Rules and directed that a revised rule book be published in due course.

**Margaret (Meta) Woods**  
Clerk Assistant



## British Columbia

**I**n accordance with British Columbia's parliamentary calendar, the fall sitting of the Third Session adjourned on November 29, 2007. Since the previous legislative re-

port, only a few additional public bills were passed by the House prior to adjournment.

### Legislation

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Fulfilling the government's Throne Speech commitment to take concerted provincial action to halt and reverse the growth in greenhouse gas emissions, the Minister of Environment **Barry Penner** introduced Bill 44, *Greenhouse Gas Reduction Targets Act*. The bill requires British Columbia to reduce its greenhouse gas emissions by at least 33 percent below 2007 levels by 2020; obligates the Government to set interim targets for emission reductions for 2012 and 2016; and further establishes an emission reduction target of 80 per cent below 2007 levels by 2050. The bill also requires the provincial government – including provincial ministries and agencies, schools, colleges, universities, health authorities and Crown corporations – to become carbon neutral by 2010.

At committee stage debate, opposition members put forward several amendments to Bill 44, including setting the ultimate reduction in B.C.'s greenhouse gas emissions to 1990 levels; capping future emissions at 2007 levels; establishing an independent body to monitor and report on B.C.'s progress; as well as creating a new parliamentary committee to receive and review emission reports. While all proposed amendments were either defeated or ruled out of order, the Opposition ultimately voted in favour of the Bill. Additional legislation to support a "cap-and-trade" system for large emitters and low-carbon fuel standards is anticipated to be presented to the House in upcoming sessions.

The fall sitting also saw the signing of the second modern-day treaty in 2007. Introduced by the

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Minister of Aboriginal Relations and Reconciliation, **Michael de Jong**, Bill 45 *Maa-nulth First Nations Final Agreement Act*, provides the five Maa-nulth First Nations with a capital transfer of \$73.1 million; annual resource revenue payments averaging \$1.2 million for 25 years; and a land package totalling approximately 24,550 hectares. The treaty also recognizes the Maa-nulth First Nations' Aboriginal rights and title and defines rights regarding the ownership and management of lands and resources.

Immediately following first reading of Bill 45, elders from the five Maa-nulth First Nations were invited to address the Assembly from the Bar of the House. The speakers included Chief Councillor **Charlie Cootes** of the Uchucklesaht First Nation; Chief Councillor **Violet Mundy** of the Ucluelet First Nation, and Ucluelet member **Richard Mundy**; Chief Councillor **Therese Smith** of the Ka:'yu:'k't'h'/Che:k:tles7et'h' First Nation; Chief Councillor **Robert Dennis Sr.** of the Huu-ay-aht First Nation, and Hereditary Chief **Bert Mack** of the Toquaht First Nation.

While widely supported by Members from both sides of the House, a handful of government and opposition Members opted to abstain or vote against the treaty legislation.

### **Electoral Boundaries Commission**

On August 15, 2007, British Columbia's Electoral Boundaries Commission submitted its preliminary report on the proposed new electoral boundaries and riding names for both the current single member plurality (SMP) and B.C. single transferable vote (BC-STV) electoral systems. Under the framework established by the *Electoral Boundaries Commission Amendment Act, 2005*,

the Commission was authorized to re-configure B.C.'s electoral map to accommodate between 79 and 85 electoral districts and MLAs in time for the 2009 provincial election.

In its report, the Commission stressed the importance of relative voter parity between the province's electoral districts. The Commission noted that while considerable population growth had occurred in urban centres, significant population declines had occurred in B.C.'s rural and remote ridings. In total, 13 of B.C.'s 79 ridings had populations below the province's permitted deviation of +/- 25 percent of the provincial quotient – a significant increase over the four “very special circumstances” identified in the previous electoral boundaries commission's report. After a thorough review of the jurisprudence concerning the use of exceptional population deviations in electoral re-districting, the Commission concluded that a comprehensive revision of B.C.'s electoral map was required.

The Electoral Boundaries Commission's preliminary report recommended that the total number of electoral districts and Members be increased by two – to 81 seats. In making this suggestion, the Commissioners recommended the reduction of one seat in each of the North, Cariboo-Thompson, and Columbia-Kootenay geographic regions. Additional electoral districts were to be provided to the Fraser Valley, Tri-Cities, Okanagan regions as well as to the cities of Vancouver and Surrey.

As stipulated in the *Electoral Boundaries Commission Act*, the Commission commenced with a second round of 27 public hearings to solicit the public's feedback on the proposed boundaries in September 2007. However, after holding five community hearings – in

which northern residents and elected officials turned out in full force to voice their displeasure with the Commission's recommendations – Premier **Gordon Campbell** informed Speaker **Bill Barisoff** that the government would introduce legislative amendments to the *Electoral Boundaries Commission Act* to ensure that no region in the province would have a reduction in its existing level of representation. Consequently, the Commission ceased public hearings on its preliminary report in anticipation of its new mandate.

On October 24, Attorney General **Wally Oppal** introduced Bill 39, *Electoral Boundaries Commission Amendment Act, 2007* in an effort to allay some of the concerns voiced by northern residents. The stated objectives of the legislation were twofold. First, the proposed amendments acknowledged that B.C.'s three most sparsely populated and geographically isolated regions require special treatment under the Act to ensure “effective representation.” To that end, the Commission would be ordered to maintain the current allotment of seats in the North, Cariboo-Thompson, and Columbia-Kootenay regions.

Second, recognizing the considerable population growth in the province's urban centres, the Commission would be mandated to allocate an additional eight seats between the province's nine remaining regions. In total, the Commission would have been ordered to increase the number of seats under both the SMP and BC-STV electoral systems to 87.

Although Opposition Members had expressed a strong preference for maintaining the current allotment of rural seats, they were opposed to the government's amending legislation. Finance critic

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**Bruce Ralston** outlined the primary reasons why the Opposition would not support the proposed amendments – citing the Government's interference with an independent body, the added expense of eight additional MLAs, and the dilution of rural representation by increasing the number of representatives in urban areas.

After hearing the protracted debate on Bill 39, Mr. de Jong indicated that the government was not prepared to invoke closure on the amendments to ensure the bill's passage prior to the last sitting day of the House. As the Opposition was unwilling to provide its support for changes "which go to the heart of our electoral process," Bill 39 was left on the Order Paper without proceeding to committee stage debate.

On December 7, 2007, the Electoral Boundaries Commission issued a press release indicating that it would continue with its consultation process – albeit with reduced public consultations due to the looming reporting deadline. The Boundaries Commission's final report was tabled with the Speaker on February 14, 2008.

### **New Conflict of Interest Commissioner**

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On November 22, 2007, the Special Committee to Appoint a Conflict of Interest Commissioner unanimously recommended the appointment of **Paul D. K. Fraser** as B.C.'s third Conflict of Interest Commissioner. Mr. Fraser has practiced law in British Columbia for more than 40 years and is a former president of the Canadian Bar Association and the Commonwealth Lawyers Association.

**Jonathan Fershau**  
Committee Research Analyst



**T**he parliamentary proceedings of the first session of the 38th legislature, which were adjourned on June 21, 2007, resumed for the fall sessional period on October 16, 2007. At the end of this period, on December 19 the Members of the Québec National Assembly had adopted 38 public bills, nine of which were introduced by Members, and 14 private bills.

On November 28 and December 11, 2007, the Members of the Assembly unanimously carried two motions moved jointly by the Minister of Sustainable Development, Environment and Parks, the Member for the electoral division of Marguerite-D'Youville, and the Member for the electoral division of Vachon, concerning the Kyoto Protocol.

### **Composition**

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In follow-up to the by-election held on September 24, 2007, the new Member for Charlevoix and Leader of the Second Opposition Group, **Pauline Marois**, was sworn-in last October 11. During the fall, two Members resigned from office, namely **Diane Lemieux**, Member for Bourget, who stepped down on October 17, and **André Boisclair**, Member for Pointe-aux-Trembles, who resigned on November 15. These departures have left two vacant seats in the National Assembly, which is now composed as follows: Québec Liberal Party, 48 Members; Action démocratique du Québec, 41 Members, Parti Québécois, 34 Members.

### **Directive from the Chair**

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Since the beginning of the 38th legislature, a list of all of the papers tabled in the National Assembly is available on its Internet site. To facilitate access to information for parliamentarians and citizens alike, a large number of these documents may now be accessed directly on the Internet site of the Assembly. In addition to the paper version, a digital copy of all annual reports and strategic plans of the ministries and agencies will be tabled in the Assembly. Documents produced by persons appointed by the Assembly will also be tabled in both formats. In addition to promoting access to information, the tabling of a digital version of these documents will allow the Assembly to significantly reduce the number of copies required from ministries and agencies, in the perspective of sustainable development. It should be noted, however, that the paper version remains the only official version of any document tabled in the National Assembly.

### **Interparliamentary relations**

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On September 26, 2007, the Member for Pontiac, **Charlotte L'Écuyer**, was elected Vice-chair of the Network of the Commonwealth Women Parliamentarians, a first for a Member hailing from the Canadian Region of the Commonwealth Parliamentary Association since the Network's creation in 1989. Mrs. L'Écuyer has been Chair of the Canadian Region of this organization since July 2006.

### **Parliamentary simulations**

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The 8th legislature of the Seniors' Parliament was held at the National Assembly from September 10-12, 2007. Two bills reflecting the concerns of seniors were assented to upon the conclusion of this parlia-

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mentary simulation, namely the *Act establishing the responsibility of citizens and government as regards the environment and sustainable development*, and the *Act ensuring the implementation of the rights and duties of persons*.

Organized respectively by the Association québécoise des jeunes parlementaires and the Assemblée parlementaire des étudiants du Québec, the Youth Parliament and the Student Parliament are two parliamentary simulations that are carried out by university students aged 25 years and under. Both parliaments sit each year in the National Assembly Chamber during the Christmas holidays, that is, from December 26-30 for the Youth Parliament and from January 2- 6 for the Student Parliament.

From January 6-10, 2008, over 140 college-level students gathered at the National Assembly for the 16th edition of the Student Forum. Education, labour and resources management were key concerns in the course of this parliamentary simulation in which students from more than 30 cegeps took part.

### Other news

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On November 14, 2007 the 6th edition of the Conférences Jean-Charles-Bonenfant was held. Under the theme "Comment dessiner une carte électorale équitable?", **Marie Grégoire**, **William Cusano** and **Michel Létourneau**, all former parliamentarians, as well as renowned political scientist **Louis Massicotte** discussed the challenges currently posed by the revision of Québec's electoral map. **Michel C. Auger**, journalist and political correspondent, led this debate, of which the video version is available on the National Assembly site at: [www.assnat.qc.ca](http://www.assnat.qc.ca).

The fall programming of the series entitled *Mémoires de députés*,

which is presented on the National Assembly Channel, featured interviews with **Jeanne Blackburn**, **Claude-Gilles Gosselin**, **Bernard Pinard**, **Raymond Garneau**, **Jean-Noël Tremblay**, **Gérald Harvey**, **François Aquin** and **William Tetley**. These shows may also be viewed on the Internet site of the National Assembly.

On November 3, 2007, **Gérard Martin**, Liberal Party Member for the electoral division of Montcalm from 1962 to 1966, passed away at the age of 85. Also working as an insurance broker in Saint-Esprit (1961-1983), he was the returning officer for the new riding of Joliette-Montcalm (1973-1978) and mayor of his native municipality, Saint-Esprit (1992-1996).

The year 2008 will mark the 400th anniversary of Québec City and, within the framework of the celebrations that will take place in the Old Capital, the National Assembly, last 13 November, released a programme containing a wide variety of activities. Among the more notable events, let us mention the launching of the work entitled *L'hôtel du Parlement, mémoire du Québec*, as well as the creation, in collaboration with the Law Faculty of Laval University, of the Research Chair in Democracy and Parliamentary Institutions. The complete programme of activities organized by the National Assembly is broadcast on its Internet site.

In keeping with its commitment to protect Québec's political heritage, the National Assembly recently acquired the Collection Richard G. Gervais, an imposing collection comprised of some 2000 objects and works highlighting the political, military and religious history of Québec and Canada since 1875. Owing to this acquisition, the National Assembly contributes to the outreach of Québec's political

heritage, both to the citizens of today and tomorrow.

Having opened its doors on December 4, 1917, the *Le Parlementaire* restaurant celebrated its 90th anniversary last December. Originally named *Café du Parlement*, the restaurant was renamed *Le Parlementaire* on October 26, 1972 in a ruling from then President of the National Assembly, **Jean-Noël Lavoie**. It should be mentioned that it is one of the few parliamentary restaurants that is open to the public, thus enabling citizens to be close to their elected officials.

The fleurdelisé flag, Québec's official flag, is celebrating its 60th anniversary in 2008. Indeed, on January 21, 1948, at exactly 3.00 o'clock p.m., the new official flag of Québec was hoisted atop the Parliament Building's central tower, thus replacing the Union Jack, the British flag. That very morning, the Government had granted the fleurdelisé flag the status of "official flag of Québec".

**Marie-France Lapointe**  
Secretariat of the Assembly

### Committees

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The Committee on Public Administration was given an order by the National Assembly on October 17, 2007, for the first time since its creation in 1997. Until this date, the Committee had carried out only those orders explicitly provided for in the Standing Orders. The order stems from a proposal made by a Member of the Official Opposition that was adopted on division. It reads as follows: "That the Committee on Public Administration shed all the light, beginning on November 1, 2007, on the application of the *Balanced Budget Act* and propose, if necessary, by December 20, 2007

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recommendations to correct the artificially balanced budget”.

For this purpose, on November 29 the Committee heard the Auditor General, and on December 14, the Deputy Minister of Finance, the Comptroller of Finance and Government Accounting and the Secretary of the Conseil du trésor. The Committee's report, containing 6 recommendations, was tabled in the Assembly on December 19. It should be mentioned that the *Balanced Budget Act* (R.S.Q., c. E-12.00001) was adopted in 1996 and that its purpose is to eliminate budgetary deficits.

### **The Committee on Labour and the Economy**

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Following special consultations, in December the Committee on Labour and the Economy gave clause-by-clause consideration to Bill 41, *An Act to foster transparency in the sale of gasoline and diesel fuel*. The object of this bill is particularly to impose on the concerned enterprises the obligation to notify the Régie de l'énergie of any change in the sale price of these products and of the reasons justifying any increase, the Régie must make such notices public. When the question was put on the sections of the bill, each section was rejected owing to an equality of votes. This was also the case for all of the amendments proposed.

The Committee on Labour and the Economy also examined Bill 39, *An Act to amend the Forest Act and other legislative provisions*, which was introduced within the context of the difficulties prevailing in Québec's forest industry.

### **The Committee on Planning and the Public Domain**

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On December 17, the Committee on Planning and the Public Domain heard the interested parties and

gave clause-by-clause consideration to Private Bill 204, *An Act respecting Ville de Lévis*. In keeping with the favourable report from the Bureau d'audiences publiques sur l'environnement on the project to construct and operate the Rabaska liquefied natural gas terminal, the bill aims to enable the realization of this project which is contingent on certain actions of the Government under certain Acts and the determination of municipal taxes payable to Ville de Lévis. On this occasion, several interested parties presented their opinion on the day of the hearing and examination, which began at 10.00 a.m. and ended at 10.30 p.m.

In November, the Committee on Planning and the Public Domain also held special consultations on Bill 22, *An Act to amend various legislative provisions concerning the urban agglomeration of Montréal*. This bill aims particularly to grant Ville de Montréal a general taxation power in its territory.

### **The Committee on Transportation and the Environment**

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Last fall, the Committee on Transportation and the Environment jointly held special consultations on two bills concerning highway safety in keeping with the report from the Table québécoise sur la sécurité routière. They are Bill 42, *An Act to amend the Highway Safety Code and the Regulation respecting demerit points*, and Bill 55, *An Act to again amend the Highway Safety Code and other legislative provisions*.

The Committee also gave clause-by-clause consideration to Bill 42, which concerns, among other things, drinking and driving, new traffic control technologies, gradual acquisition of driving privileges, the use of telephones at the wheel. Several amendments were brought to the bill, particularly concerning the obligatory use of winter

tires and the regulation on publicity. Furthermore, an important element, the reduction of the permitted blood alcohol concentration, was rejected.

Moreover, on November 7 the Committee adopted an order of initiative on the management of residual materials within the framework of the renewal of the *Politique québécoise de gestion des matières résiduelles* which comes to an end in 2008. The online consultation currently underway gives citizens the choice of filling out the questionnaire or attaching a brief.

### **The Committee on Public Finance**

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Following the interpellation of the Minister of Finance on the crisis in the non-bank sponsored asset-backed commercial paper sector last October 26, the Committee on Public Finance held a hearing with the representatives of the Caisse de dépôt et de placement on this matter, on November 28.

Also in November, the Committee held public hearings within the framework of special consultations on Bill 32, *An Act to promote rigorous management of public infrastructures and large projects*, whose purpose is to ensure that investments in public infrastructures are properly apportioned between maintenance and development, as well as to promote rigorous planning and monitoring of large projects so as to reduce the risks of cost overruns and delays in project completion. The Committee then examined this bill in December.

### **The Committee on Institutions**

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After having held a general consultation last October on Bill 9, *An Act respecting the safety of persons on certain premises and amending the Act respecting safety in sports*, the Committee on Institutions exam-

ined this bill clause-by-clause in November and December. It should be mentioned that this bill particularly aims to prohibit the possession of firearms in educational institutions and that it was introduced following the shooting at Dawson College in Montréal, in September 2006.

### **The Committee on Social Affairs**

The office of vice-chairman of the Committee on Social Affairs having been left vacant following the resignation, last August, of **Rosaire Bertrand** as Member for Charlevoix, the Committee members unanimously elected, on October 30, 2007, **Bernard Drainville**, Member for Marie-Victorin, as vice-chairman.

In pursuance of the *Act respecting health services and social services* (R.S.Q., c. S-4.2), the Committee must examine the annual management reports and, for this purpose, hear the health and social services agencies at least once every three years. In autumn 2006, 10 agencies were heard by the Committee within the framework of this mandate. During the month of January 2008, the Committee continued this exercise in accountability and heard the Bas-Saint-Laurent, Chaudière-Appalaches, Estrie, Mauricie et Centre-du-Québec and Outaouais agencies, as well as the Centre de santé et de services sociaux de la Baie-James.

### **Recent publication**

An article concerning the "Greffier" site was published in the October 2007 issue of the *Bulletin* of the National Assembly Library. This site, which was introduced in May 2006 on the Assembly's Intranet, hosts a large number of documents that are useful to Members within the framework of their work. Interested

readers may consult the aforementioned article at the following address:

[http://www.bibliotheque.assnat.qc.ca/01/PER/811681/2007/Vol\\_36\\_nos\\_3-4\\_\(oct\\_2007\).pdf](http://www.bibliotheque.assnat.qc.ca/01/PER/811681/2007/Vol_36_nos_3-4_(oct_2007).pdf)

**Anik Laplante**

Secretariat of committees

Translation: **Sylvia Ford**  
Secretariat of the Assembly



## **Yukon**

On October 25, 2007, the Fall Sitting of the First Session of the 32nd Legislative Assembly resumed. On December 13th, the 28-day sitting adjourned. During the meeting period, reports were tabled on electoral boundaries, MLA salaries, and anti-smoking legislation. Much of the meeting period was devoted to consideration of the supplementary budget, which had been introduced at the outset of the sitting, and was still actively under debate in Committee of the Whole on the final day. That day at 5 p.m., as per Standing Order 76, Committee of the Whole debate was interrupted, and all outstanding Government bills (including the supplementary budget bill) were advanced through remaining stages without further opportunity for debate or amendment. The Fall Sitting concluded with Assent being given in the Chamber by the Commissioner of Yukon, **Geraldine Van Bibber**. The twelve government bills to which Commissioner Van Bibber granted assent were:

- Bill No. 38, *Act to Amend the Employment Standards Act*

- Bill No. 44, *Act to Amend the Income Tax Act (2007)*
- Bill No. 36, *Act to Amend the Legislative Assembly Act (re: reimbursement for out-of-town MLAs' accommodation in Whitehorse)*
- Bill No. 45, *Act to Amend the Legislative Assembly Act, No. 2 (re: MLAs' salary increases)*
- Bill No. 42, *Act to Amend the Municipal Finance and Community Grants Act*
- Bill No. 35, *Act to Amend the Subdivision Act*
- Bill No. 39, *Act to Amend the Territorial Court Judiciary Pension Plan Act, 2003*
- Bill No. 40, *Act to Repeal the Motor Transport Act*
- Bill No. 7, *Fourth Appropriation Act, 2006-07*
- Bill No. 37, *Legislative Assembly Retirement Allowances Act, 2007*
- Bill No. 8, *Second Appropriation Act, 2007-08*
- Bill No. 41, *Securities Act*

### **Electoral District Boundaries Commission**

On the first day of the Fall Sitting, Speaker **Ted Staffen** tabled the Interim Report of the Electoral District Boundaries Commission. The report of this independent Commission recommended the addition of one more seat to the Assembly. If implemented, this recommendation would increase to nineteen the total number of MLAs forming the next Legislative Assembly. The Commission's final report is expected in March 2008. Legislation would remain to be enacted to put the Commission's final recommendations into effect.

### **MLA Salaries and Benefits Commission**

On October 31st, the report of the MLA Salaries and Benefits Com-

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mission was tabled. Entitled "Report to the Members' Services Board of the Yukon Legislative Assembly respecting MLA Salaries and Benefits," the report is posted on the Assembly's website <http://www.legassembly.gov.yk.ca/pdf/MlaSalariesBenefits.pdf>. The report, prepared by former Clerk of the Assembly, **Patrick Michael**, recommended significant increases in MLAs' pay and benefits, and a reduction of the non-taxable expense allowance. The report noted that Yukon MLAs' pay was the lowest in the country, and that the salaries of party leaders, ministers, and presiding officers were "all less than half the national average for persons in their position." While the report recommended that the increases take effect on January 1, 2008, enabling legislation passed during the Fall Sitting deemed the increases to have come into force on June 1, 2007.

#### ***Legislative Assembly Retirement Allowances Act, 2007***

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This Act, introduced on the first day of the 2008 Fall Sitting, and Assented to on the last, replaced the *Legislative Assembly Retirement Allowances Act, 1991*. Since it was passed by the Legislative Assembly on December 18, 1991, the Act had been subject only to minor amendments. A number of events occurred since that time that necessitated a review of the Act. In particular, amendments to the *Income Tax Act (Canada)* led to changes being required to the *Legislative Assembly Retirement Allowance Act* to bring it into conformity with the direction found in that overarching federal legislation. Further, an entirely new approach, which needed to be covered in the Act, has been taken with respect to the manner in which the assets of the plan are held and managed. This included the establishment of a trust fund (in part to

comply with *Income Tax Act* requirements) to hold the assets of the registered portion of the plan.

The action required to draft a new *Legislative Assembly Allowances Act* was approved by the Members' Services Board at its meeting of December 8, 2004.

#### **Select Committee on Anti-smoking Legislation**

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On November 21, 2007, the report of the Select Committee on Anti-smoking Legislation ([http://www.legassembly.gov.yk.ca/pdf/asl\\_report.pdf](http://www.legassembly.gov.yk.ca/pdf/asl_report.pdf)) was tabled in the House. Before the House resumed in the Fall, the Committee had held territory-wide public hearings, traveling to 17 communities, including the territory's northern-most community, Old Crow, a fly-in community north of the Arctic Circle. The hearings marked the first time in 14 years that a Committee of the Legislative Assembly had traveled, and the first time in 15 that a Select Committee had been appointed.

The bill referred to the Select Committee on Anti-smoking Legislation – Bill No. 104, *Smoke-Free Places Act* – was a private member's bill that had been introduced in the Spring Sitting by NDP Leader **Todd Hardy** (Whitehorse Centre). The bill, modeled on Nova Scotia anti-smoking legislation, received first reading on April 30, 2007. On May 9th, the bill passed second reading and was referred to Committee of the Whole. On June 13th, the motion forming the Committee and setting out its terms carried in the House. The Select Committee was also tasked with determining the views of Yukoners and interested groups on legislative options for banning smoking in public places, and reporting its findings and recommendations to the House. The motion specified that any decisions taken by the all-Party

Committee – comprised of Chair **Brad Cathers** (Lake Laberge, Yukon Party), **Darius Elias** (Vuntut Gwitchin, Liberal) and **John Edzerza** (McIntyre-Takhini, NDP) – be unanimous. In addition to the public hearings, opinions were registered with the Committee through an online questionnaire and written submissions.

In its report, the Select Committee recommended that legislation – either as a private member's bill, or as a government bill – be passed to ban smoking in public places. Among the Committee's other recommendations were that the legislation ban the display and advertising of tobacco products in stores, provide for regulations permitting the banning of candy cigarettes, and not exclude bars, "mom and pop" operations, and temporary facilities.

On November 28, 2007, during time set aside for private members' business, Committee of the Whole debate on Bill No. 104 (which had adjourned during the Spring Sitting) resumed. The bill did not come to a vote, but it remains on the Order Paper.

#### **Lecture Series**

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On December 5th, 2007, the first lecture in a series funded by the Yukon Legislative Assembly was held at Yukon College. Entitled "Political Evolution in Yukon, 1961-1979", the lecture brought together key players from this period: former Yukon territorial councilor (1958-61) and Commissioner (1966-76) **Jim Smith**, former MLA (4 terms between 1961-78), and Commissioner (1986-95) **Ken McKinnon**; and former MLA **Dan Lang** (1974-92). The evening, emceed by Mr. Michael, provided a rare opportunity to hear, first-hand, about some of the personalities and developments that led to the achievement of re-

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sponsible government in Yukon in 1979.

The lecture series is named in memory of **Aron Senkpiel**, a Yukon College professor who had displayed a keen interest in northern development. The focus of the lecture series is "the evolution of democracy and the circumpolar north."

### Reports of the Auditor General

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On February 7, 2008 the Auditor General of Canada, **Sheila Fraser**, was in Whitehorse to release two reports of the Office of the Auditor General: "Government of Yukon's Investment in Asset-backed Commercial Paper," and "Government of Yukon's Role in the 2007 Canada Winter Games."

The Auditor General's findings with regards to the 2007 Winter Games were that the Government successfully met all major challenges related to the Games, although the Government's risk management practices need to be strengthened.

On February 12th, the Standing Committee on Public Accounts, chaired by Leader of the Official Opposition **Arthur Mitchell** (Copperbelt, Liberal), held a public hearing in the Chamber to consider the Auditor General's report on the Yukon Government's role in the 2007 Canada Winter Games. Officials from the Office of the Auditor General of Canada were present to advise the committee. Witnesses from the Department of Community Services were also present to answer questions posed by the Standing Committee. The Committee will prepare a report on this report by the Auditor General and on the related public hearing. The Committee's report will be tabled in the 2008 Spring Sitting.

### Deputy Premier

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On January 23, 2008, during the Winter adjournment, Premier **Dennis Fentie** (Watson Lake) announced the appointment on a permanent basis of **Elaine Taylor** (Whitehorse West) as Deputy Premier. Ms. Taylor retained her responsibilities as Minister of Tourism and Culture, Minister responsible for the Women's Directorate, and Chair of the Assembly's Standing Committee on Appointments to Major Government Boards and Committees. During the Premier's absence through part of the Fall Sitting (while Mr. Fentie convalesced from surgery), Ms. Taylor had served as the Deputy Premier. Before the Premier's announcement, the position of Deputy Premier had been assigned to members of Mr. Fentie's Cabinet on a rotating basis.

**Linda Kolody**  
Deputy Clerk



### Prince Edward Island

The First Session of the Sixty-third General Assembly adjourned to the call of the Speaker on November 2, 2007, after 13 sitting days. On February 8, 2008, Premier **Robert Ghiz** announced that the First Session of the Sixty-third General Assembly will be prorogued and that the Second Session will be opened officially on April 4, 2008. Premier Ghiz has indicated his preference for a parliamentary calendar to provide notice well in advance of when sessions of the Legislative Assembly are to begin.

### Indemnities and Allowances Commission

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The three-member Indemnities and Allowances Commission was appointed on October 31, 2007, by Speaker **Kathleen Casey**, to review the salaries and benefits of Members of the Legislative Assembly. The Commission's authority arises from a 1994 amendment to the *Legislative Assembly Act*, which established the independent commission for the purpose of reviewing the salaries and benefits of Members, and reporting its decisions to the Speaker each year by December first. The Commission has recommended a salary increase of 2% effective as of April 1, 2008.

### Committee Activity

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On November 1, 2007, a motion was passed in the Legislative Assembly of Prince Edward Island giving the Standing Committee on Agriculture, Forestry and Environment a mandate to review the implementation and potential impacts of a province-wide ban on the use of cosmetic lawn pesticides. The Committee was authorized to meet after prorogation of the First Session of the Sixty-third General Assembly and make report to the House during the Spring 2008 session.

In tandem with this work, the Committee initiated a series of briefings for its members, primarily on issues of concern to the agricultural industry.

The Standing Committee on Community Affairs and Economic Development was charged, by motion, on October 26, 2007, with conducting public hearings on Sunday shopping to solicit the views of Islanders, and to report back to the Legislative Assembly in the spring of 2008. Currently Prince Edward Island defines "holiday" to include every Sunday that falls between De-

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ember 25 of any year and the Friday before Victoria Day of the following year, and retail business are not permitted to be open. The Act does not apply to a variety of operations, including gas stations, convenience stores, restaurants, drug stores, bakeries, video stores, and flower stores. Public response to the Committee has been mixed, with some input reflecting the belief that Sunday should be preserved as a day for religious observance or family togetherness; and others requesting that businesses be allowed to determine their own times and days for opening without legislation.

On November 1, 2007, a motion was adopted by the Legislative Assembly instructing the Standing Committee on Fisheries, Intergovernmental Affairs and Transportation to conduct a thorough review of the collapse of Polar Foods International Inc., a business failure the Auditor General identified as costing Island taxpayers approximately \$31 million. The Committee will report in the spring 2008 sitting of the Legislative Assembly.

The Standing Committee on Public Accounts is reviewing the annual Report of the Auditor General to the Legislative Assembly. For the first time since 1987, the Committee will not be aided in this examination by **Ron MacKinley**, who is now Minister of Transportation and Public Works. According to the Rules of the Legislative Assembly, ministers of the Crown are prohibited from serving on this committee. The current chairman, **Jim Bagnall** is the former vice-chairman and brings considerable experience to the position; and the new vice-chairman is **Buck Watts**.

The Standing Committee on Social Development is charged with matters concerning education, health and social development. It is

responsible also for recommending to the Legislative Assembly persons to serve on the Prince Edward Island Human Rights Commission. The Committee is undertaking several subject matter studies, including support and services for persons with disabilities and the impact of the high price of home heating fuel.

### **Re-establishment of Parliamentary Library**

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In September 2007, the Standing Committee on Legislative Management approved the idea of once again having a Legislative Library and Research Service to support Members, Committees, and House Officers in their work. The new positions of Research Librarian and Research Officer were filled in October, and offices were constructed across from the space set aside for the library in the Coles Building, located adjacent to Province House. Library staff moved into their new offices in early 2008, putting them to good use providing consultations and research services to Members and Committees.

A design plan for the library was recently presented and renovations will begin soon. Housed within the physical library space will be a government documents collection, periodicals collection, computer access, seating, and reference services, as well as a small collection on public policy and public administration.

### **Co-op Education Program with University of Prince Edward Island**

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The Legislative Assembly has established a new working relationship with the University of Prince Edward Island through creation of a Co-op Educational Program for third and fourth year Arts students. A student (majoring in History and/or Political Science) will be as-

signed to the Legislative Assembly during the fall and winter semesters and exposed to the operations of the Office of the Legislative Assembly, Office of the Speaker, Government and Opposition Members' Office, Hansard Office, Legislative Library and Committees Branch. The Program is designed to promote an understanding of the workings of the Legislative Assembly at the University, to support students by providing work in their chosen field of study and to increase the Assembly's profile at UPEI. This initiative is part of an ongoing effort to provide information to the public about our Provincial Parliament and about the specific work that is conducted at the House.

### **New Poet Laureate**

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Poet, novelist and essayist **David Helwig** was appointed as the new poet laureate for Prince Edward Island in January 2008. The poet laureate program was established in 2002. Its objectives are to celebrate Prince Edward Island and its people, to raise the profile of Prince Edward Island poets and poetry in general, to promote a higher standard of literacy, and to provide for the expression of culture and heritage through the literary arts. There are no fixed duties associated with the post, and previous poets laureate have used a variety of approaches to making poetry a more central part of the lives of Islanders. Mr. Helwig indicated that he would be exploring ways of using an internet web page to make the excellent work being done by Island poets better known.

**Marian Johnston**  
Clerk Assistant and  
Clerk of Committees



## House of Commons

The final months of 2007 in the House of Commons were the stage for unusual events in parliamentary history. The Chalk River nuclear plant, used to produce the radioisotopes needed for medical diagnostics tests, was shut down on November 18, 2007. The shutdown, the cause of which was controversial and disputed, eventually led to a shortage of radioisotopes in Canada and around the world.

On December 11, 2007, Government House Leader **Peter Van Loan** obtained unanimous consent for a motion to revert to the Introduction of Government Bills and, accordingly, Bill C-38, *An Act to permit the resumption and continuation of the operation of the National Research Universal Reactor at Chalk River* was introduced, read a first time and ordered printed.

The Government House Leader then obtained unanimous consent for another motion allowing the House to sit beyond the usual adjournment time for consideration of the said Bill. Also pursuant to the motion, the Bill was deemed read a second time and referred to a Committee of the Whole, the Committee of the Whole was authorized to hear certain witnesses, whose names were listed in the motion, and the Bill was able to be read a second and third time in the same sitting.

At the beginning of consideration by the Committee of the Whole, Chair **Bill Blaikie** made a brief statement, noting the rarity of hear-

ing witnesses on the floor of the House of Commons. After consideration in the Committee of the Whole was completed, the Bill was concurred in at report stage and passed at third reading. The Senate passed the bill without amendment the next day.

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### Committees

The Standing Committee on Access to Information, Privacy and Ethics held hearings on the **Brian Mulroney-Karlheinz Schreiber** affair, and presented its First Report to the House on November 27, 2007, recommending that the Speaker of the House issue the necessary warrants for Mr. Schreiber, who was in prison in Toronto at the time, to appear before the Committee as soon as possible and to remain available to the Committee as long as necessary. The House concurred in the report the same day by unanimous consent and the Speaker subsequently issued a warrant, the first such warrant regarding a witness to be issued since 1913. The Speaker warrant was duly executed and Mr. Schreiber, still in custody, appeared before the Committee on November 29, 2007.

On December 4, 2007, the Standing Committee on Finance struck a subcommittee to examine Bill C-28, *An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007 and to implement certain provisions of the economic statement tabled in Parliament on October 30, 2007*, and agreed the next day to report it back to the House without amendment.

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### Order and Decorum

On November 19, 2007, the Speaker of the House, **Peter Milliken**, addressed the House with respect to the remarks exchanged by Member **John Cannis** and the Minister of

Veterans Affairs **Greg Thompson** during Question Period on November 1, 2007. These Members had used the terms “intellectually dishonest” and “hypocrite” respectively. Citing the *House of Commons Procedures and Practice*, the Speaker pointed out that the Members' remarks had clearly caused disorder in the House and so called upon both Members to withdraw their remarks, which they immediately did. The Speaker added that he regularly receives messages from members of the public concerned about decorum in the House and urged Members to refrain from making offensive or disrespectful remarks to each other.

On November 22, 2007, the Speaker returned to an incident on the previous day involving the Minister of the Environment **John Baird**, who had referred to certain visitors in the gallery during Question Period. Several Members had asked the Speaker to not allow the Minister to address the House for 30 days, a practice invoked on previous occasions. The Speaker pointed out that when Members had not been recognized to speak for such an infraction of the rules and practices of the House, they were again recognized to speak once they admitted their error. He therefore considered the matter closed since the Minister of the Environment had apologized and indicated that he would not make the same mistake again.

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### Legislation

The legislative committee on Bill C-2, *An Act to amend the Criminal Code and to make consequential amendments to other Acts*, established following an Order agreed to on October 26, 2007, reported the Bill back to the House of Commons without amendment on November 21, 2007. On November 26, 2007,

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this omnibus Bill intended to fight violent crime was concurred in at report stage. On November 28, 2007, the Bill was passed by the House.

On December 12 and 13, 2007, the Leader of the Government in the House moved two motions using Standing Order 56.1, which stipulates that, in relation to any routine motion for which unanimous consent is required and has been denied, a Minister of the Crown may ask the Speaker to put the question to the House. If fewer than twenty-five Members rise, the motion is deemed to have been adopted.

The first motion, adopted on December 12, using Standing Order 56.1 provided that, in relation to the third reading stage of Bill C-28, *An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007 and to implement certain provisions of the economic statement tabled in Parliament on October 30, 2007*, no amendments would be permitted. The following day, the motion adopted allowed for the notice requirement for debate that day on Bill C-18, *An Act to amend the Canada Elections Act (verification of residence)* to be waived, and the adjournment of the House until Monday, January 28, 2008 provided that, when the House adjourned that day, Bill C-18 and Bill S-2, *An Act to amend the Canada-United States Tax Convention Act, 1984*, had been read a third time and passed.

Moreover, both of these motions provided that, on the day the Bills were under consideration, the House would sit beyond the ordinary hour of daily adjournment, and would not be adjourned before such proceedings had been completed except pursuant to a motion proposed by a Minister of the Crown.

### **Private Members' Business**

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On June 13, 2007, the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities had reported back an empty Bill C-284, *An Act to amend the Canada Student Financial Assistance Act (Canada access grants)*. On November 21, 2007, when the House defeated Report Stage Motion No. 1 and, in consequence, Motions Nos. 2 and 3, which were to re-establish the title and clauses of the Bill, the Speaker stated that the defeat of the motions meant that the Bill remained empty of all content, thereby creating a precedent in the House. Since there was nothing left of the Bill other than its number, the Speaker ordered the Bill struck from the Order Paper.

When necessary, the Speaker has indicated that, if a bill did not receive a Royal Recommendation or the bill was not amended so as to no longer necessitate a Royal Recommendation, at the conclusion of the debate on the motion for third reading, the question would not be put to the House. On November 22, 2007, before beginning consideration of second reading of Bill C-357, *An Act to amend the Employment Insurance Act (Employment Insurance Account and Premium rate setting)* and another Act in consequence, Deputy Speaker Bill Blaikie rendered a decision on the point of order raised by **Tom Lukiwski** on October 18th regarding the need for a Royal Recommendation. Since the Bill repeated provisions of Bill C-280 from the 1st Session of the 38th Parliament, on which the Speaker had ruled on June 13, 2005, that the Bill required a Royal Recommendation, the Deputy Speaker stated that the question would not be put at third reading unless a Royal Recommendation was obtained. The motion for second read-

ing was then rejected on November 28, 2007.

On November 30, 2007, at the conclusion of debate on Bill C-269, *An Act to amend the Employment Insurance Act (improvement of the employment insurance system)*, as the Bill still required a Royal Recommendation, the Speaker declined to put the question, and the order for third reading was discharged and the item was dropped from the Order Paper

### **Other Business**

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Due to allegations concerning the legitimacy of his electoral campaign financing, **Blair Wilson** left the Liberal caucus to sit as an Independent Member as of January 29, 2008.

**Wajid Khan** withdrew from the Conservative caucus on November 23, 2007, in response to allegations that he had exceeded the authorized spending limit in the 2004 general election. Mr. Khan decided to sit as an Independent Member in the House of Commons and to resign as personal advisor to the Prime Minister on the Middle East. He subsequently returned to the Conservative ranks on February 4, 2008.

Last November 28, a motion moved by **Olivia Chow**, seconded by **Barry Devolin**, and, by unanimous consent, by **Meili Faille** and **Derek Lee**, concerning the acquisition of young women, known as "comfort women", by the Imperial Armed Forces of Japan during World War II, was agreed to. Amongst its provisions, the motion encouraged the Government of Japan to express a formal and sincere apology to all of those who were victims.

On December 12, 2007, **Lucienne Robillard** announced her resignation as the Member for Westmount-Ville-Marie, effective January 25,

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2008. **Serge Ménard, Thomas Mulcair, Lawrence Cannon, Michael Ignatieff** and Speaker Milliken paid tribute to the Honourable Member.

On January 29, 2008, Mr. Van Loan rose on a point of order to convey on behalf of all Members their congratulations on the occasion of the seventh anniversary of the election of Mr. Milliken as Speaker of the House.

**Catherine Gérin-Lajoie**  
Procedural Clerk



## Nova Scotia

The House held a special sitting on October 25, 2007 for the purpose of electing a Speaker, since the Speakership fell vacant by reason of the former Speaker, **Cecil Clarke**, becoming Minister of Justice and Attorney General, and at that sitting, **Alfred MacLeod**, member for Cape Breton West, was elected Speaker and **Wayne Gaudet**, mem-

ber for Clare was elected Deputy Speaker.

Also at that sitting, the new member for Cole Harbour Eastern Passage, **Becky Kent**, elected in a by-election to fill a vacancy arising from the resignation of **Kevin Deveaux** was introduced to the House and took her seat.

After the election of the Speaker and Deputy Speaker, the House adjourned and reconvened on November 22, 2007 in order to hear the Lieutenant Governor prorogue the old session and start a new session by reading the Speech from the Throne.

By far the most controversial bill introduced at this sitting was a Bill that did not pass. This Bill, if passed would have taken away the right of nurses to strike and would have provided for the settlement of such strikes by binding arbitration. This Bill was strongly objected to by the nurses' union and by both opposition parties. Nevertheless, the Government introduced the Bill as its first piece of legislation and called it for second reading debate. However, after a few hours, the Government adjourned debate and did not call the bill for further debate.

Two Bills that raised a good deal of debate and publicity were both introduced by opposition members. One of these was Bill 38 introduced by **Percy Paris**, a member of the

NDP caucus, which gives the Governor in Council power to impose restrictions, including the regulation or prohibition of expiry dates on goods, including gift certificates or gift cards that are exchangeable or redeemable for goods or services.

The other Bill prohibits the conduct of a wide range of businesses on a designated day. The Bill defines a "designated day" as Boxing Day, Canada Day, Christmas Day, Easter Sunday, Good Friday, Labour Day, New Year's Day, Thanksgiving Day and any other day the Governor-in-Council prescribes as a "designated day". This bill was introduced by Stephen MacNeil, the Leader of the Liberal Party.

The House adjourned on December 13, 2007, to reconvene at the call of the Speaker.

During the sitting 32 bills were passed and given Royal Assent, 3 of which were Private or Local Bills and 29 of which were Public Bills and of the 29 Public Bills passed 4 were introduced by Liberal members, 2 by NDP members and the balance of 23 by the Government.

**Art Fordham**  
Assistant Clerk