



Legislative Reports



Saskatchewan

The first legislative session under the government of the Saskatchewan Party came to a close on May 15th. The session was shorter than is the norm under the Assembly's parliamentary sitting calendar as it was the first session of a new Legislature. When the calendar was adopted, allowances were included to afford a new government the flexibility to arrange its parliamentary affairs and not be bound by the usual calendar provisions. These special rules take precedence over those used under the regular calendar and are meant to accommodate the uniqueness of the first session after a general election. Even though the government was relieved of the burden of abiding by the calendar, this did not prevent other issues from arising and leading in part to the introduction of extended hours motions.

Thirty-nine of the forty-two bills introduced were passed. Noteworthy among these were two bills that attracted considerable debate in the House and in committee. Both *The Trade Union Amendment Act, 2007* and *The Public Service Essential Services Act* were the subject of lengthy hearings in the Standing Committee

on Human Services, during which the philosophical differences between the two parties were presented and debated.

The Public Service Essential Services Act establishes a framework in which the rights of workers are balanced with the need to ensure that essential services are provided during labour disputes. The act defines what services are essential and outlines the process to be followed to identify those employees necessary to maintain services during a work stoppage.

The newly amended *Trade Union Act* now requires 45% written support for an application to certify or decertify a union and for any such votes to be conducted by secret ballot. Employers will be permitted to communicate their views and positions to their employees.

The committee chose to devote its time to questioning the Minister and his officials rather than invite members of the public to make representations. *The Public Service Essential Services Act* became the first bill to be subject to the expedited bills process. Under the Rules of the Assembly, a bill that has received a minimum twenty hours of debate over all stages must be brought to an automatic vote on the second last day of the session. Both bills received Royal Assent before the Assembly's summer adjournment.

The Ukrainian Famine and Genocide (Holodomor) Memorial Day Act was introduced in the Assembly on May 6th by Deputy Premier **Ken Krawetz**. With the consent of the Assembly, the bill passed through

all remaining stages the following day. The Act designates the fourth Saturday in November each year as a day on which to acknowledge and recognize the starvation, hardships and death suffered by the Ukrainian people during 1932-1933. The Holodomor is particularly significant in Saskatchewan which benefited from the large number of Ukrainian immigrants who settled in and contributed to the growth of the province.

By-election results

The by-election to fill the vacancy in the constituency of Cumberland was held on June 25th. The by-election was prompted by the resignation of **Joan Beatty** who chose to resign to seek election to the House of Commons in the federal by-election for Desnethé-Missinippi-Churchill River. **Doyle Vermette** retained the seat for the New Democratic Party, in a narrow victory over the Saskatchewan Party candidate, **Dale McAuley**. An administrative orientation and swearing in ceremony was held for Mr. Vermette in July.

Death of former MLA

Former Deputy Premier **Ed Tchorzewski** passed away on June 6, 2008. Mr. Tchorzewski's tenure in the Assembly began in 1971 and spanned a total of 25 years over two periods. He represented the Humboldt area from 1971 to 1982 and later the constituencies of Regina Northeast and Regina Dewdney from 1985 to 1999. The veteran member served on both

sides of the House and in the cabinets of Premiers **Allan Blakeney** and **Roy Romanow**. Among the senior portfolios held by Mr. Tchorzewski were Finance, Health, Education and Continuing Education, Culture and Youth, Consumer Affairs, and Municipal Government. He also was responsible for two provincial Crown corporations, Saskatchewan Government Insurance and SaskTel.

Margaret (Meta) Woods
Clerk Assistant



Prince Edward Island

On May 22, 2008, the Second Session of the Sixty-third General Assembly adjourned to the call of the Speaker after 28 sitting days. One bill, 20 government motions and 13 motions other than government remain on the order paper. To date during this Session, a total of 36 bills have received Royal Assent; 53 motions were tabled; 115 ministerial statements were read; and 81 members' statements made.

Opening of Parliamentary Library

In September 2007, the Standing Committee on Legislative Management approved the idea of re-establishing a legislative library to support members, committees, and house officers in their work. The legislative library has had a number of incarnations over the years and since 1971 had been the responsibility of the provincial Department of Education. The renewed legislative library and research service offi-

cially opened on May 22, 2008, and is located on the first floor of the Hon. George Coles Building, immediately adjacent to Province House. The library has gathered together a core collection of documents that includes annual reports from departments, commissions, agencies, and boards; budgets and fiscal estimates; statistical reports; electoral information; and a small collection of public policy, agricultural and reference works. The legislative library has partnered with local document collections, including the University of Prince Edward Island and the Government Services Library, to offer better service while the collection grows. Both Research Librarian, **Laura Morrell**, and Research Officer, **Ryan Conway**, are working diligently to satisfy the reference and research needs of the Legislature, its staff, and its committees.

Parliamentary Calendar

In its April 2008 report, the Standing Committee on Rules, Privileges and Private Bills recommended the adoption of a parliamentary calendar, a historic first for Prince Edward Island. The spring sitting of the Assembly will commence during the first week of April each year, and the fall sitting will open on the first sitting day following Remembrance Day each year. This means the sitting is scheduled to open on Wednesday, November 12, 2008.

Significant Legislation

During the Session, a number of pieces of significant legislation received Royal Assent, including:

Judicature Act (Bill No. 21) replaces the *Supreme Court Act* as the legislation governing the superior court of Prince Edward Island. The Act provides a legislative and procedural separation of the Supreme Court, which has an appeal division

and a trial division, into two courts, the Supreme Court (currently the trial division) and the Court of Appeal (currently the appeal division).

Domestic Relations Act (Bill No. 33) is an omnibus Act which changes gender-specific references in 29 other Acts to gender-neutral language. In the main, the definition of spouse has been amended to recognize same-sex married and common-law relationships. Likewise, references to "mother and father" have been replaced with the generic term "parent." One section of the bill adds provisions to the *Child Status Act* setting presumptions concerning the parents of a child in certain situations, including the case where the child is born by assisted conception. In addition, it will now be possible to file declarations of parentage in the office of the Director of Vital Statistics, replacing a provision that allowed only the filing of a declaration of paternity.

Index to Work of the Standing Committees

Index of Committees is a new *Hansard* publication that aims to help MLAs, staff, bureaucrats, journalists, witnesses and other interested parties navigate through the various standing committees of the Legislative Assembly of Prince Edward Island. Published for the first time in July 2008, the Index covers the time period of October 2007 to March 2008—a time period which coincides with the heaviest workload for the committees. The Index will be published annually, and is available online at www.assembly.pe.ca.

Conference Activity

Prince Edward Island was pleased to host the Twenty-seventh Atlantic Provinces Parliamentary Conference in Charlottetown from June 19-22, 2008. Business session topics included Challenges of a Party of

One in a 48-seat Legislature; Nunavut's Consensus Style Government; Democracy 250; the Theory and Practice of Youth Engagement in Party Policies; and Role of the MLA; A New Member's Perspective. Of particular interest was a session presented by **Lori Turnbull**, Assistant Professor, Department of Political Science, Dalhousie University; and **Ivan MacArthur**, an advocate of the Citizens' Assembly, on the topic of public engagement and legislatures. Beyond the business agenda, a number of social opportunities were available for legislators to meet new colleagues and renew acquaintances.

Commission on Nitrates in Groundwater Report

In early July, the final report of the Commission on Nitrates in Groundwater was made public. Containing 30 recommendations dealing with all aspects of nitrate management, the report identifies six essential recommendations, including a mandatory three-year crop rotation for potatoes. The report will be formally tabled in the Legislative Assembly in the fall, and government has indicated that it has begun the process of planning for implementation of the report's recommendations. The full text of the report is available at:

www.gov.pe.ca/go/CommissiononNitratesReport.

Thirty-fourth Annual Statistical Review

A snapshot of the province's economy, population and social makeup is now available with the release on July 2, 2008, of the thirty-fourth edition of the *Prince Edward Island Annual Statistical Review*. Highlights from 2007 reveal the Island population at 138,627; economic growth of 2%; unemployment at a 29-year low

at 10.3%; farm cash receipts of \$364 million; and 750 housing starts. The entire review can be viewed online at: www.gov.pe.ca/photos/original/pt_annualreview.pdf.

Former Provincial Treasurer Appointed Kindergarten Commissioner

In the April 2008 Speech from the Throne, the province announced its intention to bring the Prince Edward Island kindergarten system into the public school system. As a result, on May 6, 2008, the appointment of a Public Kindergarten Commissioner was announced. **Pat Mella** was named to the position. Ms. Mella has a long history of public service to the province. She was first elected to the Legislative Assembly in 1993 and served as the lone opposition member until 1996. Re-elected in the general elections of 1996 and 2000, she was appointed Provincial Treasurer in 1996, a post she held until her retirement from political life in 2003. Ms. Mella is expected to carry out her work over the coming year, submitting her report in June 2009, setting out a vision and goals for the kindergarten program and recommendations for a detailed action plan to move kindergarten into the school system by September 2010.

Commission on the Future of Agriculture and Agri-food

On May 1, 2008, Agriculture Minister **Neil LeClair** announced the establishment of the Commission on the Future of Agriculture and Agri-food on Prince Edward Island. The commission has been charged with articulating a long-term vision for agriculture and agri-food and recommending an implementation strategy. Its final report is expected in December 2008. The commission is co-chaired by **Rory Francis**, a former deputy minister of agriculture and currently executive director of

the Prince Edward Island BioAlliance (a network of leading edge biosciences businesses and research organizations); and Dr. **Ed Tyrchniewicz**, associate dean of the Asper School of Business at the University of Manitoba and former professor of agricultural economics. Other members of the commission include representatives from industry and the community.

Marian Johnston

Clerk Assistant and Clerk of Committees



Senate

The final spring months were very lively in the Senate, which sat through May and a large part of June before adjourning for the summer on June 26, 2008. A number of items on the government's agenda were reviewed and resolved, and the Governor General gave Royal Assent to a variety of bills before the summer recess. This short period was very busy for committees as well: they produced over 20 reports on special studies and considered a number of bills. The Senate was also a forum for political and regulatory debate, involving points of order and questions of privilege.

Legislation

Bill S-215, *An Act to protect heritage lighthouses*, received the attention of senators and MPs once again this year. This is the seventh attempt in as many years to have the bill passed: it was originally brought in

by Senator **Mike Forrestall**, then taken over by Senator **Pat Carney**, PC, and finally by Senator **Lowell Murray**, PC. The bill was passed by the Senate at third reading in December 2007, but on May 6, 2008, the House of Commons sent a message to the Senate proposing amendments. The following sitting day, the Senate considered and concurred in the proposed amendments. The bill finally received Royal Assent on May 29.

On June 17, the Senate passed Bill C-60, *An Act to amend the National Defence Act (court martial) and to make a consequential amendment to another Act*, at second reading. The bill was then immediately sent to Committee of the Whole. For the occasion, the Senate received **Peter McKay**, MP, Minister of National Defence, as well as Brigadier-General **Ken Watkin**, Judge Advocate General, and Lieutenant-Colonel **Mike Gibson**. The Committee reported the bill without amendment, and it was passed at third reading, on division. It received Royal Assent on June 18.

On May 29, Royal Assent was signified by written declaration by Madam Justice **Marie Deschamps**. Bills S-215, C-293, C-13 and C-459 received Royal Assent in this way. The Governor General came to the Senate Chamber on June 18 to give Royal Assent to a number of bills before the summer recess. A motion to allow the presence of photographers and television cameras in the Chamber had been adopted the previous evening. Ten bills received Royal Assent, most of them government bills: C-23, C-30, C-292, C-31, C-287, C-50, C-60 and C-21, as well as C-58 and C-59, both money bills. On June 26, the last sitting day before the summer recess, Royal Assent by written declaration was given to bills C-33, C-34, and C-474, with Mr Justice **Louis LeBel** of the

Supreme Court acting for the Governor General.

Committee of the Whole

On June 12, with the Senate scheduled to welcome several dignitaries from the Aboriginal community, the senators took the opportunity to pass at third reading Bill C-30, *An Act to establish the Specific Claims Tribunal and to make consequential amendments to other Acts*, and Bill C-292, *An Act to implement the Kelowna Accord*, the latter on division. A motion had been adopted to allow the presence of photographers and television cameras in the Senate Chamber for the broadcasting of the proceedings in Committee of the Whole. At 3:00 p.m., the Senate met in Committee of the Whole to hear from **Phil Fontaine**, National Chief of the Assembly of First Nations, **Patrick Brazeau**, National Chief of the Congress of Aboriginal Peoples, **Mary Simon**, President of Inuit Tapiriit Kanatami, and **Clem Chartier**, President of the Métis National Council, on the subject of the government's apology to former students in Indian residential schools.

Points of Order / Speaker's Rulings

Points of order were raised several times during the final two spring months. One that provoked debate was raised by Senator **Joan Fraser** on May 1, about senators' statements. Senator Fraser had two specific concerns: that a statement made earlier in the day had not met the criteria of Senate Rule 22(4) and that its content might have violated Rule 51. On a separate issue, she asked for guidance as to when, if ever, mention may be made of a senator's absence. In his ruling of May 7, the Speaker said he wanted to remind senators that the Senate is a chamber that is self-regulating as

long as its proceedings remain courteous, and that it was up to senators to judge the importance of the matters they want to raise during the period reserved for senators' statements. The Speaker referred to a ruling handed down in February and repeated that in Canada it is not considered appropriate to refer to the absence of any senator, any more than it is appropriate to draw attention to a senator's arrival or departure.

When debate on Bill S-234 was resumed at second reading, Senator **Gerald Comeau** rose on a point of order regarding the bill's admissibility. He argued that the Bill infringed the Crown's financial prerogative, as set down in the *Constitution Act, 1867* and in Rule 81. Having taken the matter under advisement, the Speaker handed down his ruling on May 27. Since the essence of the point of order dealt with the issue of whether the bill infringed the financial prerogative of the Crown, it was decided that because subclause 52(2) of the bill specified that most of its provisions could not come into effect "unless the appropriation of moneys for the purposes of this Act has been recommended by the Governor General and such moneys have been appropriated by Parliament", the bill as such did not authorize the appropriation of funds and thus fully respected the initiative of the Crown.

Questions of Privilege / Speaker's Rulings

On May 28, Senator Comeau raised a question of privilege regarding the proceedings of the Standing Senate Committee on National Security and Defence at its meeting of May 26, 2008. Debate continued until May 29, when the Speaker ruled from the Chair that a *prima facie* case of privilege had been made. Senator

Comeau raised the question of privilege because the Committee, at a meeting, had reviewed, amended and adopted a preliminary report that had been distributed to the Committee's members in one official language only. The senator argued that this proceeding was in defiance of parliamentary privilege, the *Canadian Charter of Rights and Freedoms* and the *Official Languages Act*. He proposed that the matter be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report.

On June 26, Senator Comeau raised a question of privilege on the same issue, this time regarding a meeting on June 18. While pointing out that every question of privilege must be considered separately, the Speaker ruled that senators who sit on a committee, or are doing other work, must have access in both official languages to the documents bearing on the matter that is before the committee or Parliament. According to the Speaker, this is axiomatic: there is nothing discretionary about it. He therefore found that a *prima facie* case of privilege had been established. Senator Comeau then moved that the matter be referred to the Standing Committee on Rules, Procedures and the Rights of Parliament for consideration and report.

Other Matters / Milestones

On May 14, the Speaker of the Senate announced to the honourable senators that a certified copy had been received of the Order in Council appointing **Kevin MacLeod** as Usher of the Black Rod, starting May 26. Mr MacLeod succeeded **Terrance J. Christopher**, who had occupied the position until March 7, 2008.

On June 17, the Senate paid tribute to the Senator **Aurélien Gill**,

who was retiring from the Senate on August 26, 2008. An experienced businessman, passionate Aboriginal leader and seasoned parliamentarian, Senator Gill was appointed to the Senate in 1998 by Prime Minister **Jean Chrétien**. Throughout his years in the Senate he worked with zeal and conviction to secure independence for First Nations.

Motions

On June 18, the Senate adopted motions by Senator **Roméo Dallaire** on the repatriation of child soldier **Omar Khadr**, on division. Senator **Michael Meighen's** motion was adopted the same day. It urged the Government of Canada to take the necessary steps to end the long and unjust delay in recognition of Bomber Command service and sacrifice by Canadians in the liberation of Europe during the Second World War.

Marie-Eve Belzile
Procedural Clerk



Yukon

The 2008 Spring Sitting of the First Session of the 32nd Legislative Assembly adjourned on May 15. The 32-day sitting had begun on March 20. The Sitting concluded with Assent being given in the Chamber by the Commissioner of Yukon, **Geraldine Van Bibber**. The nine government bills to which assent was granted on May 15 were:

- Bill No. 53, *Act to Amend the Tobacco Tax Act*
- Bill No. 47, *Miscellaneous Statute Law Amendment Act, 2008*

- Bill No. 48, *Act to Amend the Summary Convictions Act*
- Bill No. 49, *Act to Amend the Financial Administration Act*
- Bill No. 9, *Third Appropriation Act, 2007-08*
- Bill No. 11, *First Appropriation Act, 2008-09*
- Bill No. 46, *Act to Amend the Liquor Act*
- Bill No. 52, *Workers' Compensation Act*
- Bill No. 51, *International Child Abduction (Hague Convention) Act*

Earlier in the Spring Sitting, three other bills had passed and been given Assent:

- Bill No. 10, *Interim Supply Appropriation Act, 2008-09 (on March 27th)*
- Bill No. 50, *Child and Family Services Act (on April 22nd)*
- Bill No. 104, *Smoke-free Places Act (on April 22nd)*

First Appropriation Act, 2008-09

As usual, the item of business that consumed the most time during the Spring Sitting was the government's main estimates for the coming fiscal year. In Bill No. 11 the government sought the Assembly's approval to spend \$900 million during 2008-09. The bill was debated for approximately 46 hours and was still under debate in Committee of the Whole on the final sitting day at 5 p.m. At that time, pursuant to Standing Order 76, the Chair of Committee of the Whole, **Steve Nordick** (Klondike, Yukon Party) interrupted debate and this bill (as well as all other outstanding Government bills) was advanced through its remaining stages without further debate or amendment.

Smoke-free Places Act

The passage of Bill No. 104, *Smoke-free Places Act*, on April 22nd

marked the first time in 10 years that a private member's bill passed the House. As detailed in the preceding issue of CPR, the bill was introduced by the Leader of the Third Party, **Todd Hardy** (Whitehorse Centre, NDP) during the 2007 Spring Sitting. The bill received Second Reading and some discussion in Committee of the Whole on May 9, 2007. It was referred to the Select Committee on Anti-smoking Legislation on June 13, 2007. The committee held hearings across Yukon in September and October 2007 and tabled its report on November 21.

Committee of the Whole resumed its consideration of Bill No. 104 on November 28, 2007 and again on March 26, 2008. On the latter date the committee proceeded to clause-by-clause consideration of the bill and adopted 24 amendments to it. Given the extensive number of amendments the bill was ordered reprinted before Third Reading. The amended version of Bill No. 104 was scheduled for Third Reading on April 22. However, as this was not a day when private members' business would have precedence, unanimous consent was required to have the bill debated. Unanimous consent was granted and Bill No. 104 received Third Reading and Assent on that day.

Select Committee on Human Rights

On April 9, 2008 the Legislative Assembly established the Select Committee on Human Rights. The select committee's mandate includes receiving the views and opinions of Yukoners and interested groups on legislative options for amending Yukon's 20-year old *Human Rights Act*. The select committee members are **Marian Horne** (Pelly-Nisutlin, Yukon Party), **Don Inverarity** (Porter Creek South, Liberal), and **Steve Cardiff** (Mount Lorne, NDP).

Pursuant to the motion that established the select committee, Bill No. 102, *An Act to Amend the Human Rights Act* – a private Member's bill introduced by Mr. Inverarity on April 23, 2007, and which received some second reading debate on May 23, 2007 – was referred to it. The bill seeks to extend from six months to two years the time period during which a complaint must be made to the Yukon Human Rights Commission with regard to an alleged contravention of the *Human Rights Act*.

The select committee has met several times over the summer and will be holding territory-wide public hearings in late September and early October. It is already accepting written submissions. The select committee is to report its findings and recommendations, if any, to the House by the 15th sitting day of the 2008 Fall Sitting. While the Assembly does not have a fixed calendar, it is anticipated that this sitting day will fall in late November.

Conflict of Interest Commissioner re-appointed

On May 13th the Assembly re-appointed **David Phillip Jones**, Q.C., as Yukon's Conflict of Interest Commissioner for a three-year period. The motion to re-appoint Mr. Jones was proposed by the Premier, **Dennis Fentie** (Watson Lake, Yukon Party). The *Conflict of Interest (Members and Ministers) Act* requires that the appointment be approved by two-thirds of the Members of the Legislative Assembly. In fact, the motion carried unanimously.

Cabinet Shuffle

On July 3rd Premier Fentie announced a Cabinet shuffle. While the composition of Cabinet remains the same, there were some changes to Ministers' portfolios. Current portfolios are:

Dennis Fentie (Premier): Finance; Executive Council Office

Elaine Taylor (Deputy Premier): Environment; Tourism and Culture

Marian Horne: Justice, Women's Directorate

Archie Lang: Highways and Public Works; Community Services

Glenn Hart: Health and Social Services; Yukon Workers' Compensation Health and Safety Board; French Language Services Directorate

Jim Kenyon: Economic Development, Yukon Development Corporation, Yukon Energy Corporation, Yukon Housing Corporation

Brad Cathers: Energy, Mines and Resources, Yukon Liquor Corporation, Yukon Lottery Commission

Patrick Rouble: Education, Public Service Commission

CPA Conference Participation

Speaker **Ted Staffen** and **Darius Elias** (Vuntut Gwitchin, Liberal) attended the Canadian Regional conference in Halifax in July. Speaker Staffen, Ms. Horne and **Gary McRobb** (Kluane, Liberal) attended the international conference in Kuala Lumpur, Malaysia from August 1-10.

Electoral District Boundaries

Speaker Staffen tabled the Final Report of the Electoral District Boundaries Commission in the House on March 25, 2008. The Commission recommended increasing the number of electoral districts from 18 to 19. It is expected that legislation to implement this recommendation will be introduced in the 2008 Fall Sitting.

Floyd McCormick
Clerk

Linda Kolody
Deputy Clerk



House of Commons

The House was the scene of a historic apology on June 11, 2008. The Prime Minister, **Stephen Harper**, made a statement to offer, on behalf of the Government of Canada, an apology to former students of Indian residential schools. All three opposition party leaders replied to the statement, as victims and their family members watched from the floor and galleries of the House of Commons. For the first time in Canadian history, representatives of Indian and Native groups were given the opportunity to respond directly to Members from the floor of the House. The guests were **Phil Fontaine**, **Mary Simon**, **Clem Chartier**, **Beverley Jacobs**, **Pat Brazeau**, **Mary Moonias**, **Marguerite Wabano**, **Sandra Linklater**, **Crystal Merasty**, **Peter Irniq**, **Don Favel** and **Mike Cachagee**.

This event was in sharp contrast to events in the House this spring, when details about the past of **Julie Couillard**, the ex-partner of Foreign Affairs Minister **Maxime Bernier**, were revealed in the media. After confirming that he had left classified government documents in a non-secure location, Mr. Bernier offered his resignation from Cabinet on May 26, 2008. This eventually led the Prime Minister to shuffle his Cabinet on June 25. **David Emerson**, who had been Acting Minister of Foreign Affairs, was given the position permanently. Senator **Michael Fortier** replaced Mr. Emerson as Minister of International Trade.

Christian Paradis became Minister of Public Works and Government Services, while retaining his position as Secretary of State (Agriculture), and **James Moore** was assigned to the position of Secretary of State (Asia-Pacific Gateway) (2010 Olympics) (Official Languages).

On June 19, 2008, the House received a message from the Senate calling on the Government of Canada to negotiate with the Government of the United States of America the immediate repatriation to Canada of Canadian citizen and former child soldier **Omar Khadr** from the Guantanamo Bay detention facility. It also called on the Government to undertake all necessary measures to promote his rehabilitation, in accordance with this country's international obligations on child rights in armed conflicts.

Committees

In reaction to a report from the Conflict of Interest and Ethics Commissioner, which found that Liberal MP **Robert Thibault** contravened the *Conflict of Interest Code for Members of the House of Commons* by participating in the Mulroney-Schreiber hearings while, at the same time, being a defendant in a lawsuit filed by Mr. Mulroney, the Standing Committee on Access to Information, Privacy and Ethics presented its Seventh Report, proposing modifications to the said Code. On May 14, 2008, the Chief Government Whip, **Jay Hill**, rose on a point of order to question the admissibility of the report, arguing that the Code fell under the mandate of the Procedure and House Affairs Committee. The next day, the Speaker ruled that the Seventh Report was improperly before the House and it was deemed withdrawn. On June 5, 2008, an opposition motion was adopted by the House to amend the Code and to re-

fer the Thibault Inquiry Report back to the Conflict of Interest and Ethics Commissioner in light of these changes. The Commissioner responded on June 17, 2008, that the Thibault matter would fall within the exception set out in the new amendment and therefore would not constitute a conflict of interest.

On June 10, 2008, the Standing Committee on Public Safety and National Security commenced its study of security issues concerning the former Minister of Foreign Affairs. **Michel Juneau-Katsuya**, a former Senior Intelligence Officer at the Canadian Security Intelligence Service and **Bob Paulson**, Chief Superintendent and Acting Assistant Commissioner for the Royal Canadian Mounted Police appeared on these issues.

Rulings

On May 2, 2008, the Speaker ruled on the point of order raised on April 8, 2008, by **Peter Van Loan** concerning the requirement for a Royal Recommendation for Bill C-445, *An Act to amend the Income Tax (tax credit for loss of retirement income)*. The Speaker ruled that he would decline to put the question on third reading of the Bill in its present form because, by making a tax credit refundable, Bill C-445 could lead to refunds that are greater than taxes paid.

The Speaker delivered another ruling on May 12, 2008, on the selection and grouping for debate of four report stage motions in amendment to Bill C-377, *An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change*. The Speaker ruled that, given the exceptional circumstances of the impasse that had occurred in the Standing Committee on Environment and Sustainable Development during its clause-by-clause consideration of the Bill, he would allow a number

of motions to be moved during report stage, even though they normally should have been moved during the committee stage.

On May 28, 2008, the Speaker ruled on the question of privilege raised by **Mauril Bélanger** concerning comments made by **Pierre Poilievre** on the election expenses of the Member during the last election. The Speaker stated that it was not for him to determine the quality of a response to an oral question. He added that, given the differing views of both Members, the Chair was unable to find a basis for a *prima facie* breach of privilege. He took the opportunity to remind Members to be more judicious in their choice of words while debating and considered the matter closed.

Legislation

The long-awaited Bill C-61, *An Act to amend the Copyright Act* was read a first time on June 12, 2008. The Bill proposes to amend the *Copyright Act* in order to update the rights and protections of copyright owners to better address changes in digital technology and the Internet, in line with international standards, and to clarify the liability of Internet service providers.

Bill C-292, *An Act to implement the Kelowna Accord*, which was sponsored by former Prime Minister **Paul Martin**, received Royal Assent on June 18, 2008. It provides that the Government of Canada must take all necessary measures to implement the Accord concluded on November 25, 2005, the very existence of which the Conservative Government questions.

Publications

On May 13, 2008, the Speaker tabled the *Selected Decisions of Speaker Gilbert Parent*. The collection contains 85 decisions, covering the period when **Gilbert Parent** presided

over the House, from the First Session of the 35th Parliament until the end of the 36th Parliament (1994-2001). He added that on this special occasion, Mr Parent was present in the gallery. The publication, prepared by the Table Research Branch, is the seventh in a series of collections of Speakers' rulings.

Other matters

On May 26, 2008, President of Ukraine, **Viktor Yushchenko**, addressed a joint session of Parliament. Members of the Senate and the House of Commons attended the event on the floor of the House.

Catherine Gérin-Lajoie
Procedural Clerk



The National Assembly adjourned its proceedings on June 20, 2008. The proceedings of the first session of the 38th legislature will resume on October 21, 2008. Forty-one bills were introduced during the spring, including 8 public bills introduced by Members. The Assembly passed 27 public bills and 5 private bills. The following are among the more noteworthy legislative texts adopted:

- Bill 63, to amend the Charter of human rights and freedoms to expressly state that Charter rights and freedoms are guaranteed equally to women and men;
- Bill 71, to amend the Auditor General Act and other legislative provisions, to extend the powers conferred upon the Auditor General of Québec;

- Bill 95, to amend the Act respecting medical laboratories, organ, tissue, gamete and embryo conservation, and the disposal of human bodies. It provides that a general diagnostic radiology laboratory may be operated only by a radiologist, a legal person or a partnership in which radiologists have a majority interest, or an association made up exclusively of radiologists.

Changes in Membership

Following by-elections held on May 12, 2008 in three constituencies, **Nicole Léger**, elected in the electoral division of Pointe-aux-Trembles, and **Maka Kotto**, in the electoral division of Bourget, were sworn-in on May 20, 2008. The new Member for Hull, **Maryse Gaudreault**, was sworn-in the following day.

On June 25, **Philippe Couillard** announced his resignation as Member for Jean-Talon. First elected in the electoral division of Mont-Royal in the general election of April 14, 2003, Mr. Couillard was subsequently elected in the electoral division of Jean-Talon in the general election of 26 March 2007. He had been Minister of Health and Social Services since April 29, 2003. Premier **Jean Charest**, then announced the appointment of a non-elected person, Dr. **Yves Bolduc**, as Minister of Health and Social Services and Minister responsible for the Saguenay-Lac-Saint-Jean region.

On July 14, 2008, **Michel Bissonnet** notified the Secretary General of the National Assembly, **François Côté**, of his resignation as President of the Assembly effective on this date. Mr. Bissonnet however remains the Member for Jeanne-Mance -Viger.

The Assembly is currently composed as follows: Liberal Party, 47 Members; Action démocratique du

Québec, 41 Members; Parti Québécois, 36 Members; 1 vacancy.

Directive from the Chair

Following several points of order raised during Oral Questions and Answers regarding the fact that ministers did not answer questions, the President of the National Assembly, Mr. Bissonnet, rendered the following directive: No point of order may be based on the opinion that the answer to a question is not satisfactory. But a point of order may be based on the fact that the answer provided by the Minister does not concern the subject of the question. Furthermore, there is no introduction to the answer that allows for comments to be made on any subject other than on the subject of the question.

Interparliamentary relations

From May 12 to 16 the President of the National Assembly, Mr. Bissonnet, welcomed his counterpart from the Parliament of the State of Bavaria (Landtag), **Alois Glück**, the Vice-president, **Peter Paul Gantzer**, as well as a delegation of Bavarian parliamentarians, within the framework of the 4th Meeting of the Québec – Bavaria Joint Parliamentary Committee. The Committee took a closer look at issues concerning immigration and early childhood services.

The President of the National Assembly and Chair of the National Assembly Delegation for Relations with the French Senate (DANRSF) received a visit, from May 18-24 of members of the France-Québec Interparliamentary Group (GIAFQ) on the occasion of the 5th Annual Meeting of the French Senate and the National Assembly. The President of the GIAFQ, the senator of Vienna and former Prime Minister, **Jean-Pierre Raffarin**, were accompanied by a delegation of four

French senators. Meetings with elected officials and experts focussed on new technologies.

The France-Québec Interparliamentary Committee (CIFQ) held its 21st Session in Québec City, from June 27 to July 4, 2008. On this occasion, parliamentarians from France and Québec discussed themes of great importance for their respective States, namely the impact of demographic aging and the financing of higher education. By pooling their respective experiences, they focussed on developing solutions to meet the challenges faced by French and Québec societies. The French and Québec delegations were led respectively by **Pierre Lasbordes**, President of the France-Québec Friendship Group and Member for Essonne, and **Jacques Chagnon**, Vice-president of the National Assembly of Québec and Chair Delegate of the National Assembly Delegation for Relations with the French National Assembly.

From July 1 to 7 July, within the context of the 400th anniversary of Québec City, the National Assembly hosted several major events including the 34th Session of the Parliamentary Assembly of the Francophonie (APF), the Conference of Presiding Officers of La Francophonie and the 24th Session of the Americas Regional Assembly of the APF.

Over 450 Francophone parliamentarians discussed several themes that will be discussed at the Sommet de la Francophonie next October in Québec City, such as the environment, the worldwide food crisis and the promotion of the French language. As a consultative assembly of La Francophonie, the APF will present the results of its work, in the form of resolutions, at the Sommet de la Francophonie.

The opening of the 34th Session of the Parliamentary Assembly of the

Francophonie took place in the presence of the President of the National Assembly and the Secretary General of the Organisation internationale de la Francophonie (OIF), **Abdou Diouf**.

The Conference of Presiding Officers, organized at the initiative of the President Bissonnet, brought together, on July 4, the presidents and vice-presidents of 45 parliaments of La Francophonie in order to adopt a common position as regards the methods to be taken to reinforce parliamentary democracy within their assembly. At the end of this day, a final declaration was unanimously adopted.

The parliamentarians of the Americas Regional Assembly of the APF adopted, among other things, a resolution aiming to ensure the place of the French language in the organization and broadcasting of the Olympic and Paralympic Winter Games of 2010 in Vancouver and Whistler.

Lastly, it should be mentioned that several public figures, who have distinguished themselves by serving the Francophonie's ideals of cooperation and friendship, received the insignia of the Ordre de la Pléiade from the President of the APF, **Guy Nzouba-Ndama**.

Parliamentary simulation

On May 2, 2008 the National Assembly welcomed 125 sixth grade elementary students who took part in the 12th legislature of the Pupils' Parliament. These student-Members discussed and adopted three bills whose purpose was to revitalize elementary schools in order that students work in a healthy and welcoming environment, to promote correspondence between students attending Québec schools and those attending other schools in Francophone countries and, lastly, to raise young people's awareness

as regards preventing intimidation in elementary schools and high schools.

Other news

On July 13, to mark the 400th anniversary of the founding of Québec City, France underlined its fraternal relations with Québec City by honouring 15 Québec public figures who have excelled in their respective fields of activity and who have made a determining contribution to France-Québec relations or to La Francophonie. Within the framework of this ceremony, which was presided by the High Chancellor of the Legion of Honour, the President of the National Assembly was decorated with the insignia of Officier de l'Ordre national de la Légion d'honneur. The First Vice-president of the Assembly, **Fatima Houda-Pepin**, was made a Chevalier (knight) de l'Ordre national de la Légion d'honneur. The Premier of Québec who was among those honoured, will be decorated at a later date by the President of the French Republic.

Manon Voyer

Secretariat of the Assembly

Standing committees

On April 29, 2008, the members of the Committee on Social Affairs unanimously adopted an order of initiative concerning homelessness in Québec. The Committee will hold public hearings on this subject within the framework of special consultations in autumn 2008. A rare occurrence, certain of these hearings will take place outside of Québec City's Parliament Building, more specifically in Montréal, Gatineau and Trois-Rivières.

In April and May, the Committee examined Bill 70, *An Act to amend the Act respecting health services and social services, the Health Insurance Act*

and the Act respecting the Régie de l'assurance maladie du Québec. This bill, which concerns the electronic health file introduces the principle of implicit consent of a patient in constituting this file. The Committee heard the Commission d'accès à l'information on two occasions: the first time within the framework of a deliberative meeting and a second meeting during a public hearing requested by the Assembly.

Bill 68, *An Act to amend the Supplemental Pension Plans Act, the Act respecting the Québec Pension Plan and other legislative provisions*, was examined by the Committee in June, after having been the subject of special consultations. This bill concerns phased retirement. The Committee also held special consultations on Bill 23, *An Act respecting clinical and research activities relating to assisted procreation.* This bill particularly provides that any assisted procreation activity, allowing for exceptions, must be carried out in a centre for assisted procreation for which a licence has been issued by the Minister of Health and Social Services and which is under the direction of a physician.

Lastly on May 21 the Committee heard the Corporation d'urgences-santé within the framework of an order of surveillance of public agencies. The Corporation d'urgences-santé is a non-profit agency under the jurisdiction of the Minister of Health and Social Services. It provides prehospital emergency services to the population on the territory of the cities of Montréal and Laval.

On May 8, 2008 the Committee on Public Administration tabled a report containing observations and recommendations following hearings it held in April concerning the dismissal of **Bruno Fortier**, Québec's former delegate general in New York. The Committee also

heard, in addition to Mr. Fortier himself, the Premier and the Minister of International Relations.

On June 11, the Committee tabled the 20th report on the accountability of deputy ministers and chief executive officers of public bodies. In this report, the Committee proposes a new approach to the examination of annual management reports based on performance evaluation of the concerned agencies, along with quality of information.

Within the framework of the order of initiative on residual waste management, the Committee on Transportation and the Environment tabled, on June 10 a report containing 43 recommendations following consultations that took place in February. The Committee particularly recommended to the Government that sustainable development principles and the climate change issue be integrated into the future residual waste policy. In addition to the public hearings, the Committee members visited BFI Usine de triage in Lachenaie and Dépôt Rive-Nord.

In May, the Committee gave clause-by-clause consideration to Bill 55, *An Act to again amend the Highway Safety Code and other legislative provisions.* This bill introduces provisions that will ensure heightened enforcement of the *Highway Safety Code*, in particular as regards road signage, mopeds, and penal and administrative measures. It should be recalled that this bill was the subject of special consultations in conjunction with Bill 42 in November and December 2007.

On May 28, the Committee on Culture tabled a report containing recommendations following the examination, in March and April, of the mission, activities and management of the Conseil supérieur de la langue française, of the Office québécois de la langue française

and of the Commission de toponymie. The Committee particularly recommended that the Conseil supérieur de la langue française and the Office québécois de la langue française develop a closer collaboration, more specifically in carrying out the order of surveillance on the evolution of Québec's linguistic situation.

On May 27 **François Benjamin**, the Member for Berthier, was elected vice-chairman of the Committee on Institutions, following the resignation of **Christian Lévesque**, the Member for Lévis. In compliance with Standing Order 135, the new vice-chairman was elected by the majority of the members of each parliamentary group. The Committee on Institutions is the only committee to elect two vice-chairmen.

The Committee examined several bills during the months of May and June, including Bill 60, *An Act to amend the Police Act*, which had already been the subject of special consultations, and Bill 69, *An Act to amend the Election Act and other legislative provisions*. This bill particularly provides that the Chief Electoral Officer will obtain from the Régie de l'assurance maladie du Québec and from the Chief Electoral Officer of Canada the information needed to update the permanent list of electors.

Christian Lévesque was elected vice-chairman of the Committee on Public Finance by a majority of members from each parliamentary group. The election was held on May 28 following the resignation of **Linda Lapointe**, the Member for Groulx. Mr. Lévesque was formerly one of the vice-chairmen of the Committee on Institutions.

The Lobbyists Commissioner was heard twice by the Committee on Public Finance during the months of April and May, in pursuance of this agency's constituting

act: a first time within the framework of the examination of his activity reports for 2002-2003 to 2006-2007 and a second time within the framework of special consultations on the *Report on the implementation of the Lobbying Transparency and Ethics Act and the Code of Conduct for Lobbyists*.

The Committee also examined Bill 77, *Derivatives Act*, during the month of May, and held special consultations following the adoption of a preliminary motion presented by a Member of the parliamentary group forming the Official Opposition.

Bill 71, *An Act to amend the Auditor General Act and other legislative provisions*, was examined by the Committee on June 16. The object of this bill is to allow the Auditor General to act as the auditor of the books and accounts of a body in the health and social services network or the education network having received a government grant.

After having held consultations and heard 22 organizations, the Committee on Education examined, in the course of seven meetings, Bill 88, *An Act to amend the Education Act and the Act respecting school elections*. This bill provides that the council of each school board, while having fewer commissioners, will include a greater number of parents' representatives and co-opted members. The bill has not yet passed all of the legislative stages with a view to its final passage by the Assembly.

The Committee on Agriculture, Fisheries and Food examined two bills in May and June, namely Bill 72, *Crop Health Protection Act*, whose object is to protect plants grown for commercial purposes from the harmful organisms identified by the Minister of Agriculture, Fisheries and Food, and Bill 81, *An Act to modernize the governance of La Financière agricole du Québec*. The purpose of

this bill is to make La Financière agricole du Québec subject to the Act respecting the governance of state-owned enterprises, which was passed in December 2006. This bill establishes governance rules to reinforce the management of state-owned enterprises with a view to improving the efficiency, transparency and accountability of their board of directors.

After having been the subject of special consultations, Bill 93, *An Act to amend the Charter of Ville de Québec*, was examined in June by the Committee on Planning and the Public Domain. This bill amends the Charter of Ville de Québec to set the number of boroughs at six instead of eight and to reduce the number of councillors on the city council from 37 to 27. Moreover, the Committee examined Bill 22, *An Act to amend various legislative provisions concerning Montréal (modified title)*, which had already been the subject of special consultations in November 2007. Thirty-nine amendments were adopted by the Committee.

In June, the Committee on Labour and the Economy examined Bill 87, *An Act to establish a mining heritage fund*. This bill establishes a mining heritage fund to finance activities that foster the development of mineral potential. Bill 97, *An Act to regularize and provide for the development of local slaughterhouses and to amend the Food Products Act*, was also examined by the Committee. This bill makes permits mandatory for slaughterhouse operators.

For more information on the proceedings of the standing committees, please visit the Internet site of the National Assembly of Québec at: www.assnat.qc.ca.

Anik Laplante

Secretariat of committees

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



Manitoba

The second session of the 39th Legislature recessed for the summer on Thursday, June 12, 2008 following an intense spring sitting.

Many Bills made their way through the legislative process this spring, while the following Bills await further consideration in the fall:

- Bill 17 - *The Environment Amendment Act (Permanent Ban on Building or Expanding Hog Facilities)*, which would prohibit the construction or expansion of confined livestock areas for pigs and pig manure storage facilities in specified areas of Manitoba.
- Bill 37 - *The Lobbyists Registration Act and Amendments to the Elections Act, the Elections Finances Act, the Legislative Assembly Act and the Legislative Assembly Management Commission Act*, which would introduce a wide range of amendments, including:

Requiring the registration of people who lobby the government, government agencies or Members of the Legislative Assembly.

Mandating that elections be held every four years on the second Tuesday in June;

Requiring that caucuses of registered political parties and Members who receive a payment for supplies and assistance under the Act file an annual financial report relating to the payments.

Establishing an annual mailing expense budget for caucuses and Members.

Public Participation in the Manitoba Legislative Process - Spring 2008			
	Committee Sitting Hours	Public Presentations	Written Submissions
Bill 17 - Hog Barns	64	268	47
Bill 37 - Elections	43	69	30
Bill 38 - Balanced Budget	24	44	12
Bill 45 - Teacher's Pensions	28	111	158

- Bill 38 - *The Balanced Budget, Fiscal Management and Taxpayer Accountability Act, which would replace The Balanced Budget, Debt Repayment and Taxpayer Accountability Act* and establish new requirements for fiscal accountability and balanced budgets.
- Bill 45 - *The Teachers' Pensions Amendment Act* - which would change the Teacher's pension cost-of-living adjustment through the pension adjustment account.
- Directions for the consideration of legislation in committee intersessionally, to be concluded prior to September 8, 2008;
- Directions and deadlines for the continuation of the 2nd Session of the 39th Legislature from September 8, 2008 to October 9, 2008 to conclude consideration of legislation.

Rick Yarish

Clerk Assistant /
Clerk of Committees

These four bills became the focus of a great deal of attention both in the House and in Committee. Activity on these bills in fact contributed to one of the busiest committee seasons in recent memory, with a very large volume of public presentations and submissions being heard and received in our committee rooms. The meetings occurred during our June sitting and also in late July (on Bill 45) after the House had recessed for the summer.

Flowing from negotiations between the parties relating to these bills the House passed a sessional order on June 5, 2008, laying out a number of provisions for sitting dates and the consideration of legislation over the next few months, including:

- Deadlines for the completion of consideration of legislation in committee and in the House during the Spring 2008 sitting;



British Columbia

The Legislative Assembly adjourned its busy spring session on May 29 with 40 public bills receiving the approval of the House and Royal Assent. Just before the close of the session, a time allocation motion adopted earlier that month, was used to conclude proceedings on 7 remaining bills – three with government amendments on the order paper. This final package of legislation was approved, on division, and included:

- Bill 32, *Trade, Investment and Labour Mobility Agreement Implementation Act*, which implements the agreement between British Columbia and Alberta to reduce and eliminate barriers to the free movement of workers, goods and services, and investments between the two provinces;
- Bill 37, *Carbon Tax Act*, which taxes greenhouse gas emissions generated by burning fossil fuels, effective July 1, with the proviso that the impact of the carbon tax is revenue neutral; and
- Bill 42, *Election Amendment Act, 2008*, which implements electoral changes affecting more than 70 sections of the *Election Act* and the *Recall and Initiative Act*. The more controversial provisions are to: regulate spending by parties and candidates during the 60-day pre-campaign period; reintroduce restrictive spending limits for third party advertising; and increase fines for all offences.

Also this spring Advanced Education Minister **Murray Coell** introduced the *University Amendment Act, 2008*, which established five new universities in the province. The institutions were previously university colleges, an unfamiliar designation for students from outside the province. The new universities, which insure that university degree programs are available in more regions of the province, are:

- Vancouver Island University in Nanaimo;
- University of the Fraser Valley in Abbotsford;
- Kwantlen Polytechnic University with campuses in Surrey, Richmond and Langley;
- Capilano University in North Vancouver; and
- Emily Carr University of Art and Design in Vancouver.

Another item of note was the passage of two government bills that closely resembled private members' bills introduced by Opposition members in the previous session.

The subject of banning smoking in cars when children are present was first raised by **Leonard Krog** in Bill M232, *Smoke Free Cars Act, 2007*. This spring, Solicitor General **John van Dongen** followed up on that idea with Bill 36, *Motor Vehicle (Banning Smoking when Children Present) Amendment Act*, which was passed unanimously.

Similarly, the idea of allowing Canadian Forces reservists to take unpaid leave from their regular employment to serve on a deployment was first raised by **Chuck Puchmayr** in Bill M205, *Employment Standards Act Amendment Act 2007*. This spring, the government proposed amendments to the Act, via Bill 43, that were approved on division.

Cabinet Shuffle

Premier **Gordon Campbell** realigned the provincial cabinet on June 23 to provide more integrated services across government. The changes include five new ministers and new portfolios for seven of the current ministers. These changes filled vacancies created by four ministers who have announced that they will not be seeking re-election in the upcoming general election in May 2009. The new faces at the cabinet table are:

- **Bill Bennett** who returns to cabinet as Minister of Tourism, Culture and the Arts, replacing **Stan Hagen** who moves to Agriculture and Lands
- **Iain Black**, Minister of Labour and Citizens' Services, replacing **Olga Ilich**
- **Blair Lekstrom**, Minister for Community Development, replacing **Ida Chong** who also takes on a new portfolio as Minister of Technology, Trade and Economic Development
- **Mary Polak**, appointed to head a new Ministry of Healthy Living and Sport

- **Joan McIntyre**, Minister of State for Intergovernmental Relations, replacing **John van Dongen** who remains Minister of Public Safety and Solicitor General
- Other notable changes include:
- **Colin Hansen** returning to the Finance portfolio, replacing **Carole Taylor**
- **Pat Bell** taking over the Forests and Range ministry from **Rich Coleman**, who retains Housing under the new portfolio of Social Development, replacing **Claude Richmond**
- **Kevin Krueger** moving to the Ministry of Small Business and Revenue, replacing **Rick Thorpe**

Other Matters

Gregor Robertson, NDP MLA for Vancouver-Fairview, resigned his seat effective July 15 on becoming the Vision Vancouver mayoralty candidate for the upcoming civic election in November. A by-election will be required to fill the vacancy created in the riding before the next provincial general election in May 2009.

Speaker **Bill Barisoff** advised the House on May 23 of the untimely death of the Sergeant at Arms, **Tony Humphreys**, and requested a minute of silence. Tributes to Mr. Humphreys were made by Members in both the Chamber and the Douglas Fir room (site of the Estimates debate) that reflected the loyal and dedicated service Mr. Humphreys had provided as the Sergeant at Arms since 1991. A memorial service, well attended by parliamentary staff, Members, and extensive family and friends, was held on June 9.

Kathryn Butler
Committee Researcher



Ontario

Through the course of the spring sitting, the Ontario Legislature operated under new Standing Orders that were adopted on a provisional basis effective May 5, 2008. The most significant change was the elimination of evening sittings of the House, and the addition of morning sittings. Staff in all parts of the Legislative Assembly responded professionally to the revamped House and committee schedules, so that Members received the same high level of services. The entire package of provisional changes to the Standing Orders was submitted for review by the Standing Committee on the Legislative Assembly over the summer adjournment. The Committee's observations and recommendations for refinements or additional changes, if any, are expected to be considered by the House early in the Fall sitting.

Prayers

Following receipt of a report from an all-party panel, chaired by Speaker **Steve Peters**, on prayer in the Legislature, the Government House Leader, **Michael Bryant**, moved the following motion on June 12, 2008 with the unanimous consent of the House:

That the Speaker commence each meeting day of the Assembly by reciting the Lord's Prayer, followed by another prayer, or the presentation of a verse or passage, or call for a moment of silent reflection, or

any such other similar activity which, in the opinion of the Speaker, will serve to reflect over time the general demographic composition of this Chamber and of the Province of Ontario.

After a brief debate, the motion was adopted by a vote of 58 to 0. The Speaker then expressed his thanks to the Members of the prayer panel, **Garfield Dunlop**, **Cheri DiNovo**, and **Bas Balkissoon**, as well as to support staff and to the citizens of Ontario for their response to the panel's request for input on this topic.

Committees

The Standing Committee on Estimates continued its consideration of the 2008-2009 expenditure estimates of selected ministries. The Committee has completed reviewing the estimates from the following Ministries: The Ministry of Economic Development and Trade, Aboriginal Affairs, Health and Long-Term Care and Northern Development and Mines. On June 18, 2008, the Minister of Finance tabled the 2008-2009 Volume 2 Estimates (those of Legislative Assembly offices), which were automatically received by the Committee. As the estimates of these offices were not selected for consideration by the Committee, they are deemed passed and will be reported back to the House. The Chair will present the Committee's report when the Session resumes in the fall.

The Standing Committee on Finance and Economic Affairs met on May 1 for clause-by-clause consideration of Bill 35, *An Act to authorize the Minister of Finance to make payments to eligible recipients out of money appropriated by the Legislature and to amend the Fiscal Transparency and Accountability Act, 2004, the Ministry of Treasury and Economics Act and the Treasury Board Act, 1991*. Following a day of public hearings on May 29

in Toronto, the Committee also met for clause-by-clause consideration of Bill 55, *An Act to enact the Ontario French-language Educational Communications Authority Act, 2008 and make complementary amendments to the Ontario Educational Communications Authority Act*, on June 5. Both bills received Royal Assent, on May 14 and June 18, respectively. On August 5, the Committee held public hearings in Toronto in preparation for its statutory review of the Ontario Health Premium. The Finance Committee has approved its report, which it expects to table when Parliament resumes in September.

The Standing Committee on General Government considered Bill 69, *An Act to protect children from second-hand tobacco smoke in motor vehicles by amending the Smoke-Free Ontario Act*, on June 9 and June 11, 2008. The Bill was reported without amendment on June 12, 2008. As per the explanatory note of the Bill, the Smoke-Free Ontario Act is amended to prohibit smoking or having lighted tobacco in a motor vehicle while a person under 16 years old is present. The Bill received Royal Assent on June 18, 2008.

The Standing Committee on Government Agencies continued to review intended appointments to Ontario Government agencies, boards and commissions, pursuant to its permanent mandate. During the period May through August, 2008, forty nominees were interviewed by the Committee, including eleven out of thirteen intended appointees to the Human Rights Tribunal of Ontario.

The Standing Committee on Justice Policy met to consider Bill 41, *An Act to amend the Highway Traffic Act in relation to the use of speed-limiting systems in commercial motor vehicles*. Public hearings were held on June 5, 2008, while clause-by-clause

consideration of the Bill took place on June 12, 2008. As per its explanatory note, the Bill amends the Act by requiring that a commercial motor vehicle, driven on a highway, must have a functional speed-limiting system installed.

The Standing Committee on the Legislative Assembly met to conduct its annual review of the television broadcast system and guidelines. The Committee heard from the Speaker of the Legislature, as well as the Clerk of the House, **Deborah Deller**, and the Director of Broadcast and Recording Service, **Arleigh Holder**.

The Standing Committee on the Legislative Assembly also, pursuant to an Order of the House dated May 1, 2008, conducted a review of the provisional Standing Orders. Witnesses who appeared before the Committee were: **Nelson Wiseman**, University of Toronto; **Keith Leslie**, *Canadian Press*, and **Murray Campbell**, *Globe and Mail*, both as members of the Legislative Assembly Press Gallery; the Speaker and the Clerk of the House.

The Standing Committee on Regulations and Private Bills met to consider three applications for private legislation, all requests for corporate revivals. The Committee will report back to the House when the Session resumes this fall.

The Standing Committee on Social Policy held public hearings on June 9, 2008 regarding Bill 64, *An Act to amend the Pesticides Act to prohibit the use and sale of pesticides that may be used for cosmetic purposes*. As per the explanatory note the Bill amends the *Pesticides Act* to prohibit the use and sale of certain pesticides that may be used for cosmetic purposes. The Bill was reported with amendments to the House for Third Reading on June 17, 2008 and it received Royal Assent on June 18, 2008.

The Committee also considered Bill 77, *An Act to provide services to persons with developmental disabilities, to repeal the Developmental Services Act and to amend certain other statutes*. Public hearings were held in four Ontario cities (Toronto, London, Timmins and Ottawa) from August 5 through 8, with seventy-three different individuals and organizations.

The Committee also met on August 28, 2008 for a review of the *Personal Health Information Protection Act, 2004* pursuant to subsections 75(a) and 75(b) of the Act, soliciting input from 15 different individuals and organizations including Ontario's Information and Privacy Commissioner.

On Wednesday, June 11, 2008, the Legislative Assembly of Ontario resolved that a Select Committee on Elections be appointed with a one-year mandate to consider the effectiveness of the *Election Act*, the *Election Finances Act* and the *Representation Act*. The Select Committee is chaired by **Greg Sorbara**, with one Member from each of the three parties represented in the Legislature – **David Zimmer**, **Norm Sterling**, and **Howard Hampton**, – rounding out its membership. The Committee met on August 18, 2008, for the purposes of organization.

Technology

On Monday, June 2, 2008, the first computers to be used on the floor of the Chamber came into service. Hansard reporters began using the laptops to convey their notes in real time back to the Hansard department. As well, the proceedings of the Legislative Assembly of Ontario began to be web-streamed live on the Assembly's Internet site.

William Short
Committee Clerk



New Brunswick

The Second Session of the 56th Legislative Assembly opened on November 27, 2007 and adjourned on Wednesday, June 18, 2008, after sitting a total of 63 days. The Second Session sat fewer days than the previous session, due in part to the amendments made to the Standing Rules which limited the time spent considering budgetary estimates in Committee of Supply to 80 hours. While the Committee did use the full 80 hours, this did not approach the 156 hours spent considering estimates in Committee of Supply during the First Session.

Legislation

The Government, led by Premier **Shawn Graham**, introduced 65 Bills, 64 of which received Royal Assent. Bill 82, *Access to Information and Protection of Privacy Act*, introduced by Supply and Services Minister **Jack Keir**, was referred to the Standing Committee on Law Amendments for public consultation. The intent of the Bill is to update and replace the existing right to information and protection of personal information legislation in the province. Public hearings are expected to take place in the Fall.

Other noteworthy legislation which received Royal Assent included the following:

- Bill 55, *Fees Act*, introduced by Finance Minister **Victor Boudreau**, requires the Minister of Finance

to file with the Legislative Assembly an annual report detailing every new fee, or increase in an existing fee, proposed by a government department for the next fiscal year.

- Bill 69, *Gift Cards Act*, introduced by Justice Minister **Thomas J. Burke**, prohibits the application of expiry dates to gift cards or certificates.
- Bill 74, *An Act to Amend the Motor Vehicle Act*, introduced by Public Safety Minister **John Foran**, places certain restrictions on novice drivers such as prohibiting the operation of a vehicle between midnight and 5 a.m., limiting the number of passengers to a maximum of three, and introducing a no tolerance policy on the consumption of alcohol.
- Bill 75, *Midwifery Act*, introduced by Health Minister **Michael Murphy**, regulates midwifery as a profession.
- Bill 76, *An Act to Amend the Industrial Relations Act*, introduced by Post-Secondary Education, Training and Labour Minister **Edward Doherty**, introduces common employer provisions into the *Industrial Relations Act*. The common employer provisions would provide the Labour and Employment Board with the power to determine whether an employer in the construction industry establishes a new business entity for legitimate business purposes or solely to avoid its obligations to a union under a collective bargaining agreement. The subject matter had previously been referred to the Standing Committee on Law Amendments, which tabled its report in the House on May 28, 2008.

The Official Opposition introduced a number of Bills for the consideration of the House, including:

- Bill 14, *An Act to Amend the Environmental Trust Fund Act*, introduced by **Trevor Holder**, would require that a portion of payments made out of the Environ-

mental Trust Fund be allocated to schools in the province to be used for environmental education projects.

- Bill 15, *An Act to Amend the New Brunswick Income Tax Act*, introduced by **Wayne Steeves**, would provide an income tax deduction for auxiliary police officers or volunteer firefighters.
- Bill 24, *Referendum Act*, introduced by **Bev Harrison**, would provide a framework for the holding of referendums in the province and the result would be binding upon the government that initiated the referendum.
- Bill 25, *An Act to Amend the Harmonized Sales Tax Act*, introduced by Opposition Leader **Jeannot Volpé**, would provide for a rebate of the provincial portion of the harmonized sales tax paid on residential heating.

Following the adoption of the amendments to the Standing Rules, all Opposition Bills were debated on Thursdays, the day now designated as "Opposition Day".

Committees

Following the adjournment of the Second Session, the Legislature's Select Committee on Tax Review, chaired by **Roly MacIntyre**, held public hearings throughout the province on the options presented in *A Discussion Paper on New Brunswick's Tax System*. The Discussion Paper presented several options to restructure the province's tax system and approximately 100 individuals and organizations appeared before the Committee. In addition, the Committee received over 150 written submissions. The Committee intends to table a report in the House this Fall.

On July 11, 2008 the final report of the Legislature's Select Committee on Wellness, chaired by **Chris Collins**, was released to the public. The Committee was charged with the re-

sponsibility of engaging citizens and stakeholders in discussions and reporting to the House with recommendations that promote public engagement and ownership of wellness. The Committee heard 62 presentations and received 47 written briefs during the public consultation process. The report includes 49 recommendations that reflect the findings of the Committee as a result of its consultation. The Final Report of the Select Committee on Wellness can be accessed on line at:

<http://www.gnb.ca/legis/promos/wellness/pdf/FinalReportWellness.pdf>

The Standing Committee on Public Accounts and the Standing Committee on Crown Corporations are both active during the months of September and October reviewing the annual reports of government departments and Crown corporations.

Other Matters

On September 8, 2008, **Keith Ashfield**, resigned his seat to stand for election as the Conservative candidate for the federal riding of Fredericton. He was first elected to the Legislative Assembly as the MLA for New Maryland in 1999, whereupon he was appointed Deputy Speaker. He was re-elected in 2003 and served as Minister of Natural Resources. He was re-elected again in 2006.

The House is expected to reconvene in late November. The current Standings in the House are 32 Liberals; 22 Progressive Conservatives; 1 vacancy.

Shayne Davies
Clerk Assistant and
Committee Clerk