



# Legislative Reports



## New Brunswick

The Fifty-sixth Legislative Assembly was dissolved on August 26, 2010, four years into the first mandate of the **Shawn Graham** Government. At dissolution the standings in the House were: Liberals 32; Progressive Conservatives 21; Vacant 2.

New Brunswickers elected a new government on September 27, 2010. The results of the provincial election, which for the first time was held on a fixed election date, gave the Progressive Conservatives a majority government with 42 seats, while the Liberals won 13. The election resulted in 26 new Members and the number of women parliamentarians increased from seven, in 2006, to eight. After failing to win a seat in the election, New Brunswick NDP Leader **Roger Duguay** resigned as party leader.

On the morning of October 12, Members of the Fifty-seventh Legislative Assembly took their Oath of Allegiance and signed the Members' Roll during a ceremony in the Chamber presided over by Lieutenant-Governor **Graydon Nicholas**. In the afternoon, **David Alward**, the Progressive Conservative

Member for Woodstock, and the province's 32nd Premier, was sworn into Office along with fifteen Ministers.

Premier Alward was first elected to the Legislative Assembly in the June 7, 1999, provincial election to represent the riding of Woodstock. He was re-elected in 2003 and sworn in as Minister of Agriculture, Fisheries and Aquaculture. He was re-elected for a third term in 2006 and on October 18, 2008, he was elected Leader of the Progressive Conservative Party of New Brunswick.

Premier Alward's Cabinet consists of the following Members:

Hon. **Marie-Claude Blais**, Q.C., Attorney General and Minister of Justice and Consumer Affairs;

Hon. **Robert Trevors**, Minister of Public Safety and Solicitor General;

Hon. **Blaine Higgs**, Minister of Finance and Minister of Human Resources;

Hon. **Claude Williams**, Minister of Transportation and Infrastructure;

Hon. **Bruce Northrup**, Minister of Natural Resources;

Hon. **Craig Leonard**, Minister of Energy;

Hon. **Michael Olscamp**, Minister of Agriculture, Aquaculture and Fisheries;

Hon. **Madeleine Dubé**, Minister of Health;

Hon. **Trevor Holder**, Minister of Wellness, Culture and Sport and Minister of Tourism and Parks;

Hon. **Sue Stultz**, Minister of Social Development;

Hon. **Martine Coulombe**, Minister of Post-Secondary Education, Training and Labour;

Hon. **Jody Carr**, Minister of Education and Early Childhood Development;

Hon. **Margaret-Ann Blaney**, Minister of Environment;

Hon. **Bruce Fitch**, Minister of Local Government;

Hon. **Paul Robichaud**, Minister of Economic Development, Deputy Premier, and Government House Leader.

On October 14 Premier Alward nominated **Claude Landry** and **Carl Urquhart** as Deputy Speakers. Their nominations must be formally ratified by the House.

At a general orientation session for new Members, held in October, Members were briefed on the various offices of the Legislature and the services they provide. A second briefing on rules and procedures will occur prior to the formal Opening of the new session.

The First Session of the Fifty-seventh Legislative Assembly convened on October 27 when Members elected **Dale Graham** as Speaker. Speaker Graham was first elected to the Legislative Assembly in a by-election on June 28, 1993 and was re-elected in 1995, 1999, 2003, and 2006. During his time at the Legislature, he has served as Minister of Supply and Services, Minister of Human Resources, Acting Minister of Environment

and Local Government, and Deputy Premier. Former Speaker **Roy Boudreau** was not re-elected in the provincial election.

Following the election of Speaker, the House was adjourned to November 23 for the formal Opening and delivery of the Speech from the Throne.

Prior to the dissolution of the House in August, an MLA Pensions Review Panel was established to review all aspects of MLA pensions including Members' re-establishment allowances. The panel, comprised of retired justice Hon. **Jean-Claude Angers** Q.C., (chair), chartered accountant **Carol Loughrey**, and retired deputy minister **Laura Freeman**, is expected to file a report with the Speaker in early 2011.

In a ceremony held on November 27, the Clerk of the Legislative Assembly, **Loredana Catalli Sonier**, was appointed Queen's counsel in recognition of her exceptional service to the profession of law. Mrs. Catalli Sonier has been practising law as a member of the Law Society of New Brunswick since 1983 and has served as Clerk of the Legislative Assembly since 1993.

#### **Shayne Davies**

Clerk Assistant & Committee Clerk



**ASSEMBLÉE NATIONALE**

Q U É B E C

Following the summer recess, and in accordance with the parliamentary calendar, the National Assembly resumed its proceedings on September 21, 2010. The fall sessional period extends until December 10.

### **Directive from the Chair**

On September 23, the President, Yvon Vallières, gave a directive in which he clarified the application of the sub judice rule, provided for in Standing Order 35. This clarification aimed to address the ambiguity arising from the impact of the proceedings of the Inquiry Commission into the Appointment Process for Judges, also known as the Bastarache Commission, on the conduct of the National Assembly proceedings. With regard to this Commission, the sub judice rule is less absolute, considering that the possible impact of words pronounced in the National Assembly is not as great as in criminal matters. Hence, a Member may, in a general manner, refer to a matter that is the subject of an inquiry; however, when approaching the heart of the matter, a Member may not make remarks that could be prejudicial to any person or party. Each Member has the responsibility to evaluate the margin at his disposal within the exercise of the privilege of freedom of speech at the Assembly. The Chair also recalled that under Standing Order 82, a minister may decline to answer if in providing the answer sought he would contravene the sub judice rule. In this case, the role of the Chair is not to interfere with the refusal to answer.

### **Composition of the National Assembly**

**Claude Béchard**, Member for Kamouraska-Témiscouata and Minister, passed away as a result of a long illness on September 7, 2010, at the age of 41. The National Assembly paid him tribute on September 21 by means of a motion moved by Premier **Jean Charest** together with

parliamentary group leaders and the independent Members. First elected in 1997, Mr. Béchard was responsible for several ministries during his career.

A by-election was held on July 5 in the electoral division of Vachon. **Martine Ouellet**, the Parti Québécois candidate, won this election.

Furthermore, on August 9, 2010, the Government House Leader and Minister of Public Security, **Jacques P. Dupuis**, retired from politics, thus leaving the electoral division of Saint-Laurent with a vacant seat. A by-election led to the return of **Jean-Marc Fournier**, of the Québec Liberal Party, who had previously sat in the Assembly from 1994 to 2008. Mr. Fournier was appointed Government House Leader on September 20. Both newly-elected Members took their seats in the National Assembly on September 21 upon the resumption of proceedings.

The composition of the National Assembly is now as follows: 65 Members of the Québec Liberal Party; 51 Members of the Parti Québécois; 4 Members of the Action démocratique du Québec; 1 Member of Québec Solidaire; and 3 independent Members. One seat is currently vacant.

### **Other events**

The Seniors' Parliament was held at the National Assembly from September 8-10. This parliamentary simulation is intended for persons aged 50 years and over and aims to draw attention to the concerns of senior citizens as well as to increase their knowledge of the legislative process and the role of Members. The proceedings focussed on a supplemental income measure for low-income seniors and on

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the creation of an ombudsman for senior citizens and vulnerable disabled persons.

On October 6, the President of the National Assembly awarded the Medal of Honour of the National Assembly to **Michelle Bachelet**, Under-Secretary General of UN Women and former Chilean President. This medal underlined the political and social commitment of Mrs. Bachelet.

**Jacques Gagnon**

Secretariat of the Assembly

### **Parliamentary Committees**

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During the month of September, the Committee on Culture and Education held public hearings within the framework of a general consultation on Bill 103, *An Act to amend the Charter of the French language and other legislative provisions*. The bill makes changes in the *Charter of the French language* to empower the Government to determine by regulation the analytical framework and the rules to be used in assessing a request for eligibility for State-funded instruction in English. The *Charter of the French language* is also amended to emphasize the importance of French, Québec's official language. On the occasion of this general consultation, the Committee received 43 briefs and four requests to be heard without presenting a brief. In total, eight sittings were set aside to hear persons and agencies.

In May, August and September, the Committee on Agriculture, Fishing, Energy and Natural Resources set aside eleven sittings for the holding of a general consultation on Bill 79, *An Act to amend the Mining Act*. Over 70 persons and agencies came before the members of the Committee within the framework

of this consultation. The Committee also received 78 briefs and a request to be heard without presenting a brief. Bill 79 amends the *Mining Act* in a number of ways, mainly to stimulate mining exploration, and, in this regard, provides various measures with respect to claims.

In September, the Committee on Planning and the Public Domain held special consultations and public hearings on Bill 109, *Municipal Ethics and Good Conduct Act*. This bill places local municipalities and certain regional county municipalities under the obligation to adopt two codes of ethics and conduct, one that is applicable to elected officers and the other to municipal employees. Within the framework of these consultations, the Committee received twenty briefs and heard 23 persons and organizations.

### **Preliminary Report of the Electoral Commission**

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On September 14 and 15 the Committee on the National Assembly examined the preliminary report of the Commission de la représentation électorale and, for this purpose, heard from the Commission. Thirty-two Members took part in the discussions in order to transmit their comments on the proposed electoral division boundaries. It should be noted that *Québec's Election Act* stipulates that a new delimitation of the electoral divisions shall be made after the second general election following the last delimitation.

### **Committee on Dying with Dignity**

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On September 7, the Select Committee on Dying with Dignity undertook an extensive general consultation on the issues

linked to this matter, including end-of-life care, euthanasia and assisted suicide. The Committee travelled to Montréal and Trois-Rivières on September 7, 8, 9, 10 and 24. It also held three days of public hearings in Québec City on September 28, 29 and 30. The Committee will continue its tour throughout the fall and, in this regard, the Committee will return to Montréal from October 12 to 15 as well as to the Saguenay region on October 22. Within the framework of this consultation, the Committee received approximately 300 briefs and requests to be heard without presenting a brief and close to 6000 responses to the online questionnaire that is available on the Internet site of the Assembly. This consultation follows the tabling, last May 25, of a consultation paper aiming to guide the population in its reflection on this issue.

### **Public Accounts Conference**

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From August 29 to 31, 65 delegates representing Public Accounts Committees, 36 delegates hailing from Auditors General offices as well as twenty observers and presenters took part in the 31st Annual Conference of the Canadian Council of Public Accounts Committees and the Canadian Council of Legislative Auditors. The purpose of this conference, which was held in Québec City this year, is to allow legislators and staff from federal, provincial and territorial public accounts committees across Canada to meet each year simultaneously with the Canadian Council of Legislative Auditors to discuss matters of mutual interest relating to financial accountability and public administration management control. Certain themes were discussed.

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During the conference, including a study on the role of committees in the Westminster system, the follow-up of the Committee's recommendations, the Canadian programs to support parliamentary oversight in developing countries and the issue of communications. The National Assembly hosted the conference in 1987 and again in 1999. The provinces and territories host the conference on a rotational basis.

### **Election of vice-chairs**

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On October 5, three standing committees elected their vice-chairs. **Agnès Maltais**, Member for Taschereau, was elected vice-chair of the Committee on Public Finance, **Maka Kotto**, Member for Bourget, was elected vice-chair of the Committee on Health and Social Services, and **Claude Cousineau**, Member for Bertrand, will henceforth be vice-chair of the Committee on Citizen Relations.

### **Statistical Report**

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Last August, the Secretariat of Committees published the *Rapport statistique sur les travaux des commissions parlementaires* for the 2009-2010 fiscal year. This report provides detailed information on the activities of the parliamentary committees of the National Assembly for the period from April 1, 2009 to March 31, 2010. It is important to note that certain elements were added to the statistical content of this report owing to the parliamentary reform adopted in April 2009.

#### **Stéphanie Boutin**

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



## **Saskatchewan**

The Fourth session of the Twenty-sixth Legislature began with the Speech from the Throne by Lieutenant Governor, Dr. **Gordon Barnhart** on October 27, 2010. The Speech, entitled *The New Road*, focused on health, affordable housing, justice and public safety, innovation and potash.

The Throne Speech highlighted programs that have been implemented or announced as well as new programs or funding the Government intends to address in the new session. Regarding health, the government stated that it will be working in conjunction with STARS (Shock Trauma Air Rescue Service) in Alberta to expand emergency medical services in Saskatchewan and a new health ombudsman to ensure patients needs and rights are fulfilled was also announced. The health ombudsman will be incorporated into the mandate of the provincial Ombudsman, who is an officer of the Legislative Assembly. A new program for high performance athletes was announced and the *School Challenge Healthy Kids* will ensure that students receive thirty minutes of exercise a day and are encouraged to make healthy food choices.

A new affordable housing program, *Headstart On a Home*, was announced. This initiative will see 1,000 new affordable homes built over the next five years.

An investment of \$20 million over the next five years in a new

technology commercialization fund was announced in the Throne Speech. This will support Saskatchewan graduate students in technologies and telecommunications.

New legislation is to be introduced: to protect whistleblowers in Saskatchewan's public service through the establishment of the Public Disclosure Commissioner; to create stiffer penalties for those who mistreat farm animals; to create new human rights legislation, to establish four-year terms for municipal politicians and to give municipalities the authority to require photo ID when conducting local elections. Similar legislation will be introduced for voters in provincial elections. Legislation will also be introduced that gives the authority to monitor telephone conversations by inmates as a means to fight against organized crime.

The Opposition argued that the Government's Throne Speech did not address rising rents, tuition and utilities nor did it address physician recruitment in rural Saskatchewan and they argued that there was very little about the takeover bid of PotashCorp of Saskatchewan Inc. in the Throne Speech.

For the first time, the Lieutenant Governor read the Throne Speech from an iPad. Earlier in the fall, the Government of Saskatchewan issued iPads to its cabinet ministers and senior officials in an effort to reduce paper consumption.

### **Potash Corporation Bid**

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The proposed takeover of PotashCorp of Saskatchewan Inc. was addressed in the Throne Speech which reaffirmed the

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Government's position that "no matter who owns the potash mines, the potash belongs to the people of Saskatchewan". Following the Throne Speech, the Assembly took the unusual step of postponing the Address-in-Reply by a day in order to debate a motion that "calls on the federal government to not approve the proposed takeover of PotashCorp by BHP Billiton." Although the government and opposition have different positions on the hostile takeover bid of PotashCorp of Saskatchewan Inc. by BHP Billiton, they do agree that the sale is not in the best interest of the province and the country so it should be stopped by the federal government under the foreign takeover provisions of Investment Canada. The Assembly adopted the resolution unanimously on October 28.

### **By-Election**

On October 18, 2010, a by-election was held in the Saskatoon Northwest constituency. The seat was previously held by a member of the Saskatchewan Party who resigned in late August. **Gord Wyant** of the Saskatchewan Party will now represent the constituency. Given the short amount of time between the by-election and the resumption of session, legislation was passed to allow the new Member to take his seat in the Assembly before the return of the election writ. The bill was passed immediately before the prorogation of the last session, in accordance with Saskatchewan practice. Mr. Wyant consequently was able to take his seat before the Throne Speech that was delivered later the same day.

### **On line Access**

On July 27, the Board of Internal Economy agreed that the

following documents would be available on the Legislative Assembly of Saskatchewan website:

- (1) the annual Members' accountability and disclosure reports;
- (2) annual and end-of-term audited financial statements for each caucus office including the auditor's reports on the financial statements, the system of internal control, and the caucus office's compliance;
- (3) the annual members' public disclosure statements as required by *The Members' Conflict of Interest Act*;
- (4) the minutes and verbatim reports of the meetings of the Board of Internal Economy will be converted to electronic versions and made available on the Legislative Assembly of Saskatchewan website.

The documents can be found under the MLA's link at [www.legassembly.sk.ca](http://www.legassembly.sk.ca).

### **Public Accounts Committee**

The Committee elected a new Deputy Chair, **Glen Hart**, on September 29, 2010. Later that day, the Steering Committee consisting of the Chair, **Trent Wotherspoon** and Mr. Hart, presented *The Second Report of the Steering Committee: Provincial Auditor Selection Process*. This report made ten recommendations for the selection process of a new provincial auditor. The recommendations included proposals on competency development, advertising and application submission, the screening panel and the interview process. The report was unanimously adopted by the Committee.

**Stacey Ursulescu**  
Committee Researcher



### **Ontario**

Toronto was the venue for the G20 Summit from June 26-27, 2010. Prior to the G20 Summit, Regulation 233/10 under the *Public Works Protection Act* was passed by the province. The Regulation established a geographical area in the City of Toronto to be designated a "public work" for the purposes of the Act, during the period of time that the G20 Summit was being held in Toronto. This Regulation received a lot of attention from the media and also was brought up in the House.

On September 14, 2010, Speaker **Steve Peters** ruled on a point of privilege that was submitted to him in writing by **Randy Hillier**. The Member's point of privilege was based on the above Regulation. Mr. Hillier felt that his privileges had been breached by the Regulation in two ways: first, that the Regulation was put into operation without the prior consultation of the Legislative Assembly of Ontario; and second, that the Member felt the Premier and former Minister of Community Safety and Correctional Services were unsuccessful in clarifying the scope of application of the Regulation.

The Speaker ruled that Mr. Hillier had not made out a *prima facie* case for a breach of privilege or contempt of the House. He based this ruling on the fact that "any regulation, made in accordance with the

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statute conferring the authority for it to be made, does not require the prior agreement of the House.” He went on to state that “There is no case for complaint by the House or any of its Members when this power is validly exercised, as it was previously delegated by the House itself. The House did have its say when it passed the parent statute, thereby giving its prior consent for such a Regulation to be made.”

### **Committees**

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The Select Committee on Mental Health and Addictions was struck pursuant to an Order of the House dated February 24, 2009 with a mandate to report its observations and recommendations with respect to a comprehensive Ontario mental health and addictions strategy.

The Committee tabled its Final Report entitled “Navigating the Journey to Wellness: The Comprehensive Mental Health and Addictions Action Plan for Ontarians” on August 26, 2010. The report contained 23 recommendations including the recommendation of the formation of an umbrella organization: Mental Health and Addictions Ontario.

The report’s recommendations were debated in the House on September 14, 2010 and subsequently adopted on September 22, 2010. The Select Committee’s mandate was concluded with the tabling of its Final Report.

The Standing Committee on Estimates continued its consideration of the 2010-2011 Estimates of selected ministries. During the period of August to October, the Committee completed reviewing the

ministries: Revenue; Finance; Northern Development, Mines and Forestry; and Training, Colleges and Universities.

By an Order of the House dated October 26, the Committee was authorized to switch the order in which it will consider the Estimates of the remaining selected ministries and to extend its period of consideration. The Committee must now present its report on all Estimates considered no later than Wednesday, November 24, instead of the third Thursday in November, as set out in the Standing Orders.

The Standing Committee on Finance and Economic Affairs considered Bill 99, *An Act to amend the Taxation Act, 2007 to implement the children’s activity tax credit*, the first of several Government bills referred to it during the Fall sitting period. The Committee held public hearings on the Bill on October 21, and met for clause-by-clause consideration on October 28. The Bill was reported back the same day without amendment and Ordered for Third Reading.

The Standing Committee on General Government met on September 13 and 15, 2010, pursuant to a time allocation motion, to commence clause-by-clause consideration of Bill 191, *An Act with respect to land use planning and protection in the Far North*. Bill 191 received Royal Assent on October 25, 2010. The Committee also met on October 18, 2010 for the purposes of public hearings on Bill 72, *An Act to enact the Water Opportunities Act, 2010 and to amend other Acts in respect of water conservation and other matters*. On October 25, the Committee completed clause-by-clause consideration of Bill 72, and on October 26, the Bill was

reported back to the House for Third Reading.

On April 12, 2010, **Norm Miller** raised a point of privilege asserting that members of the Official Opposition had been impeded when they tried to make their way to the Chamber for the Budget presentation on March 25, 2010. On May 4, 2010, Speaker Peters found a *prima facie* case of privilege had been established. As a result of the finding of a *prima facie* case of privilege, Mr. Miller moved, “That the matter of the delayed release of certain members of this House from the March 25, 2010 Budget lock-up be referred to the Standing Committee on the Legislative Assembly for its consideration.” Accordingly, the Committee met in May and June 2010, prior to the summer adjournment, to hear from witnesses. The Committee resumed its inquiry on September 15, 2010 following the summer adjournment. During this meeting, the Committee passed a motion to conclude its hearing of witnesses and to proceed directly to report writing. The Committee met for the purpose of report writing on October 6, 20 and 27, 2010. The Committee expects to release its report before the winter adjournment.

The Standing Committee on Social Policy conducted public hearings on Bill 65, *An Act to revise the law in respect of not-for-profit corporations*, on August 23, 2010. Clause-by-clause consideration of the Bill occurred on August 31, 2010 and the Committee reported the Bill to the House, with certain amendments, on September 13, 2010. On October 4, 2010 the Committee received a notice of motion pursuant to Standing Order 126

from **Elizabeth Witmer**. Standing Order 126 provides that “the Committee study and report on a matter or matters relating to the mandate, management, organization or operation of the ministries and offices which are assigned to the Committee.” The notice of motion requested that the Committee study “living conditions at seniors homes, including nursing and retirement homes, and report back to the Ontario Legislature with recommendations on what measures should be taken to improve these conditions for Ontario seniors.” The Committee met on October 5, 2010 to consider the motion, which was lost after debate.

The Committee held public hearings on Bill 101, *An Act to provide for monitoring the prescribing and dispensing of certain controlled substances*, on October 18, 2010. Clause-by-clause consideration of the Bill occurred on October 26, 2010 and the Committee reported the Bill to the House, with certain amendments, on October 27, 2010.

### Legislative Building Restoration Project

In 2006/2007 the Board of Internal Economy approved a multi-year plan to upgrade the drainage and masonry of the Legislative Building. The work commenced in the fiscal year of 2007/2008. The entire foundation of the building was excavated in order to install a proper drainage system. The principal exterior work on the building has been completed and the Legislative grounds are back to normal. The final phase of the five-year plan is underway and is expected to be completed by March 31, 2011. This phase will address the old interior finishes on below-grade walls, and will

complete the entire foundation drainage project.

**William Short**  
Committee Clerk



## Manitoba

Since the House adjourned on June 17, 2010, Manitoba Standing Committees have been occupied with a number of tasks

- The Standing Committee on Public Accounts has met to consider an audit of Personal Care Homes Programs and the annual Audit of the Public Accounts.
- The Standing Committee on Crown Corporations met to review annual reports from the Manitoba Liquor Control Commission, the Manitoba Lotteries Corporation, and the Manitoba Hydro-Electric Board
- The Standing Committee on Legislative Affairs initiated the hiring processes for three independent officers of the Assembly: The Children’s Advocate, the Chief Electoral Officer, and the Information and Privacy Adjudicator.

Auditor General **Carol Bellringer’s** November 2009 *Report to the Legislative Assembly on the Audits of Government Operations* ([www.oag.mb.ca/reports.php](http://www.oag.mb.ca/reports.php)) contained recommendations regarding allowances paid to members of the Legislative Assembly. In response to this report, the House passed Bill 2 – *The Legislative Assembly Amendment and Legislative Assembly Management Commission Amendment Act* in December 2009 implementing

some aspects of the Auditor’s recommendations. Bill 2 also provided for the appointment of an Interim Allowances Commissioner to review the Auditor General’s report and make the necessary regulations to implement the recommendations. Interim rules regarding Members’ Allowances were put in place pending a report from Commissioner **Michael Werier**, who released his report on September 1, 2010 ([www.reviewcommissioner.mb.ca/report.html](http://www.reviewcommissioner.mb.ca/report.html)). As a result of the Commissioner’s report, changes to the regulations and to allowable expenses and claiming procedures are currently being put into place. The commissioner’s report, effective September 2, 2010, contained decisions on a range of provisions relating to Member’s Allowances, including:

- Member’s expenses to be posted on line.
- Supporting documentation should stipulate intended purpose of expenses.
- One bank account should be used for all allowances, with monthly submission of bank statements.
- Year end cut off on Member’s claims to ensure expenses are kept current.
- Capital furnishings and equipment are the property of the Assembly and cannot be disposed of without authorization.
- Entire invoices must be submitted for communication charges, rather than a summary of charges.
- Donations to charitable and non-profit organizations are disallowed as an authorized expense, except for gifts of flowers, souvenirs and books.
- Sponsorships are disallowed as an authorized expense.

- Event tickets for charitable or non-profit events are considered an allowable expense, provided the Member receives no personal benefit. Attendance at sports events, golf tournaments, social tickets and service club meetings are excluded as allowable expenses in this category.
- All claims for meal expenses shall set out the purpose of the meeting and the names of those attending.
- All private mileage claims shall include the date on which travel took place, starting point, destination, and total distance.
- Groceries, cleaning supplies and consumable household items allowed as authorized living expenses.
- Appeals on claims should be made to an independent third party rather than the Legislative Assembly Management Commission.

From August 30 to September 3, 2010 Manitoba played host to the annual meeting of l'Assemblée Parlementaire de la francophonie. All Canadian jurisdictions were represented at the business sessions with the exception of Newfoundland and Labrador. A delegation from Louisiana also attended, as well as an observer from Burkina Faso. The business sessions covered a range of topics including:

- A reflection on linguistic duality at the Vancouver Winter Olympics.
- The importance of local, regional and national elected officials being fully committed in order for the French language to thrive in a minority context.
- An historical synopsis of Conseil de développement économique des municipalités bilingues du Manitoba (CDEM) and a discussion of its goals to encourage, stimulate and organize the economic development of bilingual municipalities.

- The results of a study done in Nova Scotia in 2008 on the nature of French language services in Acadian and francophone regions of the province and how they were being accessed by the local residents.
- The possibility of APF developing a francophone Youth Parliament comprising students from every APF section represented in the Région Amérique.
- The cooperative movement and how it can be used as an economic development tool in francophone regions.

The 5th session of the 39th Legislature commenced with a Speech from the Throne on November 16th, 2010.

**Rick Yarish**

Clerk Assistant & Clerk of Committees



## Senate

The Senate began its fall session one day earlier than planned: the Speaker reconvened the Upper Chamber on September 27 at 6:00 p.m. rather than on September 28 at 2:00 p.m., as had been proposed in July. The first few weeks of the session focused on the swearing in of the new Governor General.

### Governor General

During its first week back in session, the Senate hosted a special ceremonial event.

**The Right Honourable David Johnston**, the 28th Governor General of Canada since Confederation, was

sworn in on October 1 in the Senate Chamber before his family, the Prime Minister of Canada, members of Cabinet, many dignitaries, Senators and Members of Parliament.

Since Canada is both a constitutional monarchy and a parliamentary democracy, the Governor General is appointed by the Queen on the advice of the Prime Minister. The Governor General's parliamentary duties include convening Parliament after each general election,



**The Right Honourable David Johnston**

opening a session of Parliament by delivering the Speech from the Throne and granting Royal Assent to bills passed by the Senate and the House of Commons. Each of these activities takes place as part of a ceremony for which Parliament (the Governor General, the Senate and the House of Commons) meets in the Senate Chamber. The swearing-in ceremony for a new Governor General also takes place in the Chamber. The only time Parliament does not meet in the Senate Chamber for these duties is when Royal Assent is granted by written declaration.

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## Legislation

The majority of the Government bills introduced in the Senate during the fall session are currently either at second reading or the committee stage. Bill S-12, *A third Act to harmonize federal law with the civil law of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law*, was read for the first time on October 20. Bill C-14, *An Act to amend the Electricity and Gas Inspection Act and the Weights and Measures Act*, and Bill S-13, *An Act to implement the Framework Agreement on Integrated Cross-Border Maritime Law Enforcement Operations between the Government of Canada and the Government of the United States of America*, were introduced in the Senate on October 26.

Bill C-40, *An Act to establish National Seniors Day*, which was read for the first time in the Senate on June 17, 2010, was sponsored by the Leader of the Government in the Senate, Senator **Marjory LeBreton**. As Bill C-40 was not controversial and was in line with the commitments made in the 2010 Throne Speech, it moved quickly through the Senate. The bill passed third reading on October 26 without debate, becoming the first bill of the season waiting for Royal Assent.

## Committee reports

A large part of the work accomplished by the Senate takes place in committee. The reports prepared in committee, whether special studies or legislative reports, complement the legislative duties of parliamentarians. In September and October 2010, the various Senate committees reviewed over a dozen bills, in addition to the

orders of reference passed by the Senate for special studies on social, legal and economic issues.

On September 28, the Senate adopted the fourth report of the Standing Senate Committee on National Security and Defence, an interim report entitled *Where We Go from Here: Canada's Mission in Afghanistan*. On October 28, the Senate adopted, on motion of Senator **Dennis Dawson**, the fourth report of the Standing Senate Committee on Transport and Communications, entitled *Plan for a Digital Canada.ca*.

## Speaker's rulings

On September 27, Senator **James Cowan**, Leader of the Opposition in the Senate, raised a question of privilege pursuant to rule 43 of the *Rules of the Senate*. His question concerned comments made by Senator **Patrick Brazeau** on July 6, 2010, during third reading debate on Bill S-4, *An Act respecting family homes situated on First Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves*. Senator Brazeau made comments about several witnesses who appeared as part of the study on the bill and made specific reference to the past work of **Pamela Palmater**, Chair of the Centre for the Study of Indigenous Governance at Ryerson University. On September 11, Ms. Palmater wrote to a number of Senators to complain that the attempt to discredit her was not based on fact. She also expressed concern that Senator Brazeau's allegations could harm her professionally.

Senator Cowan said that, having been informed of the complaint, the Senate must act to defend Ms. Palmater's reputation. He believed that failing to act

could have a negative effect on the work of committees in the future. Senator Cowan argued that Senator Brazeau's statement, by potentially impeding the ability of Senators to perform their duties, amounted to contempt.

On October 5, Speaker **Noël Kinsella** made his ruling. At issue was the basic privilege of freedom of speech. He noted that it is generally true that Senators have the right to express themselves freely during debate. However, just because Senators have the freedom to say anything they want does not mean that they should avail themselves of this right in all cases. Senators should be aware of the need to avoid impugning the reputations of those who do not sit in the Senate and who have no mechanism to defend themselves.

The Speaker continued by saying that witnesses are not to be molested or interfered with because of evidence that they have given or intend to give before a committee. To interfere with witnesses before or after their appearance can constitute a breach of Senate privileges. However, the Speaker concluded that it was not evident how Senator Brazeau's exercise of his undoubted freedom of speech had, in a concrete and direct way, prevented the Senate from discharging its basic functions, as the concerns raised were speculative. As the conditions of rule 43(1) were not met, the Speaker ruled that it was not a *prima facie* question of privilege.

On September 29, Senator **Claudette Tardif** rose on a point of order regarding a question asked without advance notice to the Chair of the Standing Senate Committee on National Security and Defence during Question

Period. In his ruling, the Speaker reminded the Senators that, as Speaker Jerome had summarized in his 1975 statement on Question Period, there are several types of appropriate responses. He noted that Ministers and Committee Chairs may answer the question, defer their answer, take the question as notice, provide a short explanation as to why they cannot furnish an answer at that time, or say nothing. Speaker Kinsella ruled that the question put to the Chair was very much in order and that all Senators conducted themselves in a matter consistent with the rules.

He also noted that the question that was subsequently addressed to the Chair of the Subcommittee should not have been allowed, as subcommittees report to the Senate only through the Chair of the Committee.

**Marie-Eve Belzile**  
Procedural Clerk  
Journals



## House of Commons

On September 29, 2010, during second reading debate of Bill C-46, *An Act to implement the Free Trade Agreement between Canada and the Republic of Panama, the Agreement on the Environment between Canada and the Republic of Panama and the Agreement on Labour Cooperation between Canada and the Republic of Panama*, NDP Member **Chris Charlton** moved a hoist amendment and, the following day, **John Baird**, Leader of the Government in the House

of Commons, gave notice of the government's intention to move time allocation for the second reading stage. After the hoist amendment was negatived on October 20, 2010, **Gerald Keddy**, moved that the question be now put on October 22, 2010. Adopted four days later, the motion for second reading of the Bill was also agreed to.

### Points of Order

On September 30, 2010, the Parliamentary Secretary to the Leader of the Government in the House of Commons, **Tom Lukiwski**, raised a point of order on the motion to concur in the 7th Report of the Standing Committee on Industry, Science and Technology regarding the long-form portion of the census. The Parliamentary Secretary pointed out that, should the debate be taken up again, this would violate the principle which forbids the same question from being decided twice in the same session as it was essentially the same as a Supply Motion moved by **Marc Garneau**, on September 28, 2010. On October 5, 2010, the Speaker ruled that since the House had actually adopted the Supply Motion on September 29, 2010, to allow the proceedings on the concurrence motion to continue would indeed violate the principle behind the rule of anticipation. Accordingly, the Speaker directed that the motion be removed from the Order Paper.

### Private Members' Business

Several items of Private Members' Business attracted the media and the public's attention this Fall.

On September 21, 2010, the House debated the motion that the Second Report of the Standing Committee on Public Safety and National Security

(recommendation not to proceed further with Bill C-391, *An Act to amend the Criminal Code and the Firearms Act (repeal of long-gun registry)*), presented on Wednesday, June 9, 2010, be concurred in. The motion having been agreed to 153 to 151 on September 22, 2010, all proceedings on the Bill ceased.

Debate on Motion M-517 in the name of **Michael Chong**, instructing the Standing Committee on Procedure and House Affairs to recommend changes to the Standing Orders and other conventions governing Oral Questions concluded on September 29, 2010 and the motion was agreed to 235-44 on Wednesday, October 6, 2010.

Although the Speaker will normally select for debate at report stage only those motions which were not or could not be presented in committee, the Speaker allowed report stage motions in the name of **John McKay** regarding Bill C-300, *An Act respecting Corporate Accountability for the Activities of Mining, Oil or Gas in Developing Countries*, on September 20, 2010. The Member was not afforded the opportunity to move his motions in committee due to its inability to deal with the Bill in the prescribed timelines.

On October 25, 2010, the Speaker ruled on a point of order raised by **Joe Volpe** on October 20, 2010, concerning three amendments contained in the Third Report of the Standing Committee on Transport, Infrastructure and Communities on Bill C-442, *An Act to establish a National Holocaust Monument*, which had been ruled inadmissible by the Chair of the Committee, who judged them to be beyond the scope of the Bill. The rulings were all appealed and

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overturned by a majority vote in the Committee. The Speaker, agreeing with the Committee Chair, found the amendments to be null and void and to no longer form part of the Bill as reported to the House.

### **Committee Business**

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The Standing Committees on Public Safety and National Security, on Industry, Science and Technology and on National Defence all met during the course of the summer adjournment.

The Standing Committee on Public Safety and National Security first met on July 5, 2010 to receive a briefing on the Canadian Security Intelligence Service (CSIS) by CSIS Director **Richard B. Fadden**, then on July 12 to undertake a study of security at the G-8 and G-20 summits, and again on August 10 to consider the threat to Canadians created by the reported failure to confirm the identities of passengers travelling by air.

The Standing Committee on Industry, Science and Technology met twice on July 20, 2010, first to undertake a study of the impending closure of Shell Canada's Montreal refinery and then to study the long-form portion of the census. The Committee met again on the latter subject on July 27, August 16 and August 27, and on September 3 to study the permanent closure of Abitibi-Bowater of Gatineau and Dolbeau-Mistassini.

On August 25, 2010, the Standing Committee on National Defence met briefly to undertake a study of the next generation of fighter aircraft.

Once the House had resumed sitting, by unanimous consent, it was agreed on September 27, 2010 that the 13th Report of the Standing Committee on

Procedure and House Affairs on the membership for standing committees be deemed concurred in but that changes in the membership of the Standing Committee on Finance be effective only as of Monday, October 4, 2010 to accommodate its pre-budget consultations.

On October 18, 2010, **Joe Preston** presented the 17th Report of the Standing Committee on Procedure and House Affairs on the Election of Members of the House. The Committee agreed with the proposal of the Chief Electoral Officer of Canada to test an electronic assistive voting device in the upcoming by-election in the electoral district of Winnipeg North and it became a pilot project during that recent by-election.

### **Other Matters**

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During this period, several Members resigned, including: Liberal MP **Maurizio Bevilacqua** (Vaughan) as of September 2, 2010; Conservative MP **Inky Mark** (Dauphin–Swan River–Marquette) as of September 15, 2010; Bloc Québécois MP **Jean-Yves Roy** (Haute-Gaspésie–La Mitis–Matane–Matapédia) as of October 22, 2010; and Conservative MP **Jay Hill** (Prince George–Peace River) as of October 25, 2010.

On October 24, 2010, the writs were issued for three by-elections to be held on November 29, 2010 in the electoral districts of Dauphin–Swan River–Marquette (Manitoba), Vaughan (Ontario) and Winnipeg North (Manitoba).

There was a minor Cabinet shuffle on August 6, 2010. Mr. Baird became Leader of the Government in the House of Commons, taking over from Mr.

Hill. **Chuck Strahl** succeeded Mr. Baird as Minister of Transport, Infrastructure and Communities, whereas **John Duncan** succeeded Mr. Strahl as Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency.

There were also changes made to the Opposition parties' "shadow Cabinets" including **David McGuinty** becoming the Opposition House Leader, succeeding **Ralph Goodale** and **Claude DeBellefeuille** becoming the Whip of the Bloc Québécois party, succeeding **Michel Guimond**.

In continuing with the practice where the Speaker of the country holding the presidency of the G8 hosts his or her counterparts and the Speaker of the European Parliament, Speaker **Peter Milliken** hosted a meeting of the Presiding Officers of the Lower Houses of the G8 from September 9 to 12, 2010.

Pursuant to a special order of September 23, 2010, the House met at 8:30 a.m. on Friday, October 1, 2010, and the order of business was modified for that day in order to allow Members of Parliament to attend the investiture of Canada's 28th Governor General, **David Johnston**. The ceremony took place in the Senate Chamber at 11:00 a.m.

On October 5, 2010, by unanimous consent, it was ordered that, for the remainder of 2010, for recorded divisions held on a Tuesday, Wednesday or Thursday, except those deferred to the conclusion of Oral Questions, the bells to call in the Members shall be sounded for not more than thirty, rather

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than fifteen, minutes to allow Members more time to attend votes in the House.

**Suzie Cadieux**

Procedural Clerk  
Table Research Branch



## Alberta

The Fall sitting of the 3rd Session of the 27th Legislature commenced on October 25, 2010. That day, two requests for emergency debates were moved in the Assembly. New Democrat **Brian Mason** moved to adjourn the ordinary business of the Assembly in order to debate “the imminent risk to the health and safety of Albertans due to the state of emergency medical services in the province.” The request was in response to documents released by the media, which were written by emergency physicians at the University of Alberta Hospital, detailing incidents in the hospital’s emergency department. Speaker **Ken Kowalski** ruled in favour of the motion, stating that there seemed to be a general willingness on the part of Members to proceed with the debate given that 10 out of 18 questions during Oral Question Period that day dealt with the issue of health care. He also indicated that it was the first day that the Assembly had met in several months. The emergency debate did not proceed as it was not approved by the Assembly.

The second request for an emergency debate was moved by

Liberal **Laurie Blakeman** who argued that the sale of 16,000 acres of Crown-owned land for commercial agriculture would adversely affect protected and endangered species and habitat. Speaker Kowalski ruled the request for leave out of order stating that it did not meet the Standing Order requirements that the subject be “a genuine emergency, calling for immediate and urgent consideration.” The Speaker noted the arguments put forward by the Minister indicated that sale of the land is only a proposal and therefore the matter would certainly come up during Oral Question Period. The last Standing Order 30 application to proceed in the Assembly occurred in November 2009 regarding the Government’s preparations for the pandemic H1N1 influenza program.

### Committee Activity

The Standing Committee on the Alberta Heritage Savings Trust Fund held a public meeting in Lethbridge, Alberta, on October 20, 2010. In order to make the meeting accessible to all Albertans, the proceedings were broadcast live on television and the Internet.

The Standing Committee on Community Services completed its review of Private Member’s Bill 203, *Municipal Government (Local Access and Franchise Fees) Amendment Act, 2010*. The Bill was referred to the committee during the Spring sitting prior to receiving Second Reading. During the review process the committee received presentations and written submissions from individual Albertans, municipalities, and other organizations. The committee tabled its report on October 27, 2010, and recommended that the Bill not proceed. Two minority

reports were appended to the final report.

At the time of writing, the Standing Committee on Health was in the final stages of its review of the *Freedom of Information and Protection of Privacy Act*. The House adopted a resolution deeming the Standing Committee on Health to be the special committee for the purposes of this review. The committee received presentations and written submissions on the Act and plans to report to the Assembly in November.

At the request of the Minister of Justice and Attorney General, the Standing Committee on Public Safety and Services conducted a review to determine whether there is a need for financial disclosure rules for leadership contestants of political parties in Alberta. The report was released as an intersessional deposit on October 7, 2010. The committee recommended that the Minister prepare a detailed discussion paper to address the practicality of leadership disclosure legislation and that the paper consider issues such as auditing requirements, the role of the Chief Electoral Officer, and how the legislation would be implemented, administered, and enforced.

In response to a request from the Minister of Employment and Immigration, the Standing Committee on the Economy conducted a review of Alberta’s minimum wage policy. The Committee released its report as an intersessional deposit on October 12, 2010. The report contained seven recommendations, including increasing the minimum wage from \$8.80 to \$9.05 within three months. One minority report was appended to the final report.

On October 6, 2010, the Standing Committee on Resources and Environment held public meetings with companies and organizations involved in the power, electricity, and wind energy industries pursuant to the Assembly's Standing Order which allows a Policy Field Committee to hold public meetings on any matter within its mandate. A report summarizing the presentations will be presented to the Assembly during the Fall sitting.

### Government Bills

Two notable Bills before the Assembly include:

- Bill 16, *Traffic Safety (Distracted Driving) Amendment Act, 2010*, would amend the *Traffic Safety Act* to ban the use of hand-held cellphones and electronic devices, as well as tasks which distract drivers, such as personal grooming. Hands-free devices will still be permitted. The Bill, which was introduced in the Spring sitting, was amended to clarify regulations surrounding the use of two-way radios. This Bill had not received Third Reading at the time of writing.
- Bill 17, *Alberta Health Act*, was introduced on October 28, 2010. The Bill's preamble acknowledges Alberta's commitment to the principles of the *Canada Health Act* and includes a set of principles based on a consultation report which was presented to the Minister of Health and Wellness in September 2010. The legislation authorizes the Minister to establish a *Health Charter*, provides that the Lieutenant Governor in Council may appoint a Health Advocate to (a) resolve citizen concerns relating to failure of persons to act in a matter consistent with the *Health Charter*, and (b) perform any other duties specified in the regulations, and requires the Minister and Lieutenant Governor in Council, except in certain

circumstances, to seek public input in the development of regulations under the Act. The Bill had not passed at the time of writing.

### Caucus Changes

**Guy Boutilier** who sat in the Assembly as an Independent Member joined the Wildrose Alliance caucus on October 25, 2010. The Wildrose Alliance now has four Members which, under the *Legislative Assembly Act*, gives it recognized party status in the Assembly.

The Progressive Conservative caucus now holds 68 of the 83 seats in the Assembly, the Liberal Official Opposition eight, the Wildrose Alliance four, and the New Democrats two, and there is one independent Member.

### Changes at the Table

**Stephanie LeBlanc** and **Philip Massolin** have joined the Alberta Table as a result of the upcoming departure of **Louise Kamuchik**, Clerk Assistant and Director of House Services, who will be retiring from the Legislative Assembly on December 17, 2010. Stephanie has served as Legal Research Officer since 2008 and Philip as Committee Research Coordinator since 2007.

**Micheline Gravel**

Clerk of Journals/Table Research

**Jody Rempel**

Committee Clerk



### Northwest Territories

The Fifth Session of the 16th Legislative Assembly of the Northwest Territories, which

began in March 2010, reconvened on October 14, 2010. The main topic of discussion for Members was the capital estimates for the 2011-2012 fiscal year. The fall capital planning process allows for greater efficiencies and maximizes the short spring and summer construction season in the far North.

A number of bills, including four supplementary appropriation bills, were considered by the House. The bills before the House included Bill 4: *An Act to Amend the Social Assistance Act*, which would replace social assistance appeal committees with an administrative review group that would hear appeals; and would limit the jurisdiction of Social Welfare Officers, the administrative review group, and the Appeals Board. Also before the House was Bill 8: *Social Work Profession Act*, which provides for the regulation of the profession of social work in the Northwest Territories. Another bill before the House was Bill 9: *An Act to Amend the Tourism Act*. This bill repealed the Tourist Deposit Assurance Program as of November 15, 2010. The fourth bill before the House was Bill 12: *An Act to Amend the Liquor Act*. This bill authorises an inspector or peace officer to seize and remove anything referred to in a warrant for the search of a dwelling-house.

### Committee Activities

Standing Committees met for three weeks in September to consider the 2011-12 departmental business plans and capital estimates in camera.

The Standing Committee on Social Programs, chaired by **Tom Beaulieu**, presented its *Report on the Review of the Child and Family Services Act: Building*

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*Stronger Families* in the House on October 21, 2010. This report was the culmination of months of work by the Committee, including travel, research, and public meetings with people to hear their stories and to seek their advice on improving the child and family services regime in the Northwest Territories. The Committee held public meetings in 10 NWT communities in April 2010. A total of 266 people attended the public meetings, and the Committee received 52 written submissions.

In the consensus government system, it is possible for a Standing Committee to initiate a major review of a piece of legislation if Members feel an Act is outdated and no longer serves the needs of Northerners. This was just such a case. One difference was the fact that departmental officials travelled with the Committee and worked very closely with Members, which was a unique approach to this type of endeavour. The report is still, clearly, a product of the Committee's, and the recommendations in the report will, as usual, be directed toward the Government for consideration and response. In keeping with our normal practises, the Government is under no obligation to comply with the recommendations, but it does have to provide a comprehensive response to the Committee's recommendations within 120 days.

### New Initiatives

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The Legislative Assembly's commissioning of its new wood pellet boiler occurred on October 29, 2010. The wood pellet boiler was installed over the summer and will offset 90% of the building's annual fuel use (which is about 82,000 litres),

as well as reducing greenhouse gas emissions by approximately 240 tonnes per year. The installation of this boiler is one of the Assembly's many "green" initiatives, which so far include dropping the sale of pop and plastic water bottles, purchasing a new hybrid vehicle, and extensive reduction of paper usage.

Another recent innovation has enabled the Legislative Assembly to offer its citizenry the opportunity to sign electronic petitions. The Assembly will use similar rules to those for paper petitions – petitions will still have to be sponsored by a Member to be presented in the House – but now a larger number of people will have access to them. Because many Northwest Territories communities are separated by large physical distances, the Assembly is happy to offer more access to public petitions through its e-petitions site. The site went live on October 27, 2010, and the Assembly has already seen keen interest in it. An e-petition on Respite Services in the Northwest Territories garnered 552 signatures in five business days and was presented in the House on November 3, 2010.

### Jennifer Knowlan

Principal Clerk, Standing and Special Committees



### Prince Edward Island

The Fourth Session of the Sixty-third General Assembly opens on November 12, 2010, with the Speech from the Throne delivered

by Lieutenant Governor, **Barbara A. Hagerman**. This will be the fourth Speech from the Throne she has delivered since her appointment in 2006.

### Progressive Conservatives Elect Leader

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On October 2, 2010, members of the provincial Progressive Conservative Party selected **Olive Crane** as their party leader. She had been serving as interim party leader since 2007, following the resignation of **Pat Binns**. Ms. Crane was first elected to the Legislative Assembly in a March 2006 by-election, and was re-elected in 2007 to represent the district of Morell-Mermaid. Prior to her career in politics, she was a social worker, and she continues her involvement with her family's blueberry farm in Douglas Station, Prince Edward Island.

### Committee Activities

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Province House is unique among Canadian legislatures in that it is maintained jointly by a federal government entity, Parks Canada, and a provincial entity, the Government of Prince Edward Island. This relationship is based on a 1974 federal-provincial lease agreement that designates structural and interpretive responsibilities to the federal government, while the province retains ownership of the building. The federal interest in the building is related to its role as the site of the 1864 Charlottetown Conference, which led to Confederation. In the early 1980s, Parks Canada carried out a restoration of the structure of Province House and recreated an 1860s décor in many of its chambers. Province House continues to be the seat of the Legislative Assembly of Prince Edward Island.

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Today, Province House is again in need of major repairs, particularly to its roof, basement and exterior sandstone. In a unanimous motion during its spring 2010 sitting, the Legislative Assembly called on the Standing Committee on Legislative Management to review the 1974 federal-provincial agreement on Province House. The committee was asked to put forward recommendations on how to ensure Province House is structurally maintained into the future and interpreted in a dynamic manner that encompasses its full colonial, provincial and national history. Invitations were extended to the public to share their views on these matters, as well as to Parks Canada and the provincial Department of Transportation and Infrastructure Renewal, the two signatories of the agreement. Public meetings were held, and several individuals and groups came forward to present to the committee. Common themes included the importance of interpreting the full scope of Province House's history, the urgent need of major repairs, the price and expertise said repairs will require, and the need to re-establish the building as a source of pride for all Islanders. The committee has concluded its public meetings and is considering its report to the Legislative Assembly which will be submitted during the fall 2010 sitting.

### **Distinguished Visitors**

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More than 125 delegates, including ambassadors, high commissioners, federal ministers and senior officials from more than 70 countries, attended an international diplomatic forum held on Prince Edward Island from September 26 to 29, 2010.

As host of the four-day event, Prince Edward Island had a full day to showcase its economic strengths, innovation and international trade opportunities. The event was organized by the Department of Foreign Affairs and International Trade.

The Legislative Assembly welcomed a delegation from the southwest African country of Namibia from October 25 to 28, 2010. The delegation was comprised of two members from the National Council, Parliament of Namibia, a parliamentary staff person and an embassy official from Washington, DC. During the visit, the group met with members and staff of the Prince Edward Island Legislative Assembly, attended a meeting of the Standing Committee on Public Accounts, and traveled to Fredericton to witness the election of **Dale Graham** as Speaker of the Legislative Assembly of New Brunswick.

### **Order of Prince Edward Island**

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The 2010 recipients of the Order of Prince Edward Island were honoured at a special investiture ceremony at Government House on October 6, 2010. Lieutenant Governor Hagerman, conferred the honour on Father **Brady Smith**, **Diane Griffin** and **Dr. Regis Duffy**, CM.

The honour is awarded annually to recognize those Islanders who have shown individual excellence or demonstrated outstanding leadership in their community and in their chosen occupation or profession. It is the highest honour that can be accorded a citizen of the Province and is facilitated through a public nomination process. Not more than three individuals are selected each year by an

independent nine person Advisory Council as appointed pursuant to the *Provincial Emblems and Honours Act*. The honour was conferred for the first time in 1996.

### **Conference Activity**

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For the first time since its inception in 1996, Hansard PEI played host to the Hansard Annual Conference, held August 16 to 20, 2010. Delegates came from across Canada and from Britain, Isle of Man, Northern Ireland, Scotland and Wales. Topics discussed during the business sessions included enriching Hansard text through annotation, the role of social media in politics and how it can affect debates in the legislature, the degree to which various Hansards are verbatim, as well as a round up of what is happening in each jurisdiction.

### **Novel Released**

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*Verbatim: A Novel*, a book by Hansard manager **Jeff Bursey**, and set in a fictional legislature sometime in the 1990s, was released on October 1, 2010.

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



### **Yukon**

On November 9th, the 2010 Fall Sitting of the First Session of the 32nd Legislative Assembly adjourned. The 28-day sitting had convened on September 21st, approximately 5 weeks earlier than usual. The

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Sitting concluded with Assent being given in the Chamber by the Commissioner of Yukon, **Geraldine Van Bibber**, the delivery of remarks by the Commissioner, and a tribute to the Commissioner delivered by Speaker **Ted Staffen**.

### Assent

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In the Fall Sitting, Commissioner Van Bibber granted Assent to the following 10 bills (all Government bills):

- Bill No. 21, *Fourth Appropriation Act, 2009-10*
- Bill No. 22, *Second Appropriation Act, 2010-11*
- Bill No. 86, *Act to Amend the Business Corporations Act*
- Bill No. 87, *Securities Transfer Act*
- Bill No. 88, *Act to Amend the Partnership and Business Names Act*
- Bill No. 89, *Act to Amend the Societies Act*
- Bill No. 90, *Act to Amend the Cooperative Associations Act*
- Bill No. 91, *Second Act to Amend the Motor Vehicles Act, 2010*
- Bill No. 92, *Act to Amend the Income Tax Act (2010)*
- Bill No. 93, *Miscellaneous Statute Law Amendment Act, 2010*

### Commissioner of Yukon

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Commissioner Van Bibber's term as Commissioner, which commenced on December 1st, 2005, comes to an end on November 30th. To mark her final appearance in the House – to grant Assent to certain bills, on the final day of the 2010 Fall Sitting – Madam Commissioner was accompanied into the Chamber by her two Aides-de-Camp – RCMP Staff Sergeant Major **Al Hubley**, and Canadian Forces Captain **Tad Nicol**. After granting Assent to the bills, the Commissioner delivered observations, insights, and words

of appreciation, relating to her life as Commissioner. Following the Commissioner's remarks, the Speaker, on behalf of all members of the Legislative Assembly, thanked the Commissioner for the service that she had rendered to the House, and to all Yukoners. A send-off celebration for Madam Commissioner, open to all Yukoners, will be hosted by the Office of the Commissioner in Whitehorse on November 18th. At the time of writing, the name of the new Commissioner remains to be announced.

### By-election

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On November 12th, 2010, Premier **Dennis Fentie** requested that a by-election be held in the electoral district of Whitehorse Centre, with the polling date to be December 13th. Pursuant to the Premier's request the Commissioner issued an Order to the Chief Electoral Officer, **Jo-Ann Waugh**, directing that the writ of election be issued. The vacancy in Whitehorse Centre was caused by the death of **Todd Hardy**, former Leader of the NDP, who continued to sit in the House during the 2010 Spring Sitting, but succumbed to leukemia on July 28th, 2010. The by-election candidate identified by the NDP is **Elizabeth Hanson**. On September 26, 2009, Ms. Hanson, President of Yukon's NDP, was acclaimed as the new Leader of the Yukon NDP, during the Party's convention in Whitehorse. After Mr. Hardy's death, Ms. Hanson indicated her intention to seek the NDP nomination in Whitehorse Centre. On September 27, 2010, Ms. Hanson was acclaimed as the NDP candidate for the Whitehorse Centre by-election. On September 23rd, 2010, the Liberal Party nomination for Whitehorse Centre was won

by former Party President **Kirk Cameron**. On November 10th, local businessman **Mike Nixon** was acclaimed as the Yukon Party candidate.

### Bill No. 111, Act to Amend the Elections Act

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On October 26th, **Steve Cardiff**, currently the sole NDP Member in the Legislative Assembly, introduced Bill No. 111, *Act to Amend the Elections Act*. The bill seeks to reduce to 90 days, from 180 days, the length of time following a vacancy in the representation of an electoral district, in which a writ of election must be issued. Bill No. 111 was called for second reading debate during Opposition Private Member's Business on November 3rd. During the Premier's reply to Mr. Cardiff's speech, the Premier moved the adjournment of the debate, which carried, and the debate was accordingly adjourned.

**Linda Kolody**  
Deputy Clerk



### British Columbia

Although the Legislative Assembly adjourned its spring sitting on June 3, 2010, several notable events have taken place.

### HST Initiative Petition

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This summer, the first citizen's initiative petition was completed under the *Recall and Initiative Act*. The

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initiative, led by former Premier **William (Bill) Vander Zalm**, proposed new legislation to extinguish the 12 percent harmonized sales tax, which came into effect on July 1, 2010. Following ratification by the Acting Chief Electoral Officer, the initiative petition and draft bill were referred on August 20 to the all-party Select Standing Committee on Legislative Initiatives. The legislation provided the Committee with a mandate to recommend one of two options: a) table a report recommending that the draft bill be introduced into the House at the earliest practicable opportunity, or b) refer the initiative petition and draft bill to the Chief Electoral Officer for a province-wide initiative vote.

The Legislative Initiatives Committee met twice in September before referring the petition and draft bill to the Chief Electoral Officer for a province-wide initiative vote. Under the *Recall and Initiative Act*, a threshold of at least 50 percent of voters in two-thirds of all electoral districts is required for an initiative vote to pass. However, Premier **Gordon Campbell** subsequently announced that the government would move to repeal the HST by a simple majority vote. The initiative vote is scheduled to occur on a date set by the statute, September 24, 2011.

#### **Committee Activities**

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The Select Standing Committee on Finance and Government Services has been active in recent months. Under its mandate, the Finance Committee held public

consultations in September and October as part of the annual budget consultation process. These included public hearings in 14 communities and three videoconferencing hearings covering an additional nine communities. Written and online survey submissions were also accepted, with public input totalling 1,300 responses. The Committee's report was released on November 12, 2010.

On November 3, the Select Standing Committee on Children and Youth issued a report on its activities during the current Parliament. The report also summarizes the recent work of the Committee on the topic of child poverty, and includes a comprehensive reading list and a summary of expert briefings from a public meeting in Vancouver.

#### **Changes to the Executive Council**

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On October 25, a cabinet shuffle was announced, along with a proposed reallocation of several responsibilities to a new superministry in charge of Natural Resource Operations. Ministers with new or changed portfolios include:

- **Barry Penner**, appointed to Aboriginal Relations and Reconciliation
- **Ben Stewart**, appointed to Agriculture
- **Stephanie Cadieux**, appointed to Community, Sport and Cultural Development
- **George Abbott**, appointed to Education
- **Bill Bennett**, appointed to Energy
- **Murray Coell**, appointed to Environment

- **Pat Bell**, appointed to Forests, Mines and Lands
- **Iain Black**, appointed to Labour
- **Steve Thomson**, appointed to Natural Resource Operations
- **Rich Coleman**, appointed to Public Safety and Solicitor General (Minister Responsible for Housing)
- **Moira Stilwell**, appointed to Regional Economic and Skills Development
- **Ida Chong**, appointed to Science and Universities
- **Kevin Krueger**, appointed to Social Development
- **Margaret MacDiarmid**, appointed to Tourism, Trade and Investment (Minister Responsible for the Intergovernmental Relations Secretariat)

#### **Premier's Statement**

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On November 3, Premier Campbell announced that he has decided to ask the BC Liberal Party executive to hold a leadership convention at the earliest possible date to select a new leader. According to the party's constitution, the party president must call a meeting of the executive within 28 days of receiving the resignation, and then set a leadership vote for a date within six months.

Mr. Campbell was first elected to the Legislature in 1994. He became B.C.'s 34th premier in 2001 and is the third-longest serving premier in the province's history.

**Byron Plant**  
Committee Researcher