

Newfoundland and Labrador

The First Session of the 48th General Assembly resumed on November 14th.

Former Clerk Passes Away

Friends and former colleagues were saddened to learn of the death of **Elizabeth Duff** who passed peacefully away on August 28, her 90th birthday, having spent the day celebrating with her family.

Ms. Duff, known to most as Bettie, had a long career with the civil service. She was private secretary to Premier **Joseph Smallwood** for 23 years, and later served as an executive assistant in government.

In 1977, Ms. Duff was appointed Clerk of the House during the tenure of Speaker **Gerald Ottenheimer** a position which she held until her retirement in 1991. Ms. Duff was well respected by all parties.

Ms. Duff was the first female Clerk of a legislature in Canada. During her tenure as Clerk she became well known in Commonwealth parliamentary circles and is fondly remembered for her graciousness and mentorship at all times.

Standing Orders Amendments

During this sitting the House adopted some changes to the Standing Orders.

The most significant were:

- the reduction of the number required for a quorum to 10 including the Speaker from 14 excluding Speaker;

- the introduction on a provisional basis for 2017 of a fixed calendar which includes constituency weeks;
- the addition on a provisional basis for 2017 of 2.5 hours sitting time on Wednesday mornings for the consideration of Government business;
- the introduction on a provisional basis for 2017 of a change to the adjournment provision such that the Speaker will adjourn the House at the end of the day and where a motion has passed to extend the day, except when closure has been invoked, the Speaker will adjourn at midnight.

Leader of the Official Opposition **Paul Davis** announced on October 11, 2016 that he would resign as Leader as soon as a leadership convention could be arranged. Mr. Davis will stay on as Member for Topsail-Paradise but did not say whether he would run in the next election.

During the Fall Sitting the House passed 26 bills including a new *Public Procurement Act* and a *Seniors' Advocate Act* which will create a new statutory office within the Legislature.

Statutory Officers Appointed

The Lieutenant Governor in Council on Resolution of the House appointed **Bruce Chaulk** as Chief Electoral Officer and Commissioner for Legislative Standards and **Jackie Lake-Kavanagh** as Child and Youth Advocate. Recruitment of both these statutory officers followed the process established under the *Independent Appointments Commission Act* passed last Spring.

Donovan Molloy was appointed Information and Privacy Commissioner pursuant to Section 85 of the governing act which provides that the candidate be selected from a roster of qualified candidates submitted to the Speaker by a selection committee comprising

of the Clerk of the House, the Clerk of the Executive Council, the Chief Judge of the Provincial Court and the President of Memorial University.

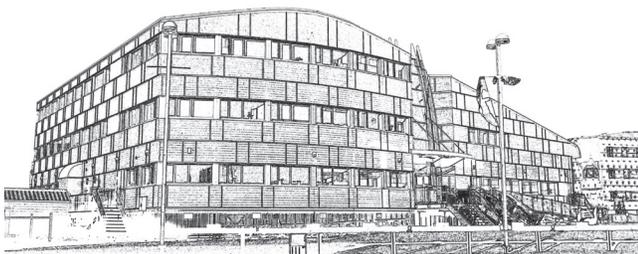
The recruitment of the new Seniors' Advocate will follow the process established by the *Independent Appointments Commission Act*.

On November 1, 2016 the Members' Compensation Review Committee (MCRC) appointed on March 10 pursuant to subsection 16(1) of the *House of Assembly Accountability, Integrity and Administration Act* released its report. The House must appoint an MCRC at least once in each General Assembly to conduct an inquiry and compile a report respecting the salaries, allowances, severance to be paid to Members of the House of Assembly of Newfoundland and Labrador.

The House of Assembly Management Commission is in the process of considering the 59 recommendations of the Committee which they must accept or modify provided that modified entitlements may not exceed the maximum recommended by the Committee.

The House adjourned *sine die* on December 13 and was expected to meet to prorogue the current session and open the Second Session of the 48th General Assembly in late February or early March.

Elizabeth Murphy
Clerk Assistant



Nunavut

House Proceedings

The fall 2016 sitting of the 3rd Session of the 4th Legislative Assembly convened on October 18, 2016. The last sitting of the calendar year was held on November 8, 2016.

The proceedings of the Committee of the Whole during the fall 2016 sitting were dominated by the consideration of the Government of Nunavut's proposed 2017-2018 capital estimates. Seven bills received Assent during the fall 2016 sitting:

- Bill 14, *Public Health Act*;
- Bill 16, *An Act to Amend the Travel and Tourism Act*;
- Bill 20, *Supplementary Appropriation (Operations and Maintenance) Act, No. 3, 2015-2016*;
- Bill 21, *Write-Off of Assets Act, 2015-2016*;
- Bill 22, *Supplementary Appropriation (Capital) Act, No. 3, 2016-2017*;
- Bill 23, *Supplementary Appropriation (Operations and Maintenance) Act, No. 2, 2016-2017*; and
- Bill 24, *Appropriation (Capital) Act, 2017-2018*.

On October 18, 2016, the Legislative Assembly unanimously adopted a motion to recommend the appointment of **Dustin Fredlund** of Rankin Inlet as the territory's new Chief Electoral Officer. The motion was moved by Iqaluit-Niaqunnguut MLA **Pat Angnakak** and seconded by Cambridge Bay MLA **Keith Peterson**. The position of Chief Electoral Officer is one of five independent officers who are appointed by the Commissioner of Nunavut on the recommendation of the Legislative Assembly. The appointment of Mr. Fredlund followed the retirement of **Sandy Kusugak**, who had served in the position since 2001. The Legislative Assembly's Winter 2017 sitting was set to convene on February 21, 2017.

Committee Activities

From September 13-15, 2016, the Legislative Assembly's Standing Committee on Public Accounts, Independent Officers and Other Entities held televised hearings on the most recent annual reports of the Information and Privacy Commissioner and the Representative for Children and Youth, both of whom are independent officers of the Legislative Assembly. The committee's reports on its hearings were presented to the House during its fall 2016 sitting.

Order of Nunavut

On November 8, 2016, the Order of Nunavut Advisory Council, which is chaired by Speaker **George Qulaut**, announced that the 2016 appointments to the Order would be **Louie Kamookak** of Gjoa Haven, **Ellen Hamilton** of Iqaluit and **Red Pedersen** of Kugluktuk. The investiture ceremony for the recipients will be held during the Legislative Assembly's winter 2017 sitting.

Speaker's 6th Biennial Youth Parliament

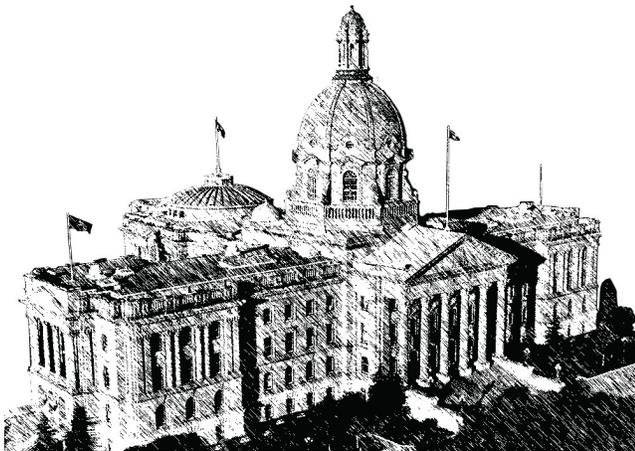
The Speaker's Sixth Biennial Youth Parliament was held during the week of November 21-25, 2016. Twenty-two senior high school students from across the territory travelled to Iqaluit for a week of learning activities that culminated in the live televised sitting of the Youth Parliament. The Commissioner of Nunavut delivered an Opening Address to the Youth Parliament and the Representative for Children and Youth appeared before the group to respond to students' questions concerning her office's responsibilities and activities. The Speaker and a number of cabinet ministers and regular MLAs switched roles during the televised sitting, serving as Pages and performing other necessary functions.

Passing of Former Members

James Arvaluk and **John Ningark** passed away during 2016. Both Mr. Arvaluk and Mr. Ningark shared the distinction of having served together as Members of both the Legislative Assembly of the Northwest Territories and the Legislative Assembly of Nunavut. Flags at the Legislative Assembly Precinct were half-masted in their honour.

Alex Baldwin

Office of the Legislative Assembly of Nunavut



Alberta

Second Session of the 29th Legislature

The Second Session of the 29th Legislature reconvened on October 31, 2016, and did not adjourn for the holiday season until December 13, 2016. During this period the Assembly passed 16 Government Bills including three Bills that added to the environmental

protection initiatives that began with the passage of the *Climate Leadership Implementation Act*, during the 2016 spring sitting. Bill 25, *Oil Sands Emissions Limit Act*, sets a limit on the volume of greenhouse emissions permitted from the oil sands at 100 megatons per year. Bill 27, *Renewable Electricity Act* aims to facilitate the switch from coal-fired power generation towards more environmentally sustainable options by moving Alberta away from an energy only market and towards a capacity market in which private generators compete to secure contracts for produced energy and generation capacity. This legislation will be administered by the Alberta Electric System Operator, and approved projects will need to be operational by 2019 in order to coincide with the closure of the province's oldest coal-fired power plants. Finally, Bill 34, *Electric Utilities Amendment Act, 2016*, will give the "balancing pool," the entity that brokers the electricity system, the ability to borrow money from the provincial government to manage its funding obligations and help mitigate against price volatility for consumers.

Composition of the Assembly

On November 17, 2016, **Sandra Jansen** (Calgary-North West) announced she was leaving the Progressive Conservative caucus to join the governing New Democrats. The composition of the Assembly is now 55 New Democrats, 22 Wildrose Members, eight Progressive Conservatives, one Alberta Liberal and one Alberta Party Member.

Standing Order 30 – Emergency Debate

On November 21, 2016, **Nathan Cooper** (Olds-Didsbury-Three Hills), Official Opposition House Leader, requested that an emergency debate take place regarding the death of children in the care of the province. Government House Leader **Brian Mason** (Edmonton-Highlands-Norwood) spoke in favour of the debate and, after the request was ruled in order by the Speaker **Robert Wanner** (Medicine Hat), the House gave unanimous consent to proceed with the matter. The emergency debate lasted almost two-and-a-half hours and centred primarily on the death of a four-year old girl named Serenity who died in 2014 from physical injuries while in a kinship care placement with relatives. The Office of the Chief Medical Examiner has not released a cause of death in this case and a police investigation is ongoing. During the debate concerns were raised regarding the level of secrecy in the child intervention system, delays in investigating and releasing information regarding the child's death, the systemic problems and safety concerns with kinship

care identified by the Office of the Child and Youth Advocate and whether or not the recommendations made by the Advocate would be fully implemented.

Privilege – Government Advertising

On June 6, 2016, a purported question of privilege was raised by Mr. Cooper regarding Government advertisements which presupposed the passage of Bill 20, *Climate Leadership Implementation Act*. During debate on the matter it was noted that the Speaker had previously cautioned the current Government about advertising policies and programs when the necessary legislation was still under consideration by the Assembly.

Following a period of adjournment, on November 1, 2016, Speaker Wanner gave his ruling on whether the Government had committed a contempt of the Assembly. Speaker Wanner advised the Assembly that he had reviewed the contents of the Government advertisements in question and agreed that the government had the right to communicate its policies and programs to the public. However, he noted that there are ways such information can be communicated without presuming a decision of the Assembly. He further stated that while the Government, doubtless, had good intentions in advising Albertans of the provisions and future impact of Bill 20, at the same time that the radio ads aired, Bill 20 had not passed through the necessary stages in the Assembly. Additionally, the Speaker noted that the Government website outlined details about the carbon levy and the rebates but contained no qualification that the levy was subject to the approval of the Legislature.

Ultimately, Speaker Wanner found that the advertisements in question presented statements regarding the carbon levy and associated rebates as if they were facts when, in reality, the necessary legislation had not yet been passed by the Assembly. As the contents of the advertisements prejudged a decision of the Assembly the Speaker ruled that the matter constituted a *prima facie* case of privilege. Following the ruling, Deputy Government House Leader **Deron Bilous** (Edmonton-Beverly-Clareview) apologized to the Assembly on behalf of the Government and, as is the practice in Alberta, the matter was closed.

Jody Rempel
Committee Clerk



British Columbia

The Legislative Assembly was expected to resume February 14, 2017, opening the 6th Session of the 40th Parliament. This spring session will be the last session of the 40th Parliament before the provincial general election to be held on May 9, 2017.

8th Annual Commonwealth Youth Parliament

The Legislative Assembly hosted the 8th Annual Commonwealth Youth Parliament from November 6 to 10, 2016. Youth parliamentarians aged 18 to 29 from across the Commonwealth learned about the work of parliamentarians, the legislative process, parliamentary procedure, and media relations in a parliamentary environment. Youth parliamentarians appreciated the participation of mentor parliamentarians from Australia, Scotland, Sri Lanka, BC and Alberta. Through “mentor panel” sessions, mentors shared their experiences on topics such as the role of a member of parliament, running for office and the role of the media in parliamentary democracy. After several days of lively debate in the House and a mock press conference, the Youth Parliament concluded with the role of host for the 9th Annual Youth Parliament being officially passed on to the British Virgin Islands.

Canada was represented by 12 youth delegates from various provinces. The Legislative Assembly of British Columbia strongly encourages Canada’s parliaments to support Canadian youth participation in future Commonwealth Youth Parliaments. Hansard transcripts, video, photos and other documents from the Commonwealth Youth Parliament are available online at: <https://www.leg.bc.ca/cyp8/pages/welcome.aspx>

Parliamentary Committees

The Legislative Assembly Management Committee released its annual *Accountability Report* on December 7, 2016. The report presents financial results from 2015/16, including independently audited financial statements for which the Auditor General gave an unmodified opinion, certifying the results as accurate and fair. The report emphasizes transparency and accountability in carrying out Assembly priorities such as stronger financial administration, modernized digital services and enhanced security and accessibility.

The Select Standing Committee on Finance and Government Services completed its annual budget consultation process, as required by the *Budget Transparency and Accountability Act* and released its report on November 15, 2016. The report made 102 recommendations on a variety of themes, including the environment, transit and transportation, natural resources and social services.

Additionally, on December 8, 2016 the Committee issued a report on its annual review of the budgets of BC's statutory offices. In 2014 the Committee had unanimously agreed to strengthen oversight of statutory office budgets in order to ensure the Committee's review process is effective in promoting accountability for expenditures of public funds. The 2016 report reflects the Committee's ongoing commitment in that regard, with members agreeing that the schedule of Spring and Fall meetings is supporting the goal of improved oversight while also providing statutory officers more opportunity to provide updates and raise new issues with the Committee as they arise.

The Select Standing Committee on Children and Youth continued its statutory review of the *Representative for Children and Youth Act*, as required by section 30 of that *Act*. Following a preliminary outline of possible priorities for change from the then-Representative on October 24, 2016, the Committee opened an online consultation portal to accept written, video and audio submissions until mid-February 2017. The Committee will meet in January with E.N. (Ted) Hughes. His 2006 review of BC's child welfare system recommended establishing the Office of the Representative for Children and Youth. Briefings from senior ministry staff will follow in February, with further work on the statutory review to continue into the next Parliament.

The Select Standing Committee on Parliamentary Reform, Ethical Conduct, Standing Orders and Private Bills issued its report on two important matters regarding the conduct of Legislative Assembly business. The Committee considered in detail the current process for the review of Estimates by the Committee of Supply, ultimately recommending some refinements to the process: establishing limits on the number of hours of debate for each ministry, requesting government provide improved financial and program information to support the Estimates process, and allow some additional flexibility regarding senior public servants' role in supporting ministers in debate. To facilitate parliamentary committee business, the Committee recommended changes to the Standing Orders and the *Constitution Act* as necessary to allow parliamentary committees to be established for the duration of a Parliament, rather than the current practice of committees being established on a sessional basis.

On November 15, 2016 the Special Committee to Appoint a Representative for Children and Youth released its report, unanimously recommending the appointment of **Bernard Richard** as BC's new Representative for Children and Youth. The previous Representative's second and final five-year term expired in November and the House was not sitting this past Fall; as such, Mr. Richard is Acting Representative until the Legislative Assembly has an opportunity to consider the Committee's recommendation and make a formal appointment by motion as required by the *Act*. Mr. Richard is the second person to hold the office in BC.

The Special Committee to Appoint an Information and Privacy Commissioner extended its search with a new deadline for applications of January 13, 2017. **Drew McArthur** was appointed Acting Information and Privacy Commissioner in June 2016, after the former Commissioner completed her term and subsequently accepted the position of Information Commissioner for the United Kingdom.

Parliamentary Visits

In January, the Legislative Assembly hosted members and officials of the Senate of the Parliament of Kenya's Procedure and Rules Committee. The study tour included orientations on a variety of facets of business in BC's Assembly, such as financial management and protective services, and meetings with representatives of several statutory offices.

New Information Available Online

In recognition of 2017 marking 100 years of women having the right to vote in BC, material from Speaker **Linda Reid**'s October 2016 celebration, and from the public exhibit on "Women and the Vote," is now available online at <https://www.leg.bc.ca/wotv>.

Disclosure reports and travel and constituency office expense receipts for members in the second quarter were posted in December 2016, and are available at <https://www.leg.bc.ca/learn-about-us/accountability/members-disclosure-reports-and-receipts>.

Alayna van Leeuwen
Committee Research Analyst



Manitoba

The Second Session of the 41st Legislature began on November 21, 2016 with the Speech from the Throne delivered by Lieutenant Governor **Janice C. Filmon**. This was the second Speech from the Throne of the new government, with three main focuses: finances, services, and economic growth.

The address highlighted a range of commitments and proposals in these areas, including:

- extensive province-wide pre-budget consultations;
- reforming the governance of major Crown corporations;
- establishing a Red Tape Reduction Task Force;
- reintroducing the referendum on increases to major taxes;
- developing a plan for the child welfare system;
- reforming Manitoba's Employment and Income Assistance program;

- completing a comprehensive assessment of the health system;
- creating pooled retirement pension plans;
- continue working on northern economic development strategies to create jobs;
- hosting partnership with the Government of Canada and the City of Winnipeg for the Canada Summer Games;
- developing a long-term literacy and numeracy strategy on education and investing in professional development for educators and supports for school divisions;
- eliminating the backlog of Provincial Nominee Program applications;
- implementing a return-on-investment test to prioritize government investments in infrastructure; and
- introducing a carbon pricing and climate change plan.

Interim Official Opposition Leader **Flor Marcelino** moved a non-confidence amendment to the Address in Reply motion, which stated that the provincial government:

- announced an agenda of cuts and austerity, breaking its pledge to protect front-line workers and the services they provide;
- opened the door to the privatization and deregulation of essential and important front-line services;
- manufactured partisan political crises and has refused to produce transparent, long-term financial documents;
- failed to take steps to keep the cost of living affordable for Manitobans; and
- had not presented any meaningful plan to address a wide range of needs concerning several important areas for Manitoba.

Later in the debate, Independent Member **Judy Klassen** moved a sub-amendment condemning the government's failure:

- to commit to lowering ambulance fees;
- to implement recommendations from the *2016 Liberal Caucus Brain Health Report*;
- to increase the amounts for special needs student funding;
- to commit to diversifying industries and tourism in addition to extricating natural resources in the northern economy;
- to commit to releasing the "duty to consult" framework for Indigenous communities and

to supporting Urban Aboriginal Economic Development Zones;

- to commit to improving the outdated technology systems utilized in government departments;
- to commit to improving issues relating to supportive housing and personal care homes;
- to commit to reducing the cost of prescription drugs;
- to commit to the development and implementation of a provincial suicide strategy;
- to implement a mental health support task force to review the criminalization of mental illness in the justice system;
- to commit to reducing the farmland school tax's impact on Manitoba farmers;
- to commit to the immediate construction of a dedicated stroke unit in Manitoba; and
- to commit to not increasing the cost of the Provincial Nominee Program applications.

Following the defeat of Ms. Klassen's sub-amendment on a voice vote, the Official Opposition's amendment was defeated on a recorded vote of yeas 13, nays 41. Finally, the same day the main motion was carried on a vote of yeas 39, nays 16.

Prior to the scheduled adjournment of December 2, 2016, the government introduced a number of bills, addressing various governance areas including:

- *Bill 3 – Pooled Registered Pension Plans (Manitoba) Act*, which provides the legal framework for pooled pension plans open to employees and self-employed persons in Manitoba who are engaged in work that falls within the legislative authority of the Legislative Assembly of Manitoba.
- *Bill 6 – The Manitoba East Side Road Authority Repeal Act*, which transfers the Authority's property, rights and liabilities to the government.
- *Bill 7 – The New West Partnership Trade Agreement Implementation Act (Various Acts Amended)*, which amends three *Acts* so that Manitoba can join the agreement, as well as participate in other future domestic trade agreements.

During the same period, several Private Member's Bills were introduced, including:

- *Bill 207 – The Public Health Amendment Act*, which prohibits anyone other than a person regulated under *The Pharmaceutical Act* from owning, operating or possessing a pill or tablet press or other similar designated equipment.
- *Bill 209 – The Mental Health Amendment and*

Personal Health Information Amendment Act, which broadens the circumstances in which personal health information may be disclosed without an individual's consent. An amendment to *The Personal Health Information Act* clarifies that the illness, injury or incapacity may be physical or mental.

The House was scheduled to resume sitting on March 1, 2017.

Standing Committees

Since the last submission, the Standing Committee on Public Accounts met to consider the Public Accounts for the years 2014, 2015, and 2016. It also met on another occasion to consider the *Auditor General's Report – Operations of the Office* for the years 2015 and 2016 and it completed consideration of various sections of the 2014 Follow-Up Recommendations.

The Standing Committee on Legislative Affairs met in late November to consider *Annual Reports* from Elections Manitoba, while the Standing Committee on Social and Economic Development met in the beginning of December to consider the last two *Annual Reports* of the Manitoba Poverty Reduction and Social Inclusion Strategy (All Aboard).

Finally, the Rules of the House Committee met before the end of the year to set guidelines for future discussions on rule changes.

New Government House Leader

In the fall, **Andrew Micklefield**, the newly elected Member for Rossmere, was appointed as the new Government House Leader. His appointment is a bit of an anomaly in the Manitoba Legislature as Mr. Micklefield was appointed to cabinet in order to have all the necessary ministerial authorities to conduct the duties of Government House Leader, but was not assigned a cabinet portfolio and will not attend cabinet meetings. Traditionally in Manitoba, Members who hold this position are also assigned a ministerial portfolio.

Manitoba Liberals' New Interim Leader

Judy Klassen, the newly elected Member for Kewatinook, was appointed in the fall as the new Interim Leader of the Manitoba Liberal Party. She is the first female First Nations leader in the party's history in Manitoba. Ms. Klassen won a seat in the Legislature

in the April provincial election.

Former minister resigning

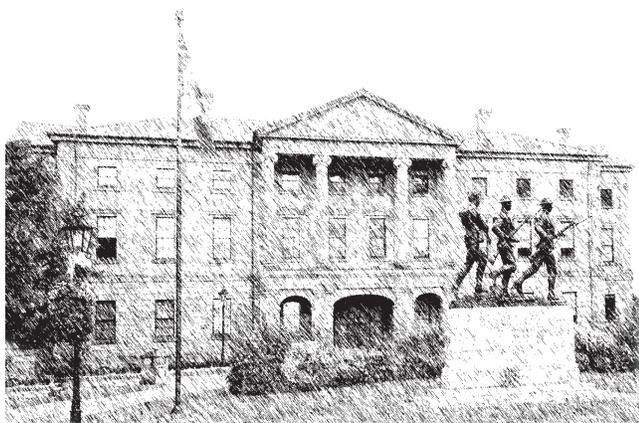
New Democrat MLA and former minister **Kevin Chief** officially resigned his seat in the Legislature on January 9, 2017. Mr. Chief was first elected as the Member for Point Douglas during the general election of October 2011. He served as a minister in several portfolios: from 2012 until 2014 he was the Minister of Children and Youth Opportunities and from the end of 2014 until last spring he was the Minister of Jobs and the Economy. In the meantime, he also served as Minister responsible for the City of Winnipeg. Under legislation adopted during the First Session, the by-election must now be held within six months of the vacancy. The previous deadline had been 12 months.

Current Party Standings

The current party standings in the Manitoba Legislature are: Progressive Conservatives 40, New Democratic Party 13, three Independent Members, and one vacancy.

Andrea Signorelli

Clerk Assistant/Clerk of Committees



Prince Edward Island

Second Session, 65th General Assembly

The Second Session of the 65th General Assembly resumed on November 15, 2016, and after 19 sitting

days, adjourned to the call of the Speaker on December 15, 2016.

Significant Legislation

Twenty-five bills received Royal Assent during the fall sitting. Perhaps most notable among these was the *Municipal Government Act*, a wide-ranging bill that repeals several municipally-focused statutes and establishes a new legislative framework for existing and new cities, towns and rural municipalities on the Island. No Private Member's Bills were tabled during the Fall sitting.

Capital Budget

On November 24, 2016, Government presented its capital budget for 2017-18, with a total of \$96.6 million in spending. The largest areas of investment are in highway projects, healthcare facilities and school renovations.

Provincial Plebiscite on Electoral Reform

From October 29 to November 7, 2016, a provincial plebiscite was held to gauge Islanders' preferences among five voting systems. Voting was done over the internet, by telephone and in-person, and Islanders as young as 16 as of November 7 were eligible to vote. The plebiscite was carried out as a preferential vote in which voters could rank each of the five options. Majority support was required for a system to win. Votes were counted in rounds until a majority was received, with the last place system eliminated each round and the next preferences of those votes distributed among the remaining systems.

In the end, Mixed Member Proportional (MMP) won with 52.42 per cent (19,418 votes) after four rounds of counting. First-Past-The-Post, PEI's current system, came in second with 42.84 per cent (15,869 votes). A total of 37,040 Islanders cast votes, among 102,464 who were eligible to do so, for a voter turnout of 36.46 per cent.

Debate on Plebiscite Results

In the fall sitting two motions on the plebiscite results were debated. Motion 54, "Plebiscite on electoral reform," tabled by Leader of the Third Party **Peter Bevan-Baker**, called upon Government to introduce legislation to implement Mixed Member Proportional Representation for the next provincial election. Motion 80, "Democratic Renewal: A Clear Question

and a Binding Vote,” tabled by Premier **H. Wade MacLauchlan**, noted the plebiscite’s low voter turnout and called for consideration of legislation to bring about a binding referendum on PEI’s voting system to be held in conjunction with the next provincial election; for Mixed Member Proportional Representation to be one of two choices on the ballot in the referendum; and for the Assembly to debate and determine the other voting system to appear as a choice on the referendum ballot.

Motion 54 was debated on November 15 and 22, and was ultimately defeated by a vote of 20 to 6. Motion 80 was debated on November 18 and 22, but did not come to a vote before the sitting adjourned on December 15.

When Motion 80 was called on November 18, Mr. Bevan-Baker rose on a point of order to assert that though two motions on the same subject can exist on the order paper, once one motion is moved, discussion of the other motion is precluded. He therefore called on Speaker **Francis (Buck) Watts** to rule whether it was in order to debate Motion 80 given that debate on Motion 54 had already begun. Speaker Watts consulted parliamentary authorities and ruled that since the House had begun debating but had not yet come to decision on Motion 54, moving and debating Motion 80 was in order. He also noted that there was no violation of the rule of anticipation because the matter being anticipated was contained in an equal form of proceeding (another motion), not a more effective form of proceeding (such as a bill).

On November 24, Mr. Bevan-Baker again rose on a point of order to assert that Motion 80 was not in order due to infringement on the rules of the House, and that its use of the word “binding” constitutes an objectionable word as it calls on the Legislature to do something not within its power to do, as it relates to parliamentary sovereignty. On November 25, Speaker Watts ruled that Mr. Bevan-Baker’s objection was rooted in constitutionality and law rather than procedure, and that it is not for the Speaker to rule upon the admissibility of a motion based on such principles. He found Motion 80 to be admissible as presented; however, Motion 80 was not again called for debate. To date there has been no further action in regard to the plebiscite on electoral reform.

Speaker’s Rulings

In addition to the rulings discussed above, during the fall sitting Speaker Watts issued rulings on several other matters raised as points of order or privilege. Several of these concerned Oral Question Period proceedings and the Speaker’s rulings invoked various rules and

parliamentary precedents, including: that questions on matters of public affairs may be directed to any Minister regardless of portfolio; that questions and answers ought to be delivered within the specified time limit; and that disagreements on facts, failures to answer a question, the quality of an answer, and statements made outside the proceedings of the House all do not constitute matters of privilege. The Speaker again reminded Members that major Government announcements during sittings of the House ought to be made within the House, as he had indicated in an April, 2016, ruling.

Deputy Speaker

Sonny Gallant resigned the position of Deputy Speaker effective November 15, 2016. **Kathleen Casey** was subsequently elected Deputy Speaker.

Electoral Boundaries Commission

On December 23, 2016, Speaker Watts announced the appointment of a five-person Electoral Boundaries Commission. Pursuant to the *Electoral Boundaries Act*, a Commission is to be established following every third general election; the general elections of 2007, 2011 and 2015 having taken place, a Commission was again due to be created and charged with the responsibility of reviewing the provincial electoral districts and making report, complete with recommendations, to the Legislative Assembly. The Commission will consider the areas comprising the existing 27 electoral districts, including the present electoral boundaries and district names.

The Commission will hold public hearings and, in preparing recommendations, will also take into consideration the Canadian *Charter of Rights and Freedoms*, enumeration data from the 2015 General Election, existing polling divisions, geographical features, population patterns, communities of interest, municipal boundaries and such other factors as the Commission may deem relevant. At present, the *Act* states that a proposed district shall not be more than 25 per cent above nor 25 per cent below the average number of electors of all the proposed districts. The Commission will submit its report to the Speaker in Spring 2017.

Gerard Mitchell has been appointed to serve as Chairperson of the Commission, and **Lynn Murray**, Charlottetown; **Elizabeth (Libby) Shaw**, Alberton; **Elmer MacDonald**, Augustine Cove; and **Kerri Carpenter**, Stratford will serve as Commissioners.

Ryan Reddin

Clerk Assistant – Research, Committees & Visitor Services



Ontario

The Clerk of the Legislative Assembly

After 37 years of public service, outgoing Clerk of the Legislative Assembly **Deb Deller** announced her retirement effective October 31, 2016. The event was recognized in the Chamber on October 27, with the Speaker and representatives from all three political parties paying tribute to her years of service to the Ontario Legislature and her serving, since 2007, as the Assembly's first female Clerk. A congratulatory petition was then presented to her as a gift, having been signed by every Member of the Legislature.

Todd Decker, the successful candidate to become the new Clerk of the Legislative Assembly, began his tenure on November 1, 2016. He brings 32 years of experience at the Assembly to the role, most recently having served as Deputy Clerk since 2007.

Opposition Days

Standing Order 43 designates five afternoons in each legislative sitting as Opposition Days. These afternoons are reserved for the debate of motions put forward by opposition parties, subject to certain criteria.

On November 3, the Government House Leader rose on a point of order regarding a proposed Opposition Day motion submitted by the Official Opposition. The Government House Leader claimed that the motion should be ruled out of order on the grounds that it specifically cited, by name and job description, several individuals involved in an ongoing court proceeding. Following comments made to the point of order by the Official Opposition House Leader and the Third Party Whip, the Speaker chose to reserve his ruling until a later date.

On November 14, the Speaker delivered his ruling, stating that the Opposition Day motion did indeed contravene the rules and conventions surrounding *sub judice*. As part of his ruling the Speaker cited that: "...there is no getting around the procedural reality that Standing Order 43(d) requires a decision on an opposition day motion on the same day that the motion is moved. Whether the motion is carried or lost, a decision will have been made. The House will have taken a position—pronounced its opinion—on elements of a specific proceeding that is before the courts." The motion was ruled out of order and not allowed to be called for debate.

Membership Changes

Following two by-elections held on November 17, the Legislative Assembly of Ontario welcomed two new MPPs to its ranks. **Nathalie Des Rosiers**, the successful Liberal candidate for the riding of Ottawa-Vanier, and **Sam Oosterhoff**, the successful PC candidate for Niagara West-Glanbrook, took their places in the Chamber on November 28 and November 30, respectively. Of particular interest is the fact that Mr. Oosterhoff, at 19 years old, now holds the place of youngest-ever Member of Provincial Parliament in Ontario's history.

In December, Cabinet Minister **David Oraziotti** announced his plans to resign as a Member of Provincial Parliament, effective December 31, 2016. He was first elected in the riding of Sault Ste. Marie on October 2, 2003 and served as Minister of several different portfolios since 2013.

Royal Assent

On the afternoon of December 8, the Lieutenant Governor entered the Chamber of the Legislative Assembly and took her seat upon the throne. She then assented to 15 bills, before retiring from the Chamber.

Over the course of the fall sitting, there were a total of 27 bills which received Royal Assent: eight Government Bills, 11 Private Member's Bills and eight Private Bills.

Committee Activities

The Standing Committee on Estimates met to review the 2016-17 Expenditure Estimates of Ministries and Offices selected for consideration. The Committee completed the review of 6 Ministries over the course of 27 meetings and presented its report on November 17, 2016.

The Standing Committee on Finance and Economic Affairs began its 2017 pre-Budget hearings in December in the cities of Toronto, Dryden, Sudbury, Ottawa and Windsor, with additional hearings scheduled for January in Toronto, Peel Region and London. The Committee also held public hearings and clause-by-clause consideration on Bill 37, *An Act to amend the Early Childhood Educators Act, 2007 and the Ontario College of Teachers Act, 1996*; and on Bill 70, *An Act to implement Budget measures and to enact and amend various statutes*. Both Bills were reported back to the House with certain amendments.

During this period, the Standing Committee on Public Accounts held hearings on the following sections of the 2015 Annual Report of the Office of the Auditor General of Ontario: Electricity Power System Planning (Section 3.05); and University Intellectual Property (Section 3.14). The Committee also tabled the following three reports on the 2015 Annual Report: CCACs—Community Care Access Centres—Home Care Program (Section 3.01); Toward Better Accountability (Chapter 5); and Hydro One—Management of Electricity Transmission and Distribution Assets (Section 3.06).

On November 30, Auditor General **Bonnie Lysyk** tabled the *2016 Annual Report of the Office of the Auditor General of Ontario*.

The Standing Committee on Social Policy held two days of public hearings on the parentage legislation, Bill 28, *An Act to amend the Children's Law Reform Act, the Vital Statistics Act and various other Acts respecting parentage and related registrations*. A total of 17 witnesses appeared before the Committee and shared some very emotional testimonies. Although the Committee had already agreed to the method of proceeding with the consideration of Bill 28, the Chair was approached unanimously by the Members of the Sub-Committee following the public hearings to delay clause-by-clause consideration of the Bill, as additional time was required for the drafting of amendments. At the request and the suggestion of the Sub-Committee, the Chair pushed back the dates of clause-by-clause consideration by two weeks and established a new deadline for the filing of amendments. During the clause-by-clause stage, the Committee debated and adopted the majority of the 20 proposed amendments before reporting the Bill back to House for 3rd Reading.

Next on the Committee's agenda was the consideration of Bill 7, *An Act to amend or repeal various Acts with respect to housing and planning*. Discussions

occurred in full committee on how to proceed, as the three political parties tried to work out logistics for the public hearings by way of motions. After two days of debates, the Committee settled on a schedule for the Bill's consideration and directed the Chair to write the House Leaders requesting additional meeting times outside of the Committee's normally scheduled meeting times. During the public hearings, the Committee heard from 16 witnesses and considered some 41 amendments during clause-by-clause consideration before reporting the Bill, as amended, back to the House.

The Standing Committee on Justice Policy met in October to consider Bill 13, *An Act in respect of the cost of electricity*. Following one day of public hearings and one day of clause-by-clause consideration, the Committee reported the Bill back to the House on November 18 without amendment.

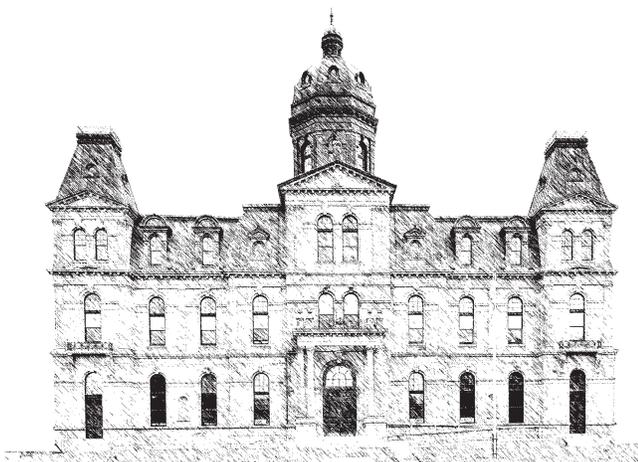
During the period from November 2016 - January 2017, the Standing Committee on General Government considered two bills relating to elections matters in Ontario.

The first of these, Bill 2, *An Act to amend various statutes with respect to election matters*, was originally introduced in the 1st Session of the 40th Parliament as Bill 201, *An Act to amend the Election Finances Act and the Taxation Act, 2007*, and referred to Committee after First Reading. The Committee held public hearings on the Bill over the summer and made amendments to it, but was precluded from reporting the Bill to the House by the prorogation which ended the First Session. Bill 2, introduced in the Second Session, reflected the amendments made by the Committee at First Reading. The Bill sought, *inter alia*, to ban corporations and trade unions from making political donations; to bring nomination contestants under the *Election Finances Act*; and to restrict spending on political advertising by registered political parties and third parties in the six-month period preceding a general election period. The Committee held two days of public hearings and, at the clause-by-clause stage, further amended the Bill, including a provision to ban MPPs, candidates, and other categories of participants from attending political fundraising events. The Bill was reported back to the House on November 24, 2016, and received Royal Assent on December 5, 2016.

The Committee next considered Bill 45, *An Act to amend certain Acts with respect to provincial elections*. The bill set out various changes to Ontario election laws, such as moving the date for scheduled provincial

elections from October to June; requiring the Chief Electoral Officer to create a provisional register of 16- and 17-year-olds, who would be transferred to the permanent register of electors when they reach voting age; and amending the *Representation Act, 2015*, to establish a Far North Electoral Boundaries Commission. The Committee held one day of public hearings on the Bill, and reported it, as amended, to the House on December 6, 2016. The Bill received Third Reading and Royal Assent on December 8, 2016, the last meeting day before the winter adjournment.

Christopher Tyrell
Committee Clerk



New Brunswick

Throne Speech

Lieutenant-Governor **Jocelyne Roy Vienneau** opened the Third Session of the 58th Legislature on November 2, delivering the third Speech from the Throne of Premier **Brian Gallant**'s Liberal government. The major themes of the speech were education, economic growth and health care. Highlighted initiatives included:

- investing in education by increasing the opportunities to learn trades; increasing the amount provided for daycare; providing free tuition to eligible undergraduate students; introducing French immersion in grade 1; and implementing the first year of the 10-year education plan;
- creating jobs, family affordability and economic opportunity by providing approximately \$100 million to support low and middle-income families through the provincial HST credit; extending the Home Energy Assistance Plan; promoting the

Atlantic Immigration Pilot Project; and developing a climate change strategy;

- investing in health and wellness by maximizing services of health care professionals such as nurse practitioners and midwives; enhancing addictions and other mental health services; focusing on healthy aging through new programs and policies for seniors; and improving palliative care services.

Reply to Throne Speech

On November 4, Official Opposition Leader **Blaine Higgs** gave his reply to the Speech from the Throne. Higgs used the opportunity to provide government with an overview of the challenges faced by the province, where they could expect support from the opposition, and where improvements would be suggested. Higgs called for cooperation to address the education system, which he alluded was broken, and questioned the decision to move French immersion back to grade 1 without evidence to support the decision. Other highlights included references to job creation; best use of time in the Legislature; and the need to strive for a low-carbon, lower-tax economy.

Capital Budget

On December 14, Finance Minister **Cathy Rogers** introduced the 2017-18 Capital Budget. Of the \$757.9 million capital budget, \$110.3 million was allocated to health infrastructure and \$88.1 million to education infrastructure. New investments totaled \$98.5 million, while \$659.4 million was earmarked for the continuation of previously announced projects.

Other highlights included \$447.0 million in other infrastructure, including roads, bridges and buildings; \$12.6 million for tourism-related infrastructure; and \$20.3 million in energy retrofits and renewable energy.

Legislation

Thirty-eight bills were introduced during the Fall session. Legislation introduced by the government included:

- Bill 6, *An Act to Amend the Gas Distribution Act, 1999*, introduced by Energy and Resource Development Minister **Rick Doucet**, reflects an agreement reached between the Province of New Brunswick and Enbridge Gas to settle a lawsuit by the company against the province. The Bill establishes a rate cap for residential and commercial classes for 2018 and 2019, with future rate increases

subject to Energy and Utilities Board approval. The Bill also allows for the extension of the general franchise agreement for 25 years, plus a further 25 years; permits Enbridge Gas to recover \$144.5 million of the regulatory deferral account; and generally prohibits the distribution of compressed and liquefied natural gas;

- Bill 11, *An Act to Amend the Clean Environment Act*, introduced by Environment and Local Government Minister **Serge Rousselle**, ensures that hydraulically fractured wastewater is not disposed of in provincial or municipal wastewater systems;
- Bill 13, *Advance Health Care Directives Act*, introduced by Health Minister **Victor Boudreau**, allows New Brunswickers to document their wishes regarding health care in the event they are unable to do so in the future;
- Bill 24, *Integrity Commissioner Act*, introduced by Mr. Boudreau, creates the Office of the Integrity Commissioner to eventually oversee existing legislation related to Members' conflicts of interest, lobbyist registration, right to information and protection of privacy, and personal health information privacy and access, which are currently the responsibilities of three separate legislative officers;
- Bill 25, *An Act to Amend the Child and Youth Advocate Act*, introduced by Mr. Boudreau, broadens the responsibilities of the Office of the Child and Youth Advocate to include advocacy responsibility for adults under protection and seniors;
- Bill 28, *An Act Respecting The Residential Tenancies Act and the Ombudsman Act*, introduced by Ms. Rogers, changes the terms "rentalsman" and "Ombudsman" to the gender-neutral terms "residential tenancies officer" and "Ombud".

The Official Opposition and third party also introduced several bills, including:

- Bill 26, *An Act to Amend the Lobbyists' Registration Act*, introduced by **Bruce Fitch**, requires the new lobbyists' registry to be available to the public by April 1, 2017, which is earlier than currently anticipated by government;
- Bill 27, *An Act to Amend the Motor Vehicle Act*, introduced by **Jody Carr**, changes the maximum allowable speed of a vehicle to be driven in an urban district school zone from 50 to 30 kilometres per hour;
- Bill 33, *An Act to Amend the Human Rights Act*, introduced by **Ross Wetmore**, amends the definition "mental disability" to include reliance

on a service dog;

- Bill 10, *An Act to Amend the Education Act*, introduced by Green Party Leader **David Coon**, mandates that the Minister of Education and Early Childhood Development must approve programs and services which respond to the unique needs of Mi'kmaq and Maliseet children and foster an understanding of aboriginal history and culture among all pupils.

Legislative Officers

On December 7, the appointment of three new Legislative Officers was recommended by the Assembly.

Alexandre Deschênes, a former Justice of the New Brunswick Court of Appeal, was appointed the Conflict of Interest Commissioner and subsequently sworn-in on January 9, 2017. Once the *Integrity Commissioner Act* is proclaimed, he will become New Brunswick's first Integrity Commissioner.

Kimberly Poffenroth, an Assistant Deputy Attorney General in New Brunswick, was appointed Chief Electoral Officer, effective March 13, 2017, when the current Chief Electoral Officer's term ends.

Michèle Pelletier, a New Brunswick lawyer at Arseneault and Pelletier, was appointed the Consumer Advocate for Insurance effective December 11, but will not assume the responsibilities until February 1, 2017, to allow for the conclusion of her law practice.

Resolutions

On December 13, the Assembly adopted a resolution introduced by Premier Gallant and seconded by Mr. Higgs, leader of the Official Opposition, which recommitted the Assembly's support for the construction of the Energy East pipeline to bring western crude oil to Saint John. Similar resolutions were adopted by the Assembly in previous sessions.

Committees

On November 29, the Standing Committees on Crown Corporations and Public Accounts, chaired by **Bertrand LeBlanc** and **Trevor Holder** respectively, met with Auditor General **Kim MacPherson** for the release of the *Report of the Auditor General of New Brunswick 2016* Volumes III and IV. The report reviewed meat safety in the food premises program of the Department of Health; and matters arising from the annual financial

audit which included observations on pension plans, nursing homes, and the financial condition of the province.

The Standing Committee on Economic Policy, chaired by **Gilles LePage**, remained active during the Fall session, considering various government bills. In addition, the Standing Committee on Crown Corporations met from January 17 to 20, 2017, to review the annual reports of various Crown corporations.

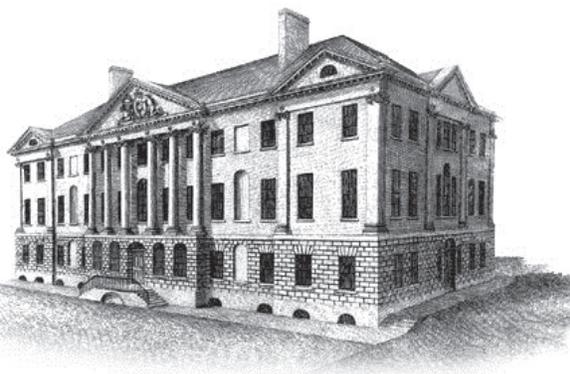
On December 12 and 13, the Standing Committee on Law Amendments, chaired by Mr. Rousselle, held public hearings on Bill 16, *An Act to Amend the Crown Construction Contracts Act*. The bill exempts certain non-routine capital projects of NB Power from application of the Act, and permits Crown entities to negotiate with the low or sole bidder on a contract. The Committee met with representatives of NB Power, government officials, and various stakeholders. In its report to the Assembly on December 14, the Committee did not recommend Bill 16 in its current form.

Resumption of Session and Standings

The Legislature adjourned on December 16, after eighteen sitting days, and was expected to resume sitting on January 31, 2017, at which time Ms. Rogers would introduce the 2017-18 Main Budget. The standings in the House are 26 Liberals, 22 Progressive Conservatives, and one Green.

Shayne Davies

Clerk Assistant and Clerk of Committees



Nova Scotia

Fall 2016 sitting

The Fall sitting lasted 18 days and the House rose on November 10, 2016.

The Government introduced 10 Bills during the sitting. Bill No. 59, *An Act Respecting Accessibility*, introduced by the Minister of Community Services on November 2, 2016 was not reported back from the Law Amendments Committee to the House and remains on the Committee's agenda. The Bill was criticized by many disabled persons and advocates who appeared before the Law Amendments Committee to speak to the Bill. Thus, the Government determined that the Bill would remain at the Law Amendments Committee stage and would not be reported back to the House this sitting nor would it proceed further to permit additional submissions to be made and possible amendments to be considered to the Bill by the Committee. The Nova Scotia Disabled Persons Commission planned to host public sessions to provide an overview of the Bill on four evenings in January 2017 at various locations throughout Nova Scotia. The Law Amendments Committee may meet when the House of Assembly is not sitting and therefore it is possible that the Chair of the Committee may reconvene the Committee to continue its consideration of the Bill prior to the Spring 2017 sitting of the House. The only time the Committee is barred from sitting is while both the Committee of the Whole on Supply and the Subcommittee on Supply are meeting as set out in House Rule 62FC.

Sixty-three Private Member's Bills were introduced and the Government advanced an NDP Private Member's Bill through the legislative process. The Bill was an amendment to the *Public Interest Disclosure of Wrongdoing Act* making the Act applicable to all government agencies, boards and commissions and to school boards.

On November 10, 2016, Royal Assent was given to nine Government Bills, one Private Bill and one Private Member's Bill for a total of 11 Bills. The House then adjourned to be recalled on Notice issued by the Speaker in accordance with House Rules.

Recall of House on December 3, 2016

The House Rules require a 30-day notice of the commencement of a sitting, be given by the Speaker, whenever the House stands adjourned for a period of 10 sitting days or more. The only time when notice can be given less than 30 days before the commencement of a sitting is when the Speaker is satisfied, after consultation with the Government, that the public interest requires that the House shall meet at an earlier time.

On Saturday, December 3, 2016 the Speaker issued

a Notice requiring the House meet on Monday, December 5, 2016. That same day, the Minister of Education and Early Childhood Development during a press conference and in a press release announced that the House was being recalled on Monday to pass legislation that would adopt the tentative agreement reached by the Nova Scotia Teachers Union and the Government on September 2, 2016, which contract would extend until July 2019.

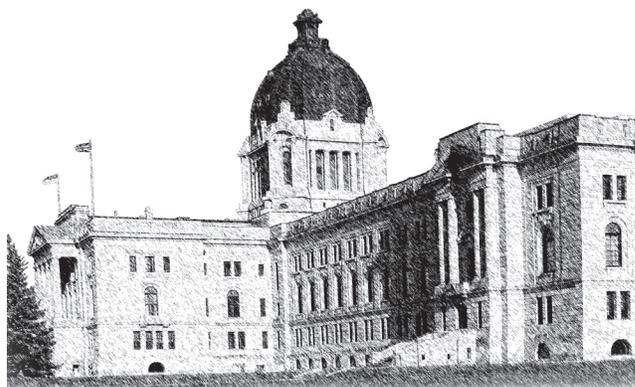
The teachers have been without a contract since July 2015 and negotiations since had not resulted in an accepted contract. In addition, on October 25, 2016, 96 per cent of the Nova Scotia Teachers Union membership of 9,300 public school teachers voted in favor of strike action. This vote followed two union-wide votes rejecting two contract offers made by the Government and recommended to teachers by union leadership. The union also announced that it would begin work-to-rule on December 5 and the Minister of Education and Early Childhood Development in her press conference and press release of December 3 announced that all public schools in the province would be closed to students starting December 5.

At 10:00 am on December 5 the Speaker called the House to order and recognized the Government House Leader who immediately moved a motion that the House recess and be brought back into session on an hour's notice on the basis that discussions were taking place between the Nova Scotia Teachers Union and officials to address student safety concerns relating to the school closures. A recorded vote on the motion was requested, the bells were rung for one hour on the motion and at 11:04 am the recorded vote was taken and the motion was adopted. At 2:34 pm the House reconvened and the Government House Leader made a motion that the House adjourn to meet again at the call of the Speaker. The motion carried and the House rose at 2:35 pm. The Minister issued a statement at 4:59 pm advising that all schools in the province would open the following day, December 6 and stated in part:

The move to introduce contract legislation and to close schools was based on a clear threat to student safety.

The teachers resumed work-to-rule on December 6 that continues.

Annette M. Boucher
Assistant Clerk



Saskatchewan

First Session of the 28th Legislature

The fall 2016 sitting period concluded on November 30, 2016. The spring 2017 sitting period was scheduled to convene on March 6, 2017.

Passing of a Member

Roger Parent, Saskatchewan Party MLA for Saskatoon Meewasin, passed away on November 29, 2016 after a brief battle with cancer. He was first elected to the Legislative Assembly in 2011. On November 30, the last day of the fall sitting period, flags flew at half-mast at the Legislative Building. Mr. Parent's desk was draped with the Saskatchewan flag, and a memorial tribute, consisting of flowers and a picture of Mr. Parent with his wife were placed on the desktop. Premier **Brad Wall** and Leader of the Opposition **Trent Wotherspoon** offered statements of condolence, and the Assembly recognized a moment of silence. Members agreed to adjourn the Assembly early and forego the last question period of the Fall sitting.

Expedited Passage of Traffic Safety Law

On October 31, 2016, *The Traffic Safety (Miscellaneous Enforcement Measures) Amendment Act, 2016* passed through all stages in one day. Members universally supported measures to impound, on first offence, vehicles of experienced drivers with a blood alcohol content between .04 and .08; increase the zero-tolerance threshold for drugs and alcohol from 18 to 21 years of age; and strengthen ignition interlock measures.

This was the second Bill to pass through all stages in one day during the fall sitting. As noted in Vol. 39, No. 3 of the *Canadian Parliamentary Review*, Bill No. 39,

The Workers' Compensation Amendment Act, 2016 passed through all stages on October 25, 2016.

Standing Committee on Human Services

The Standing Committee on Human Services concluded its inquiry respecting improving the rate of organ and tissue donation in Saskatchewan and presented 10 recommendations in its final report to the Assembly on November 28, 2016. The recommendations include creating an intent-to-donate registry; expanding donation criteria to include donations after cardiocirculatory death; setting performance targets; establishing a donor liaison position; and providing awareness campaigns and education to the general public, school children, and health care professionals. They recommended a review of organ donation rates be conducted within two years to see if additional measures should be undertaken.

Commonwealth Women Parliamentarians Outreach

Laura Ross, MLA for Regina Rochdale and Canadian Women Parliamentarians (CWP) Canadian Region Vice-Chair, on behalf of the Legislative Assembly, hosted the 9th CWP Outreach Program in Regina from October 1-4, 2016. Delegates to the conference were from Saskatchewan, Alberta, Manitoba, Northwest Territories, Ontario, Québec, the Senate, and the CWP Canadian Region. The purpose of the CWP outreach is to increase women's representation in all levels of government. The program included opportunities to provide mentorship to young women, as well as to encourage young women in building self-esteem and confidence.

Saskatchewan Teachers' Institute on Parliamentary Democracy

From November 19 to 23, 2016, Speaker **Corey Tochor**, on behalf of the Legislative Assembly, hosted 26 teachers for the 18th Saskatchewan Teachers' Institute on Parliamentary Democracy. Since the program's launch in 1999, over 300 teachers from across Saskatchewan have participated. This year's enrolment was higher than it has been in previous years.

The Saskatchewan Teachers' Institute on Parliamentary Democracy gives Saskatchewan teachers the opportunity to gain a better understanding of our system of parliamentary democracy by observing, first-hand, our political system in operation. They meet with the Lieutenant Governor, Speaker, Ministers,

Caucus Leaders, Whips, and Chairs, as well as with Private Members, media, the Clerk and Legislative Assembly Service staff, and the judiciary. On the final day of the program, the teachers participate in a mock parliament in the Legislative Chamber. They also have the opportunity to explore the Ministry of Education's websites and suggested curriculum links.

Anne Drake
Committee Coordinator



The Senate

This was an eventful quarter in the Senate, with the swearing-in of new senators, intense debate on legislation and significant adjustments to the structure of committees, all contributing to the institution's ongoing transformation.

Senators

The Red Chamber welcomed 20 new senators during this period, all of whom were selected using the new Senate appointment process. Senators **Yuen Pau Woo** (BC), **Patricia Bovey** (MB), **René Cormier** (NB), **Nancy Hartling** (NB), **Gwen Boniface** (ON) and **Kim Pate** (ON) were the first to take their seats, on November 15. Senators **Marilou McPhedran** (MB), **Wanda Thomas Bernard** (NS), **Tony Dean** (ON), **Sarabjit S. Marwah** (ON), **Lucie Moncion** (ON), **Howard Wetston** (ON), **Diane Griffin** (PEI) and **Renée Dupuis** (QC) were sworn in the following day. Next to take to the oath, on November 23 and December 1, were Senators **Éric Forest** (QC), **Marc Gold** (QC), **Marie-Françoise Mégie** (QC) and **Raymonde Saint-Germain** (QC). Finally, Senators **Daniel Christmas** (NS) and **Rosa Galvez** (QC) were introduced on December 14. As a result, when the Senate adjourned on December 15, the standings were 42 non-affiliated senators, 41 Conservative senators and 21 Liberal senators.

There were then three retirements during January 2017. **Nancy Ruth**, appointed under Prime Minister **Paul Martin**, retired on January 5. Serving since March 24, 2005, she is well known for her work in the fields of human rights and on feminist issues. **Wilfred P. Moore** also bid farewell to the Senate on January 14. Appointed on the recommendation of Prime Minister **Jean Chrétien** on September 26, 1996, he has been a tireless advocate for the interests of Nova Scotia and the Atlantic region. **James S. Cowan**, who served as Leader of the Opposition from 2008 to 2015, and then as Leader of the Senate Liberals until mid-2016, was the third senator to retire, on January 22. Also appointed on the advice of Prime Minister Paul Martin, on March 24, 2005, Senator Cowan has been a strong supporter of Senate modernization and a leader in the area of genetic discrimination prevention.

Speaker's Rulings

On November 15, during debate on a report of the Special Committee on Senate Modernization, a point of order was raised relating to the use of unparliamentary language. The Speaker reminded Senators that such behavior is contrary to the *Rules of the Senate* and requested that all members be mindful of the language they use and decorum.

Another point of order was raised on November 24, with respect to the receivability of the amendment contained in the eighth report of the National Finance Committee, on Bill C-2. Senator **Peter Harder**, the Government Representative, argued that the amendment was out of order since it would increase taxes on certain individuals, and the Constitution does not allow tax measures to originate in the Senate. Senator **Larry Smith**, who chairs the committee, maintained that the amendment was admissible since it would not increase anyone's tax rate when compared to existing rates.

When he ruled, on November 29, the Speaker clarified the authority of the Senate regarding appropriation and taxation bills. Using the conclusions of the Ross Report of 1918 as a basis for his decision, the Speaker determined that, although tax legislation must originate in the Commons, the Senate does indeed have the power to amend such bills, so long as the proposed changes do not increase any amounts.

Since the amendment proposed in the report on C-2 would have increased the tax rates for some

individuals compared to those contained in the bill, it was ruled out of order. Consequently, the report was "evacuated" of content, becoming a report without amendment. As such, it was deemed adopted, and the bill proceeded to third reading without amendment.

Hoist Amendment

On November 22, Senator Moore attempted to exercise his right of final reply on the second reading of Bill S-203. A motion to adjourn debate was defeated on a standing vote, and a hoist amendment then moved. A motion to adjourn debate on the hoist was also defeated on a standing vote. When the question on the amendment was put, the vote was deferred to the next day, at which time the vote was, with leave, cancelled and the hoist withdrawn. Senator Moore was then able to exercise his right of final reply, after which the Bill was read a second time and referred to the Fisheries and Oceans Committee.

Other Legislation

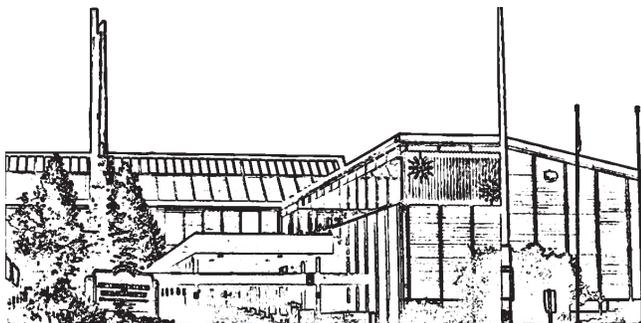
The subject matter of Bill C-29, a *Budget Implementation Act*, was referred to the National Finance Committee for pre-study in November, with other committees being authorized to review parts of the Bill. Subsequently, on December 13, the Senate amended the actual Bill by deleting provisions affecting consumer protection. The House of Commons agreed to the Senate amendment the next day. Bill C-29 then received Royal Assent on December 15. Five other bills, including a supply bill, were also granted Royal Assent during the traditional ceremonies held on December 12 and 15.

Committees

The composition of the Senate has changed significantly since committee members were named in December 2015. A motion was therefore adopted on December 7, 2016, to adjust committee memberships. The motion was moved by Senator **Claude Carignan** and, with leave of the Senate, seconded by three other senators. The sessional order renewed the membership of the Committee of Selection, which makes recommendations for the membership of other committees, and defined how the membership of committees should be divided between the recognized parties and senators who are not members of a party. Among other features, the size of committees was also increased, and a mechanism was established for senators who do not belong to a party to make substitutions.

On December 14, the Selection Committee recommended renewed memberships for committees, with the report being adopted the following day. As a consequence, by the end of this sitting period the memberships of committees were broadly proportionate to the Chamber's current membership.

Chantal Lalonde
Procedural Clerk



Yukon

Following the general election of November 7, 2016, the Liberal Party, Yukon Party, and New Democratic Party (NDP) caucuses respectively made arrangements with the Clerk's Office to have their members take the Oath of Office and the Oath of Allegiance to become MLAs. The first caucus to take the oaths was the NDP, whose two members comprise the Third Party in the House. NDP Leader **Liz Hanson** and **Kate White** took the oaths on November 25. Acting Yukon Party Leader **Stacey Hassard** and the rest of the six-member Yukon Party caucus, comprising the Official Opposition, took the oaths on November 29. On December 1, Liberal Leader **Sandy Silver**, the Premier-designate, swore the Oath of Allegiance and the Oath of Office on a Hän bible, in the Old Territorial Administration Building in Dawson City. This was the first time the oath to become an MLA was taken outside of Whitehorse since the capital moved from Dawson City to Whitehorse in 1953. On the morning of December 3, the other members of the 11-member Liberal Party caucus took the oaths. With the exception of Mr. Silver – the Member for Klondike (in which riding Dawson City is situated), the oaths were administered in the Legislative Assembly Chamber in Whitehorse. All oaths were administered by Yukon Commissioner **Doug Phillips**.

Cabinet

On the afternoon of December 3, the Cabinet

swearing-in ceremony took place in the foyer of the Yukon Government's Main Administration Building in Whitehorse. The ceremony included the performance of "O Canada" in Southern Tutchone and in English, a performance by the Dakhká Khwáan Dancers, and a performance by the Midnight Sun Pipe Band. Seven Liberal MLAs were sworn into the Executive Council by Commissioner Phillips. In addition to the Premier, there are three men and three women in the Cabinet, which includes the Liberal caucus's two First Nations members – **Pauline Frost** and **Jeanie Dendys**. The cabinet ministers, and their responsibilities, are:

- **Sandy Silver** – Premier; Minister of the Executive Council Office; Minister of Finance;
- **Ranj Pillai** – Deputy Premier; Minister of Energy, Mines and Resources; Minister of Economic Development; Minister responsible for the Yukon Development Corporation and the Yukon Energy Corporation;
- **Tracy-Anne McPhee** – Minister of Education; Minister of Justice; Government House Leader;
- **John Streicker** – Minister of Community Services; Minister responsible for the French Language Services Directorate; Minister responsible for the Yukon Liquor Corporation and the Yukon Lottery Commission;
- **Pauline Frost** – Minister of Health and Social Services; Minister of Environment; Minister responsible for the Yukon Housing Corporation;
- **Richard Mostyn** – Minister of Highways and Public Works; Minister of the Public Service Commission;
- **Jeanie Dendys** – Minister of Tourism and Culture; Minister responsible for the Workers' Compensation Health and Safety Board; Minister responsible for the Women's Directorate.

Opening Day

On January 12, the House convened for a one-day Special Sitting. As its first order of business, on motion of the Premier, seconded by Mr. Hassard and Ms. White, the Third Party House Leader, the Assembly elected **Nils Clarke** as its new Speaker. In the 24 years preceding Mr. Clarke's election in November as the Member for Riverdale North, he practiced law in Yukon, representing clients throughout the territory and at all levels of Yukon Courts, including the Supreme Court of Canada, and supporting restorative justice initiatives such as circle sentencing and land-based healing.

Following the election of the Speaker, Commissioner

Phillips delivered the Speech from the Throne. The Speech noted that over the following two months, the Government would review spending priorities and that in Spring, the House would return with a budget bill and a Throne Speech setting out in greater detail the government's priorities. The Speech went on to state that "the agenda for this [present] Session is to put the machinery of the Legislative Assembly in place" - i.e., the election of the Speaker and other Presiding Officers, and the appointment of the Assembly's Standing Committees.

After the Throne Speech was delivered, the Assembly's *pro forma* bill, Bill No. 1, *Act to Perpetuate a Certain Ancient Right*, was introduced by **Paolo Gallina**, a government Private Member.

The Premier then sought and received unanimous consent to move a Motion for an Address in Reply to the Speech from the Throne at that time (rather than on a day following). After the Premier, Mr. Hassard, and Ms. White had spoken to the Motion for an Address in Reply to the Speech from the Throne, the motion carried on division (16 yea, 0 nay).

Ms. McPhee, in her role as Government House Leader, moved motions proposing that two government private members (as is the practice in Yukon's Assembly) be elected as Presiding Officers. **Don Hutton** was elected Deputy Speaker and Chair of Committee of the Whole, and **Ted Adel** was elected Deputy Chair of Committee of the Whole. Ms. McPhee then sought and received unanimous consent to move motions without notice to appoint the Members' Services Board, the Standing Committee on Public Accounts, the Standing Committee on Rules, Elections and Privileges, the Standing Committee on Statutory Instruments, and the Standing Committee on Appointments to Major Government Boards and Committees.

The Special Sitting also featured the tabling of documents and the introduction of visitors. At the conclusion of the Special Sitting, on motion, the House adjourned to an unspecified date.

Each of the motions regarding the election of the Speaker and other Presiding Officers, the appointment of Committees, and the special adjournment carried *nemine contradicente*.

New Sergeant-at-Arms

January 12, 2017 marked **Doris McLean's** first day in

the Chamber as Assembly's Sergeant-at-Arms. Prior to the Special Sitting, Ms. McLean, a former Chief of the Carcross/Tagish First Nation, had been serving as Yukon's Deputy Sergeant-at-Arms, duties she had first taken up in the Chamber in November, 2003. Ms. McLean is the first Yukon Sergeant-at-Arms of First Nations' ancestry. Former Sergeant-at-Arms **Rudy Couture** retired in July, 2016.

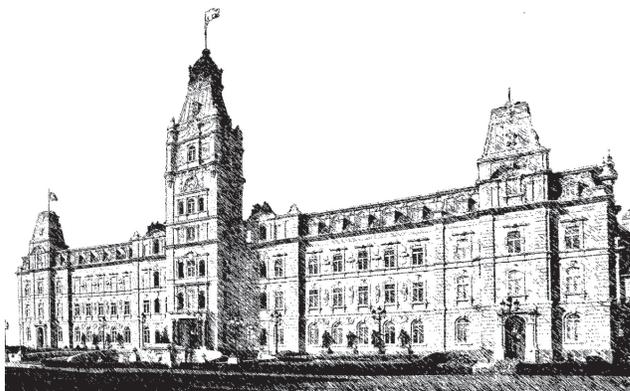
New Website

Also on January 12, the Yukon Legislative Assembly launched the first phase of its website redesign. The goal of the redesign project is to modernize the appearance and functionality of the Assembly's website. In addition to an improved aesthetic and easier-to-navigate layout, the first phase of the redesign includes new features such as the ability to subscribe to updates of the projected House business and unedited transcripts, and an exportable Members' spreadsheet. Additional improved functionality is planned for the next phase of the project.

Yukon Forum

On January 13, the day following the Special Sitting of the Legislative Assembly, the Premier held a Yukon Forum with Yukon First Nations.

Linda Kolody
Deputy Clerk



Québec

National Assembly Proceedings

Extraordinary sitting

On Friday, December 9, 2016, at the end of the period set aside for extended hours of meeting, the Assembly held an extraordinary sitting to complete the examination of Bill 106, *An Act to implement the*

2030 Energy Policy and to amend various legislative provisions. The Bill was passed the next morning on the following division: Yeas 62, nays 38, abstentions 0.

Composition of the National Assembly

On October 14, 2016, **Jean-François Lisée**, Leader of the Official Opposition, made the following appointments: **Pascal Bérubé**, Member for Matane-Matapédia, as Official Opposition House Leader, **Carole Poirier**, Member for Hochelaga-Maisonneuve, as Chief Official Opposition Whip, **Sylvain Rochon**, Member for Richelieu, as Deputy Opposition House Leader, and since October 16, 2016, **Maka Kotto**, Member for Bourget, as Chair of the Official Opposition Caucus.

On October 25, 2016, **Marc Tanguay**, Member for LaFontaine, was named Deputy Government House Leader, to replace **Gerry Sklavounos**, Member for Laurier-Dorion, who, since October 20, 2016, has been sitting as an Independent Member.

The following persons were elected in the four by-elections held on December 5, 2016: **Marc Bourcier**, Parti Québécois candidate in the electoral division of Saint-Jérôme, **Éric Lefebvre**, Coalition Avenir Québec candidate in the electoral division of Arthabaska, **Isabelle Melançon**, Québec Liberal Party candidate in the electoral division of Verdun, and **Catherine Fournier**, Parti Québécois candidate in the electoral division of Marie-Victorin. Ms. Fournier, at 24 years of age, became the youngest woman in Québec's history to be elected to the National Assembly.

The composition of the Assembly now stands as follows: Québec Liberal Party, 70 Members; Parti Québécois, 30 Members; Coalition Avenir Québec, 21 Members; and four Independent Members, three of whom sit under the Québec Solidaire banner.

Bills passed

From October to December 2016, the Assembly passed 12 Government bills, two private bills and one private Member's public bill. Of particular note are the following:

- Bill 70 - *An Act to allow a better match between training and jobs and to facilitate labour market entry.*
- Bill 87 - *An Act to facilitate the disclosure of wrongdoings relating to public bodies (modified title).*

- Bill 106 - *An Act to implement the 2030 Energy Policy and to amend various legislative provisions.*
- Bill 109 - *An Act to grant Ville de Québec national capital status and increase its autonomy and powers.*
- Bill 125 - *An Act to amend the Courts of Justice Act.*
- Bill 693 - *An Act to amend the Act respecting the governance of state-owned enterprises to promote the presence of young people on the boards of directors of such enterprises.*

Tribute to François Gendron, Member for Abitibi-Ouest

On November 15, 2016, within the framework of a motion moved by the Leader of the Official Opposition, the Assembly underlined the 40 years of parliamentary life of **François Gendron**, Member for Abitibi-Ouest (Parti Québécois). The last of the Members elected in the general election of November 15, 1976, Mr. Gendron held various ministerial positions during his political career and also held the offices of Deputy Premier, interim Leader of his political party and President of the National Assembly. To this day, he holds the record for the longest continuous term as Member at the National Assembly. Since May 20, 2014, Mr. Gendron has held the office of Third Vice-President.

Special Events

Seminar on the diversity of cultural expressions in the digital age

On November 1, 2016, the National Assembly hosted a seminar on the Diversity of Cultural Expressions in the Digital Age. This exchange between elected representatives of La Francophonie and experts of the cultural community provided an opportunity to take stock of progress on the implementation of the Convention on the Protection and Promotion of the Diversity of Cultural adopted in 2005 by UNESCO.

Creation of the Massachusetts-Québec Collaborative Research Council

The creation of a collaborative research council aimed at promoting cooperation between Québec and Massachusetts was announced on December 5, 2016 by **Jacques Chagnon**, President of the National Assembly, together with **Stanley Rosenberg**, President of the Massachusetts Senate. This new organization, which reflects a strong consensus between the representatives of the legislative, entrepreneurial and research sectors, will showcase Québec universities, particularly in the clean energy,

electric transport, environment and biotechnology sectors.

Statement and Ruling from the Chair

The statement from the Chair made on November 15, 2016 followed up on the behaviour of two Members who, after having voted against the passage of a bill during a recorded division, turned their backs to the Assembly. The President indicated that a recorded division is a solemn event of a sacred nature that must not be distorted. The President further stated that what occurred during this recorded division goes against the principles that are the cornerstones of our democracy and constitutes an unjustified violation of decorum, an insult to parliamentarians and to the institution. Lastly, the Chair indicated that it will never condone such behaviour.

On December 8, 2016, the Chair handed down one of its most complex rulings, the contents of which may be summarized as follows:

Background

In May 2016, an article on various problems within the Ministry of Transport, Sustainable Mobility and Transport Electrification was published. In reply to a question asked during Oral Question Period regarding this issue, the Premier tabled a bundle of documents that included a report he had received that very morning from the office of this ministry's Deputy Minister. At first glance, inconsistencies in the page numbering suggested that this report had been altered.

Later the same day, the deputy minister in question appeared before the Committee on Public Administration within the framework of a long-planned hearing on the administrative management and financial commitments of Québec's Transport Ministry as a follow-up to one of the Auditor General's reports. While she was being questioned by the Committee Members with regard to the integrity of the report tabled by the Premier and which, at first glance, seemed to be missing pages, the deputy minister tabled a second report while mentioning that it was the same report, but properly paginated. The day after this hearing, the Deputy Minister was removed from office and transferred to another ministry.

The Ministry's then Director of Inquiries and Internal Audits subsequently produced a departmental memo

explaining the problems that had arisen in relation to the tabling of the said reports. He has since ceased to hold that office.

Approximately two weeks later, still within the framework of the same mandate, the Committee heard the Ministry's former Director of Inquiries and Internal Audits. During her testimony, she specifically indicated that the reports tabled by the Premier and the former deputy minister represented, in her view, two false documents and that the departmental memo drafted by her successor was a false memo used to validate two false documents. She herself tabled a third report which she identified as being the "official report."

Following the June tabling of the Committee's report, which included a recommendation concerning her specifically, the former Deputy Minister sent the Committee additional information, in September, in relation to her testimony and the various versions of the report.

Questions of privilege

On October 26 and 27, 2016, respectively, the Deputy Second Opposition Group House Leader and the Official Opposition House Leader raised questions of privilege regarding these facts.

In their notices, they alleged that the former Deputy Minister of Transport had acted in contempt of Parliament by producing false documents and by giving false or incomplete testimony when she appeared before the Committee on Public Administration on May 18, 2016. In support of their claims, they invoked provisions of the *Act respecting the National Assembly* that constitute cases of contempt. The Official Opposition House Leader also argued that the Ministry's former Director of Inquiries and Internal Audits acted in contempt of Parliament by deliberately misleading the Committee by validating the departmental memo concerning the validity of both copies of the report tabled on May 18, 2016 in the National Assembly and in that very Committee.

After having recalled that it is not the Chair's role to determine whether contempt of Parliament occurred but whether the facts submitted could constitute *prima facie* contempt of Parliament, the President also underlined that the evidence submitted to support

such matters must be complete and take into account all elements available, since the compelling nature must be evident from the facts *prima facie*.

The former Director of Inquiries

Parliamentary jurisprudence has clearly established that knowingly misleading the House or its committees may constitute contempt of Parliament. This same jurisprudence has also determined that the deliberate nature of the act in question must be clear in order to conclude that an individual knowingly misled the House. Further, the assumption that a Member must always be taken at his or her word does not apply to third parties testifying before a committee. In such cases, it is necessary to assess the criterion of knowingly wishing to mislead the Assembly or its committees in greater detail.

In the case at hand, the Committee did not hear the former Director of Inquiries and Internal Audits and the departmental memo he signed was not intended for the Committee Members. Furthermore, the facts submitted to the Chair did not allow it to conclude that he drafted the memo to deliberately mislead the Committee. Consequently, the question raised with respect to the former Director of Inquiries was not *prima facie* receivable.

The former Deputy Minister

Section 55(3) Act respecting the National Assembly

Section 55(3) of the *Act respecting the National Assembly* provides that “presenting a false document to the Assembly, a committee or a subcommittee with intent to deceive” constitutes a breach of the Assembly’s privileges. Parliamentary jurisprudence has specified that this provision may not be raised simply because a document is incomplete and that only a false document filed with intent to deceive is subject to sanctions under this section.

In addition, section 55(3) includes the expression “with intent to deceive,” which, in jurisprudence, is understood to mean “knowingly mislead.” Including this expression clearly means that fraudulent intent must be shown to prove breach of the Assembly’s privileges. In other words, a false document must have been introduced in the Assembly or one of its committees, and done so with intent to deceive.

In light of the elements submitted to the Chair, if one of the documents was indeed false—which

the Chair was not in a position to affirm—it would have been difficult to determine which was the false document.

Since the Chair had no compelling evidence showing that any of the reports were false documents, the point of privilege from this angle was not *prima facie* receivable. Moreover, nothing led the Chair to conclude that there was, in this case, intent to deceive the Assembly or the Committee.

Section 55(2) Act respecting the National Assembly

Section 55(2) of the *Act respecting the National Assembly* provides that “giving false or incomplete testimony before the Assembly, a committee or a subcommittee” constitutes a breach of the Assembly’s privileges. For a question raised under this provision to be *prima facie* receivable, two elements are necessary. First, compelling evidence must show that the witness did, in fact, give false or incomplete testimony and second, there must be intent to deceive or hinder parliamentary proceedings.

It is important to differentiate between an error made in good faith and inaccurate testimony resulting from deliberately failing to provide information before a committee or the House. For the Chair to declare a point of privilege receivable on the basis of section 55(2), the Chair must, at the very least, be able to clearly deduce the witness’s fraudulent intent from the facts submitted. In other words, more is needed than an unprepared or poorly prepared testimony, since false or incomplete testimony involves an underlying intent that must be shown. Filing false documents or giving false or incomplete testimony before the Assembly or a committee are acts which, under Québec parliamentary law, are tantamount to the notion of “deliberately misleading,” recognized in other British-style parliaments.

A precedent from the New Zealand Parliament is a good example of the requirement to detect fraudulent intent in order to ascertain a *prima facie* breach of rights or privileges in such a situation. These same criteria apply in Québec.

In the case of the former Deputy Minister, it is held that she gave false testimony before the Committee both in terms of her comments about contract-splitting at the Transport Ministry and in her affirmation before the Committee that the first and second reports were identical.

With regard to the allegations of contract-splitting, the former deputy minister's statements contradicted those of the former Director of Inquiries and Internal Audits who came before the Committee. Ultimately, this was a case of one person's word against another's. Without other compelling elements proving that the former deputy minister lied in her testimony about contract-splitting, it was impossible to establish *prima facie* that her testimony was false. The point of privilege on this subject thus was not *prima facie* receivable.

Regarding the difference in the reports' contents, both testimonies show a difference of opinion as to what might constitute the "real report" and as to the nature of the differences among the versions.

Nonetheless, the Chair ruled that the former deputy minister's testimony could not be qualified as false, as, more than anything, her statements illustrated a certain laxity in her answers. The Chair had no compelling evidence showing that she gave false testimony with intent to deceive the Members about the differences noted in the contents of the reports. The point of privilege was therefore not *prima facie* receivable on that basis.

As to giving incomplete testimony, the Chair stated that it was clear that the former deputy minister's testimony could have been more precise with respect to the differences in the reports. In addition, her explanations, which helped better quantify the differences in the versions of the report, were only forwarded to the Committee several months after she appeared before it. However, for a point of privilege to be *prima facie* receivable under section 55(2) of the *Act respecting the National Assembly*, two elements are essential: there must be compelling evidence that incomplete testimony was indeed given, and the intent to mislead or hinder parliamentary proceedings by deliberately concealing information from parliamentarians must be shown.

Despite the former deputy minister's poorly prepared, inept testimony before the Committee, the Chair could not, in light of these criteria, conclude that she *prima facie* deliberately gave incomplete testimony within the meaning of section 55(2) of the *Act respecting the National Assembly*.

Conclusion

The Chair recalled that the fact that the issue could not be put before the Committee on the National

Assembly on a point of privilege did not mean that another committee could not look into the matter from the viewpoint of parliamentary oversight.

Furthermore, the Chair stated that it was clear that, in the case at hand, there was administrative bungling when the documents were forwarded and considered there to be something deplorable in the manner this affair was handled by the parties involved and by the Transport Ministry. It also stressed that someone who holds a position in the public service, particularly the position of deputy minister, must ensure that information transmitted to the National Assembly and its Members is absolutely accurate. Filing a document with the National Assembly or its committees is not a matter to be taken lightly, and neither is testimony given before them.

Orders and mandates specifically targeting government department accountability are essential for the Québec State to run smoothly. Therefore, public servants asked to speak within the framework of this type of order must be perfectly prepared for their testimony and be aware of the importance of the information they communicate to the Assembly and its committees on such occasions. When someone is testifying before a committee and is unable to provide accurate information, it is better to clearly tell the Committee Members and pledge to provide the information requested in the shortest possible time.

As the guardian of the rights and privileges of the Assembly and its Members, the Chair wanted to send a clear message. The duty of Québec's elected officials is first and foremost to protect the public interest. To exercise that role, public servants' cooperation is clearly essential. The Chair also took the opportunity to reiterate the profound respect that the Chair and all of the parliamentarians have for government employees.

Committee Proceedings

From October 1 to December 10, 2016, the date on which proceedings were suspended for the holiday period, the Standing Committees sat for a total of 432 hours. Among these, just over 107 hours were set aside for public hearings and close to 287 hours were spent giving clause-by-clause consideration to bills.

Sectorial committees

Of the nine sectorial committees, seven held special consultations within the framework of the

consideration of eight bills. One of these bills is Bill 113, *An Act to amend the Civil Code and other legislative provisions as regards adoption and the disclosure of information*, for which the Committee on Institutions (CI) heard 15 witnesses during four sittings. This bill proposes amendments to the *Civil Code* and to the *Youth Protection Act*, including changes to the adoption regime and to the adoption file confidentiality regime. The Committee on Planning and the Public Domain (CPP), for its part, held special consultations during the consideration of Bill 109, *An Act to grant Ville de Québec national capital status and increase its autonomy and powers*. The purpose of this bill in particular is to confirm the city's status as Québec's national capital, to grant it a general power of taxation and to grant it certain powers, particularly with regard to urban planning, heritage protection and governance matters. In addition to Ville de Québec, these consultations allowed the CPP to hear 11 witnesses, including Ville de L'Ancienne-Lorette, Québec's neighbour, and the Huron-Wendat Nation.

The CI also continued its public hearings within the framework of an order in accordance with section 114 of the *Code of Ethics and Conduct of the Members of the National Assembly*, which aims to examine the report on the carrying out of this Code. These hearings took place over five sittings during which nine witnesses were heard.

Most of the fall sittings were spent giving clause-by-clause consideration to bills. From October to December 2016, seven committees examined 15 bills, which included two private bills and 13 public bills. One of these public bills, Bill 693, *An Act to amend the Act respecting the governance of state-owned enterprises to promote the presence of young people on the boards of directors of such enterprises*, was introduced by a young Government Member, **Jean Habel** (Sainte-Rose). The Committee on Public Finance (CPF) required only one sitting to examine this bill, which provides that the Government must appoint at least one member aged 35 years or under at the time of appointment to the board of directors of each state-owned enterprise. It should be noted that the passage of bills introduced by Members who are not ministers is quite rare at the National Assembly.

The clause-by-clause consideration of twelve other bills, including Bill 109 concerning the national capital status, also concluded before the holiday break. The consideration of two of these bills, Bill 87, *An Act to facilitate the disclosure of wrongdoings relating to public bodies (modified title)*, and Bill 70, *An Act to allow a better match between training and jobs and to facilitate labour*

market entry, had begun last spring. The CPF examined Bill 87 for close to 61 hours while the Committee on Labour and the Economy (CLE) examined Bill 70 for just under 130 hours.

Another clause-by-clause consideration that should be mentioned is that of Bill 106, *An Act to implement the 2030 Energy Policy and to amend various legislative provisions*, which was referred to the Committee on Agriculture, Fisheries, Energy and Natural Resources (CAFENR). Though consideration went smoothly for the first three chapters of the Bill, this was not the case for the fourth chapter concerning the *Petroleum Resources Act*, the legislation enacted by this bill. After spending over 108 hours giving clause-by-clause consideration to this bill, over a period of 26 sittings, on December 9, 2016, the Government made a motion introducing an exceptional legislative procedure to allow the passage of this bill.

Committee on Public Administration

On December 9, 2016, the Committee on Public Administration (CPA), in keeping with its parliamentary oversight mandate, tabled its 35th report detailing the hearings held with deputy ministers and chief executive officers of public bodies on their administrative management. This report includes five public hearings, the examination of the annual management reports of four organizations, which examination was carried out in pursuance of the *Public Administration Act*, and a 7th assessment of the application of the CPA's recommendations, which assessment was carried out in collaboration with the Auditor General of Québec, who ensures the follow-up to these recommendations.

Composition of Committees

Several changes took place in the committees during the fall. First of all, three elections were held in the month of October. **Pierre Reid** (Orford) having resigned as chair of the Committee on Transportation and the Environment (CTE), the Committee members elected **Alexandre Iracà** (Papineau) to fill this position. Since Mr. Iracà was vice-chair of the CAFENR, a new member was chosen to sit on this committee, Mr. Habel (Sainte-Rose), who was then elected as its vice-chair. **Richard Merlini** (La Prairie) was elected chair of the Committee on Health and Social Services (CHSS) to replace **Marc Tanguay** (LaFontaine), who was appointed Deputy Government House Leader.

Changes were also made to the composition of

committees following the election of the new Leader of the Parti Québécois, Mr. Lisée (Rosemont). Within this context, six committees elected a new chair or vice-chair. The newly-elected vice-chairs are **Agnès Maltais** (Taschereau) to the Committee on Culture and Education (CCE), **Stéphane Bergeron** (Verchères) to the CI, **Nicolas Marceau** (Rousseau) to the CPF and **Alexandre Cloutier** (Lac-Saint-Jean) to the CTE. **Lorraine Richard** (Duplessis) was elected chair of the CLE while the CPA elected **Sylvain Gaudreault** (Jonquière) as its chair. Mr. Gaudreault returns to this position after having left last May to act as interim Leader of the Parti Québécois.

Government Lawyers and Notaries Strike

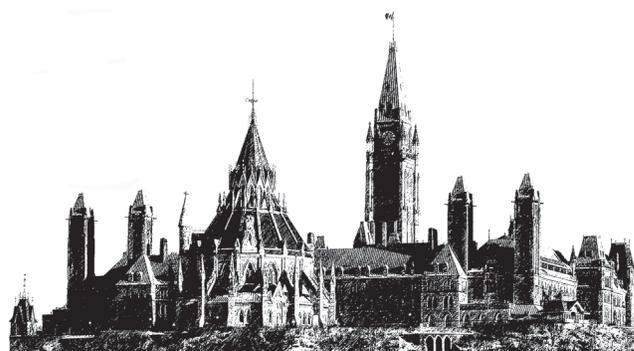
Since October 24, the Department of Justice lawyers and notaries working in Québec Government departments and agencies have been on a general unlimited strike. The strike involving these legal experts who represent the Government in civil, administrative and criminal courts, in addition to acting as legal counsel and legislative drafters for ministers and agency presidents, affects the drafting of bills and regulations, among other things. However, certain law clerks are required to provide their services by agreement between their union and the Government, which agreement was ratified by the Administrative Labour Tribunal. This agreement stipulates that the law clerks whose cases require immediate attention in committee will be required to attend committee proceedings upon notice sent to their union by the chair or vice-chair of the committee.

Nicole Bolduc

Parliamentary Proceedings Directorate
Sittings Service

Stéphanie Pinault-Reid

Parliamentary Proceedings Directorate
Committees Service



House of Commons

The House of Commons adjourned for the winter break on December 14, 2016 and was set to resume sitting on January 30, 2017. The information below covers the period from November 3, 2016 to January 20, 2017.

Points of Order and Questions of Privilege

On November 15, 2016, **Matthew Dubé** (Beloil—Chambly) rose on a point of order regarding statements made on social media, alleging that a Member of the Parliamentary Press Gallery was denied entry to a committee meeting. In a statement given the following day, the Speaker explained that a journalist experienced difficulty accessing the meeting following a misunderstanding that the meeting was held *in camera*. Shortly thereafter, when it was confirmed that the meeting was held *in public*, the journalist was granted access. The Speaker stated that efforts would be made to ensure that such an incident would not be repeated in the future.

On November 22, 2016, the Speaker delivered his ruling on the question of privilege raised on November 3, 2016, by **Tracey Ramsey** (Essex) concerning the Minister of International Trade in relation to the Comprehensive Economic and Trade Agreement between Canada and the EU (CETA). Ms. Ramsey alleged that the Minister of International Trade contravened the Government's policy on the tabling of treaties, which indicates that the Government must observe a waiting period of at least 21 sitting days before the introduction of the necessary implementing legislation in Parliament. In his decision, the Speaker explained that the government's policy cannot be regarded as part of the body of rules that govern the House's procedures and practices. The Speaker stated that when members request redress with respect to

rules external to the House, the Speaker does not have the power to interpret nor enforce these rules. The Speaker declined to find that there existed a *prima facie* case of privilege and concluded that there was no clear evidence that the Member had been impeded in the fulfillment of her parliamentary functions.

Committees

On November 28, 2016, the Special Committee on Electoral Reform tabled two reports. The first report outlined the Committee's desire that it be re-constituted if the Government were to table legislation designed to amend the Canadian election system. The second report urged the Minister of Democratic Institutions to include the questions within the Committee's e-consultation survey on the website mydemocracy.ca.

The Special Committee on Electoral Reform delivered its third report to the House of Commons on December 1, 2016. The report entitled "Strengthening Democracy in Canada: Principles, Process and Public Engagement for Electoral Reform" contained 13 recommendations for the Government on federal electoral reform.

Private Members' Business

On November 23, 2016, **Mark Gerretsen** (Kingston and the Islands) rose on a point of order regarding his Private Member's Bill, *Bill C-243, An Act respecting the development of a national maternity assistance program strategy and amending the Employment Insurance Act (maternity benefits)*. In response to the Speaker's statement of April 11, 2016, which highlighted the Speaker's concerns as to the spending provisions contemplated by Bill C-243, Mr. Gerretsen argued that since Bill C-243 would not increase or change the total benefits an individual is entitled to, it would not constitute a new and distinct expenditure and would therefore not require a royal recommendation. In his ruling on December 6, 2016, the Speaker stated that since he was not convinced that the current act allows spending under the circumstances, in the manner, and for the purposes proposed by Mr. Gerretsen, he would decline to put the question on third reading of Bill C-243 in its present form unless a Royal Recommendation was received.

Statements

On November 3, 2016, on the occasion of Veteran's Week, **Amarjeet Sohi** (Minister of Infrastructure and Communities) made a statement in the House. **John Brassard** (Barrie—Innisfil) and **Irene Mathysen** (London—Fanshawe) also made statements. By unanimous consent, **Michel Boudrias** (Terrebonne) also made a statement.

Other Matters

Members

On November 16, 2016, the Speaker informed the House that the Acting Clerk had received from the Chief Electoral Officer a certificate of the election of **Glen Motz** (Medicine Hat—Cardston—Warner). Mr. Motz, having taken and subscribed the oath, was introduced in the Chamber and took his seat in the House.

Cabinet

On January 10, 2017, the following Cabinet changes were announced: **Chrystia Freeland** (University—Rosedale) was appointed Minister of Foreign Affairs, taking over from **Stéphane Dion** (Saint-Laurent). **François-Philippe Champagne** (Saint-Maurice—Champlain) was named Minister of International Trade, while **John McCallum** (Markham—Thornhill) was replaced as Minister of Immigration, Refugees and Citizenship by **Ahmed Hussen** (York South—Weston).

Patty Hajdu (Thunder Bay—Superior North) replaced **MaryAnn Mihychuck** (Kildonan—St. Paul) as Minister of Employment, Workforce Development and Labour. **Maryam Monsef** (Peterborough—Kawartha) became the Minister the Status of Women, while **Karina Gould** (Burlington) replaced Ms. Monsef as the Minister of Democratic Institutions.

Moment of Silence

On December 6, 2016, the House observed a moment of silence in memory of the victims of the tragic event which took place on December 6, 1989, at École Polytechnique in Montréal.

Marisa Monnin

Table Research Branch