



Legislative Reports



Saskatchewan

The spring session resumed on March 7, 2011 and on March 23 the Finance Minister, **Ken Krawetz** presented the province's budget for 2011-2012. The title of the budget was *The Saskatchewan Advantage*. The budget increased the basic personal and spousal tax exemptions by \$1,000 each, lowered the small business tax rate from 4.5% to 2% and reduced General Revenue Fund debt by \$325 million. The budget increased the funding to health and invested money in education, children and youth at risk and has now met a full 1% of PST for municipal revenue sharing. The Opposition criticized the Government for not addressing the needs of families such as affordable and accessible childcare and early learning, high housing costs and increasing utility rates.

The Government House Leader, **Dan D'Autremont**, raised a question of privilege on March 29. He stated that Opposition House Leader, **Kevin Yates**, made the comment, "We have a biased Speaker." In his ruling, Speaker **Don Toth** cited several precedents from similar cases and found that the

comments constituted a *prima facie* case of breach of privilege. However, the Speaker ruled that the Member's apology to both the Assembly and to him was sufficient to end the matter.

Several bills remain on the Order Paper at various stages of the Legislative process. Of notable interest, are Bill 161 – *The Election Amendment Act, 2010* and Bill 162 – *The Local Government Election Amendment Act, 2010*. These bills require voters to produce identification or have a person vouch for the voter and confirm their identity when they present themselves at their polling stations.

Opposition members have criticized the proposed amendments based on the view that the legislation will impede citizen's ability to vote and that participation in the democratic process should be made as easy as possible and that this imposes a barrier.

The Standing Committee on Public Accounts was actively involved in the selection of a new Provincial Auditor. The Committee's Second Report outlined the selection process and recommended candidate to the Assembly.

After the Budget Motion was adopted on March 31, the main and supplementary estimates were referred to the policy field committees. Given the structure of the Saskatchewan parliamentary calendar, the volume of work referred to

the four policy field steadily increases through the last two months of the Spring session. It is anticipated that the government's legislative agenda and estimates will be voted on prior to May 19th, which is the last day of the session.

On March 7, 2011 the Standing Committee on Public Accounts unanimously recommended to the Assembly that **Bonnie Lysyk** be appointed as the Provincial Auditor of Saskatchewan. The Assembly agreed and Ms. Lysyk started her new role on April 1, 2011.

The Legislative Assembly of Saskatchewan will host the XXVII^e Session de l'Assemblée régionale Amérique de l'Assemblée parlementaire de la Francophonie. The conference will be held from August 22 - 26, 2011.

Stacey Ursulescu
Committees Researcher



On February 3, Premier **Jean Charest**, shuffled his Cabinet, making certain changes in the responsibilities of the ministerial team and appointing three new Ministers: **Alain Paquet**, Minister for Finance, **Geoffrey Kelley**, Minister responsible for Aboriginal Affairs, and **Pierre Moreau**, Minister

responsible for Canadian Intergovernmental Affairs and the Canadian Francophonie and Minister responsible for the Reform of Democratic Institutions and Access to Information.

Lucie Charlebois was named Chief Government Whip replacing Mr. Moreau.

Parliamentary Proceedings

In compliance with the parliamentary calendar, the National Assembly resumed its proceedings on February 8, 2011. This sessional period ends on June 10, at which time the Assembly is scheduled to adjourn for the summer holidays.

The Assembly held an extraordinary sitting on February 21 to introduce and examine Bill 135, *An Act to ensure the continuity of the provision of legal services within the Government and certain public bodies*, according to the exceptional procedure provided for in Standing Orders 182 and following. This bill, introduced by the Minister responsible for Government Administration and Chair of the Conseil du trésor, aimed the return to work of Crown prosecutors and Government lawyers, who had been on strike since February 8. It was passed on February 22 by the following vote: 61 in favour and 50 against.

Prorogation and Opening of the 2nd Session of the 39th Legislature

On February 22, 2011, at 10 o'clock a.m., the Lieutenant-Governor prorogued the Assembly, ending the First Session of the 39th Legislature, and summoned the Assembly to meet on February 23, 2011, at 2.00 o'clock p.m. for the opening of a new session.

The first sitting of the 2nd Session of the 39th Legislature

of the Assembly opened with the Lieutenant-Governor's address, followed by the Opening Speech of the Session delivered by the Premier Charest. At the end of his speech, the Premier moved, "That this Assembly approves the general policy of the Government." The Assembly carried this motion on April 6, upon concluding the 25 hours of debate set aside for this business.

The Minister of Finance delivered his Budget Speech on March 17. The Assembly approved the budgetary policy of the Government on April 6, after 25 hours of debate set aside for this matter.

Request to Rise on a Matter of Breach of Privilege or Contempt

On March 29, **Stéphane Bédard**, Official Opposition House Leader, submitted a request to rise on a matter of breach of privilege or contempt to the President of the Assembly. In his notice to the Chair, he mentioned that certain comments made by **Lise Thériault**, Minister of Labour, during the debate on the Budget Speech of March 24, 2011, could constitute a breach of privilege or contempt of the Members of the Assembly. After having taken the matter under consideration, Mr. President declared that the request was not receivable. In support of his ruling rendered on March 31, the President noted that the Minister of Labour subsequently invoked Standing Order 212 to explain her comments. He pointed out that when a Member invokes Standing Order 212, his explanations cannot be called into question and must be considered as true. He further stated that this falls within the reasoning behind the principle whereby no Member may refuse to take

another Member at his word. The Chair was therefore unable to conclude that the comments made by the Minister of Labour within the framework of the debate on the Budget Speech constituted, at first glance, contempt of Parliament. The Chair, however, deemed it important to recall the importance of the constitutional privilege of freedom of speech, in pursuance of which a Member may not be influenced, threatened or hindered in the exercise of his parliamentary duties.

Resignation and Election of the President of the National Assembly

On April 1, **Yvon Vallières** sent a letter to the Secretary General of the National Assembly as well as to all of his parliamentary colleagues informing them of his resignation as President of the National Assembly. Mr. Vallières continues to sit as Member for Richmond, an electoral division that he has represented at the National Assembly since 1973.

On April 5, the Assembly proceeded to elect a new President by secret ballot according to the provisions of Standing Orders 5 and following. Three Members stood as candidates, namely **Jacques Chagnon**, (Westmount-Saint-Louis), **François Gendron**, (Abitibi-Ouest) and **Marc Picard**, (Chutes-de-la-Chaudière). After the first ballot, having received a number of votes that is not less than that of the majority of ballots validly cast, Mr. Chagnon was elected President of the National Assembly. **François Ouimet** was elected Second Vice-President of the Assembly during this sitting, following the adoption of a motion moved by the Premier. This function had until now been carried out by Mr. Chagnon.

Other Events

The National Assembly hosted the *Interparliamentary Conference on the Diversity of Cultural Expressions*, on February 2-3. The aim of this conference was to ensure a rigorous follow-up to the implementation of the Convention adopted by UNESCO in 2005 and to confirm the leadership of La Francophonie in the field of cultural diversity. At the conclusion of this two-day meeting, a final declaration was adopted by the approximately 300 delegates of the parliamentary Francophonie gathered in Québec City. On this occasion, the President of the National Assembly, also awarded the *Ordre de la Pléiade* to the Secretary General of La Francophonie, **Abdou Diouf**, to writer **Dany Laferrière**, to multidisciplinary artist **Robert Lepage** and to Université Laval emeritus professor **Ivan Bernier**. These awards aim to honour persons who, through their achievements, make a remarkable contribution to strengthening La Francophonie.

The Assembly hosted two parliamentary simulations in January 2011. The 19th Legislature of the Student Forum, a simulation intended for college-level students, was held from January 9-13. The Youth Parliament, bringing together high school students, took place from January 26-28. The debates during both of these parliamentary simulations focussed primarily on health and education.

On February 25-26, an international symposium organized by the Research Chair in Democracy and Parliamentary Institutions, along with the National Assembly, was held at the Parliament Building. Under

the theme *Plurielle et fière de l'être : la Francophonie parlementaire*, the event brought together some fifteen experts and practitioners hailing from Europe, Africa, Asia and North America as well as some one hundred participants. This seminar aimed, among other things, to provide an inventory of the diversity of parliamentary practices within La Francophonie and to enable participants to exchange views on the evolution of parliamentarism in the Francophone world.

On March 29, the Medal of Honour of the National Assembly was awarded to five recognized and respected members of Québec society: **René Doyon**, **David Lafrenière** and **Christian Marois**, for their contribution to astronomy research; **Pierre Lalonde**, for his contribution to the arts industry; and **Pierre Lavoie**, for his contribution to promoting a healthy lifestyle.

This year, the National Assembly is celebrating the 125th anniversary of the Parliament Building, the work of architect **Eugène-Étienne Taché**. Members of the Assembly underlined this anniversary by unanimously adopting a motion on April 7.

Christina Turcot

Secretariat of the Assembly

Standing Committees

The Committee on Public Finance continued the debate on the Budget Speech last March 29-30 and April 5, in pursuance of the Standing Orders of the National Assembly. Indeed, the Standing Orders provide that the Budget Speech, the comments by the Finance critics of the parliamentary groups in opposition, and the ensuing debate shall not exceed

twenty-five hours, ten of which shall take place in the Committee on Public Finance.

Orders

Last February 7, the Committee on Public Finance concluded its special consultations and public hearings on Bill 130, *An Act to abolish the Ministère des Services gouvernementaux and the Société québécoise de récupération et de recyclage and to implement the Government's 2010-2014 Action Plan to Reduce and Control Expenditures by abolishing or restructuring certain bodies and certain funds*. Within the framework of this order, the Committee heard 45 individuals and received 45 briefs. In January, February and March, the Committee on Culture and Education held a general consultation and public hearings on Bill 82, *Cultural Heritage Act*. During these consultations, the Committee heard 50 persons and received 56 briefs.

On March 15, 2011, the Committee on Agriculture, Fisheries, Energy and Natural Resources again took up an order of initiative that had been entered upon in early autumn 2010 concerning oil supply security. Following the prorogation of the First Session on February 22, 2011, the Committee was required to again take up this order if it wished to continue it.

Last February 8, the Committee on Culture and Education also tabled in the National Assembly a report following up on the hearings with the head officers of Québec's 18 university-level educational institutions. This report contains ten recommendations adopted unanimously by the members. These recommendations were based more particularly on the

four subjects considered to be a priority by the Committee members, namely the financing of the university network, management and accountability, universities as stakeholders in their communities, and finally, the university mission. It should be mentioned that this statutory order stems from the *Act respecting educational institutions at the university level*, which stipulates that the Committee must hear, at least once every three years, the head of each university institution as part of a major accountability exercise.

Select Committee on Dying with Dignity

The Select Committee on Dying with Dignity ended its general consultation on March 22, 2011. The Committee members have begun drafting the report and its tabling is scheduled for next autumn.

It should be noted that consultations were held on 29 days during which issues such as palliative care, euthanasia and assisted suicide were discussed. Since September 7, 2010, Members have travelled to seven cities. They heard 231 persons and agencies, while having received 326 briefs and requests to be heard. More than one hundred people were heard during the live-mike hearings that took place at the end of most of the hearing days. Over 6770 persons filled out the on-line questionnaire at their disposal. The Members also received 244 comments by e-mail, mail and facsimile.

This Committee composed of 15 Members began its proceedings under the chairmanship of Geoffrey Kelley, who has since been appointed Minister responsible

for Aboriginal Affairs. The proceedings are now under the chairmanship of **Maryse Gaudreault**.

Last February, the standing committees met in order to elect their chairs and vice-chairs for the next two-year term.

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

Valérie Roy

Secretariat of committees

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



Senate

The Senate sat for a brief period following the adjournment for the Christmas holidays. The upper house had only a few weeks to consider the bills before the 40th Parliament was dissolved on Saturday, March 26, 2011.

With rumours of an election circulating, the senators worked diligently to study and pass several new bills, primarily those sponsored by the government.

Royal assent was given four times in the week prior to dissolution, an indication of the Senate's desire to pass proposed legislation into law. On March 23, **David Johnston**, Governor General of Canada, came to the Senate Chamber for the traditional ceremony and gave royal assent to the following bills: S-5; S-6; C-14; C-22; C-48; C-21; C-30; C-35; C-42; C-61. Later

that day, a written declaration of royal assent was signed for Bill C-59, which had just passed third reading. The next day, the Speaker of the Senate advised the Senate that another written declaration of royal assent had been signed earlier that day for Bill C-55. Lastly, on Friday, March 25, the Speaker pro tempore announced that two House of Commons private member's bills, C-442 and C-475, had been given royal assent.

All bills still on the Order Paper or being considered in committee died when Parliament was dissolved.

Points of order and Speaker's rulings

In the weeks prior to dissolution, the Speaker was called on to make two rulings on points of order.

On March 21, the Speaker **Noël Kinsella** rendered a lengthy decision on a point of order raised by Senator **Anne Cools** on February 9, 2011. The point of order concerned the possible requirement that Bill C-232, *An Act to amend the Supreme Court Act*, would require royal consent and the procedure to be followed should this consent be necessary. Senator Cools felt that Bill C-232 would constrain the Crown's power to appoint judges to the Supreme Court by disabling individuals who would otherwise be qualified for the position.

The Speaker began by addressing the issue of when royal consent should be obtained or signified. He reminded senators that there was no prohibition against obtaining consent at the beginning of deliberations on a bill, but that it was an accepted practice in Parliament to obtain it only before third reading in order

to allow for as full a debate as possible. It is also the common Canadian practice to signify royal consent in one house only—usually the House of Commons, where most government bills originate.

The Speaker also reminded senators of the definition and origins of royal consent. He stated that royal consent is a procedural requirement whenever Parliament considers a bill that concerns the interests of the sovereign, either the queen herself or the governor general acting on her behalf. He cited several authors, explaining that a power stops being a prerogative power once it becomes defined by statute law. He determined that since the Supreme Court was created by legislation enacted in 1875, it has its origins in statute law and judges are appointed to its bench based on criteria set down in that law. Prerogative power was therefore not involved in this matter.

He concluded by saying that, if passed, Bill C-232 would simply be another amendment to the *Supreme Court Act*. This was, in the Speaker's words, "an exercise of authority under statute law and there is no need to seek Royal Consent as part of the consideration of Bill C-232."

On March 10, 2011, the Speaker ruled on a point of order raised by Senator **Gerald Comeau** on March 1. The Senator challenged the consideration of Bill S-223, *An Act to amend the Canada Pension Plan (retroactivity of retirement and survivor's pensions)*, on the grounds that it would create new expenditures and therefore require a royal recommendation. The Senator stated that the bill could not originate in the Senate, pursuant to Rule 81.

The Speaker began by defining a royal recommendation based

on *House of Commons Procedure and Practice*; it is an instrument by which the Crown advises Parliament of its approval of a legislative measure involving the expenditure of public funds. A royal recommendation must be obtained by a Minister of the House of Commons. Bills requiring a royal recommendation cannot originate in the Senate.

The Speaker ruled that, based on Canadian parliamentary practice, any new or additional legislative authorization to spend from the Consolidated Revenue Fund must be accompanied by a royal recommendation. Bill S-223 sought to alter the conditions attached to the Canada Pension Plan by increasing the maximum period of retroactivity to five years from one year. The Speaker said that, although spending from the Canada Pension Plan was derived from its own account, it was made through the Consolidated Revenue Fund. He therefore ruled that an alteration to the Canada Pension Plan involving increased spending would require a royal recommendation.

As a result, the order of the day for second reading of Bill S-223 was discharged and the bill was dropped from the Order Paper.

New and retiring senators

On December 20, 2010, Prime Minister **Stephen Harper** announced the appointment to the Senate of **Larry Smith** and **Don Meredith**. The new senators were sworn in and took their seats in the Senate for the first time on February 1, 2011.

Senator Smith resigned from the Senate on March 25, followed by Senator **Fabian Manning** on March 28, 2011. Both ran as

Conservative candidates in the federal election held May 2, 2011. Senator **Raymond Lavigne** also resigned on March 21, 2011.

Tributes

The Senate marked the passing of senators **James Tunney** (September 22, 2010), **Marian Maloney** (May 29, 2010) and **Keith Davey** (January 17, 2011).

Marie-Eve Belzile

Procedural Clerk
Journals' Service



Yukon

On March 28th, the 2011 Spring Sitting of the First Session of the 32nd Legislative Assembly adjourned. The 30-day sitting had convened on February 3rd, about 7 weeks earlier than usual. The Sitting concluded with Assent being given in the Chamber by the Commissioner of Yukon, **Doug Phillips**.

On the first day of the 2011 Spring Sitting, NDP Leader **Elizabeth Hanson**, elected in the December 13, 2010 by-election in Whitehorse Centre, took her seat. Ms. Hanson was escorted into the Chamber by **Steve Cardiff**, the other NDP Member in the House. Mr. Cardiff introduced Ms. Hanson to Speaker **Ted Staffen** who welcomed her on behalf of all Members.

On March 24th (the penultimate day of the Spring Sitting), Bill No. 95, *Act to Amend the Workers' Compensation Act*, concerning firefighter presumptive legislation, received 1st reading, 2nd reading, consideration in

Committee of the Whole, and 3rd reading, with unanimous consent. Unanimous consent was required even to introduce the bill, as the Standing Orders state that the Government “shall introduce all legislation...to be dealt with during that Sitting by the fifth sitting day.” The bill was introduced by the Minister Responsible for the Workers’ Compensation Health and Safety Board, **Glenn Hart**. The concept of firefighter presumptive legislation enjoyed broad-based support in the House, and third reading of the bill carried unanimously on a recorded division.

On the final day of the Spring Sitting, Commissioner Phillips granted Assent to the following 4 bills (all Government bills):

- Bill No. 23, *Third Appropriation Act, 2010-11*
- Bill No. 24, *First Appropriation Act, 2011-12*
- Bill No. 94, *Act to Amend the Judicature Act (Trade Orders)*
- Bill No. 95, *Act to Amend the Workers’ Compensation Act*

Address from Governor General

On February 9th, pursuant to an Order of the House adopted the preceding day, the Legislative Assembly recessed to receive an Address from **David Johnston**, Governor General of Canada. His Excellency noted that while it was his first official visit to Yukon with his spouse, **Dr. Sharon Johnston**, that his first visit had been about 20 years ago, as Chair of the National Round Table on the Environment and the Economy, participating in meetings that saw the initial steps taken towards building sustainable development standards into federal legislation. In his Address, the Governor General also referenced

Yukon’s accomplishments in self-governance, as well as in areas of particular interest to him – education and innovation, volunteerism, and community-mindedness.

Auditor General’s Report

On February 15th, Speaker Staffen tabled a report by Auditor General **Sheila Fraser** entitled “Yukon Health Services and Programs – 2011: Department of Health and Social Services.”

Reappointment of Conflict of Interest Commissioner

On March 10th, an Order of the House was adopted reappointing **David Phillip Jones**, QC as Yukon’s Conflict of Interest Commissioner for a three-year period. The motion carried with unanimous support on a recorded division, meeting the requirements of the *Conflict of Interest (Members and Ministers) Act*, which stipulates that the motion appointing a Conflict of Interest Commissioner must be supported by a super-majority of at least two-thirds of the Members of the Legislative Assembly present for the vote. Mr. Jones was first appointed to this position in 2002, and re-appointed in 2005 and 2008.

Select Committee on the Safe Operation and Use of Off-road Vehicles

On March 24th, Minister of Environment **John Edzerza**, Chair of the Select Committee on the Safe Operation and Use of Off-road Vehicles, presented the Committee’s final report to the House. The Committee’s membership also comprised Vice-Chair **Don Inverarity**, Mr. Cardiff, and **Brad Cathers**. Yukon is the last jurisdiction in Canada without legislation specifically governing the

operation and use of off-road vehicles.

The Committee generated a great deal of interest, and an unprecedented number of responses for a Committee of the Legislative Assembly. 2489 completed opinion surveys and 25 written submissions were received by the Committee’s October 31, 2010 submission deadline. Between November 23 and December 1, 2010, the Committee held public meetings in Faro, Dawson City, Carmacks, Mount Lome, Teslin, and Whitehorse. The Committee’s original terms of reference, established on November 18, 2009, provided for the Committee to report to the House by the 2010 Fall Sitting. However, on November 2, 2010, by Order of the House, the Committee’s reporting deadline was extended to the 2011 Spring Sitting.

Opinions in the Committee, and in the public, were fairly divided on some of the issues the Committee addressed. Informing the Committee’s 14 recommendations was an attempt to balance the rights and freedoms of off-road riders, on the one hand, with environmental stewardship, on the other. The Committee’s recommendations recognized the need for balanced, clear, consistent, and enforceable, legislation and regulations regarding off-road vehicles and their use; for increased public awareness of existing restrictions and penalties; and for education in the safe and respectful use of off-road vehicles. The Committee also called, variously, for the consideration, review, or enshrining into legislation, of policies relating to registration, operator licensing, and insurance, of off-road vehicles.

Yukon Party Leadership Election

At the April 16th Yukon Party AGM, it was announced that a leadership election would be held at the request of Premier **Dennis Fentie**. The nomination deadline was May 7th, with the election to be held on May 28th. On April 21st, the Minister of Economic Development, **Jim Kenyon**, entered the race. On April 25th, **Rod Taylor**, Chair of the Tourism Industry Association of Yukon, joined the leadership contest. The following day, **Darrell Pasloski**, Yukon's Conservative candidate in the 2008 federal election, announced he would seek the leadership, as well. On April 27th, Mr. Fentie indicated that he would neither seek reelection as Leader, nor as an MLA in the upcoming general election (which must be called by October 14th). Premier since the general election of November 4, 2002, Mr. Fentie is currently the longest serving Premier in Canada.

Linda Kolody
Deputy Clerk



British Columbia

The third session of the 39th Parliament commenced on February 14, 2011. At the end of the first week, the House took an extended adjournment until April 27, during which there was a change in the leadership of both major provincial parties.

Throne Speech and Budget

The Throne Speech, delivered by Lieutenant Governor **Steven Point**, noted that the province is transitioning to new leadership and that the budget would meet statutory requirements while providing flexibility for future decisions. The success of the 2010 Olympic and Paralympic Winter Games and the accomplishments of the previous decade were also highlighted. In reply, the opposition contended that the Throne Speech failed to address critical issues, such as health care and the environment, and that change is needed after ten years of a Liberal government. The interim leader of the opposition, **Dawn Black**, claimed that little progress has been made on fundamental issues and that the Liberal leadership candidates do not offer much hope for change.

On February 15, Finance Minister **Colin Hansen** tabled the 2011/12 provincial budget, describing it as a "status quo budget" that provides the government with spending authority to manage the province's affairs for the coming year, with no new directions set prior to the selection of the next premier. Overall, the budget forecasts a deficit of \$925 million and a return to a surplus in 2013/14. During Budget Debate, Finance Critic **Bruce Ralston** contended that the budget does not acknowledge the economic, social, and environmental challenges facing the province, adding that the budget highlights how out of touch the government is with the priorities of British Columbians.

New Premier and Cabinet Shuffle

As reported in the previous issue, **Christy Clark** was elected leader of the BC Liberal Party on February 26. She was sworn in as British Columbia's 35th premier on March 14, the second woman to hold the position in the history of the province.

In a major shuffle, the size of the cabinet was reduced, with 17 ministers sworn in as members of the executive council:

Kevin Falcon, Deputy Premier and Minister of Finance

Mary Polak, Minister of Aboriginal Relations and Reconciliation

Naomi Yamamoto, Minister of Advanced Education

Don McRae, Minister of Agriculture

Barry Penner, Attorney General

Mary McNeil, Minister of Children and Family Development

Ida Chong, Minister of Community, Sport and Cultural Development

George Abbott, Minister of Education

Rich Coleman, Minister of Energy and Mines (minister responsible for Housing)

Terry Lake, Minister of Environment

Steve Thomson, Minister of Forests, Lands and Natural Resource Operations

Michael de Jong, Minister of Health

Pat Bell, Minister of Jobs, Tourism and Innovation

Stephanie Cadieux, Minister of Labour, Citizens' Services and Open Government

Shirley Bond, Minister of Public Safety and Solicitor General

Harry Bloy, Minister of Social Development (minister responsible for multiculturalism)

Blair Lekstrom, Minister of Transportation and Infrastructure

The day after the swearing-in ceremony, former Premier **Gordon Campbell** resigned his seat in the riding of Vancouver-Point Grey, creating a vacancy for his successor to obtain a seat. On April 20, Premier Clark was acclaimed as the BC Liberal candidate for the by-election to be held on May 11, 2011.

BC NDP Leadership Race

On April 17, the BC NDP held a province-wide assembly to elect a new leader. A one-member, one-vote system was used, with advance votes cast on a preferential ballot. On Election Day, party members could vote from any location with telephone or Internet access, or in-person at the leadership assembly in Vancouver. **Adrian Dix**, MLA for Vancouver-Kingsway, was elected leader on the third ballot, winning 52 percent of the votes cast, and becomes the new Leader of the Official Opposition.

Byron Plant

Committee Research Analyst



House of Commons

On February 7, 2011, **Scott Brison** raised a question of privilege concerning the failure of the government to produce documents related to corporate profits and taxes and the costs of various justice

bills which had previously been ordered by the Standing Committee on Finance. Noting that the Standing Committee had earlier that day presented its Tenth Report – which dealt with this matter – Mr. Brison argued that the government’s claim that the information sought by the Committee was a matter of Cabinet confidence was without merit, and its refusal to provide the information constituted a breach of privilege.

On February 17, 2011, the House debated an opposition motion ordering that the same documents demanded by the Standing Committee on Finance be tabled by March 7, 2011. During that day’s sitting, the government tabled documents that it stated constituted “information on our government’s low-cost and tough-on-crime agenda as requested by certain members of Parliament”. Mr. Brison responded that the documents tabled were insufficient. On February 28, 2011, **Tom Lukiwski**, Parliamentary Secretary to the Government House Leader, presented his case on the question of privilege. Later that day, on a deferred division, the House adopted the opposition motion, thus setting a deadline of March 7, 2011 for the production of the documents in question.

On March 9, 2011, the Speaker **Peter Milliken** ruled on Mr. Brison’s question of privilege. Quoting from his ruling of April 27, 2010, on the Afghan detainees documents, he concluded that the power of committees to order papers was undistinguishable from that of the House. Without judging the quality of the documents tabled in the House by the government in response to the committee’s request, he found that, on its face,

they did not appear to provide the information which had been ordered. Consequently, the Speaker found that there were sufficient grounds for a finding of *prima facie* breach of privilege. Mr. Brison then moved a motion that the question be referred to the Standing Committee on Procedure and House Affairs and that the Committee report back no later than March 21, 2011. After debate, the motion was agreed to.

Also on March 9, 2011, the Speaker delivered a ruling on the February 17, 2011, question of privilege of **John McKay** stemming from the presentation of the Sixth Report of the Standing Committee on Foreign Affairs and International Development and the allegedly misleading statements made by **Bev Oda**, the Minister of International Cooperation. Reviewing the events which led to the question of privilege, including the Sixth Report, the December 13, 2010 question of privilege and the February 10, 2011 Speaker’s ruling thereon, as well as a February 14, 2011, reply by Ms. Oda, the Speaker clarified the role of the Chair in the matter and ruled that sufficient doubt as to the facts existed to warrant a finding of *prima facie* privilege in this case. Mr. McKay moved that the matter be referred to the Standing Committee on Procedure and House Affairs and that the Committee report back no later than March 25, 2011. Following debate, the motion was adopted.

Committees

The Standing Committee on Procedure and House Affairs held public meetings on March 16, 17 and 18, 2011 on the matter of privilege raised by Scott Brison. The Committee heard from

various witnesses and from the Minister of State (Finance), **Ted Menzies**, the Minister of Justice, **Rob Nicholson** and the Minister of Public Safety, **Vic Toews**. On March 21, 2011, the Committee reported back to the House. Among the conclusions contained in the Report was one that the government's conduct in this file constituted contempt of Parliament. On March 23, 2011, Scott Brison moved that the Committee's Report be concurred in, and debate arose thereon.

On March 18, 22, 24 and 25, 2011, the Procedure and House Affairs Committee also held meetings on the Mr. McKay's question of privilege. However, the Committee did not report on the matter before Parliament was dissolved.

Budget

On March 22, 2011, the Minister of Finance **Jim Flaherty** presented the 2011 Budget. Debate on the motion to approve in general the budgetary policy of the government arose, but no decision was taken on the motion prior to the dissolution of Parliament.

Tributes

On May 24, 2011, with the dissolution of Parliament seeming inevitable, 11 Members who had announced their intention not to present themselves as candidates at the next election made farewell statements to the House.

On May 25, 2011, a representative from each party paid tribute to Speaker Milliken, who had announced he would not be seeking re-election. Mr. Milliken had occupied the position of Speaker for over 10 years, making him the longest-serving Speaker in the history of Canada.

Opposition Motion and Federal Election

On March 25, 2011, Leader of the Official Opposition **Michael Ignatieff** moved the following motion:

That the House agree with the finding of the Standing Committee on Procedure and House Affairs that the government is in contempt of Parliament, which is unprecedented in Canadian parliamentary history, and consequently the House has lost confidence in the government.

As this was the last day of supply of the period, Mr. Ignatieff's motion was put to a vote on the same day it was moved, and the House adopted the motion by a vote of 156 to 145. Immediately thereafter, Prime Minister, **Stephen Harper** moved that the House adjourn. The following day the Prime Minister requested that Governor General **David Johnston** dissolve Parliament.

On May 2, 2011 Canadians elected a majority Conservative government with 166 MPs – 23 more than it had at dissolution.

The NDP elected 103 Members – an increase of 66 – and now forms the Official Opposition. The Liberals had 34 MPs elected (a decrease of 43), while the Bloc Québécois saw its numbers reduced from 49 to 4, thereby losing its official party status in the House. Green Party Leader **Elizabeth May** was elected. Both the Liberal Leader Mr. Ignatieff and Bloc Québécois Leader **Gilles Duceppe** lost their seats and announced their resignation as leaders of their respective parties.

Jean-Marie David
Table Research Branch



Prince Edward Island

The Fourth Session of the Sixty-third General Assembly resumed on April 5, 2011. It had opened on November 12, 2010, and adjourned to the call of the Speaker on December 9, 2010.

Wes Sheridan, Minister of Finance and Municipal Affairs, introduced his budget on April 6, 2011, which contained expenditures of just over \$1.53 billion. Total operating revenue for 2011-2012 is projected at nearly \$1.49 billion, with provincial own source revenues forecast at \$853 million. Health continued to account for the largest share of provincial expenditure at nearly \$533 million; followed by Education and Early Childhood Development at \$227 million. Revenue measures announced in the budget address included an increase to taxes on tobacco products, and an increase in liquor prices.

On March 28, 2011, **Michael Currie** resigned as a member of the Legislative Assembly to run as the Conservative candidate for Cardigan in the 2011 Canadian federal election. Mr. Currie had been first elected to the Legislative Assembly in 1996. He served as Minister of Transportation and Public Works from 1996-2000, and Minister of Development and Technology from 2000-2007. Following the 2007 provincial general election, Mr. Currie became the Opposition Critic for

Telecommunications, Economic Development and Technology; Transportation and Public Works; Energy; and Communities, Cultural Affairs and Labour.

Book of Condolences for the People of Japan

Speaker **Kathleen Casey** arranged for a book of condolences to be opened at Province House for people to leave messages of support for victims of the earthquake and tsunami in Japan. "Prince Edward Island and Japan have a special relationship," said Speaker Casey, "and Islanders naturally want to express their feelings of sympathy and friendship to those affected by the disaster." The book of condolences remained at Province House until the end of April when it was forwarded to the Embassy of Japan in Ottawa.

Renovations in the Legislative Chamber

The Legislative Chamber in historic Province House was refurbished this spring, with a fresh coat of paint, keeping a traditional green colour for the walls and introducing a lighter colour for the doors, baseboards and mouldings. The wood rails which delineate the floor of the Chamber and surround the public gallery were restored using traditional faux graining techniques, as were the black marble bases of the columns. One of the most striking changes was an addition to the canopy over the Speaker's chair. The new top was installed to disguise sound reinforcing equipment which had been visible from the public gallery. The renovation and restoration of the Legislative Chamber was one of the major projects undertaken to mark the 160th anniversary of Responsible Government which is being

celebrated throughout 2011 with a number of events and projects.

Robertson Lecture

The public was invited to hear well known Canadian historian, Professor **Ian Ross Robertson** speaking on "The Road to Responsible Government" at Province House on March 31st.

Professor Robertson, a native of Mermaid, Prince Edward Island, received his early education in the province, including three years of study at Prince of Wales College. He completed a Bachelor of Arts and Masters of Arts at McGill University in Montreal, where he did his thesis on 19th century Prince Edward Island history. Professor Robertson completed his doctoral thesis at the University of Toronto on aspects of the career of Sir **Andrew Macphail**. Currently, he is Professor Emeritus of History at the University of Toronto at Scarborough, where he taught from 1972 to 2007.

The lecture by Professor Robertson was one in a series of events taking place at Province House throughout 2011 in celebration of 160 years of Responsible Government in Prince Edward Island. The lecture series will continue during the year, providing an opportunity to learn more about the historical importance and present day application of the concept of responsible government.

Digitization Project

A digitization project of the Journals of the Legislative Assembly began in March, with the goal of capturing digitally information that is now available only in books held in the University of Prince Edward Island library, the Provincial

Archives, the Legislative Library and the Government Services library. Two Hansard staff worked in the Robertson Library at the University of Prince Edward Island where they were trained on the ScanRobot (a self-scanning, state-of-the-art book scanner, the only one in North America, that can digitize about 1,500 pages an hour), and on other equipment pertinent to the project. Once this project is completed, there will be a wealth of statistics, maps, procedural resources, and more available to anyone via the Internet.

Rotary Youth Parliament

The Rotary Youth Parliament took place at Province House on February 11-12, 2011. Now in its twenty-third year, the long-running project is a partnership between the Speaker's and Clerk's offices, the Department of Education, District School Boards, volunteer teacher advisors and Rotary Clubs across Prince Edward Island.

Marian Johnston
Clerk Assistant and
Clerk of Committees



Manitoba

The Fifth session of the 39th Legislature resumed on April 12, 2011, with the delivery of the budget from Finance Minister **Rosann Wowchuk**.

The 2011-2012 total operating expenditure of \$11.4 billion represents an increase of 5.2% from 2010-2011. Highlights of the government's budget included:

- Increasing the basic personal exemption by \$1,000 over four years.
- Creating a new Children's Arts and Cultural Activity Tax Credit.
- Funding 2,100 more childcare spaces, 400 more nursery spaces and expanding the online childcare registry province wide.
- Supporting seniors by hiring more personal-care home staff and enhancing the Primary Caregiver Tax Credit.
- Opening five new quick-care clinics where nurse practitioners will offer families basic primary care.
- Investing additional resources to train and retain health-care professionals across the province.
- Providing strong, stable multi-year funding to universities, which will receive operating increases of 5% in each of the next three years.
- Increasing operating funding for all school divisions by a minimum of 2.2% for a total of \$1.1 billion.
- Renovating, expanding and building schools with an additional \$94.2-million investment in public school facilities.
- Investing in the new Manitoba Mentors Program.
- Introducing a new, five-year \$30-million program to help Manitoba businesses grow and find new markets.
- Completely eliminating the small business income tax and the general corporation capital tax, the first full year Manitoba companies will benefit from these changes.
- Increasing the Green Energy Equipment Tax Credit to 15% from 10% on geothermal heating systems.
- Providing an additional \$500,000 this year through the Manitoba Mineral Exploration Assistance Program to support research including the search for rare earth elements.
- Increasing municipal

infrastructure and transit grants to the equivalent of one percentage point of the existing provincial sales tax, dedicating future revenue growth to municipalities for infrastructure funding.

- Making major new investments in flood protection.
- Hiring 66 more police and 10 more prosecutors to fight crime and protect families.
- Helping more Manitoba families realize the dream of owning a cottage by opening up 600 new cottage lots at Black River, in partnership with the First Nations community.

During his contribution to the budget debate on April 13, 2011 Official Opposition Leader **Hugh McFadyen** moved a motion supporting the positive promises referred to in the budget but also expressing that the government could do more to address the needs of Manitobans by:

- reducing waste and mismanagement, starting with allowing Manitoba Hydro to build BiPole III on the east side route, saving Manitoba families an extra \$11,748; and
- implementing efforts to lower the deficit and control debt through a spending review process that will reduce waste, protect frontline social services and bring a more balanced fiscal approach.

On April 21, 2010

Mr. McFadyen's amendment was defeated on a recorded vote of yeas 18, nays 35, while the main budget motion carried on a recorded vote of yeas 34, nays 19.

The Manitoba Legislature is currently considering a range of legislation, including:

- Bill 15 – *The Firefighters and Paramedics Arbitration Amendment Act*, which would extend the provisions to resolve disputes by arbitration to all unionized firefighters, regardless of whether they are employed full time.

- Bill 20 – *The Defibrillator Public Access Act*, which would require owners of designated public premises to install defibrillators. The defibrillators will need to be maintained and tested, and be made available for use by the public.
- Bill 27 – *The Manitoba Ukrainian Canadian Heritage Day Act*, which would proclaim the last Saturday in July of each year as Manitoba Ukrainian Canadian Heritage Day.
- Bill 30 – *The Change of Name Amendment Act*, which would require persons who are seeking to change their names to be fingerprinted. The fingerprints will be provided to the Royal Canadian Mounted Police to enable law enforcement officials to link a person's current and proposed name if that person has a criminal history.
- Bill 31 – *The Manitoba Public Insurance Corporation Amendment Act*, which would cancel compensation to an accident victim if he or she is convicted of certain criminal offences related to the accident.

Manitoba Standing Committees were active during this past intersessional period which included several meetings as follows:

- Public Accounts – to consider the Auditor General's Report on Performance Audits dated December 2010;
- Crown Corporations – to consider Annual Reports of the Manitoba Lotteries Corporation as well as the Manitoba Liquor Control Commission;
- Justice and Social and Economic Development committees – to consider legislation;
- Legislative Affairs – to consider the appointments of the Children's Advocate, Conflict of Interest Commissioner and the Ombudsman;
- Sub-Committee on Legislative Affairs – to consider the hiring process of the Children's Advocate and the Chief Electoral Officer.

In addition to the Members noted in Manitoba's Spring 2011 submission, the following Members have also announced they will not be seeking re-election:

Len Derkach – first elected in 1986

Diane McGifford – first elected in 1990

Gerrard Jennissen – first elected in 1995

Gerald Hawranik – first elected in 2002 (resigned his seat on March 25, 2011)

Marilyn Brick – first elected in 2003

Doug Martindale – first elected in 1990

Bonnie Korzeniowski – first elected in 1999

Speaker **George Hickes** has also announced his retirement. The first Manitoba Inuit MLA, Mr. Hickes also carries the distinction of being the first elected Speaker of the Manitoba Legislature by secret ballot.

Each MLA with the exception of Mr. Hawranik indicated they will serve out the rest of their term.

The current party standings in the Manitoba Legislature are: NDP 36, Progressive Conservatives 18, one Independent Liberal, as well as two vacancies.

Immediately upon the resignation of Mr. Hawranik on March 25, 2011, **Mavis Taillieu** was appointed as the new Official Opposition House Leader.

On March 28, 2011 **Erin Selby** was appointed minister of Advanced Education and Literacy. First elected in a 2007, Ms. Selby has served as the legislative assistant to the minister of family services and consumer affairs and to the minister of culture, heritage, and tourism.

The Legislature is scheduled to sit until June 16, 2011.

Monique Grenier

Clerk Assistant/
Clerk of Committees



Ontario

On February 22, the Legislative Assembly resumed after its winter adjournment for its final regular sitting period before the October 6 provincial election. Shortly thereafter, **Peter Fonseca** resigned his seat on March 26 in order to run as a federal candidate in the riding of Mississauga East—Cooksville, the same riding he held provincially since 2003, causing a vacancy in the membership of the House. With both the federal and provincial elections approaching, the Speaker, in a number of statements and rulings, urged members to maintain decorum in the House, particularly in the period leading up to the election campaign and asked that during Oral Questions members keep the questions relevant to provincial policy against the backdrop of a federal election.

On March 29 the Minister of Finance, **Dwight Duncan**, presented the 2011 Ontario Budget and introduced the budget bill (Bill 173), which was referred to the Standing Committee on Finance and Economic Affairs. The Budget included the continuing implementation of full-day kindergarten; the extension of the current risk management program for grain and

oilseed farmers, as well as the implementation of risk management programs for the cattle, hog, sheep and veal sectors and for the fruit and vegetable sector; and the creation of a Commission on the Reform of Ontario's Public Services.

Address by the Japanese Ambassador

On April 7, 2011 the Speaker adjourned the House during pleasure in order to permit an address by **Kaoru Ishikawa**, Ambassador of Japan to Canada. It was the first time in 25 years that a dignitary has addressed the Legislative Assembly of Ontario. The last such occasion was in 1986 when the Right Reverend **Desmond Tutu**, Bishop of Johannesburg, addressed the legislature. Ambassador Ishikawa shared with the House the latest developments taking place in his country in the wake of a powerful earthquake and tsunami; expressed his gratitude to Canadians and Ontarians for their messages of sympathy and condolence and for their offers of assistance; acknowledged the economic and cultural partnerships between Japan and Canada, and touched on his hope for the future of Japan-Canada and Japan-Ontario relations. The Ambassador's parting words focussed on the children of Japan who lost their parents in the disaster and his appeal that they be offered support.

Premier **Dalton McGuinty**, Official Opposition Leader **Tim Hudak** and Third Party Leader **Andrea Horwath** in turn offered remarks in reply to the Ambassador's address. The House then observed a moment of silence in remembrance of victims of the March 11 earthquake and tsunami in Japan.

Committees

On February 23 the House struck the Select Committee on the Proposed Transaction of the TMX Group and the London Stock Exchange Group and appointed as its chair **Gerry Phillips**, Chair of Cabinet and Minister without portfolio. It was the first time since the 1960s that a minister has chaired a legislative committee. The Select Committee was appointed to consider and report its observations and recommendations concerning the impact and net benefit of the proposed TSX/LSE merger to Canada, including Ontario, its economy and people, Toronto's financial services sector and Northern Ontario's mining industries. The Committee held public hearings on March 2, 3, 9 and 10 and heard presentations from the TMX Group, the London Stock Exchange Group, and the Ontario Securities Commission. On April 19 the Committee tabled its report, in which the Committee took no position on whether or not the transaction should be approved by the regulatory bodies and Industry Canada. The Committee did, however, make nine recommendations which it hopes will be taken into consideration by the proponents of the transaction before seeking the necessary approvals, and by regulatory bodies and governments as they proceed with their review and approval processes. The recommendations relate to the structure of the board of directors of the merged entity, the role of regulatory bodies, strategic decision making, the impact on jobs in Ontario and Canada and the impact on the mining sector. For example, the Committee recommended that the board of directors of

the merged entity have an equal number of directors from Canada and from the United Kingdom/Italy.

On April 19, the Government tabled the 2011-2012 Expenditure Estimates, which were deemed referred to the Standing Committee on Estimates. The Committee met the following day to select the ministries whose estimates it would review, and will meet in May to begin consideration of its first pick, the estimates of the Ministry of Revenue.

The Standing Committee on Finance and Economic Affairs concluded its Pre-Budget consultation with public hearings in Toronto, and then met for the purpose of report writing on February 24. The final Report on the Pre-Budget Consultation 2011, tabled on March 9, includes five recommendations and a dissenting opinion from the Official Opposition. The Committee also met on April 21, pursuant to a time allocation motion, to conduct public hearings on Bill 173, *An Act respecting 2011 Budget measures, interim appropriations and other matters*. Clause-by-clause consideration is scheduled for May 5, and the Committee shall report Bill 173 to the House no later than May 9.

The Standing Committee on General Government met pursuant to a time allocation motion on March 9 and 21 for the purpose of public hearings on Bill 150, *An Act to provide for the resolution of labour disputes involving the Toronto Transit Commission*, and on March 23 for clause-by-clause consideration. The Bill prohibits strikes and lockouts by the Toronto Transit Commission and provides for binding arbitration by a

neutral third party if collective agreements cannot be reached. Bill 150 received Royal Assent on March 30.

On April 11 and 13 the Committee held public consultations in Toronto on Bill 151, *An Act to enact the Ontario Forest Tenure Modernization Act, 2011 and to amend the Crown Forest Sustainability Act, 1994*. At the outset of its consideration of the Bill, the Committee rejected the recommendation of its Sub-committee on Committee Business to travel to Northern Ontario for public hearings. This decision by the Committee continued to be raised as an issue during public hearings and clause-by-clause, during which time the opposition delayed consideration of the Bill by moving and debating motions in favour of travel to Northern Ontario. The Bill was eventually time allocated, and the Committee will meet again in May. The Act, if passed, would introduce new Local Forest Management Corporations to manage Crown forests and oversee the competitive sale of Crown timber.

On April 11, the Committee received a notice of motion from **Steve Clark** requesting that the Committee study the impacts of higher energy rates as they pertain to mill closures in Northern Ontario. Under the Standing Orders a permanent member of a Committee may seek to designate a matter for consideration by the Committee that relates to the mandate, management, organization or operation of the ministries and offices which are assigned to that Committee.

The Standing Committee on the Legislative Assembly resumed its consideration of

an earlier referral from Speaker **Steve Peters**, being the matter of statutes that provide for future Assembly reviews. The Committee met on March 9 to consider and finalize its report, which was presented to the House on April 14. The Committee recommended that the members of the Legislature be reminded of their duty to vigilantly observe provisions of provincial law requiring a review by the Legislative Assembly and ensure they exercise their powers to hold governments to account.

Auditor General of Ontario – 125 Years

On March 26, 1886 the *Act to Provide for the Better Auditing of the Public Accounts of the Province* created the Office of the Provincial Auditor. To mark the 125th anniversary of auditing in the province, the Office of the Auditor General of Ontario published a booklet, which tells the compelling story of the Office over the course of its history. Whereas the Auditor of yore had the support of a bookkeeper and a single clerk, answered to the Treasury (Ministry of Finance) and was responsible for the pre-approval of every single proposed government expenditure and for countersigning every cheque issued by the Treasurer, his successors have steered the growing Office towards independence from government, public reporting, and a close working relationship with the Public Accounts Committee. Today, Auditor General **Jim McCarter** oversees a staff of over 100 professionals, and his mandate covers three broad areas of responsibility: attest audits, value-for-money audits, and the review of government advertising, by which the Auditor

General is mandated to pre-screen government advertising to ensure no partisan messages are financed with public money.

Condolences

On March 2 and April 6, the House heard statements from Members of all parties in an expression of condolence on the deaths of former Members **Yvonne O'Neill** (Ottawa-Rideau 1987-1995) and **Ivan Wilfred Thrasher** (Windsor-Sandwich 1964-1967).

On March 23, Members of all parties made statements in remembrance of journalist **Eric Dowd**, who covered provincial politics as a member of the Queen's Park press gallery for over 40 years, and who died of leukemia on Christmas Day 2010, two days after filing his last article.

Sylvia Przewdziecki
Committee Clerk



Alberta

The Spring Sitting of the Fourth Session of the Twenty-Seventh Legislature, which commenced on February 22, 2011, and adjourned on May 12, 2011, lasted 34 sitting days, or 153 sitting hours. During the sitting, the Assembly passed 19 Government Bills, three Private Bills and one Private Members' Bill. One Government Bill and seven Private Members' Public Bills, along with other Private Members' business items, remained on the Order Paper upon the adjournment of the sitting.

The Fourth Session commenced with the Speech from the Throne, delivered for the first time by **Donald S. Ethell**, Lieutenant Governor of Alberta. The Speech from the Throne emphasized the need for the Province of Alberta to meet the challenges of a changing global economy and highlighted the new importance of Asia as a market for Alberta's export products. The Speech from the Throne also made note of the importance of investing in infrastructure and enhancing the global competitiveness of Alberta industry. In addition, the Speech from the Throne identified the education system, investments in the workforce, environmental stewardship in the oil sands, water management and clean energy technology, ongoing support for the public health-care system, and the fostering of safe and vibrant communities as priority areas for the Government of Alberta.

The Budget Address was delivered on February 24, 2011, and on April 20, 2011, after eight meetings in the Committee of Supply and 16 meetings in the various Policy Field Committees (a total of 67 hours and 23 minutes) during which Members of the Assembly considered the Main Estimates, the Assembly approved the Main Estimates. The *Appropriation Act, 2011* came into force on April 29, 2011, and included \$34,170,726,000 voted for expenses and charges of the Public Service and \$2,420,523,000 voted for capital investment for the 2011-2012 fiscal year.

The Alberta Land Stewardship Amendment Act

Bill 10, *Alberta Land Stewardship Amendment Act* generated

considerable interest amongst the Members of the Legislative Assembly during the Spring Sitting. Bill 10 proposed amendments to the *Alberta Land Stewardship Act*, including the establishment of a review process for those who are adversely affected by a regional plan, the requirement for public consultation during planning, and the need for draft regional plans to be provided to the Assembly prior to approval.

Some Members from opposition parties queried whether the public had been sufficiently consulted on Bill 10, while others thought that the Bill ought to be referred to a Policy Field Committee for additional study and public consultation. Bill 10 received third reading and was granted Royal Assent.

Other Notable Bills

Bill 11, *Livestock Industry Diversification Amendment Act*, 2011 proposed amendments to transfer legislative responsibility for farmed cervids (elk and deer) as identified in the *Wildlife Act* and *Wildlife Regulation* to the *Livestock Industry Diversification Act*. The Bill therefore proposed the transfer of ministerial oversight from the Ministry of Sustainable Resource Development to the Ministry of Agriculture and Rural Development. On April 26, 2011, the Committee of the Whole passed a Government amendment to Bill 11 which clarified that the Minister may not issue a permit to allow the hunting on a farm of any diversified livestock and that the Minister may make regulations providing that no consideration is to be received in respect of killing or capturing stray diversified livestock. Bill 10 received third

reading and was granted Royal Assent.

Bill 18, the *Education Act*, proposes to establish a legislative framework for education in Alberta, providing the conditions necessary to allow boards and the Ministry to work with educational partners and stakeholders to transform education in the province. The proposed legislation is enabling legislation designed to strengthen local decision making and position school boards to determine how best to respond to the needs of students and their communities. Bill 18 intends to enable Alberta to develop effective instructional and governance models to respond to student needs. The current corresponding legislation was last reviewed in 1988, with the review of the *School Act*, while additional amendments to the Act were made in the mid-1990s. Bill 18, having been moved for second reading, remained on the Order Paper after the adjournment of the Spring Sitting.

Bill 201, the *Health Insurance Premiums (Health Card Donor Declaration) Amendment Act*, 2011 was granted Royal Assent during the Spring Sitting and awaits proclamation. The Bill provided that all Albertans are required to declare whether or not they wish to become organ donors on the back of their Alberta health card. Specifically, Albertans are to choose either yes, no, or undecided. Notably, the provisions of Bill 201 do not apply to people under the age of 18 or to people who are otherwise unable to provide their consent, and the Bill does not apply to holders of current Alberta health cards.

Committee Activity

On April 20, 2011, the Standing Committee on Legislative Offices was deemed the Special Committee of the Assembly for the purpose of conducting a comprehensive review of the *Lobbyists Act*, as provided for in section 21 of that Act, which stipulates that the Act be reviewed within two years after it comes into force and every five years subsequently. The *Lobbyists Act*, which came into force in 2009, stipulates that, although lobbying public office holders is a legitimate activity, it is desirable, as a matter of public trust, that the public and public office holders know who is engaged in lobbying activities and who is contracting with the Government of Alberta and its entities. The review of the Act will commence in late May 2011.

On May 11, 2011, the Assembly agreed to a motion to strike the Special Select Information and Privacy Commissioner Search Committee to invite applications for a successor to the current Information and Privacy Commissioner, **Franklin J. Work**, and to recommend to the Assembly the applicant it considers most suitable for the position. Mr. Work, Alberta's second Information and Privacy Commissioner, having been appointed as Commissioner in 2002 and re-appointed in 2007, announced that he will not be seeking a second re-appointment to the position.

On December 1, 2010, the Assembly appointed the Select Special Ombudsman Search Committee, which is responsible for inviting applications for this position and ultimately recommending to the Assembly whom it considers the most suitable applicant. The

Committee remained active after the adjournment of the Spring Sitting of the Legislature.

The Standing Committee on Public Accounts completed its schedule of weekly meetings during the Spring Sitting of the Legislature, meeting with nine Government of Alberta ministries. The Committee also resolved to meet with the Workers' Compensation Board of Alberta shortly after the adjournment of the Spring Sitting.

Cabinet/Caucus Changes

In January and February of 2011, a number of Cabinet and caucus changes occurred as a result of the announcement of the resignation of **Ed Stelmach** as Premier of Alberta, which is to take effect following the Spring Sitting of the Assembly. On January 27, 2011, Dr. **Ted Morton** resigned his position as Minister

of Finance and Enterprise in anticipation of his participation in a contest for the leadership of the Progressive Conservative Party. On January 31, 2011, President of the Treasury Board **Lloyd Snelgrove** was sworn in as Minister of Finance and Enterprise. On February 17, 2011, following the resignation of **Doug Griffiths** from the position of Parliamentary Assistant to the Minister of Finance and Enterprise to enable Mr. Griffiths to run as a candidate in the Progressive Conservative Party leadership contest, **Cal Dallas**, was appointed Parliamentary Assistant to Minister Snelgrove. On February 18, 2011, following the resignation as Minister of **Alison Redford, Verlyn Olson**, was appointed Minister of Justice and Attorney General.

Final Sitting Day of the Premier and the Leader of the Official Opposition

On May 12, 2011, the final day of the Spring Sitting, the tenures and accomplishments of Premier Stelmach and the Leader of the Official Opposition Dr. **David Swann** were recognized by Members of the Legislative Assembly. Mr. Stelmach has served as Premier of Alberta since December 2006 and has been a Member of the Legislative Assembly since June 1993. Dr. Swann became leader of the Alberta Liberals in December of 2008, and has served as a Member since November 2004. Dr. Swann intends to stand for re-election in the next provincial general election.

Philip Massolin

Committee Research Coordinator