



Legislative Reports



New Brunswick

Since the adjournment of the Third Session of the Fifty-Fifth Legislature of New Brunswick on December 23, 2005, Premier **Bernard Lord**, shuffled his Cabinet, an Electoral Boundaries and Representation Commission completed its mandate and released a final report, the House resumed to elect a new Speaker shortly before the budget was brought down, and a special channel began broadcasting gavel-to-gavel coverage of legislative proceedings, giving New Brunswickers access to the political process and their elected officials.

As a result of Premier Lord's restructuring of government following a "Five in Five" initiative announced a few days earlier in the state of the province address, a number of new Ministers were sworn in as Members of the Executive Council on February 14:

- **Claude Williams**, MLA for Kent South, Minister of Education
- **Jody Carr**, MLA for Oromocto-Gagetown, Minister of Post-Secondary Education and Training

- **Kirk MacDonald**, MLA for Mactaquac, Minister of Business New Brunswick
- **Brenda Fowlie**, MLA for Kennebecasis, Minister of Energy
- **Bev Harrison**, MLA for Hampton-Belleisle, Minister of Supply and Services and Government House Leader

Retiring to the backbench were: **Elvy Robichaud**, MLA for Tracadie-Sheila, **Peter Mesheau**, MLA for Tantramar and **Margaret-Ann Blaney**, MLA for Saint John-Kings.

The *Final Report of the Electoral Boundaries and Representation Commission* saw the boundaries of 20 of the province's 55 electoral districts revised and the names of nine electoral districts changed as a result of public input. Major changes were made in the Moncton-Dieppe area, and in western New Brunswick in the electoral districts of York, Woodstock, Carleton, and Victoria-Tobique. The commission, which began its work last August, released a preliminary report on November 21, 2005, followed by the final report on February 20, 2006.

On February 21, **Michael Malley**, MLA for Miramichi-Bay du Vin and former Government Whip, announced his intention to sit as an Independent Member, bringing the standings in the House on that date to Progressive Conservatives, 27; Liberals, 26; and Independents, 2.

On March 23, Deputy Speakers **Cy (Richard) LeBlanc**, MLA for Dieppe-Memramcook and **John Betts**, MLA for Moncton Crescent,

announced the launch of a New Brunswick parliamentary channel dedicated to broadcasting proceedings to keep the public informed of the important work of the House and the province's elected representatives. The Legislature acquired a professional broadcasting system with five state-of-the-art cameras located throughout the chamber and operated remotely by Rogers Television, the company commissioned to manage the new channel. The new channel will be offered in both official languages on televisions with secondary audio programming (SAP) features in major centres across the province. Question period will continue to be shown on the community channel in the smaller communities. The Assembly will also approach satellite providers to expand coverage throughout the province.

The House resumed in the forenoon March 28 and elected Mr. Malley to be Speaker, subsequent to the resignation of Speaker Harrison.

The House resumed in the afternoon when Finance Minister **Jeannot Volpé**, MLA for Madawaska-les-Lacs, brought down his third budget, stating: "This budget supports our vision of New Brunswick and our balanced approach. It builds on our results and our policies, further implements our commitments, takes steps in meeting the Premier's Five in Five Initiative and makes new investments for people."

Highlighted in the 2006-2007 budget:

- \$2.46 billion for record investments in health and senior care, a 75 per cent increase since 1999;
- \$893 million for record investments in Kindergarten to Grade 12 education, including 240 new teaching positions;
- Over \$100 million in energy relief, including the rebate of the provincial portion of the HST on home electricity and heating fuels;
- \$28.8 million more for senior care, including covering nursing home health care costs and fully protecting the value of seniors' homes;
- \$17 million in additional personal income tax reductions for New Brunswickers, resulting in 50,000 New Brunswickers removed from the income tax rolls since 1999;
- \$20 million in tax reductions for New Brunswick businesses, including the reduction of the New Brunswick small business income tax rate to 1.5 per cent;
- \$25 million over five years for a new Wellness Infrastructure Fund;
- \$15 million for regional economic development funds in Miramichi, Restigouche-Chaleur and the Acadian Peninsula;
- \$26 million over two years in tax relief and incentives as part of the \$250-million, five-year Forestry Assistance Support Package to help the forestry sector;
- \$9.2 million for culture, including an additional \$1 million for the Cultural Policy and a new book policy;
- A 27.8 per cent net debt-to-GDP ratio, for the seventh consecutive annual reduction;
- A \$22.2 million surplus for another balanced budget.

In his response to the budget speech, Opposition House Leader **Kelly Lamrock**, MLA for Fredericton-Fort Nashwaak, pinch hitting for Finance Critic **Michael Murphy**, characterized the budget as “a bud-

get that mentions everything but solves nothing.” He submitted that the budget neglected to address job creation, affordable housing, the uncertainty facing mills in the province, the cost of nursing home care and post-secondary education, the lack of spaces in community colleges, the prolonged care of special needs children, the clean-up of municipal harbours, or the lack of support for small business owners.

He was critical of the numbers contained in the budget. While acknowledging a \$5 million increase in spending on special education, he submitted that New Brunswick is one of only two provinces to cut education in real dollars. He agreed more money is being spent in the budget, an increase of 1.7% from the previous budget, but stated that this was inadequate when inflation rose by 2.5%. He further stated “when I look at this budget, we have a government that cannot even meet its own priority areas, a government that cannot deliver change, a government that has been given \$1.6 billion more in revenue and has not delivered a single bit of transformative change.”

On April 7 Speaker Malley cast his first deciding vote following a division on the budget motion. In casting his vote in the affirmative, Mr. Speaker stated that :

Questions of confidence are of such importance that an expression of nonconfidence should clearly be stated by a majority. In addition to my responsibilities as Speaker, I have a responsibility to the constituents of my riding of Miramichi-Bay du Vin and to the people of New Brunswick. In this instance, I am guided by the principles of the Speaker's casting vote, on questions of confidence.

On April 11, Speaker Malley ruled on a question of privilege raised earlier by Government

House Leader Harrison regarding a letter from **Abel LeBlanc**, MLA for Saint John Lancaster, published in the *Telegraph-Journal* on April 6, 2006, which characterized the election of the Speaker as a sham. In giving notice of his motion to refer the matter to the Standing Committee on Privileges, the Government House Leader claimed the comments in the letter demonstrated contempt, disrespect, and called into question the legitimacy of the Speaker and the proceedings in the House. Opposition House Leader Lamrock argued that the letter concerned only the process by which the Speaker came to Office and that it did not reflect negatively on the Speaker himself but was critical of the government. However, Speaker Malley found that the remarks reflected on the Legislature as a whole and on the Office of Speaker and made it more difficult for the Speaker to fulfill his duties by diminishing the respect owed to the Office and to the institution. In ruling that a *prima facie* case of contempt had not been made, Speaker Malley ruled that it would not be productive to allow the matter to go forward for a debate and would only serve to give more significance to the remarks than they merit. Speaker Malley noted that the letter was in poor taste and did a disservice to the House and the Office of the Speaker; the Member subsequently apologized to the House.

On April 13, Speaker Malley announced his intention to rejoin the Government caucus while continuing to fulfill the duties of the Office of Speaker in a fair and impartial manner, bringing the standings in the House to Progressive Conservatives, 28; Liberals, 26; and Independent, 1.

Among the government bills introduced were Bill 34, to amend the *Municipalities Act* introduced by Lo-

cal Government Minister **Rose-May Porier**, and Bill 35, to amend *The Residential Tenancies Act* introduced by Justice and Consumer Affairs Minister **Bruce Fitch**. The amendments would give municipal bylaw enforcement officers the tools necessary to ensure that negligent landlords address issues of health and safety in residential properties including ticketing landlords for violations and undertaking repairs where a landlord fails to do so, with remedial costs being added to the owner's property tax bill.

Bill 47, *An Act to Amend the Members' Conflict of Interest Act*, introduced by Opposition Leader **Shawn Graham**, would prohibit any member of the Executive Council from accepting any salary, financial assistance, or any other benefit from a registered political party or a registered district association. In introducing the Bill, Mr. Graham noted that the Conflict of Interest Commissioner would have the discretion to approve such a salary if certain conditions were met. The Bill was referred to the Standing Committee on Law Amendments for review.

On April 26, the Opposition House Leader gave notice of his intention to move a motion of non-confidence in the Speaker. The motion was expected to come up for debate in May during the two hours reserved on Tuesday and Thursday for Private Members' Motions.

Restoration continues in the Legislative Council Chamber. Used almost exclusively by committees in recent years, the newly restored room promises to reveal the original elegance of the 1882 Second Empire sandstone building. The meticulous and diligent work of conservators uncovered rich colours and details, including the discovery of paint chips from the original ceiling. The

room is the former home of the Legislative Council, or New Brunswick's Upper House.

Diane Taylor-Myles
Researcher



Yukon

The last submission outlined certain changes to the composition of party caucuses in the Yukon Legislative Assembly. These changes included the resignation of **Haakon Arntzen** (formerly the independent member for Copperbelt, and before that the Yukon Party member for the same constituency), the election of Liberal Party leader **Arthur Mitchell** in the Copperbelt by-election; and the resignation of **Peter Jenkins** (Klondike) from the governing Yukon Party cabinet and caucus. Mr. Jenkins now sits as an independent member.

As a result the House standings – which had been Yukon Party 11, NDP 5, Liberals 1 and one independent member during the 2005 Spring Sitting – were Yukon Party 10, NDP 5, Liberals 2, and one independent by the end of the 2005 Fall Sitting.

This, however, was not the end of the changes. On February 28 the leader of the official opposition, **Todd Hardy** (Whitehorse Centre, NDP) announced that his House leader, **Gary McRobb** (Kluane), had been dismissed from caucus. McRobb's transgression came in the form of a letter to his constituents

wherein he asked them to express their view as to whether he should contest the next general election (due later this year) as a New Democrat, Liberal or independent candidate. The following day Mr. Hardy excised **Eric Fairclough** (Mayo-Tatchun) from the caucus for having conducted a similar, if less formal, survey of his constituents. As a result the party standings were now: Yukon Party 10, NDP 3, Liberals 2, and three independent members.

Given the reasons for the change in the NDP caucus speculation was high that Mr. McRobb and/or Mr. Fairclough would join the Liberal caucus. On March 16 Mr. McRobb did so, giving the Liberal caucus the same number of members as that of the NDP. Mr. Fairclough, however, remained an independent member as the 2006 Spring Sitting began on March 30, 2006.

However, on May 1, 2006 Mr. Fairclough announced that he had joined the Liberal Party caucus. This changed the House standings to: Yukon Party 10, Liberal Party 4, NDP 3 and one independent. As a result the Liberals have now supplanted the NDP as the official opposition.

During the controversy over changes within the NDP it has also been revealed that the minister of Education, and Justice, **John Edzerza** (Yukon Party, McIntyre-Takhini), spoke with Mr. Hardy during the fall of 2005 on the prospect of Mr. Edzerza leaving the Yukon Party caucus for the NDP. Mr. Hardy indicated that his party could not accept a member who had been elected under another party's banner. Mr. Hardy suggested Mr. Edzerza either sit as an independent member or resign and contest a by-election as the NDP candidate. Mr. Edzerza has stayed with the Yukon Party.

Premier Fentie did not follow Mr. Hardy's example and expel Mr. Edzerza from the Yukon Party caucus for talking with the NDP. Premier Fentie suggested that Mr. Hardy's eviction of Mr. McRobb and Mr. Fairclough had been precipitous. He said Mr. Edzerza has contributed much to the government and has much more to contribute.

These issues received a substantial airing in the Assembly on May 3 when members debated Bill No. 112, *Act to Amend the Legislative Assembly Act*. This private members' bill, introduced by Mr. Hardy on April 13, proposed to prohibit a member elected as a member of a given party from joining the caucus of another party during the course of a given legislature. The second reading debate proved acrimonious with various allegations of improper motive and nefarious behaviour being exchanged between the opposition caucuses. Despite this the bill passed second reading on a vote of 14-1. Both the Yukon Party and Liberal caucuses said they voted for the bill to give it more discussion in Committee of the Whole. Oddly, the only member to vote against second reading was **Glenn Hart** (Riverdale South), a Yukon Party cabinet minister. There was more acrimonious debate in Committee of the Whole before the Assembly reached its normal hour of adjournment. The bill may be recalled for debate on May 17, which is the next day when opposition private members' business has precedence.

2006 Spring Sitting

The 2006 Spring Sitting began on March 30. Pursuant to Standing Order 74 the government introduced all the bills it wanted to see dealt with during this Sitting by the fifth sitting day, April 6. Subsequently,

pursuant to Standing Order 75, the three House leaders met to determine the length of the sitting. On April 11 the government House leader, **Brad Cathers** (Lake Laberge, Yukon Party) informed the Assembly that the House leaders could not reach agreement on the length of the sitting. As a result the Speaker, **Ted Staffen**, declared, pursuant to Standing Order 75(3), that the 2006 Spring Sitting would last 30 sitting days, the 30th sitting day to be May 24, 2006.

Nine government bills were introduced during this Sitting. These bills were:

- Bill No. 18, *Interim Supply Appropriation Act, 2006-07*
- Bill No. 19, *Third Appropriation Act, 2005-06*
- Bill No. 20, *First Appropriation Act, 2006-07*
- Bill No. 66, *Act to Amend the Securities Act*
- Bill No. 67, *Safer Communities and Neighbourhoods Act*
- Bill No. 68, *Act to Repeal the Physiotherapists Act*
- Bill No. 69, *Canadian Blood Services Indemnification Act*
- Bill No. 70, *Act to Amend the Income Tax Act (2006)*
- Bill No. 71, *Dawson Municipal Election Act (2006)*

Bill No. 20 is the main appropriation act for the 2006-07 fiscal year. Through it the Government of Yukon is seeking authority to spend \$793 million for the twelve months ending March 31, 2007. It is the largest appropriation bill in Yukon's history.

The impetus behind Bill No. 67 was a motion brought forward by Mr. Hardy on November 9, 2005. The motion urged the Yukon Government to develop a *Safer Communities and Neighbourhoods Act* similar

to that which is in effect in Saskatchewan. The motion was not adopted that day, as the government moved an amendment that had not been agreed to by the normal hour of adjournment.

On November 14 the government brought forward its own version of Mr. Hardy's motion, one that incorporated the amendment proposed on November 9. This motion passed unanimously on that day.

On April 5, 2006 the Minister of Justice, Mr. Edzerza, introduced and received first reading for Bill No. 67. The bill received unanimous support at all stages, passing second reading on April 27, being reported by Committee of the Whole on May 1, and receiving third reading on May 4. With the passage of the *Safer Communities and Neighbourhoods Act* Yukon becomes the third Canadian jurisdiction, behind Manitoba and Saskatchewan, to pass such legislation.

The *Municipal Act* provides that Yukon municipalities will hold elections this October. However, Bill No. 71 was required to allow the Town of Dawson City to hold municipal elections by June 15, 2006. In a controversial move the Yukon Government had removed the previous council from office in April 2004 due to financial irregularities. The government had appointed a trustee to run the municipality since then.

Despite the controversy engendered by the government's policy in dealing with Dawson City, the bill passed through the Assembly rather quickly. All members realized that whatever their differences it was in the best interest of Dawson City that it become self-governing as soon as possible. After introduction and first reading on April 3, the bill received second reading on April 10. The following day the *Dawson Municipal Election Act*

(2006) was reported by Committee of the Whole, received third reading and was assented to by Commissioner **Geraldine Van Bibber**.

Four private members' bills were also introduced during this Sitting. They were Bill No. 111, *Act to Repeal the Dawson Municipal Governance Restoration Act*, the aforementioned Bill No. 112, Bill No. 113, *All-Party Committee on Appointments Act*, and Bill No. 114, *Yukon Ethics and Accountability Act*. So far, Bill No. 112 is the only private members' bill to be brought forward for debate.

Floyd McCormick
Deputy Clerk



Alberta

On April 4, 2006, Premier **Ralph Klein** announced that he would be retiring in September 2006. The Premier stated he would remain in office until his successor is chosen which is anticipated to occur sometime in November 2006. The Premier's announcement occurred following a Progressive Conservative convention at which time the Premier received an approval rating of 55.4 per cent.

To date, the following individuals have announced their intentions to seek leadership of the Progressive Conservative party: former Ministers **Ed Stelmach** (PC, Fort Saskatchewan-Vegreville), **Dave Hancock** (PC, Edmonton-Whitemud), **Lyle Oberg** (Ind, Strathmore-Brooks), and Private Member **Ted Morton** (PC, Foot-

hills-Rocky View). Former Provincial Treasurer **Jim Dinning**, who left politics in 1997 and former Cabinet Minister **Mark Norris**, who was defeated in 2004 have also announced their intentions to run. There is speculation that **Preston Manning** may announce his candidacy.

One candidate, Dr. Oberg, was removed from Cabinet and suspended from the Progressive Conservative caucus for six months following remarks made to his constituency association. Dr. Oberg reportedly told members of the association that he would not be asking them to support Premier Klein at the March 31, 2006 leadership review. He now sits as an independent in the Assembly.

Spring Sitting of the Twenty-Sixth Legislature

On February 22, 2006, Lieutenant Governor **Norman L. Kwong** delivered the Speech from the Throne. The Speech outlined the Government's pledge to reduce the incidence of cancer and mortality from cancer by improving cancer prevention, screening and research initiatives. It also outlined the government's plans in areas such as health, education and the environment. Other highlights include:

- the exploration of new uses for coal and clean coal technology;
- new legislation to protect children exposed to drug manufacturing and trafficking in their homes;
- new standards for seniors' lodges, supportive living and long-term care facilities;
- changes to legislation to protect people from family violence.

During the Spring Sitting, the Assembly approved supplementary estimates totalling \$1,354,485,000

for 12 departments. This amount included a \$1,000,000,000 payment to the Alberta Heritage Savings Trust Fund. The Assembly also approved interim estimates totalling \$6,384,900,000.

At the time of writing, 15 Government Bills and 1 Private Members' Public Bill had been passed by the Assembly.

Government Bills

Some Bills before the Assembly include:

- Bill 1, *Alberta Cancer Prevention Legacy Act*, creates and expands cancer screening and detection programs; creates a virtual cancer institute to coordinate research in the province; and promotes the coordination of public, private, provincial, national and international cancer research and screening programs.
- Bill 4, *Daylight Saving Time Amendment Act, 2006*, extends Daylight Saving Time in Alberta in accordance with legislation passed in the United States, beginning with the second Sunday in March and ending the first Sunday in November, commencing in 2007.
- Bill 20, *Freedom of Information and Protection of Privacy Amendment Act, 2006*, makes eight amendments to the Act including the following; limits access to ministerial briefing material for five years; limits access to records relating to audits of the chief internal auditor of Alberta for 15 years; enhances the security of Albertans' personal information by making it less vulnerable to collection by foreign agencies; and increases penalties for disclosing personal information to foreign courts. The opposition has expressed significant criticism regarding the amendments limiting access to ministerial information and audit information.
- Bill 24, *Fiscal Responsibility Amendment Act, 2006*, amends the Act to increase the limit of the use of non-renewable resource reve-

nue to \$5.3 billion from \$4.7 billion for budgetary purposes.

- Bill 26, *Mandatory Testing and Disclosure Act*, replaces the *Blood Samples Act* (a Private Members' Bill in 2004 which has not yet been proclaimed). The Bill allows front-line medical workers, police officers, firefighters, and correctional officers to require a blood sample from an individual whose bodily fluids they have come in contact with.
- Bill 28, *Local Authorities Election Amendment Act, 2006*, amends the Act by setting and outlining standards and processes for the election of municipal councils and school board trustees. The legislation incorporates recommendations from an investigation into voter fraud regarding the use of special ballots in the 2004 municipal election in Calgary.

Private Members' Public Bills

One Private Members' Public Bill was passed by the Assembly:

- Bill 203, *Railway (Alberta) (Heritage Railway) Amendment Act, 2006*, sponsored by **LeRoy Johnson** (PC, Wetaskiwin-Camrose), amends the *Railway (Alberta) Act* by creating a special designation for heritage railways so that they are not subject to the same regulations as freight and short line railways.

Two Private Members' Public Bills before the Assembly include:

- Bill 208, *Protection of Fundamental Freedoms (Marriage) Statutes Amendment Act, 2006*, sponsored by **Ted Morton** (PC, Foothills-Rocky View) would, as introduced, amend three statutes to add provisions concerning same-sex marriage. The Bill would amend the *Human Rights, Citizenship and Multiculturalism Act* by not allowing anyone to be deprived of any benefit or subject to any sanction for exercising their freedom of speech or of conscience and religion by expressing or exercising their beliefs

about same-sex marriage; the *Marriage Act* by allowing clergy and marriage commissioners to refuse to perform marriages between persons of the same sex where to do so would violate their religious beliefs or moral values and not to be liable for any action arising from that decision; and the *School Act* by allowing students not to attend and teachers not to teach that part of a course that has in its curriculum that marriage may be the union of persons of the same sex.

- Bill 210, *Election (Fixed Election Dates) Amendment Act, 2006*, sponsored by **Kevin Taft** (Lib, Edmonton-Riverview) amends the *Election Act* by requiring that an election be held in the province of Alberta on the third Monday in November every four years, beginning in 2008.

A motion that the Chair now leave the Chair was moved during Committee of the Whole consideration of Bill 201, *Human Tissue Gift (Notification Procedure) Amendment Act, 2006*, introduced by **Ron Liepert** (PC, Calgary-West). The Member is now the sponsor of a Government Bill on the same topic.

Hoist amendments were moved in connection with the following Private Members' Bills:

- Bill 202, *Environmental Protection and Enhancement (Methamphetamine) Amendment Act, 2006*, sponsored by **Ivan Stang** (PC, West Yellowhead), proposed amendments that would penalize individuals who release waste generated by the manufacturing of methamphetamine into the environment. The Bill was hoisted during Second Reading consideration after the Minister of Environment explained that the changes proposed in the Bill could be done by regulation. Another reason given for the hoist amendment was that the scope of the legislation was limited only to methamphetamine drugs.
- Bill 204, *Parental Consent to Medical Treatment for Minors Act*, intro-

duced by **Tony Abbott** (PC, Drayton Valley-Calmar), proposed a requirement for minors aged 15 and under to obtain written consent of a parent or guardian prior to receiving medical treatment. During Second Reading debate a hoist amendment was agreed to after several Members raised concerns about minors being denied access to medical care. Concerns were also raised that the legislation was too broad given that the intent of the sponsor was to address the issue of access to abortions by minors.

- Bill 206, *Designation of Child Access Exchange Centre Act*, introduced by **Alana DeLong** (PC, Calgary Bow), proposed the designation of facilities in Alberta as centres where children can associate with their parents or guardians. These facilities would be subject to the same regulations as day care facilities. A hoist amendment was moved after both the Minister of Justice and Attorney General and the Minister of Children's Services outlined projects currently in place to deal with the problem the legislation was addressing. Several Members also outlined issues that the Bill poses for rural communities.

Budget 2006

On March 22, 2006, **Shirley McClellan**, Minister of Finance, presented the Budget and the estimates for the 2006-07 fiscal year. Revenue for the 2006-07 fiscal year is estimated to be \$32.4 billion and total resource revenue is expected to be \$11.35 billion. The Minister projected total expenditures of \$28.31 billion in 2006-07. Surplus revenue is estimated to be \$4.1 billion. The Budget increases the base budget for the Department of Health and Wellness by 7.7 per cent to \$10.3 billion which accounts for 37 per cent of the Budget. Funding for Advanced Education (which oversees post-secondary education programs) will increase by 19 per cent to \$2.2 billion while program

support for Education will increase by 6.7 per cent for a total of \$5.3 billion. In the 2006-07 fiscal year, Education expenses account for 26.9 per cent of the Budget. Funding for Infrastructure programs will be increased by 45 per cent to \$13.3 billion over the next three years.

Other elements of Budget 2006 include:

- an additional \$1 billion to be placed into the Heritage Savings Trust Fund in the 2006-07 fiscal year;
- a reduction in the corporate tax rate from 11.5 per cent to 10 per cent;
- funding for 80 new RCMP officers, 25 prosecutors and several judges;
- a base operating spending increase of 8.3 per cent;
- the assumption that prices will be \$50.00 US a barrel for oil and \$7.50 Cdn per gigajoule for natural gas.

Cabinet Changes

Premier Klein announced changes to the Cabinet on April 5, 2006. A new Cabinet position of Associate Minister of Infrastructure and Transportation and Minister Responsible for Capital Planning was created, bringing the number of Cabinet Members to 25, including the Premier.

Ministers changing portfolios are **Ty Lund**, Minister of Infrastructure and Transportation and **Gary Mar**, Minister of International and Intergovernmental Relations.

New Ministers are: **Denis Herard**, Minister of Advanced Education; **Denis Ducharme**, Minister of Community Development; **George VanderBurg**, Minister of Government Services; and **Barry McFarland**, Associate Minister of Infrastructure and Transportation, and Minister Responsible for Capital Planning.

Gene Zwozdesky was appointed Government House Leader while Minister of Justice and Attorney General **Ron Stevens** and Minister of Municipal Affairs **Rob Renner** will serve as Deputy Government House Leaders.

Other Events

On March 13, 2006, Speaker **Ken Kowalski** hosted a ceremony in the Legislature Building Rotunda recognizing Alberta's Francophone community. Les Rendez-vous de la Francophonie is a celebration of the province's French culture and history. Joining Speaker Kowalski during the recognition ceremony were Premier Klein, Premier of Alberta; **Harry Chase**, MLA, Calgary-Varsity, representing the Official Opposition; **Raj Pannu**, MLA, representing the Third Party Opposition; **Jean Johnson**, President, Canadian Francophone Association of Alberta; and **Denis Ducharme**, MLA, Bonnyville-Cold Lake, Chair, Francophone Secretariat.

On March 13, 2006, Speaker Kowalski unveiled in the Assembly Alberta's Westminster chairs which were copied from Augustus Welby Pugin's design of the chairs that continue to be in service in the New Palace of Westminster. Conceived as a Legislative Assembly Centennial project three years ago, three dozen chairs were fabricated by craftsmen who were employees of Alberta Infrastructure and Transportation. The chairs, all individually numbered and embossed with Alberta's Mace, have been placed in the lobbies and lounges of the House.

On March 13, 2006, the Assembly approved a motion to allow former Member, **Ray Speaker**, onto the floor of the House to address the Assembly to mark the occasion of the 100th anniversary of the convening

of the Legislative Assembly of Alberta on March 15, 1906. On March 15, 2006, Speaker Kowalski hosted current and former Members of the Legislative Assembly at a noon hour reception in the Legislature Building. Following the reception, a special ceremony was held in the Assembly honouring 100 years of democracy. To mark the occasion, Lieutenant Governor Kwong, Speaker Kowalski, former Member Speaker, Premier Klein and Leaders of the Opposition parties spoke of the achievements of the Assembly and the contributions of current and former Members over the last 100 years.

The day was highlighted by a gala dinner attended by 475 guests and hosted by Speaker Kowalski. That evening, over 200 current and former Members were presented with commemorative medallions for each term served as an MLA since 1905. A series of plaques tracing the history of the first 25 Legislatures as well as the history of the province prior to 1905 were also unveiled at the dinner. Guests were presented with a coffee table book highlighting the Legislature Building. A new Legislative Assembly tie and scarf have also been created to commemorate the centennial.

Their Excellencies, the Right Honourable **Michaëlle Jean**, Governor General of Canada and Mr. **Jean-Daniel Lafond** visited the Legislature on May 4, 2006. Her Excellency addressed the Legislative Assembly and guests from the Speaker's Chair. It was the first time in Alberta's history that a Governor General took the throne inside the Chamber.

Micheline Orydzuk

Clerk of Journals/Table Research



The first session of the 37th Legislature was prorogued on Friday, March 10, 2006. The Lieutenant-Governor's address and the delivery of the Opening Speech by the Premier for the second session took place on Tuesday, March 14, 2006. The twenty-five hour debate on this speech was interrupted by the Budget Speech, on Thursday, March 23, and concluded in time to allow for the adoption of one quarter of the estimates of expenditure before April 1, 2006. It should be noted that the full speeches are available on the Internet site of the National Assembly, under the heading "Travaux parlementaires".

At the second sitting of the new session, the Government House Leader moved a motion to return to the *Order Paper* nineteen of the twenty-six bills that had remained there at the end of the first session.

Changes in the Assembly

The Premier of Québec, **Jean Charest**, carried out a minor Cabinet shuffle on February 27, 2006. The new Member for Outremont, **Raymond Bachand**, was given the duties of Minister of Economic Development, Innovation and Export Trade. His predecessor, **Claude Béchar**, became Minister of Sustainable Development, Environment and Parks and Deputy Government House Leader, replacing the Member for Chomedey, **Thomas Mulcair**. Finally, **Henri-François Gautrin** was named Minister of Government Ser-

vices, replacing the Member for Orford, **Pierre Reid**.

The Member for Taillon, **Pauline Marois**, who had been in politics for twenty years, resigned at the beginning of the sitting, on Monday, March 20, 2006. A few days earlier, the Member for Pointe-aux-Trembles, **Nicole Léger**, announced she would end her term of office on June 1, 2006.

On April 10, 2006, a by-election was held in the electoral division of Sainte-Marie-Saint-Jacques. **Martin Lemay**, representing the Parti Québécois, was the candidate returned. The composition of the Assembly now stands as follows: Québec Liberal Party, 73 Members; Parti Québécois, 45 Members; Independent, six Members, five of whom are from the Action démocratique du Québec; and one vacant seat.

Interparliamentary Relations

The steering committee of the Network of Women Parliamentarians of the Assemblée parlementaire de la Francophonie (APF) met in Toronto, Ontario, on January 18-19, 2006. The committee more particularly discussed the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women.

Québec parliamentarians also took part in other APF activities: the Meeting of the Committee on Cooperation and Development (Délémont, Jura, March, 14-16, 2006); the Meeting of the Committee on Education, Communications and Cultural Affairs (Antananarivo, Madagascar, March 21-22, 2006); the Meeting of the Conference of the Section Presidents of the America Region (Augusta, Maine, March 21-24, 2006) and the Meeting of the Committee on Parliamentary Affairs (Ottawa, March 27-29, 2006).

In March 2006, Québec delegates participated in the meetings of the Executive Committee of the Parliamentary Conference of the Americas (PCOA) and of the Executive Committee of the Network (Puebla, Mexico).

As part of the delegation for Relations With the United States (DANRÉU), Québec parliamentarians took part in three activities during winter 2006: the meeting of the Legislative Summit of the Committees on Agriculture (Tempe, Arizona, January 20-22, 2006), the meeting of the Executive Committee of the National Conference of State Legislatures (Santa Barbara, California, January 27-28, 2006) and the mission of the Canada/United States Committee of the Eastern Regional Conference on "The Western Hemisphere Travel Initiative (WHTI)" (Washington, D. C., January 31-February 2, 2006).

As part of the delegation for Relations With the French Community of Belgium/Walloon Region/Belgium (DANRB), Québec MNAs participated in the 19th Session of the Joint Committee of the National Assembly/Parliament of the French Community of Belgium held in Québec City from March 28 to April 2, 2006. On this meeting's agenda were the comparison of electoral systems and the school dropout issue.

Finally, the beginning of 2006 was marked by two activities in relation to interparliamentary cooperation: a fact-finding visit of those responsible for documentation services, libraries and archives of parliaments and assemblies benefiting from the special support of the Noria programme of the Assemblée parlementaire de la Francophonie (APF), from January 30 to February 3, 2006, and, from February 20 to 24, 2006, a working visit of the directors of legislative services of parlia-

ments and assemblies benefiting from the generalized support of the Noria programme.

Student Forum, Youth Parliament and President's Tour

Over 140 participants hailing from 27 Québec cegeps took part in the Student Forum parliamentary simulation in January 2006, at the Parliament Building. The bills examined this year focussed on the promotion of the role of Members, sustainable development and the conservation of natural resources. Cegep students examined these bills in parliamentary committee before proceeding to their final passage following a debate in the National Assembly Room. Participants who did not have a Member's seat took on either the role of clerk, press agent or journalist; one of them was even given the duty of sergeant-at-arms.

During the 4th Legislature of the Youth Parliament (composed of secondary 3 and 4 students), the apprentice Members and young clerks experienced significant events in parliamentary life at the Parliament Building: the swearing-in of Members, the debate on the opening speech of the session and oral question period. Three bills were discussed: the *Act concerning the improvement of the health of Québec's youth* (passed); the *Act concerning certain measures fostering the reduction of Québec student debt* (passed); the *Act concerning certain measures fostering a peaceful climate in elementary and secondary schools* (negated). An interesting fact to be mentioned is that, in addition to having a student play the role of sergeant-at-arms, for the first time, two participants were given the role of page.

Again this year, in mid-February, the President of the National Assembly began his tour of 14 high

schools in 5 Québec regions (Côte-Nord, Capitale-Nationale, Montérégie, Nord-du-Québec and Saguenay Lac-Saint-Jean). During this tour, the students were able to exchange views with Mr. Bissonnet on the themes of democracy and Québec parliamentary life, thus improving their knowledge of the role of the National Assembly, its history and achievements, as well as the role of Members and of the President.

Rulings from the Chair

On November 23, 2005, the President communicated to the Assembly a directive relating to the tabling of petitions after having noted that the texts submitted, particularly since the resumption of proceedings in the fall, contained a significant number of words. Standing Order 63 provides that a petition shall make "a clear, concise, accurate, and temperate statement of the facts for which the intervention of the Assembly is prayed".

The Chair had never been required, until this day, to interpret the word "concise" stipulated in this *Standing Order*; each petitioner thus interpreted it according to his understanding thereof and petitions containing between 500 and 1500 words were regularly submitted. The tabling of such petitions substantially prolongs the period set aside for Routine Proceedings, which in turn has the effect of delaying the proceedings of the Assembly and of the committees.

President Bissonnet specified that he deemed it advisable, for the proper conduct of parliamentary proceedings, to provide a framework for the length of the statement of facts contained in the petitions. Inspired by the consensus reached by the members of the Standing Subcommittee on Parliamentary Reform, he stated that the statement

of facts and the intervention prayed for would be restricted to no more than 250 words. The President further stated that this directive would be available the following day on the Internet site of the Assembly, thus ensuring that all persons interested in tabling a petition would be informed before undertaking their endeavour.

Therefore, all petitions tabled in the Assembly since the beginning of the 2nd session are subject to the application of this directive.

Johanne Lapointe

Secretariat of the National Assembly

Standing Committees

This spring, after having received an order of the Assembly, the Committee on Social Affairs held a general consultation and public hearings on the document entitled *Guaranteeing Access: Meeting the Challenges of Equity, Efficiency and Quality* concerning the Government orientations on health and social services.

In keeping with the Government's desire to improve the health and social services system's capacity to adequately meet the current and future needs of Quebecers, this document presents avenues of resolution to the numerous internal and external pressures it faces as well as the political response to the *Chaoulli* case, rendered in June 2005 by the Supreme Court of Canada, regarding the private sector's place in health.

By mid-April 2006, the Committee had received 131 submissions and had heard 38 individuals and organizations that came to present their points of view on the solutions advocated by the Ministère. Also, in parallel with this open public debate, the Committee members had the opportunity to examine the re-

sults of an on-line consultation of citizens with regard to the Ministère's document. Over 3572 individuals answered the five questions on the proposals to improve the health and social services system.

The public hearings will continue after the examination of the estimates of expenditure, in mid-May 2006.

Within the framework of its order of initiative on Québec's religious heritage, the Committee on Culture selected two members, **Bernard Brodeur**, the Member for Shefford and chairman of the Committee, and **Nicole Léger**, the Member for Pointe-aux-Trembles, as well as a Committee clerk to carry out a study mission in Belgium and France, from February 5 to 10, 2006.

The choice of these two countries, which have characteristics quite similar to Québec since they are mostly Francophone and Catholic, was mainly based on their internationally recognized experience in the conservation and enhancement of the religious heritage.

This mission in Europe enabled the Québec delegation to broaden the Committee's reflection with respect to this complex issue in the preparation of the report that will be tabled in the Assembly in spring 2006.

During this tour, the parliamentary delegation held hearings complementary to those conducted during the public hearings held in autumn 2005; developed its understanding of the various church ownership characteristics and decision-making processes of parish councils; compared different religious heritage management and financing models; examined the property inventory methods and archiving methods used abroad; observed certain European initiatives with regard to religious tourism

and heritage presentation; visited several places of worship recycling projects.

On February 23, the members of the Committee on Culture elected **Daniel Turp**, the Member for Mercier and Official Opposition critic for culture and communications, as vice-chairman. Elected by the majority of the members of each parliamentary group, Mr. Turp replaces **André Boulerice**, former Member for Sainte-Marie-Saint-Jacques, who resigned from politics last autumn.

The Committee on Public Finance launched a general consultation on the protection of investors in Québec in the mutual funds sector. Close to a dozen experts were heard prior to the consultation, in a deliberative meeting, to provide some orientation regarding the mandate.

The consultation focuses on four major issues: 1) governance shortcomings; 2) problems related to the exchange of information between audit organizations, police services and the Autorité des marchés financiers; 3) investor indemnity; 4) the penalties imposed.

Furthermore, the Committee will examine the issues surrounding investor education, the role of the Autorité des marchés financiers and exit fees for fund investment withdrawal owing to a change in manager.

It is important to note that the Committee is also holding an on-line consultation from its Internet site. The Committee hopes to hold its public hearings before the summer.

Two Members of the Québec National Assembly took part in the Spring Forum of the National Conference of State Legislatures (NCSL), which was held in Washington, D.C., from April 6-8, 2006.

On this occasion, **Jean-Pierre Soucy**, the Member for Portneuf

and member of the Committee on Transportation and the Environment, took part in the meeting of the Committee on the Environment and Natural Resources of the NCSL.

For her part, **Cécile Vermette**, the Member for Marie-Victorin, participated in the proceedings of the Committee on Economic Development, Trade and Cultural Affairs. Mrs. Vermette delivered an address on a resolution concerning the Western Hemisphere Travel Initiative of the American Government which will require all travelers who wish to enter the United States to have a passport or other accepted document. For the occasion, these Members were accompanied by a committee clerk and an interparliamentary relations advisor of the National Assembly.

The Assembly has been an international associated member of the NCSL since 2000 and has been taking part in its activities for several years. Established in 1975, this non partisan organization brings together representatives from the legislative assemblies of the 50 United States and territories.

On April 11, in compliance with an order of the Assembly, the Committee on Transportation and the Environment heard **John Harbour**, chairman and chief executive officer of the Société de l'assurance automobile du Québec (SAAQ), concerning the proposals for increasing insurance contributions.

The head officer of the SAAQ presented his opinion before the parliamentarians for more than an hour. Subsequently, two exchange periods totalling two and a half hours shared equally between the Members of the parliamentary group forming the Government and the Members in opposition enabled the Members to further question Mr. Harbour on the announced increases.

Within the framework of the special consultations of the order of initiative on highway safety in Québec, the Committee on Transportation and the Environment heard 23 individuals and organizations on the subject.

A noteworthy fact, **Michel Després**, the Minister of Transport, was heard in compliance with Standing Order 163, which stipulates that every committee shall hear any minister who asks to speak to some matter that is before it for consideration.

Furthermore, over 830 citizens answered the on-line consultation by filling in the questionnaire on the Committee's Internet site. The Committee members are currently preparing the report that will eventually be tabled in the Assembly.

Martin Cardinal

Secretariat of Committees

Translation: **Sylvia Ford**

Secretariat of the Assembly



Nunavut

The Third Session of the Second Legislative Assembly of Nunavut reconvened on February 21, 2006. Finance Minister and Baker Lake MLA **David Simailak** delivered his first Budget Address on February 22. The proceedings of the House during the February-March sitting were dominated by the Assembly's scrutiny of the Government of Nunavut's

2006-2007 Main Estimates and departmental business plans.

During the morning of February 27, the Nunavut Leadership Forum, an informal body consisting of all MLAs, met to select a new member of the Executive Council of Nunavut, to replace Pangnirtung MLA **Peter Kilabuk**, who resigned from Cabinet in January. Nanulik MLA **Patterk Netser** and Uqqummiut MLA **James Arreak** were nominated to serve on Cabinet. Mr. Netser was chosen in a secret ballot election following remarks from both candidates. A formal motion to recommend Mr. Netser's appointment was made during the afternoon sitting of the House.

On March 1, the Legislative Assembly recommended by way of motion the appointment of the members of the Nunavut Electoral Boundaries Commission, which was established pursuant to the *Nunavut Elections Act*. **Beverley Browne** of Iqaluit, Senior Judge of the Nunavut Court of Justice, serves as Presiding Member of the Commission. **John Ningark** of Kugaaruk and **Bernadette Niviatsiak** of Rankin Inlet also serve on the Commission. The Commission has a mandate to examine Nunavut's current electoral boundaries and develop recommendations for consideration by the Legislative Assembly. The Commission is required to report its findings to the Legislative Assembly by the fall of this year.

On March 6, Mr. Kilabuk was appointed by the Assembly to serve as Deputy Speaker and Chairperson of the Committee of the Whole. He also sits on two Standing Committees of the Legislative Assembly.

A total of six Bills were passed during the February-March sitting, including amendments to the *Conflict of Interest Act*, the *Financial Ad-*

ministration Act and the *Exemptions Act*. A new *Statistics Act* and Bills to amend the *Liquor Act*, the *Senior Citizens and Disabled Persons Property Tax Relief Act* and the *Fire Prevention Act* are presently under consideration by Standing Committees of the Legislative Assembly. Substantive amendments to the *Nunavut Elections Act* were passed during the fall 2005 sitting.

The Legislative Assembly recessed on March 14. On March 15, Premier **Paul Okalik** announced the appointment of Mr. Netser as Minister of Environment and Minister responsible for the Workers' Compensation Board.

The Standing Committee Ajauqtiit held hearings on April 6 on the most recent Report of the Languages Commissioner of Nunavut to the Legislative Assembly, which was tabled in the House in March. Languages Commissioner **Johnny Kusugak** appeared before the Standing Committee to respond to Members' questions on his first report since being appointed to the position. The Languages Commissioner is one of five independent Officers who report to the Legislative Assembly. The others are the Integrity Commissioner, the Information and Privacy Commissioner, the Chief Electoral Officer and the Auditor General. The Standing Committee is chaired by Akulliqa MLA **Steve Mapsalak**. The other Members are Co-Chair Mr. Kilabuk, Mr. Arreak, Kugluktuk MLA **Joe Allen Evyagotailak** and Sanikiluaq MLA **Peter Kattuk**.

On April 18, Governor General **Michaëlle Jean** was in attendance at the swearing-in ceremony for **Helen Maksagak**, Nunavut's new Deputy Commissioner. Mrs. Maksagak previously served as Nunavut's first Commissioner. The swearing-in ceremony took place in the Chamber of the Legislative As-

sembly. The Governor General was in attendance as part of her first official visit to the territory.

The Standing Committee on Government Operations and Accountability held hearings from April 25-27 on the most recent Report of the Auditor General of Canada to the Legislative Assembly, which was tabled in the House in February. Auditor General **Sheila Fraser** made her fourth appearance before a Committee of the Legislative Assembly. The Standing Committee is chaired by Iqaluit Centre MLA **Hunter Tootoo**. The other Members are Co-chair and Cambridge Bay MLA **Keith Peterson**, Arviat MLA **David Alagalak**, Quttiktuq MLA **Levi Barnabas** and Rankin Inlet North MLA **Tagak Curley**. A number of senior Government of Nunavut officials, including the Deputy Minister of Finance, appeared before the Standing Committee to respond to Members' questions concerning issues raised in the Auditor General's Report.

On April 22, Speaker **Jobie Nutarak** passed away following an accident while hunting on the land in the vicinity of his home community of Pond Inlet. A memorial ceremony for the Speaker was held in the Chamber of the Legislative Assembly on April 28. Mr. Barnabas delivered the eulogy. All Members and staff of the Legislative Assembly have appreciated the expressions of condolence that have been received from legislatures across Canada and as far away as Greenland.

MLAs are scheduled to conduct the Mid-Term Leadership Review of the Executive Council of Nunavut from June 6-8. This review will take place under the auspices of the Nunavut Leadership Forum. A similar review was held during the First Legislative Assembly (1999-2004). The Third Session will

reconvene on June 9 for the spring sitting of the House.

Alex Baldwin

Director, Research and
Library Services



British Columbia

As outlined in the Legislative Assembly of British Columbia's parliamentary calendar, Members adjourned the first session of the 38th Parliament on November 24, 2005. The eight-week fall session included the conclusion of the debate on estimates, as well as the introduction of several pieces of legislation. The second session began sitting on February 14, 2006, and is scheduled to conclude on May 18, 2006.

The first session marked a more cooperative working relationship between government and opposition Members. On the final sitting day, both the Government House Leader **Mike De Jong** and Opposition House Leader **Mike Farnsworth** commented on the positive tone the new agreement has had on the workings of business in the house. Lieutenant Governor **Iona Campagnolo** congratulated the Members of the house for the extraordinarily and unprecedented courteous manner during the debates of the first session and commented that the Members had done a remarkable job in bringing a new sense of civility to public life.

Legislation

Bill 14, *Electoral Boundaries Commission Amendment Act* passed third reading on November 15, 2005. The Act expands the mandate of the Electoral Boundaries Commission in its work in reconfiguring the province's electoral boundaries. In addition to making recommendations for redrawing the province's electoral map for up to an additional six electoral districts (for a total of 85), the Electoral Boundaries Commission is required to construct an electoral map for both the current first-past-the-post and proposed single transferable vote (STV) electoral systems. The Commission is required to make the recommendations for the revised electoral maps by February 2008 in order to ensure that British Columbians have the information in advance of a second electoral reform referendum. The referendum – originally scheduled to coincide with BC's 2008 municipal elections – will be held at the time of the next provincial election in May, 2009.

Bill 16, the *Apology Act* – which was originally introduced as a private member's bill by **Lorne Mayencourt**, MLA (Vancouver Burrard) will allow for corporations, governments and individuals to offer an apology without fear of legal liability. This is the first such legislation introduced in Canada.

Other bills receiving Royal Assent include: Bill 6, *Northern Development Initiative Trust Amendment Act*, which provides additional funds to the northern communities to help fight the pine beetle infestation and diversify their economies; Bills 7 and 8, *Southern Interior/North Island-Coast Development Initiative Trust Acts*, which infuses more regional funds to create economic growth and jobs; Bill 11, *Workers Compensation Amendment Act*,

which recognizes certain cancers as occupational diseases associated with long-term employment as a firefighter under the *Workers Compensation Act*; and Bill 11, the *New Relationship Trust Act* – which establishes a not-for-profit corporation and a seven-member board of directors to manage a \$100 million fund to support First Nations capacity building.

Parliamentary Committee Activities

The Special Committee to Appoint an Information and Privacy Commissioner concluded its deliberations and recommended the re-appointment of **David Loukidelis** for a second, six-year term as British Columbia's Information and Privacy Commissioner.

The Special Committee to Appoint an Ombudsman has completed its work and unanimously recommended that **Kim Carter** be appointed as British Columbia's next Ombudsman. She will be taking over for **Howard Kushner**, who has completed his six-year term as the province's Ombudsman.

Parliamentary Committees have also been assigned to recommend individuals to fill vacancies for two other Statutory Officer positions. Currently, a special committee has been established to appoint a Merit Commissioner, while the Select Standing Committee on Public Accounts has been mandated to appoint an Auditor General.

The Special Committee to Appoint a Merit Commissioner is unique as it will be creating a newly established Statutory Office for the Legislative Assembly. Although the previous Merit Commissioner was appointed through a special committee, it did not hold a Statutory Officer title.

For the first time, a member of the Official Opposition will both chair

and have a majority of members on a British Columbia parliamentary committee. The Special Committee on Sustainable Aquaculture has been tasked to make conduct a comprehensive reviews and public consultations on the environmental and economic impacts of aquaculture on the local and the provincial economies; review options for sustainable aquaculture to balance economic goals with environmental imperatives; and assess British Columbia's aquaculture regulatory regime vis-à-vis other jurisdictions.

The Select Standing Committees on Health and Education have both been provided with interesting and pertinent topics. The Health Committee has been asked to make recommendations on effective strategies to change behaviour and encourage children and youth to adopt healthy lifestyle choices to curb the rate of child obesity. The Education Committee will be finding strategies to address the specific challenge of adult literacy. In addition, the Committee is to specifically examine strategies to improve literacy rates among aboriginal people, English-as-a-Second-Language adults, and seniors. Both Committees are to report back to the House by November 30, 2006.

On April 24, the ninth select standing committee – the Select Standing Committee on Children and Youth – was established. The creation of this committee follows recommendations from an independent review of B.C.'s child-protection system completed in April. It is also expected that a new independent children and youth representative – appointed to oversee the child-protection system and report directly to the legislature – will also be established.

Visits

On March 7, 2006 the Governor General of Canada *Michaëlle Jean's* made her first official visit to British Columbia by visiting the Parliament Buildings and addressing Members of the Legislative Assembly. Her speech focussed on the historically-strong linkages between British Columbia and Canada, as well as highlighted the important role multiculturalism plays in breaking down barriers.

Brant Felker

Committee Research Analyst



Saskatchewan

The Assembly began its spring session on March 14th and proceeded to consider a number of special debates. The first took the form of an emergency debate on the challenges faced by agricultural producers. Introduced by the Agriculture Minister, **Mark Wartman**, the motion called upon the federal government to provide a fair and equitable formula for the 2006 Canadian Agricultural Income Stabilization program with a disaster component and a minimum one-time cash payment of \$200 million to Saskatchewan producers. The amendment moved by the Opposition agriculture critic, **Bob Bjornerud** (Melville-Saltcoats), focused on the position taken by the provincial government by urging it "to take a leadership role in the future design of Federal and Provincial agriculture programs by

attending the national negotiations as well as [by] properly funding the province's share of the programs". Several members participated in the debate before it was adjourned to be continued on a later day.

The following day, a second emergency debate was held. This motion concerned the urgency of the nursing shortage in the province and was introduced by the Opposition Health critic, **Don McMorris** (Indian Head - Milestone). The Health Minister, **Len Taylor**, responded with an amendment that recognized the challenges in the recruitment and retention of health care professionals and encouraged a united support for the recommendations of the "Working Together: Saskatchewan Health's Workforce Action Plan". At the hour of normal adjournment, the debate was unresolved and held over for further consideration on a later date.

On March 16th, the Minister of Learning, **Deb Higgins**, introduced a motion to recognize the importance of child care and to express the Assembly's dissatisfaction with the federal government's announcement to withdraw its support for families by canceling the early learning and child care agreements with provinces and to not fulfill commitments made by the previous federal government. **Ted Merriman** (Saskatoon Northwest) then moved to amend the motion by urging the federal government to continue to fund the current child care agreements in addition to implementing its new child care allowance. The debate continued throughout the day until the amendment was defeated on a recorded division. The motion in its original form was then agreed to.

Peter Prebble (Saskatoon Greystone) was appointed Deputy Chair of Committees on March 16th. Mr. Prebble had previously served

in this capacity from December 1999 until March 2001 when he was appointed a legislative secretary for energy conservation and later entered cabinet.

Budget

On April 6th, Finance Minister **Andrew Thomson** delivered his first budget under the title "Building a better future – Right here". Four broad themes were identified. Firstly, business tax cuts amounting to \$95.3 million were to be implemented to improve tax competitiveness, attract and stimulate capital investments and create jobs and opportunities for youth. Communities and farm families were to be assisted by increases in revenue sharing with municipalities, and by additional funding for health, crop insurance, crime prevention and highway improvements. Incentives to encourage young people to build their futures in the province included a freeze on university tuition increases until 2008, funding for 32,000 university seats and 34,000 training spaces, a tax credit for employed trades people and \$100 million for student assistance. The fourth theme centered on ensuring that the most vulnerable were not left behind on the path to opportunity by increasing funding for assistance rates, the Transitional Employment Allowance and child care subsidies. \$18.2 million was also provided to Project Hope to enhance treatment, detox beds, Secure Care, outreach services and drug programs.

The response of the official opposition was delivered by its Finance critic, **Ken Cheveldayoff**, on April 7th. Pleased that the government had implemented tax cuts, Mr. Cheveldayoff argued that growth in the population and job areas would not be achieved unless changes were made to labour laws and limits

placed on government intervention in the economy. His leader, **Brad Wall**, summed up the budget as "Sask Party light" in that his party had long advocated for business taxes to be reduced but that what was needed was the Saskatchewan Party's plans to create jobs and keep young people in the province.

During the Budget debate on April 11th, Acting Speaker, Mr. Prebble, was called upon to name **Allan Kerpan** (Carrot River Valley) for his refusal to withdraw unparliamentary language. Mr. Kerpan had opined that the government had lied about its involvement in SPUDCO. SPUDCO was a government initiative in the potato industry which resulted in significant losses. An internal report found that the government's financial risk and the nature of the private sector involvement were not fully disclosed to the public. This was the first naming in the Saskatchewan Assembly since May 1996.

Committee Business

The start of the spring session saw a number of changes in the chairmanship of committees. Warren McCall (Regina Elphinstone-Centre) has taken the helm of the Economy Committee while **Sandra Morin** (Regina Walsh Acres) now heads up the Crown and Central Agencies Committee. **Judy Junor** (Saskatoon Eastview) serves as chair of two committees – Human Services and most recently, the Private Bills Committee. Finally, **Joanne Crofford** (Regina Rosemont) has assumed the deputy chair position on the Public Accounts Committee.

The Economy Committee, under the lead of **Ron Harper** (Regina Northeast), initiated its review of regulations on April 28th. The scrutiny of delegated legislation had previously been the mandate of the Special Committee on Regulations.

The restructuring of the committee system in 2003-04 resulted in the dissolution of the Regulations Committee and the transferring of its duties to the four policy field committees. An orientation for Members and staff on the history and practices of the review of delegated legislation in Saskatchewan took place on March 30th.

Margaret (Meta) Woods
Clerk Assistant



Senate

The Opening of Parliament is a special event steeped in tradition that is over three centuries old with the Governor General, the Senate and the House of Commons coming together. In keeping this tradition, the formal ceremony to open the First Session of the Thirty-ninth Parliament took place on April 4. At that time, the Governor General, **Michaëlle Jean**, read the Speech from the Throne.

Senator **Noël A. Kinsella** was appointed Speaker on February 8. Summoned to the Senate in 1990, Senator Kinsella has held numerous partisan positions, including Whip, Deputy Leader and Leader of the Opposition. A university professor, Senator Kinsella also chaired the New Brunswick Human Rights Commission and was President of the Canadian Human Rights Foundation for many years. The Speaker of the Senate is appointed by the Governor General on the advice of the Prime Minister.

Michael Fortier, a Montreal lawyer, was called to the Senate on Feb-

ruary 27 after being appointed Minister of Public Works and Government Services. The decision to place a high ranking Government minister in the Senate, although controversial, was not without precedent. Over the years, a number of Senators have served as members of the Cabinet. Senator Fortier was formally sworn in and took his seat as a Member of the Senate on April 3.

The appointment of the Committee of Selection is a matter that must be dealt with promptly at the start of each parliamentary session. Its role is to nominate a Speaker *pro tempore* and to propose the names of Senators to serve on all standing committees. On April 6, the Senate confirmed the nomination of Senator **Rose-Marie Losier-Cool** as Speaker *pro tempore*. Senator Losier-Cool held this position before from 1999 to 2002. A list of Senators nominated by the Selection Committee to serve on committees was also approved by the Senate the same day.

Once established and organized, committees are required by the *Rules of the Senate* to report any special expenses incurred during the preceding session. Most standing committees tabled reports of these expenses during the last week in April. At the same time, the Senate also approved orders of reference for some committees. With their membership in place and other preliminary matters taken care of, these committees are ready to begin work.

Speaker's Statement

In recent years there have been several complaints about the use of wireless electronic devices in the Senate. The point of order raised by Senator **Eymard Corbin** on April 27 was the latest in a series of objections to the use of cell phones and BlackBerries in the Chamber. He

was concerned, in particular, with the interference to the sound system which interrupts speeches being made by Senators. A number of Senators supported his complaint, citing the *Rules of the Senate* which clearly ban such electronic instruments from the Chamber. Others suggested instead that the Senate install proper filters to eliminate this interference. In his preliminary statement, the Speaker called on Senators to respect the Rules and to turn off these electronic devices.

Milestones

Two highly respected Senators died before the opening of the new Parliament. Senator **Bill Doody** advanced the interests of Newfoundland and Labrador in provincial politics and later at the federal level in the Senate. Appointed in 1979, he served as the Deputy Leader of the Government from 1984 to 1991. Senator Doody died on December 27, 2005. Senator **Shirley Maheu**, who ably represented her home province of Quebec, was summoned to the Senate in 1996. In October of 2004 she became Speaker *pro tempore*, a position she held until her death on February 1, 2006.

The Senate also paid tribute to the late **Ian Sinclair** and **Duncan Jessiman**. Mr. Sinclair, who died on April 7 at the age of 93 years was a Senator from 1983 to 1988. He was remembered for his service as Chairman of the Standing Committee on Banking, Trade and Commerce. The death of Duncan Jessiman occurred on April 19. Appointed to the Senate in 1993, he was active on numerous committees until his retirement in 1998.

On April 6, the Senate bid farewell to Senator **John Buchanan** who retired on April 22. Senator Buchanan, who was premier of Nova Scotia for 12 years before his ap-

pointment to the Senate in 1990, held the distinction of being the longest-serving Conservative premier in the history of that province.

Speaker's Parade

On April 6, for the first time, the Speaker's Parade opening the sitting took a new and longer route through the Hall of Honour before entering the Senate Chamber. The Parade consists of a member of the security staff, the Usher of the Black Rod, the Mace Bearer, the Speaker, two Pages, the Clerk, Deputy Clerk and Reading Clerk. The Parade will take the longer route every Thursday so that visitors to the Centre Block can see the procession as it passes down the Hall of Honour.

Mary Mussell
Journals Branch



House of Commons

Like its predecessor, the 39th Parliament is a minority Parliament. The new Conservative Government appears confident of its ability, despite its slim plurality of 125 of the 308 seats in the House of Commons, to form alliances with opposition parties on an issue-by-issue basis in order to facilitate the passage of key legislation. In this, it is strengthened by widespread public antipathy to a premature end to this Parliament.

Opening of Parliament

On April 3rd, Members of Parliament gathered in the Chamber to elect their Speaker. Presiding for

the second time over such an election was the Dean of the House, **Bill Blaikie** (Winnipeg-Transcona, NDP). Following a single ballot, the Presiding Member declared **Peter Milliken** elected as Speaker of the House, a clear indication of the confidence Mr. Milliken enjoys from all parties in his exercise of this office.

It is worthy of note that no Conservative Member stood for election, the number of government MPs currently being barely sufficient to ensure passage of any motion with the support of any one of the opposition parties.

The Speech from the Throne, delivered on April 4th, was of exceptional brevity, omitting much of the usual rhetoric, and focusing on the fulfillment of the new Government's five main election promises.

On April 24th, following the prescribed days of debate, the motion in respect of the Address in Reply to the Speech from the Throne was adopted by the House without a recorded division.

On April 4, 2006, Standing Order 81 was amended (for 2006 only) to facilitate the Business of Supply via changes in tabling dates, etc.; it was determined that 15 allotted days were to be designated for the period ending Dec. 8, 2006.

The following day, Standing Orders 104(2), 106(2), 108(3)(d), and 108(3)(e) were amended, increasing the number of Standing Committees by four, requiring that the Chair of the Standing Committee on the Status of Women be a Member of the Official Opposition, and modifying the mandates of the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities, and the Standing Committee on Justice and Human Rights.

On April 28th, pursuant to Standing Order 112, the Speaker ap-

pointed a panel of Chairs of Legislative Committees.

Legislation

On April 11th, the Government introduced Bill C-2, *An Act providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability*, the much-discussed "Accountability Act", and the first Government Bill of this 39th Parliament.

Consequential amendments included in the Bill would affect literally dozens of federal statutes. Specific measures of the proposed Act include: a ban on corporate, union and large personal political donations; a five-year lobbying ban on former ministers, their aides and senior public servants; increased protection for government whistleblowers; increased powers for the auditor general; extension of the *Access to Information Act* to some Crown corporations, federal foundations and agents of Parliament; and the creation of a new Officer of Parliament – the "Procurement Auditor", charged with oversight of the awarding of government contracts.

The Bill was introduced by Treasury Board President **John Baird**, who described it as "the toughest of its kind in Canadian history." Second Reading of the Bill, will be followed by its referral for study to a legislative committee constituted, pursuant to Standing Order 113(1), by concurrence of the House in the Fourth Report of the Standing Committee on Procedure and House Affairs on April 28, 2006.

Significant Government legislative initiatives introduced in the House during the week beginning Monday April 24th, also included: Bills C-3, *An Act respecting international bridges and tunnels and making a consequential amendment to another*

Act; C-5, *An Act respecting the establishment of the Public Health Agency of Canada and amending certain Acts*; and C-7, *An Act to amend the National Defence Act*.

Bill C-3, also known as the *Bridges and Tunnels Act*, will give the Government exclusive authority over 29 bridges and tunnels to the U.S. which are currently controlled by a mix of public and private interests. Its aim is to permit thorough and coherent management of trade and security at important border points.

Bill C-5 provides for the establishment of a "Public Health Agency of Canada" to assist the Minister of Health in the exercise of his or her duties in relation to public health. The Bill also provides that the Governor in Council may make regulations respecting the collection and management of public health information and the protection of confidential information, including personal information.

Bill C-7 seeks to respond to the need for a fair, just and transparent parallel system of justice to meet the unique requirements of the armed forces. The Bill proposes: to clarify the roles and the responsibilities of the Minister of National Defence and the Judge Advocate General; to structure the system's investigative, prosecutorial, defence and judicial functions; to institute summary trial reform; to eliminate the death penalty; and to establish a "Canadian Forces Grievance Board" and a "Military Police Complaints Commission".

Other Matters

On Tuesday, April 4th, the House adopted a motion respecting membership of the Standing Committee on Procedure and House Affairs, which is required by the *Standing Orders* (S.O. 104(1)) to serve as the striking committee for all Standing

Committees of the House and Standing Joint Committees of the House and Senate.

Membership lists must be prepared and reported to the House within the first ten sitting days after the appointment of the Standing Committee on Procedure and House Affairs. This requirement was satisfied with the presentation of the First Report of the Committee to the House on Wednesday, April 26, 2006, and the adoption of a motion for concurrence in the report later that day. The election of Chairs for the new Standing Committees is currently pending, with numerous meetings scheduled.

On April 27th, the House concurred in the Second Report of the Standing Committee on Procedure and House Affairs, recommending that the guidelines for access to committee meetings by the electronic media, contained in the Nineteenth Report of the Standing Committee on Procedure and House Affairs, which was presented and adopted by the House on May 16, 2001, continue in place until the end of the First Session of the 39th Parliament.

Standing Order 87 requires that the Order of Precedence for items of Private Members' Business be determined on the twentieth sitting day, after a draw to establish the List for the Consideration of Private Members' Business. The aforementioned draw was held on Friday, April 7th, 2006, and the Order of Precedence should be determined on Wednesday, May 17, 2006. On Monday, May 1, 2006, a take note debate was held on the subject of the ongoing crisis in Darfur (Sudan).

On the evening of April 6th, the third sitting of the new Parliament, a take note debate was held on "agricultural issues". A second take-note debate, on the subject of "Canada's significant commitment

in Afghanistan", took place on Monday, April 10, 2006.

By Order of the House, a minute of silence was observed on Thursday, April 27, 2006, in memory of four fallen Canadian soldiers in Afghanistan.

Gary Sokolyk

Procedural Clerk
Table Research Branch



Manitoba

On March 6, 2006 the Manitoba Legislature assembled as the Fourth Session of the Thirty-Eighth Legislature resumed. Finance Minister **Greg Selinger** delivered his speech on the NDP Government's seventh budget. The total operating expenditure for the 2006-2007 Budget was listed as \$8.7 billion, an increase of 6.8% from 2005-2006. The government based this year's financial plan on the following four "building blocks": Growing Green, Growing Smart; Healthy Families, Healthy Communities; Tax Savings for Manitoba Families and Business; and Responsible Approach to Government Finances. Specific highlights from the budget included:

- More hydroelectric development in partnership with Aboriginal and local communities
- New wind-farm projects, attracting \$2 billion in potential investment
- New environmental enhancement loan program for farmers

- New children's physical activity tax credit to parallel federal proposal
- \$60-million, three-year funding plan for universities and colleges
- Resources to fight crystal meth, auto theft and gangs
- Reduction in farmland school tax increased to 60 per cent
- Business tax reductions to reach \$146 million annually
- Personal income and property tax cuts to total \$472 million annually
- \$148 million summary budget surplus forecast for 2006-07
- \$110 million payment towards debt and pension liabilities

In his last budget speech as party leader, on March 9, 2006 Official Opposition Leader **Stuart Murray** moved a motion expressing non-confidence in the government. The motion noted the opposition's regrets that the budget ignored "the present and future needs of Manitobans", listing a number of deficiencies, including:

- failing to be accountable to Manitobans for overspending and fiscal mismanagement;
- failing to be accountable for the dismal state of agriculture in Manitoba;
- failing to provide opportunities for Manitoba youth to remain in the province;
- failing to be accountable for the province's unprecedented level of debt;
- failing to provide adequate funding for post-secondary institutions;
- failing to be transparent and accountable for health care spending;
- failing to be accountable for the increased court backlog and probation breaches; and
- failing to provide a long-term strategy for the revitalization of

rural Manitoba and continuing to ignore rural Manitobans.

Jon Gerrard (Independent Liberal - River Heights) moved a sub-amendment to Mr. Murray's amendment on May 1, 2006. Mr. Gerrard perceived a number of other shortcomings in the government's financial plan, including:

- failing to call a public inquiry into the Crocus Investment Fund scandal;
- failing to take adequate measures to protect children in the care of Manitoba Child and Family Services;
- failing to provide an effective strategy to deal with child poverty; and
- failing to provide Manitobans with the legal right to timely, quality health care.

On May 9, 2006 Mr. Gerrard's sub-amendment was defeated on division, while Mr. Murray's amendment was defeated on a recorded vote of yeas 21, nays 34. The main budget motion carried on a recorded vote of yeas 34, nays 21.

Budget Debate

While the rules allocate eight sitting days for debate on the budget, just over two months passed in the Legislature this spring between the time of the Minister's budget speech and the final votes. The official opposition Progressive Conservatives, in cooperation with the two independent Liberals, orchestrated a series of delaying tactics as a means of holding up the debate. The combined opposition launched this initiative after Premier **Gary Doer** did not agree to their calls for a public inquiry into circumstances surrounding the failure of the Crocus Fund, a labour-driven investment fund. More than 33,000 Crocus in-

vestors lost millions of dollars in 2004-05 when the company stopped trading and was forced into receivership following allegations that it misled shareholders and overvalued its assets. The fund was the object of an investigation and report by the Auditor General of Manitoba (released in May 2005).

The government has stated that a public inquiry is not needed as the Auditor's report, as well as investigations by the Manitoba Securities Commission, addressed the outstanding questions and issues regarding the Crocus fund.

The opposition maintains that a public inquiry is necessary to determine the extent of government involvement in the collapse of the fund. They further suggest that the Auditor General's report raises questions about when the government became aware of "red flags" at Crocus.

This impasse over the Crocus issue led to the delay in the debate on the budget. In the first few sitting days of the budget debate, following (or during) question period the opposition began to interrupt proceedings with a series of challenges to rulings of the Chair. Our rules allow for almost all decisions of the Speaker to be appealed to the House for a recorded vote. Our rules also allow the division bells to ring for up to one hour summoning members for recorded votes. With this in mind several MLAs, including Official Opposition House Leader **Len Derkach** and **Kevin Lamoureux** (Independent Liberal - Inkster), began to raise many points of order and matters of privilege. When Speaker **George Hickes** ruled against a point of order or matter of privilege, the opposition would then challenge that ruling, requesting a recorded vote and thus delaying house business for an hour while the division bells ring. This

process would continue until the hour of adjournment. In this manner, debate was delayed on the budget for many weeks.

The impasse broke on May 1, 2006 when the opposition began debating the budget. The House spent a total of 22 sitting days occupied with the delaying tactics.

Legislation

The spring legislative package features a number of high profile Bills, including:

- Bill 11 – *The Winter Heating Cost Control Act*, which prohibits any further increases in natural gas prices for customers of Centra Gas during the 2005-06 winter heating season, and allows the government to limit such price increases in 2006-07. The Bill also requires Manitoba Hydro to establish a stabilization and affordable energy fund.
- Bill 21 – *The Public Health Act*, which replaces the existing Act, includes new and updated measures to deal with health hazards, communicable diseases, epidemics and public health emergencies.
- Bill 22 – *The Elections Reform Act*, encompassing several components, this bill includes an extensive revision of *The Elections Act*, written and organized to make the Act clearer and easier to understand. It deals with all aspects of elections to elect Members of the Legislative Assembly. The Act proposes a number of changes to the electoral system intending to improve voter turnout, strengthen the democratic process, prevent sitting members of the assembly from joining another caucus, and completely remove the ability of the legislature to determine electoral boundaries. The amendments flow from changes recommended by the chief electoral officer.
- Bill 36 – *The Youth Drug Stabilization (Support for Parents) Act* is designed to help parents deal with

children who have serious drug problems. They can apply to have the young person taken to a safe and secure facility for up to seven days, where his or her condition would be assessed and stabilized, and a plan for treating the drug abuse developed.

Progressive Conservative Leadership Contest

Following the resignation last fall of Mr. Murray as leader of the Progressive Conservative party, the race to find a new leader began in earnest. The Leadership convention took place in Winnipeg on April 28 and 29, 2006. While speculation flourished over the winter regarding potential leadership hopefuls, three official candidates emerged in the race.

The newest member of the House (winning a by-election in December 2005) **Hugh McFadyen** (PC - Fort Whyte), is a Manitoba native who has been involved in politics for many years as Chief of Staff to former Premier **Gary Filmon** and also as an advisor to current Winnipeg Mayor **Sam Katz**. Mr. McFadyen served as the critic for Intergovernmental Affairs and Trade.

Ron Schuler (PC - Springfield), began his political career in 1995 as a school trustee and was first elected to the Legislative Assembly in the general election September 1999. Re-elected in the June 2003 election, Mr. Schuler has served as critic for Labour & Immigration, Energy, Science & Technology, (Kyoto Accord), Lotteries & Gaming and the Public Service Commission.

The only candidate who was not currently a sitting MLA, **Ken Waddell** is the former mayor of the rural Manitoba town of Neepawa. Mr. Waddell is the publisher and editor of two weekly community newspapers.

After the ballots were counted on April 29, Mr. McFadyen emerged as

the new leader of the Manitoba Progressive Conservatives, garnering support from 66.6% of delegates. Mr. Schuler received 21.4% of the votes while Mr. Waddell came in third with 12% of delegate support.

During this leadership process, the party's membership grew to over 13,000 members. The Progressive Conservative party's last contested leadership race occurred in 1983 when Mr. Filmon became leader.

Summer Recess

According to a sessional order passed last year, the House is scheduled to sit until June 13, 2006.

Rick Yarish

Clerk Assistant /
Clerk of Committees



Ontario

The Ontario Legislative Assembly sat for three weeks, from February 13, 2006, to March 2, 2006 before beginning the spring session on March 23, 2006.

In the Spring 2006 issue of *Canadian Parliamentary Review*, we reported on a number of Bills that were before Committees. Some of these Bills have since received Royal Assent. Among them:

- Bill 206, *An Act to revise the Ontario Municipal Employees Retirement System Act*,
- Bill 210, *An Act to amend the Child and Family Services Act and make complementary amendments to other Acts*,

- Bill 27, *An Act to amend the Arbitration Act, 1991, the Child and Family Services Act and the Family Law Act in connection with family arbitration and related matters, and to amend the Children's Law Reform Act in connection with the matters to be considered by the court in dealing with applications for custody and access,*
- Bill 21, *An Act to enact the Energy Conservation Leadership Act, 2005 and to amend the Electricity Act, 1998, the Ontario Energy Board Act, 1998 and the Conservation Authorities Act, and*
- Bill 36, *An Act to provide for the integration of the local system for the delivery of health services.*

On March 29, 2006, the Government introduced Bill 85, *An Act to Amend the Assessment Act*, also known as the *More Time to Appeal Act*. The Bill proposed to extend the deadline for complaints with respect to the 2006 taxation year from March 31, 2006 to June 30, 2006. The Bill received Second and Third Reading on March 30, 2006 and Royal Assent on March 31, 2006.

On May 10, 2006, the Legislative Assembly met outside its regular meeting times (sitting from 9:00 a.m. to 12:00 p.m.) for the purpose of considering three Private Members' Public Bills. All three Bills were developed by Ontario students involved in a project initiated by CBC News called "Making the Grade".

The Bills involved, and their sponsors, were:

- Bill 93, *An Act to Amend the Education Act* (**Frank Klees**, Oak Ridges, on behalf of the students of Cardinal Carter Catholic High School, Aurora). This Bill would require school boards: to ensure that pupils receive instruction in nutrition standards for healthy eating; to establish a committee to advise on what standards should form part of the subject matter of the instruction; and, to post a copy of the two publications of

Health Canada in cafeterias they operate.

- Bill 95, *An Act to Amend the Employment Standards Act, 2000 and the Occupational Health and Safety Act with respect to providing information to student employees about employment rights* (**Andrea Horwath**, Hamilton East, on behalf of the students of St. Ignatius of Loyola Catholic Secondary School, Oakville, Cardinal Carter Catholic High School, Aurora, and Lisgar Collegiate, Ottawa.) This Bill would obligate employers to provide their student employees with information in the form of posters as well as booklets on the *Employment Standards Act, 2000* and the *Occupational Health and Safety Act*.
- Bill 96, *An Act to Amend the Education Act* (**Kathleen Wynne**, Don Valley West, on behalf of the students of Georgetown District High School). The Bill would impose duties on school boards to ensure that every classroom has separate recycling containers for paper, plastic and aluminium and that every school cafeteria has a recycling facility.

All three Bills received Second Reading and were referred to the Standing Committee on Regulations and Private Bills.

Committee Activity

The House originally referred Bill 190, *Good Government Act, 2006* to the Standing Committee on Social Policy. On April 6, 2006 the Bill was discharged from that Committee and referred to the Standing Committee on the Legislative Assembly.

On April 20, 2006, the Standing Committee on the Legislative Assembly conducted public hearings and clause-by-clause consideration of Bill 190. The Bill is an initiative of the Liberal Government intended to promote good government and amends various Acts which are set out in separate schedules. Each schedule is titled for the ministry

under which the amendments fall. The Bill was reported back to the House, as amended, on April 24, 2006.

The Standing Committee on the Legislative Assembly continued its review of the use of technology in the Chamber, pursuant to an Order of Reference received from the Speaker. The Committee intends to present its report to the Speaker in the near future.

The Standing Committee on Government Agencies reviewed approximately twenty-one intended appointees to agencies, board and commissions in the past three months.

According to the Committee's terms of reference under the Standing Orders, "the Committee is empowered to review and report to the House its observations, opinions and recommendations on the operation of all agencies, boards and commissions to which the Lieutenant Governor in Council makes some or all of the appointments, and all corporations to which the Crown in right of Ontario is a majority shareholder, such reviews are to be made with a view to reducing possible redundancy and overlapping, improving the accountability of agencies, rationalizing the functions of the agencies, identifying those agencies or parts of agencies which could be subject to sunset provisions, and revising the mandates and roles of agencies".

After a ten-year hiatus, the Standing Committee on Government Agencies has decided once again to review the operation of agencies, boards and commissions. The Committee will be selecting the agencies, boards or commissions they wish to review in the upcoming month.

The Standing Committee on General Government considered Bill 53, *Stronger City of Toronto for a Stronger Ontario Act, 2005*. The purpose of

the Bill is to give the City of Toronto more autonomy in the decisions that affect the City. The Committee held public hearings on the Bill on April 26, May 1, 3, 8, and 10. Clause-by-clause consideration was scheduled for May 15 and 17, 2006.

The Standing Committee on Social Policy considered Bill 78, *An Act to amend the Education Act, the Ontario College of Teachers Act, 1996 and certain other statutes relating to education*. This Bill was introduced to set provincial education outcomes and set clear goals for improved student performance.

The Standing Committee on Justice Policy considered Bill 14, *An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2005*. Two days of public hearings were held in April, and additional hearings will be held in September 2006. The Bill would reform the justice of the peace system and regulate paralegals. It would also amend the *Courts of Justice Act* and the *Limitations Act*, and create a new act that would be a single source for rules about Ontario's laws.

The Committee is also considering Bill 56, *An Act to amend the Emergency Management Act, the Employment Standards Act, 2000 and the Workplace Safety and Insurance Act, 1997*. The Bill was introduced to provide the province with the emergency powers needed to act quickly and effectively in case of an emergency situation.

Following eight days of public hearings during the winter, the Chair of the Standing Committee on Finance and Economic Affairs presented the Committee's Report on Pre-Budget Consultation 2006 to the House on Monday, February 27, 2006.

On Thursday, May 4, the Finance Committee held public hearings on,

and conducted clause by clause consideration of Bill 81, *An Act to implement 2006 Budget measures and to enact, amend or repeal various Acts*. All public submissions were directed to Schedule H of the Budget bill, which provides for an extension of municipal election terms from the current three years to four. As directed by the time allocation motion that governed the Committee's consideration of Bill 81, the Bill was reported back to the House on the following Monday, May 8, and was reported without amendment.

Other Matters

On January 24, 2006, the Integrity Commissioner **Coulter A. Osborne**, tabled his report regarding **Harinder Takhar**, Minister of Transportation, and whether or not he had breached the *Members' Integrity Act* or parliamentary convention. The Commissioner's report was in response to a request by **John Tory**, MPP, Dufferin-Peel-Wellington-Grey, Leader of the Opposition. The report concluded that the Minister had "breached s. 11 of the Act, and parliamentary convention associated with the establishment of management trusts by allowing" the treasurer of his riding association to continue as his trustee and by failing to disclose this under the *Election Finances Act*. The Commissioner recommended that "since this is a matter of first impression, ... it would be unfair to sanction the Minister beyond issuing a reprimand under s.34(1)(b). Upon the filing of this Report with the Speaker, that reprimand will be duly recorded." The Commissioner also recommended that the Minister replace his trustee with someone who is at arm's length with the Minister.

The report was debated on February 15, 16, and 17, 2006. On March 2, 2006, the Legislature adopted the

Report of the Integrity Commissioner and approved the recommendations contained therein.

When the federal general election was called for January 26, 2006, three members resigned their seats to run for the House of Commons: **John Baird**, Nepean-Carleton; **Jim Flaherty**, Whitby-Ajax (both PCs); and NDP Member **Marilyn Churley**, Toronto-Danforth. Mr. Baird and Mr. Flaherty were both elected as MPs for their respective ridings.

By-elections to fill the vacancies were held on March 30, 2006. In Nepean-Carleton, **Lisa McLeod**, PC, was elected to replace Mr. Baird, and Whitby-Ajax elected **Christine Elliott**, PC. In Toronto-Danforth, the NDP candidate, **Peter Tabuns**, was elected. The new Members took their seats in the Legislative Assembly on April 10, 2006.

During the March adjournment, the Legislative Assembly was convened earlier than anticipated, returning on March 23, 2006 when the Government tabled its 2006 Budget. The Budget was debated March 27, 28, and April 3, 2006 and adopted on April 4, 2006.

On April 4, 2006, the Speaker informed the House that he had received a letter of resignation from **Jim McCarter**, Auditor General of Ontario, effective June 9, 2006. Mr. McCarter was appointed Auditor General December 15, 2004 after serving as Acting Provincial Auditor from September 30, 2003.

Susan Sourial
Committee Clerk



Prince Edward Island

The Legislative Assembly opened for the Third Session of the Sixty-second General Assembly on November 16, 2005. It adjourned to the call of the Speaker on December 15, 2005, after 18 sitting days, and was recalled on March 30, 2006.

Changes in the House

Veteran MLA, **Jim Bagnall**, was joined by family, friends and colleagues on March 27, 2006, as he was sworn in as a Cabinet Minister and Member of Executive Council. He assumed responsibility for the Department of Agriculture, Fisheries and Aquaculture. Mr. Bagnall had previously served as Government House Leader, Chair of Government Caucus, Chair of the Legislative Review Committee, and Vice-Chairman of the Standing Committee on Public Accounts. The agriculture, fisheries and aquaculture portfolio had been the responsibility of the Premier following the resignation of the former minister, **Kevin MacAdam**, in February of this year.

Premier **Pat Binns** also announced the appointment of **Cletus Dunn** (District 26, Alberton-Miminegash) as Government House Leader and Chair of Government Caucus.

Olive Crane (PC) was elected in the by-election of March 20, 2006, for the district of Morell-Fortune Bay, a seat left vacant by the resignation of Mr. MacAdam on February 17, 2006.

Ms. Crane has been a career civil servant with the provincial government since 1979 working in the De-

partment of Health and Social Services, the Office of the Attorney General, and the Department of Agriculture, Fisheries and Aquaculture. She has been a board member on the National Council of Welfare, as well as the Canadian Association of Education. Ms. Crane and her family operate a wild blueberry farm in Douglas Station, Prince Edward Island.

Helen MacDonald (District 22, St. Eleanors-Summerside), was appointed, by motion, to the position of Acting Deputy Speaker on April 5, 2006. Deputy Speaker **Andy Mooney** (District 1, Souris-Elmira) is absent during the spring sitting of the Legislative Assembly due to illness.

Appointments of Chief Electoral Officer and Deputy Chief Electoral Officer

Lowell Croken was appointed Chief Electoral Officer for the Province of Prince Edward Island by the Lieutenant Governor in Council on May 9, 2006. Since 1996, Mr. Croken held the position of Deputy Chief Electoral Officer at Elections P.E.I. and is a career civil servant. His appointment fills the vacancy created by the retirement of **Merrill Wigginton** in April 2005.

Norma Palmer was appointed Deputy Chief Electoral Officer for the Province of Prince Edward Island by the Lieutenant Governor in Council on May 9, 2006. Since 1996, Ms. Palmer held the position as Elections Officer at Elections P.E.I. and is a career civil servant.

Committee Activity

The Special Committee on Prince Edward Island's Electoral Boundaries met six times during March and April 2006 to conduct consultations and receive opinion concerning recommendations made

by the PEI Electoral Boundaries Commission in its final report, dated October 5, 2004. In addition, the Committee solicited public input on the desirability of establishing fixed dates for provincial general elections.

As a result of its deliberations, the Committee made a number of recommendations to improve the process of adjusting electoral boundaries, including proposals for legislative changes.

The main recommendation of the Committee was that the area and boundaries of the existing 27 electoral districts of the Province of Prince Edward Island be re-distributed so as to balance, as far as practicable, community concerns as expressed during the public consultations, and that the deviation in absolute parity in the number of electors in each of the 27 electoral districts be limited to plus or minus 15% as compared to the electoral quotient (that is, the total number of electors in the province divided by 27), with the exception of the district of Evangeline-Miscouche where the deviation is permitted to be greater to accommodate the cultural diversity of that area.

During the public consultations, the Committee received feedback concerning the advisability of holding provincial general elections at fixed intervals and on fixed dates. Proponents identified several advantages of a fixed date system including greater certainty for parties and their candidates in preparing their strategies and campaign policies, economic efficiency of administering predictable elections, and increased voter confidence in the process. The Committee also heard that the ability to call an election at a date of the government's choosing could well constitute a significant advantage for the party in power. Others were opposed to change,

and pointed out that the maximum time period between general elections is already defined in legislation, and that fixed date elections would open the door to lengthy and expensive campaigns.

As a result, the Special Committee on Prince Edward Island's Electoral Boundaries recommended that a referendum on the question of fixed date elections be conducted in conjunction with the next provincial general election.

Other Matters

Speaker **Greg Deighan** announced the launch of a CD-ROM, entitled "Discover the Legislative Assembly of Prince Edward Island" on April 27, 2006. This educational resource is designed to promote a better understanding and appreciation of the work of the Legislative Assembly. The CD is interactive, allowing the user to navigate photos, video and text at his or her own pace. It will be available at no cost to schools across the province.

The re-designed website for the Legislative Assembly (www.assembly.pe.ca) was also made public on April 27, 2006. The site receives many thousands of hits each month, and is used on a daily basis by MLAs, their administrative and research staffs, and members of the public. The new look is designed to make the site more useful and attractive.

Speaker Deighan attended the Commonwealth Parliamentary Association mid-year meeting of the Executive Committee held Douglas, Isle of Man, from May 3-7, 2006.

Marian Johnston
Clerk Assistant and
Clerk of Committees



Nova Scotia

The 2005 Fall sitting of the Nova Scotia House of Assembly began on October 13, 2005, adjourned on November 3, 2005, reconvened on December 8, 2005 and adjourned on December 8, 2005. Just before the House met, several events of political importance took place including:

- the announcement by Premier **John Hamm** that he would be resigning after the Progressive Conservative Party had chosen a new leader,
- the calling of a leadership convention by the Progressive Conservative party for February 11, 2006; and
- the resignation of the former leader of the Liberal Party, **Danny Graham**, as member of the House of Assembly for Halifax Citadel.

As a result, the standings in the House, when it started its Fall sitting, were as follows: Progressive Conservatives – 25, New Democrats – 15, Liberals – 11 and Vacant – 1.

Shortly after the House met, **Russell MacKinnon**, the MLA for Cape Breton West, left the Liberal Caucus to sit as an independent.

Twenty-eight public bills were passed at the sitting, twenty-four of which were introduced by the Government, one of which was intro-

duced by a Government backbencher and two of which were introduced by NDP members.

There were three candidates at the Progressive Conservative leadership convention, namely, **William Black**, former President and Chief Executive Officer of Maritime Life, who is a newcomer to politics, **Neil LeBlanc**, a former Minister of Finance, who was not a candidate in the last election, and **Rodney MacDonald** who was Minister of Tourism in the Hamm Government. The result of the first ballot was as follows: William Black – 742; Neil LeBlanc – 730, Rodney MacDonald 789 and there were 3 rejected ballots. Mr. LeBlanc was then dropped from the ballot, and the results of the second ballot were as follows: William Black – 855, Rodney MacDonald 1263 and 12 rejected ballots.

The new Government formed by Mr. MacDonald was sworn in on February 24, 2006. Since the office of Speaker of the House became vacant as a result of **Murray Scott** being appointed as Minister of Justice and Attorney General and the office of Sergeant-at-Arms was also vacant, a special sitting of the House to fill these vacancies was held on March 3, 2006. **Cecil Clarke**, MLA for Cape Breton North and Energy Minister in the Hamm Government, was elected Speaker and **Kenneth Grantham** was named Sergeant-at-Arms.

Art Fordham
Assistant Clerk