



Legislative Reports



ASSEMBLÉE NATIONALE

QUÉBEC

Committees

On September 13, 2006, in compliance with an order given by the National Assembly to hold a general consultation with reference to the document entitled “Towards a Government Policy to Combat Racism and Discrimination”, the Committee on Culture began holding public hearings in relation to this mandate. Since this consultation began, the Committee has received 120 briefs from persons and organizations interested in expressing their opinion on the issue surrounding racism and discrimination and over 95 answers to an on-line questionnaire. Of this number, after 12 days of hearings, the parliamentarians have heard over 90 groups and individuals. The object of this consultation is to provide the Government of Québec with input in view of the drafting of a policy on the fight against racism.

From September 18-21, 2006, five members of the Committee on Education travelled to Northern Québec to visit the schools and school boards of the following communities: Inuit (Kuujjuaq), Naskapi (Kawawachikamach), Innu (Matimekoshe), Cree (Chisasibi) and Algonquin (Lac-Simon). This study mission fell within the framework of the conduct of an order of initia-

tive on school success among the Natives of Québec, a mandate that the Committee chose to undertake last spring. The parliamentarians were thus able to meet with several representatives who work with Native students, and this, in order to better understand the factors influencing school success in these communities. The Committee on Education intends to table a report in the National Assembly this fall.

The effects of climate changes in Northern Québec were at the heart of the proceedings of the Committee on Transportation and the Environment this autumn. While carrying out its order of initiative on the impact of global warming in Northern Québec, the Committee held special consultations on this issue last 18 September. On this occasion, several climatology experts provided the parliamentarians with information as to the effects this phenomenon has on the environment and on the communities living in this region.

Moreover, six members of the Committee on Transportation and the Environment, who formed a subcommittee expressly for this occasion, travelled to Nunavik last September 19, 20, 21 and 22. The particular objectives of this study mission were to meet the Inuit communities of Kuujjuaq, Kangiqsujuaq and Salluit and to have a first-hand look at the impact of global warming in this northern region of Québec. The Committee plans to hold a deliberative meeting during the fall to draft a report that will be tabled in the National Assembly.

On September 20 and 21 the Committee on Labour and the Economy heard the chief executive officer of Hydro-Québec, **Thierry Vandal**, to examine the strategic plan 2006-2010 of this Crown corporation. This mandate, which is usually carried out every two years, was given to the Committee following an order from the National Assembly, on June 14, 2006. This parliamentary control exercise enables Members to question the orientations taken by Hydro-Québec in its strategic plan.

For its part, the Committee on Social Affairs held public hearings during the months of September and October to hear the head officers of health and social services agencies. In pursuance of the Act respecting health services and social services, the Committee is required to examine the annual reports of these 17 agencies every three years. The conclusion of proceedings with respect to this mandate is scheduled for November 15, 2006.

As regards the legislative mandates, the Committee on Institutions concluded the clause-by-clause consideration of Bill 2, *Legal Time Act*. The objective of this bill is to have daylight saving time begin two weeks earlier in March and have it end one week later in the fall. The Committee on Social Affairs, for its part, held special consultations on Bill 30, *An Act to amend the Supplemental Pension Plans Act, particularly with respect to the funding and administration of pension plans*, and on Bill 33, *An Act to amend the Act respecting health services and social services and other legislative provi-*

sions. This latter bill follows up on the *Chaoulli* ruling, rendered by the Supreme Court of Canada in June 2005, concerning the role and place of the private sector in Québec's health system.

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

Yannick Vachon

Secretariat of committees

National Assembly

Last August 14, **André Boisclair** was elected Member for the electoral division of Pointe-aux-Trembles, thus becoming the new Leader of the Official Opposition at the National Assembly. Also on this date, **Marie Malavoy** was elected Member of the Parti Québécois in the riding of Taillon. Consequently, the Assembly is currently composed as follows: Liberal Party, 73 Members; Parti Québécois, 46 Members; Independent, six Members, five of whom are from the Action démocratique du Québec.

Jean-Pierre Charbonneau announced during a press conference that he would resign as Member for the electoral division of Borduas on November 15, 2006. Mr. Charbonneau, who was first elected on November 15, 1976, will have held several parliamentary offices in the course of his lengthy career, including that of President of the Assembly, from March 1996 to January 2002, of Minister for Canadian Intergovernmental Affairs, from January 2002 to April 2003, of Minister responsible for Relations with French-Speaking and Acadian Communities, from January 2002 to April 2003, of Minister responsible for Electoral Reform, from January to March 2002, of Minister responsi-

ble for Parliamentary Reform, from January to March 2002, and of Minister responsible for the Reform of Democratic Institutions, from March 2002 to April 2003.

During the summer, we were informed of the death of two former Members, **Gaston Lambert**, Member for Joliette from 1960 to 1962, and **Robert Malouin**, Member for Drummond from 1973 to 1976.

Interparliamentary Relations

On the occasion of the annual assembly of the Eastern Regional Conference of the Council of State Governments (ERC) which was held in Philadelphia last August, the First Vice-President of the Québec National Assembly, **William Cusano**, was elected for a one-year term, beginning on January 1, 2007, as chairman of this organization that is highly respected in Canada and in the United States.

One of the priorities of the new chairman will be more particularly to continue the organization's efforts in view of convincing the members of the United States Congress to suspend the application of the act obliging the use of a passport at the Canada-United States border until a more viable solution can be set forth by the American authorities.

Last July, the Member for Pontiac, **Charlotte L'Écuyer**, was elected as chairperson of the Canadian Region of the Network of Commonwealth Women Parliamentarians. This network, which is a division of the Commonwealth Parliamentary Association, actively promotes equal representation of women and men in parliamentary assemblies.

In September, the President of the Québec National Assembly and Vice-chairman of the Parliamentary Assembly of the Francophonie (APF), **Michel Bissonnet**, took part

in an important mission in Haïti. The delegation, headed by **Bernard Patry**, Chairman of the APF and federal Member, was also composed of Messrs. **Jacques Legendre**, Parliamentary Secretary General of the APF and French Senator, **Bruno Bourg-Broc**, Vice-chairman of the APF and French Member, and **Antoine Kolawole Idji**, member of the office of the APF and President of the National Assembly of Benin.

This APF mission provided Mr. Bissonnet with the opportunity to meet the top-ranking officers of the Haitian State, including the President of the Republic, **René Prével**, and the President of the Senate, **Joseph Lambert**, and to reinitiate dialogue with several representatives of the political parties as well as of the international organizations involved in financing actions to support democracy in Haïti.

The Member for Charlesbourg and Chairman of the Parliamentary Confederation of the Americas (COPA) Committee on Democracy and Peace, **Éric R. Mercier**, headed this organization's third electoral observation mission during the presidential and legislative elections held on October 1, 2006 in Brasilia, Brazil. The delegation was composed of one other Member from the National Assembly, **Jacques Côté**, Member for Dubuc, of two Argentinean Members and of one Venezuelan Member and was accompanied by a representative of the Chief Electoral Officer of Québec.

On election day, the COPA parliamentarians, who were invited by the Supreme Electoral Court of Brazil, carried out a technical observation of the conduct of elections in this country that, in 2000, was the first in the world to hold a computerized vote throughout its entire territory.

Parliamentary Simulation

This year, during the proceedings of the seventh Seniors' Parliament held at the Parliament Building, from September 11 to 13, 2006, the participants adopted the *Act to promote the creation and maintaining of living environment committees in private residences with services for the elderly* as well as the *Act concerning the Office de l'hébergement des personnes âgées du Québec*. This Office would have the authority to deliver licences to operate homes for the elderly in order that the latter benefit from quality health services that are safe, non-discriminatory and adapted to their needs. Furthermore, two Seniors' Parliament ministers made statements with regard to nutrition and suicide among the elderly.

Internship Programme

The scholarship holders of the *Jean-Charles-Bonenfant Foundation* for the year 2006-2007 are **Marline Côté** and **Hugo Genest**, both of whom hold Bachelor's degrees in International Studies, **Maude Benoit**, Bachelor of Applied Political Studies, **Simon Larouche**, Bachelor of History, who is currently finishing a Master's degree in the same field, and **Jean-Philippe Dallaire**, Bachelor of Civil Law and of Common Law. These young university degree-holders, who benefit from individual bursaries of \$15,000 to carry out a ten-month internship at the National Assembly, will acquire both theoretical and practical knowledge of the work of Members, particularly by drafting a thesis and by being twinned with Members of the various political parties.

Francine Boivin Lamarche

Secretariat of the National Assembly

Translation: **Sylvia Ford**

Secretariat of the Assembly



House of Commons

With the summer adjournment at an end, the House reconvened on September 18, 2006, under the shadow of mounting casualties in Afghanistan and of the terrible events at Dawson College in Montreal. Members were also informed that a vacancy had arisen for the electoral district of Repentigny as the result of the tragic traffic-related death of Bloc Québécois MP **Benoît Sauvageau**, to whose memory leaders from all sides rose to offer tributes. Members observed moments of silence for Mr. Sauvageau, for the victims of the Dawson College shootings and for the four Canadian soldiers most recently to have lost their lives in Afghanistan.

As it has done since the inception of the 39th Parliament, the government pressed forward with the introduction of major legislative initiatives such as Bill C-24, ratifying the softwood lumber agreement with the United States, and Bill C-27, amending the dangerous offender and long-term offender provisions of the *Criminal Code*. However, the small handful of bills that have been passed by the House thus far have included no such items, with the possible exception of Bill C-2, the *Accountability Act*, which is currently before the Senate.

The opposition experimented on a number of occasions with strategic requests for unanimous consent to motions as a means of limiting the government's freedom of move-

ment on sensitive issues. The adoption, for example, on September 20, 2006, of a motion calling for the presentation of apologies to **Maher Arar** was a case in point. It was followed rapidly by demands for direct apologies to Mr. Arar from the government and the Prime Minister, and to the response from the latter that such apologies were premature since they might prejudice ongoing negotiations in respect of compensation and redress in the matter.

Later the same day, the House contributed to a rapidly-growing chorus of denunciation by unanimously adopting a motion from the opposition calling for apologies to the people of Quebec in connection with remarks about racism, discrimination and the marginalization of minorities in that province which had appeared in a *Globe and Mail* article reflecting upon the Dawson College tragedy. Members on all sides expressed "outrage", and the Prime Minister, on his own initiative, sent a letter of protest to the editor of the *Globe & Mail*.

On October 5, 2006, having delivered a ruling on a question of privilege, Speaker **Peter Milliken** chose to address the House on "broader issues of decorum". Noting that some of the disorder in the House in recent weeks had at times been "triggered by questionable language or provocative statements", he declared that "much of it also appears to be generated by interruptions, interjections or other demonstrations, including applause and standing ovations, actions that seem to be designed to drown out or plainly disrupt those asking questions or those answering them." He appealed to all Members for their assistance in ensuring that those among them who were recognized to speak in the House

could be heard. This entreaty was well received on all sides although the Question Periods immediately following it saw little improvement in decorum.

Quarrels like that generated by allegations that the Minister of Foreign Affairs had referred, on October 19, 2006, to a prominent Liberal Member as a “dog” further fuelled the growing rancour in the House.

Legislation

Bill C-2, the federal *Accountability Act*, passed by the House on June 21, 2006 and sent to the Senate, has remained under consideration there since that time. This has led to negative comment from the government benches, together with renewed calls for Senate reform, the latter underscored by the fact that Bill S-4 (*An Act to amend the Constitution Act, 1867 (Senate Tenure)*) has been before the Senate since its introduction in May, and was vigorously defended by the Prime Minister before a Senate committee.

With the support of the Bloc Québécois, the government succeeded in securing the adoption, on September 19, 2006, of a Ways and Means motion for the introduction in the name of **David Emerson** (Minister of International Trade) of a bill ratifying the Canada-United States Agreement on softwood lumber. Bill C-24 was introduced the following day, and was the focus of highly-charged debate punctuated with obstructive procedural tactics. During the debate on the motion for second reading, for example (on September 25, 2006), a Liberal Member moved a reasoned amendment (That the House decline to proceed with the Bill); a subamendment quickly followed from the NDP. The resulting prolongation of debate was such that the recorded division on the amendment, which was negatived, did not take place

until Monday, October 16, 2006. On October 18, 2006, the bill was read a second time and referred to the Standing Committee on International Trade.

On October 17, 2006, Justice Minister **Vic Toews** introduced Bill C-27 in the House. The proposed legislation will place the onus on any offender convicted of a third violent offence to prove that he or she does not merit indefinite incarceration. Vociferous challenges from all of the opposition parties followed rapidly. The Second Report of the Standing Committee on Justice and Human Rights returned Bill C-9 (*An Act to amend the Criminal Code (conditional sentence of imprisonment)*) to the House (on October 24, 2006) with amendments significantly weakening key provisions of the Bill. Other similarly-stringent legislative initiatives (e.g. C-10 (offences involving firearms), C-19 (street racing), and C-22 (lowering the age of sexual consent)) are still before the House.

On Oct. 18th, Bill C-30, (*Canada's Clean Air Act*), was introduced in the House by the Minister of the Environment. All three opposition parties rejected the bill as inadequate and made it clear that in this regard the government could expect no support from them in the House. It remains to be seen whether the government will attempt to move the bill forward, or simply permit it to reside on the *Order Paper*.

Procedure

On September 20, 2006, it was unanimously ordered that the provisional *Standing Orders* adopted by the House on February 18, 2005, should continue in effect until Tuesday, November 21, 2006. The *Standing Orders* affected are concerned with time limits for debate, splitting of debating time between two Members, notice periods for motions

connected with the Business of Supply, procedures for debates on motions for concurrence in Committee reports, protocols respecting the convening of Committee meetings, participation in meetings of the Liaison Committee and Committee reports to which a comprehensive response has been requested. The 17th report of the Standing Committee on Procedure and House Affairs, presented in the House on October 20, 2006, recommended that the provisional *Standing Orders* be made permanent. On October 24, 2006, Members debated a motion for concurrence in the report from the Chief Opposition Whip. The government opposed the motion because of objections to the process whereby the Committee's report had been adopted and to the opposition's alleged disregard of the all-party understanding behind the order adopted on September 20, 2006. A government amendment seeking recommitment to the Committee was negatived in a recorded division on October 25, 2006, and the main concurrence motion was adopted.

In an apparent effort to stem a steady increase in the size and scope of written questions, the Parliamentary Secretary to the Leader of the Government in the House of Commons, **Tom Lukiwski**, rose on a point of order, on September 20, 2006, to dispute the admissibility of a question (Q-90) standing on the *Order Paper* in the name of **Dawn Black** (New Westminster-Coquitlam). The Parliamentary Secretary argued that the question was not one, but rather 47 questions. He also objected to sections of the question seeking information which he claimed was outside the administrative responsibility of the Government. The Speaker ruled on the matter on October 18, 2006. He directed that the question be divided into three separate questions and

that the 45-day period for the government to respond to the new questions be made retroactive to the date when notice was first given of Q-90. He further directed that portions of the question straying beyond the administrative responsibility of the Government be excised. The ruling was so worded as to send a clear message that Members who wish to test the limits of tolerance as to the scope and length of written questions may expect similar action in the future.

In response to opposition demands on September 28, 2006, that the Parliamentary Secretary to the Prime Minister table his "blackberry" since he had been "reading and quoting" from the latter, the Speaker stated that should Members wish to pursue the issue, he would leave the matter in the hands of the Standing Committee on Procedure and House Affairs. On October 5, 2006, in the aftermath of a dispute relating to objectionable remarks allegedly made by the President of the Treasury Board, **Ralph Goodale** (Lib.) received the unanimous consent of the House to table an "MP3 player" in order to afford clerical staff the opportunity to transcribe certain audio recordings thereon.

Privilege

Declining decorum in the House was reflected in the frequent raising of Points of Order and Questions of Privilege, most of which were dismissed, either summarily or after consideration, as matters of debate.

On October 3, 2006, **Joe Comartin** (Windsor-Tecumseh) raised a question of privilege with regard to the termination of funding to the Law Commission of Canada, charging that the government had acted unilaterally and without the consent of Parliament and that this action constituted a breach, not only of his

own privileges, but of those of every Member of Parliament. Having heard from other Members in this regard, the Speaker took the matter under advisement and returned to the House with his ruling on October 19, 2006. Referring to a ruling of Speaker **Lucien Lamoureux** delivered on September 13, 1971, he declared that it was not within the authority of the Chair to rule upon or to decide points of law. On the issue of the alleged contempt of the authority and dignity of Parliament, the Speaker stated that the review of the management of government funds by Standing Committees is the ordinary means whereby Parliament exercises its duty of oversight. He concluded that he could, therefore, find no *prima facie* breach of privilege.

Paul Szabo (Mississauga South) raised a question of privilege, also on October 5, 2006, in relation to an alleged warning from the Parliamentary Secretary to the President of the Treasury Board, **Pierre Poilievre**, that he would face "retribution" if he continued to raise Points of Order challenging the relevance of statements made by the latter. Mr. Szabo contended that this violated his right not to be threatened or intimidated in the performance of his duties. Mr. Poilievre responded with an apology to Mr. Szabo on October 16, 2006. The Speaker indicated that he would raise the matter again only if he felt that further action were required.

Mr. Szabo again raised a question of privilege on October 19, 2006, with respect to statements made by Mr. Poilievre, this time on Monday, October 16, 2006 in which he had characterized Mr. Szabo's frequent points of order as "unfounded". Mr. Szabo charged that he had been defamed by the Parliamentary Secretary. The Speaker, alluding to the recent apology to Mr. Szabo from

Mr. Poilievre, noted that misquotes and inaccurate references to the actions of other Members are not necessarily breaches of privilege. He added that this appeared to be a disagreement on the facts rather than a question of privilege and declared the matter closed.

On October 19, 2006, Mr. Szabo rose on another question of privilege to argue that a copy of a draft of Bill C-30 (*Canada's Clean Air Act*) had been circulated during a press conference held on Friday, October 13, 2006 by environmental groups prior to the introduction of the bill in the House. The Parliamentary Secretary to the Leader of the Government in the House of Commons requested time to examine the relevant documents and to return to the House with a response. The Speaker took the matter under advisement pending further word from the Parliamentary Secretary, and returned to the House with his ruling on November 1, 2006. He declared that the key procedural point in this case is that once a bill has been placed on notice, it must remain confidential until introduced in the House. Emphasizing that he could find no evidence that there had been any premature disclosure of a confidential document to which the House had priority, he accordingly ruled that no breach of privilege had occurred.

Committees

Reports from Standing Committees of the House, particularly those presented in relation to the announcement by the President of the Treasury Board (on September 25, 2006) of significant reductions in program spending, reflected the minority government's inability to control committee output.

The Standing Committee on Canadian Heritage, for example, undertook to consider the implications

of the government's decisions to reduce the amount budgeted for the Museums Assistance Program and to discontinue funding of the Court Challenges Program. In its seventh and eighth reports, both presented in the House on October 5, 2006, the Committee recommended that the government maintain the Museums Assistance Program at the same level as in fiscal year 2005-2006, that a new museum policy be established, and that the government continue funding the Court Challenges Program at the fiscal 2005-2006 level. Motions for concurrence in both reports are currently before the House.

In the same vein, the Standing Committee on Health recommended in its fourth report, presented on October 19, 2006, that the government continue funding the First Nations and Inuit Tobacco Control Strategy at the fiscal 2005-2006 level. On the same day, the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities, presented its seventh report, in which it recommended that the government continue full funding for the six programs included in the National Homelessness Initiative.

Finally, the Standing Committee on Official Languages presented its third report on October 20, 2006, and added its voice to those of other committees by recommending that the government reinstate and continue the funding of the Court Challenges Program at the level set in fiscal years 2005-2006 and that it ensure the continuation of the program.

The Standing Committee on Agriculture and Agri-food, having undertaken to examine controversial Government proposals to replace the Canadian Wheat Board's monopoly on the marketing of western grain with a dual market system,

began a study of the proposals on October 24, 2006.

In the aftermath of the **Maher Arar** affair, the Standing Committee on Public Safety and National Security, in its second report, presented in the House on October 23, 2006, recommended that the Government issue an official apology to Mr. Arar and his family, that it negotiate compensation with him, that it communicate to the U.S. and Syrian governments strong objections to their conduct, and that it fully implement the recommendations of the O'Connor Commission.

Private Members' Business

Private Members' Bills continued to be subjected to challenges premised on possible requirements for royal recommendations.

On September 20, 2006, in a ruling in connection with Bill C-257 (*An Act to amend the Canada Labour Code (replacement workers)*), the Speaker discussed clause 2 of the bill, which would insert new provisions into the *Canada Labour Code* allowing the Minister to designate investigators into the use of replacement workers during a strike or lockout. On the issue of whether these provisions would constitute an authorization for new spending, he noted that other sections of the *Labour Code* already contain provisions for inspectors with similar duties, and he concluded that Bill C-257, in its present form, might continue to be considered by the House without a royal recommendation. He added that the same considerations applied to Bill C-295 (*An Act to amend the Canada labour Code (replacement workers)*), which, being similar in character to Bill C-257, would not require a royal recommendation. The Speaker reminded the House of remarks that he had made on Wednesday, May 31, 2006 to the effect that he would welcome sugges-

tions from Members on dealing effectively with the issue of royal recommendations.

In similar rulings on September 25 & 27, the Speaker found that Bills C-292 (*An Act to implement the Kelowna Accord*) and C-288 (*An Act to ensure Canada meets its global climate change obligation under the Kyoto Protocol*) could continue to be considered by the House without the requirement for a royal recommendation, and that in both cases, the question could be put at third reading.

Undeterred, the government pressed on, challenging Bills C-303 (*An Act to establish criteria and conditions in respect of funding for early learning and child care programs...*) (Sept. 25), C-284 (*An Act to amend the Canada Student Financial Assistance Act (Canada access grants)*) (Oct. 2), C-285 (*An Act to amend the Canada Mortgage and Housing Corporation Act (profits distributed to provinces)*) (Oct. 3), and C-278 (*An Act to amend the Employment Insurance Act (benefits for illness, injury or quarantine)*) (Oct. 19) on the grounds that each should be accompanied by a royal recommendation.

On October 4, 2006, Bill C-288 (*An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol*), was read a second time and referred to the Standing Committee on Environment and Sustainable Development. Similarly, on October 18, 2006, Bill C-292, *An Act to implement the Kelowna Accord*, was read a second time and referred to the Standing Committee on Aboriginal Affairs and Northern Development. Both bills represent attempts to oblige the Government to honour commitments made by its Liberal predecessor.

Other Matters

On September 18, 2006, the Speaker invited Members to join him in welcoming **Kevin Vickers**, the new Sergeant-At-Arms of the House of Commons, whose appointment had become effective on September 1, 2006.

On September 20, 2006, **Joe Fontana** (London North Centre) informed the House that he was resigning his seat as a Member of Parliament. Mr. Fontana had earlier announced his intention to run as a candidate for election as Mayor of London. The Speaker later informed the House that he had that day addressed a warrant to the Chief Electoral Officer for the issue of a writ for the election of a Member to fill the vacancy.

The President of Afghanistan, **Hamid Karzai**, delivered an address in the Chamber of the House on Friday, September 22, 2006 before Members of the Senate and the House of Commons. As is customary on such occasions, the President's remarks were ordered printed as an appendix to the House of Commons Debates for that day.

On September 29, 2006, the House adopted a motion approving the appointment of **Graham Fraser** as Commissioner of Official Languages for Canada for a term of seven years.

On October 22, 2006, the Prime Minister announced that by-elections will be held on Monday, November 27, 2006 in the ridings of London North Centre (Ontario) and Repentigny (Quebec).

A take-note debate on the situation in the Sudan was held on October 3, 2006, and Opposition motions were debated as follows: Status of Women (Lib.) - September 28, 2006; Income Support Program for Older Workers (BQ) - October 5, 2006; Eco-

nomic and fiscal position (Lib.) - October 19, 2006.

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Yukon

Yukoners elected their 32nd Legislative Assembly on October 10, 2006. The Yukon Party won a majority, taking 10 of the Assembly's 18 seats. The Liberal Party won five seats with the New Democratic Party claiming the other 3. This result marked the first time since 1989 that a party won a second consecutive term as the government. The successful candidates, by electoral district, were:

- Copperbelt - **Arthur Mitchell** (Liberal)
- Klondike - **Steve Nordick** (Yukon Party)
- Kluane - **Gary McRobb** (Liberal)
- Lake Laberge - **Brad Cathers** (Yukon Party)
- McIntyre-Takhini - **John Edzerza** (NDP)
- Mayo-Tatchun - **Eric Fairclough** (Liberal)
- Mount Lorne - **Steve Cardiff** (NDP)
- Pelly-Nisutlin - **Marian Horne** (Yukon Party)
- Porter Creek Centre - **Archie Lang** (Yukon Party)
- Porter Creek North - **Jim Kenyon** (Yukon Party)
- Porter Creek South - **Don Inverarity** (Liberal)
- Riverdale North - **Ted Staffen** (Yukon Party)

- Riverdale South - **Glenn Hart** (Yukon Party)
- Southern Lakes - **Patrick Rouble** (Yukon Party)
- Vuntut Gwitchin - **Darius Elias** (Liberal)
- Watson Lake - **Dennis Fentie** (Yukon Party)
- Whitehorse Centre - **Todd Hardy** (NDP)
- Whitehorse West - **Elaine Taylor** (Yukon Party)

Voter turn out was lower than usual, at 72.5 percent. Since the 1980s voter turnout has been in the 77 to 79 percent range. The Yukon Party polled 40.78 percent of votes cast. The Liberals received 34.83 percent, while 23.33 percent of voters supported the New Democrats. Just over one percent of votes were cast for the four independent candidates.

All three party leaders – Mr. Fentie, Mr. Mitchell and Mr. Hardy – were re-elected. In fact it was a good night for incumbent candidates with 14 of 16 being returned for another term. The only incumbents to be defeated were **Dean Hassard** (Yukon Party) in Porter Creek South, and **Lorraine Peter** (NDP) in Vuntut Gwitchin. The four new members of the Assembly are Mr. Nordick, Ms. Horne, Mr. Elias and Mr. Inverarity. Mr. Elias is a 'second-generation' MLA, his mother **Norma Kassi** having been a member of the Assembly from 1985-1992.

During the election campaign all three parties spoke of the need for more women MLAs. However, only two of 17 female candidates – Ms. Taylor and Ms. Horne – were elected. This number is less than the three women elected to the 31st Legislative Assembly and the five women elected to the 30th Legislative Assembly.

Cabinet Appointments and Critic Responsibilities

Premier Fentie credited his party's victory, in part, to the Yukon electorate's desire for continuity. This continuity was reflected in his cabinet appointments. Continuity was facilitated by the fact that all six of the cabinet ministers who entered the campaign emerged victorious. Of these six each will retain at least one of the portfolios they held when the 31st Legislative Assembly was dissolved. Mr. Fentie also appointed two additional cabinet ministers – Ms. Horne and Mr. Rouble – bringing his ministry's complement to eight. This is the largest cabinet in Yukon's history.

The following are the cabinet ministers and their responsibilities, as sworn into office by Commissioner **Geraldine Van Bibber** on October 28:

- Mr. Fentie - Minister responsible for the Executive Council Office, Finance and Environment
- Ms. Taylor - Tourism & Culture, Women's Directorate
- Ms. Horne - Justice
- Mr. Lang - Energy, Mines & Resources, Highways & Public Works, Yukon Development Corporation, Yukon Energy Corporation
- Mr. Hart - Community Services, Public Service Commission, French Language Services
- Mr. Kenyon - Economic Development, Yukon Housing Corporation, Yukon Liquor Corporation
- Mr. Cathers - Health & Social Services, Workers' Compensation Health & Safety Board
- Mr. Rouble - Education

It is expected that Premier Fentie will again nominate Mr. Staffen to take the Chair as Speaker of the Assembly. It is also expected that the

government caucus' other private member – Mr. Nordick – will be nominated as Deputy Speaker and Chair of Committee of the Whole.

On October 23 Mr. Mitchell announced the official opposition's distribution of critic responsibilities. Mr. Mitchell will be the critic for Finance and the Executive Council Office. He'll share critic responsibilities for Health & Social Services with Mr. Fairclough. Mr. Fairclough will critique Community Services, Education, the Public Service Commission, the development corporation and the liquor and housing corporations. Mr. McRobb is the caucus critic for Energy, Mines & Resources, Highways & Public Works and the energy corporation. Mr. Inverarity has been named critic for Economic Development, Justice and the Workers' Compensation Health & Safety Board. Mr. Elias is the critic for the departments of Environment, and Tourism and Culture, as well as the Women's Directorate.

On October 31 the NDP announced that Mr. Hardy would assume critic responsibilities for the Executive Council Office, Energy Mines & Resources, Finance, the Public Service Commission, the Women's Directorate, and the development and energy corporations. He will share critic responsibilities for Environment and Health & Social Services with Mr. Edzerza. Mr. Edzerza will assume full critic responsibilities for Tourism & Culture, and the Youth Directorate. Mr. Hardy and Mr. Cardiff will share critic responsibilities for Economic Development. Mr. Cardiff will take full responsibility for Community Services, Education, Highways & Public Works, Justice, the Workers' Compensation Health & Safety Board and the housing and liquor corporations.

Convening the Assembly

On November 2 the House leaders – Mr. Cathers, Mr. McRobb and Mr. Cardiff agreed, on behalf of their caucuses, to a 12-day Fall Sitting, commencing November 23. The final sitting day is scheduled for December 13. This sitting will feature a Throne Speech as well as (it is believed) supplementary appropriation acts. In addition certain housekeeping matters – the election of presiding officers, the appointment of House committees – will be dealt with.

On November 6 Commissioner Van Bibber issued a proclamation summoning the Legislative Assembly to meet on November 23, 2006.

Retirement

On October 31 **Patrick L. Michael**, Clerk of Assembly and Chief Electoral Officer announced his intention to retire as of March 30, 2007. Mr. Michael began his service at the Yukon Table as Clerk Assistant on November 14, 1977. He was appointed Clerk of the Legislative Assembly on October 30, 1978. On December 9, 1983 he received the additional appointment of Chief Electoral Officer. His future plans include much golfing.

The party leaders will at some point in the near future begin conferring regarding the process for selecting Mr. Michael's successor and ensuring a smooth transition for both the Assembly and the Elections office.

Floyd McCormick
Deputy Clerk



Senate

When Parliament resumed after the summer adjournment at the end of September, the Senate faced a barrage of criticism for its lengthy committee study of Bill C-2, the *Federal Accountability Act*. As the Conservative government's first piece of legislation following the election, there was no doubt of its importance to the new minority government. There was also no doubt that the Senate intended to provide "sober, second thought" by taking the time needed to conduct a thorough and thoughtful examination of this complex piece of legislation. The Legal and Constitutional Affairs Committee sat for over 100 hours and heard from 158 witnesses during its study. When the committee reported the bill to the Senate on October 26, it proposed 156 amendments to the bill. Although consideration of this report is currently the number one priority in the Senate, other committees also reported on a variety of issues. With few bills on the *Order Paper*, the Senate once again turned its attention to the work of its committees.

Committee Reports

On October 3, the Banking, Trade and Commerce Committee tabled its Ninth Report entitled *Stemming the Flow of Illicit Money: A Priority for Canada*, in fulfillment of the statutory review requirement contained in the *Proceeds of Crime (Money Laundering)*

and *Terrorist Financing Act*. An interim report, it pinpoints vulnerable areas where the current legislation needs to be updated. Other relevant issues that were not examined during this review will continue to be studied by the committee.

The Banking, Trade and Commerce Committee released *Passport and PASS Cards, Identity and Citizenship: Implementing the WHTI*, on October 24. In its Tenth Report, the Committee identifies the negative consequences on cross-border travel since the implementation of the Western Hemisphere Travel Initiative and recommends measures to avoid further economic impacts. The committee was authorized to study the potential economic consequences of the WHTI following the passage of the *Intelligence Reform and Terrorism Prevention Act* in 2004 by the U.S. Congress.

Two reports were tabled by the Joint Committee on Scrutiny of Regulations. The Second Report contains information about the legal challenge of using a statutory authority to impose fees granted by Parliament in section 11 of the *Broadcasting Act* and was tabled on October 3. The frequent failure of regulation-making authorities to table instruments of delegated legislation in Parliament as required by various federal statutes was the subject of the Third Report. It was tabled on October 26.

Managing Turmoil, The Need to Upgrade Canadian Foreign Aid and Military Strength to Deal with Massive Change, the Fourth Report of the National Security and Defence Committee, was tabled on October 4. One of its recommendations proved to be quite controversial. Newfoundland and Labrador senators objected to the proposed closure of the military base located at Goose Bay, Labrador which, in their opin-

ion, was not in keeping with the role of the Senate to protect regional interests. After a number of senators participated in debate over several days, the matter was resolved when the Senate adopted a motion to remove all references to Goose Bay from the report. A week later, the report was referred back to the Committee with an instruction to implement the amendment and to table the amended report by November 21.

The Official Languages Committee reported on its fact-finding mission taken to Nova Scotia during the fall of 2005. Tabled on October 5, the Second Report of the Committee, entitled *Understanding the reality and meeting the challenges of living in French in Nova Scotia*, summarizes concerns brought forward by the Acadian and Francophone communities and makes ten recommendations to ensure the full development of these communities in Nova Scotia.

The Special Senate Committee on Senate Reform released two reports on October 26 that dealt with specific Senate reform issues. In its first report, on the subject-matter of Bill S-4, the government proposal to limit the tenure of new senators to eight years, the committee endorsed in principle the idea of limited terms for senators. Moreover, the committee concluded that the bill could be enacted exclusively by Parliament and did not require agreement by at least seven provincial legislatures representing at least 50% of the population of all the provinces to proceed with the change.

The motion to increase western representation in the Senate was supported by the Committee in its second report. There was general agreement that support for this motion gave Canadian governments and legislatures a good starting

point for providing the West with better, more equitable representation in the Senate.

The Transport and Communications Committee examined the proposed changes to user fees provided by Industry Canada relating to telecommunications and radio apparatus and recommended their approval in its Fifth Report, tabled on October 26. This was the first time that the process was used since the adoption of the *User Fees Act*.

The Rules, Procedures and the Rights of Parliament Committee recommended an amendment to the *Rules of the Senate* in its Third Report presented to the Senate on October 24. With the adoption of the report on October 30, the name of the Foreign Affairs Committee was changed to the Foreign Affairs and International Trade Committee.

The Senate met in Committee of the Whole on October 4 to pose questions to **Graham Fraser** about his nomination as Commissioner of Official Languages. The following day the Senate adopted a motion approving his appointment for a term of seven years.

Motion

Support for Canada's contribution to the stabilization and reconstruction of Afghanistan was expressed during debate on this motion adopted by the Senate on October 3.

Several senators took part in debate on a motion urging the government to provide long-term end-of-life care. Adopted on October 17, the motion was proposed by Senator **Sharon Carstairs**, who was the Minister with Special Responsibility for Palliative Care from 2001 to 2003.

Speaker's Rulings

On September 26, Speaker **Noël Kinsella** gave a ruling on a point or-

der that had been raised by Senator **Eymard Corbin** on June 22, just days before the Senate adjourned for the summer. The point of order came about after Senator **Charlie Watt**, an Inuit senator, was given permission by the Senate to make a statement in Inuktitut. Following the statement, Senator Corbin rose on a point of order to protest that his rights as a senator had been infringed because translation was not available in both official languages. In his ruling Speaker Kinsella commented on the problems caused for the interpretation service when a third language is used, especially without sufficient notice. He also noted the difficulty of translating a third language simultaneously in both English and French, given the current configuration of the Chamber's interpretation booth. Finally, the Speaker addressed the broader question of the use of third languages in the Senate. He recommended that when a senator wishes to use a third language in the Chamber, an English and French translation be provided to the Senate chamber staff well in advance of the sitting.

On October 19 Senator **Joan Fraser**, Deputy Leader of the Opposition, rose on a point of order to object to the notices of a question of privilege given by another senator earlier that day. She claimed they were inadequate because there was too little information about the substance of the privilege complaint. Speaker Kinsella gave a detailed ruling on October 26. He explained the meaning of notice based on his interpretation of the *Rules of the Senate* and other procedural authorities. The Speaker agreed the notice must clearly identify the matter that will be raised as a question of privilege and ruled the point of order a valid one. In conclusion, he commented on rules that remain inconsistent with other rules or that are

not easy to understand. Speaker Kinsella suggested the Rules, Procedures and the Rights of Parliament Committee undertake to clean up any of the anomalies and inconsistencies found in the *Senate Rules* and at the same time write some of the rules more clearly in order to reduce confusion and misunderstanding.

During Question Period on October 19, Senator **Lowell Murray** rose on a point of order to object to a question put to Senator **Michael Fortier**, Minister of Public Works and Government Services. Senator Murray believed the question was improper because it related to the minister's political responsibility for Montreal and not to his ministerial functions. On October 31, Speaker Kinsella delivered his ruling. He explained how the Senate developed its guidelines for Question Period, including the kinds of questions permitted to a minister in the Senate. After reviewing the parliamentary authorities as well, it was clear to the Speaker that questions which are outside a minister's departmental responsibilities are out of order. Only questions that relate directly to Senator Fortier's responsibilities as Minister of Public Works and Government Services will be allowed during Question Period.

Milestones

Madeleine Plamondon, who was appointed to the Senate in 2003, retired on September 21. Senator Plamondon sat as an independent senator. An advocate for consumer protection, Senator Plamondon made a significant contribution to the welfare of underprivileged women and the elderly while serving as a member of the Banking, Trade and Commerce Committee.

Tribute was also paid to Senator **Michael Kirby** whose resignation

took effect on October 31. A senator for 22 years, Senator Kirby chaired the Banking, Trade and Commerce Committee from 1994 to 1999 and the Social Affairs, Science and Technology Committee from 2000 to the present. Under his leadership, the Social Affairs, Science and Technology Committee completed a number of acclaimed reports on health issues, including Canada's health care system and mental health, mental illness and addiction.

Lorne Bonnell, a medical doctor and former senator from Prince Edward Island, died on October 9 at 83 years of age. Dr. Bonnell was involved in provincial politics for many years before his appointment to the Senate in 1971. Important studies on issues facing youth were undertaken when he was chair of the Health, Welfare and Science Committee and the Special Committee on Post-Secondary Education.

Mary Mussell
Journals Branch



New Brunswick

The Fifty-fifth Legislative Assembly was dissolved on August 18, 2006, just over three years into the **Bernard Lord** Government's mandate. At dissolution the standings in the House were: 28 Progressive Conservatives; 26 Liberals, and one independent.

New Brunswickers elected a new government on September 18, 2006.

The results of the provincial election, which was held under new electoral boundaries prescribed in the Final Amended Report of the Electoral Boundaries and Representation Commission, gave the Liberals a majority government with 29 seats, while the Progressive Conservatives won 26. The New Democrats, led by their new leader **Allison Brewer**, were not successful in electing a candidate.

The September 18 election resulted in the election of 11 new members and the number of women parliamentarians increased from six to seven.

On October 3, **Shawn Graham**, the Liberal Member for Kent, and the province's 31st Premier, was sworn into Office along with seventeen Ministers and one Minister of State in a ceremony held in the Assembly Chamber. The Executive Councillor's Oath and the Oath of Allegiance were administered by Lieutenant-Governor **Herménégilde Chiasson**.

Premier Graham was first elected to the Legislative Assembly in a by-election held on October 19, 1998, to represent the riding of Kent; he was re-elected in the 1999 and 2003 provincial elections. He was elected Leader of the Liberal Party May 12, 2002; one of the youngest Liberal Leaders and the youngest Leader of the Official Opposition in the country.

On the afternoon of October 3, members of the Fifty-sixth Legislative Assembly took their Oath of Allegiance and signed the Members' Roll during a ceremony in the Chamber presided over by the Lieutenant-Governor.

Stuart Jamieson (Liberal, Saint John Fundy), the new Minister of Tourism and Parks, will serve as Government House Leader; former Speaker and Minister of Supply and Services **Bev Harrison**, (PC,

Hampton-Kings) will serve as Opposition House Leader.

The Government House Leader announced that the first session of the 56th Legislative Assembly would open on February 6, 2007, allowing the new government time to put in place the framework of the "Charter for Change."

On October 16, 2006, Premier Graham nominated **Eugene McGinley**, (Liberal, Grand Lake-Gagetown) and **Roy Boudreau** (Liberal, Campbellton-Restigouche Centre) as Deputy Speakers. Their nominations must be formally ratified by the House.

A general orientation session for new Members was held September 28 and more are planned prior to the start of the new session. The election resulted in increased requests for procedural and legislative information from new Members, staff, civil servants, ministerial staff, and the public.

In the midst of activities following the election and the installation of the new government, staff of the Legislative Assembly planned and coordinated a visit from German parliamentarians as part of the Legislature's participation in the Partnership of Parliaments. The conference, which took place from October 8 to 18, included visits to Legislative Assemblies in Prince Edward Island and Nova Scotia. A number of New Brunswick MLAs served as host to the visiting parliamentarians during their stay in the Maritime Provinces. Business sessions focused on intergovernmental and international affairs, federalism, reform of the bureaucracy, health care, education, economic development and natural resources.

As part of a continued commitment to ensuring the security of Members, staff and the visiting public, visitors to the Legislative Build-

ing will soon be required to undergo electronic screening before they are given entry access. New Brunswick joins the majority of Canadian Legislatures in implementing this security initiative.

Portions of the restoration work on the roof of the Legislative Building are nearing completion. Renovations to the dome, which commenced on August 1, should be completed by December 1, 2006. Considerable more deterioration than was initially anticipated was discovered.

Repairs are being carried out by Heather & Little in partnership with New Brunswick companies. Among the landmark ornamental domes and roof structures this company has worked on are: Notre Dame Cathedral in Ottawa, the dome of the Manitoba Legislative Building, Thomas Jefferson Congressional Library in Washington, D.C., San Francisco City Hall, and the Library of Parliament.

Phase II of the reroofing project to commence in 2007 will encompass the center, east and west Mansard and restoration of the building's masonry. The Legislative Administration Committee selected copper as the roofing material. The replacement of the metal roof and flashings and restoration of the masonry facade were two of the main recommendations of the *Building Assessment and Master Plan for the Restoration, Preservation and Maintenance of the Legislative Assembly Building* commissioned in 2005.

Loredana Catalli Sonier
Clerk of the Legislative Assembly



Saskatchewan

Gordon Barnhart delivered his first Speech from the Throne on October 26th at the Opening of the Third Session of the 25th Legislature. Dr. Barnhart had been installed as Lieutenant Governor of Saskatchewan on August 1st. His arrival at the Legislature marked a return to familiar surroundings as he had previously served as Clerk of the Assembly from 1969 until 1989. He subsequently served as Clerk of the Senate and Clerk of the Parliaments for five years and as University Secretary of the University of Saskatchewan for an additional five years. He was a longtime member and Chair of the Editorial Board of the *Canadian Parliamentary Review*.

The Speech from the Throne outlined four cornerstones that would guide the Government's agenda. These included:

- Making Saskatchewan a better place for young people to live, work and build strong futures;
- Strengthening the province's leadership in health care while reducing wait times and improving access to service;
- Advancing Saskatchewan as a leader in environmental protection and the Green Economy; and
- Ensuring that the province's economy benefited all Saskatchewan families.

Leader of the Opposition **Brad Wall** characterized the speech as the

same old rhetoric from a worn-out NDP government. In particular, he pointed to the ongoing exodus of young people from the province as evidence that the Government's approach was not working.

The Assembly immediately proceeded to consider an Address in Reply to the Speech from the Throne, proposed by **Kim Trew** (Regina Coronation Park). The Saskatchewan Party's newest member, **Dustin Duncan** (Weyburn - Big Muddy) moved an amendment to the Address, which was later defeated on November 6th. The Address in Reply was later adopted on November 7th.

A question of privilege was raised in the House on October 30th. At issue was the disclosure of an impending reduction in the Provincial Sales Tax by the Highways and Transportation Minister, **Eldon Lautermilch**, during a radio interview. This disclosure preceded the official announcement made later that morning in the Assembly by the Minister of Finance. It was the position of the Opposition House Leader, **Rod Gantefer**, that the early disclosure violated a parliamentary principle that tax measures be first introduced in the Assembly and that the violation of this principle constituted a contempt against the privileges of the Assembly. In rebuttal, the Government House Leader, **Glenn Hagel**, asserted that the interview had been subject to an embargo agreement that would, in the normal course of such arrangements, have prevented the premature disclosure.

The Speaker's decision was guided by a motion adopted by the Assembly in April 2005, which in turn had been prompted by the inability of the Privileges Committee to resolve another question of privilege. That motion directed that all technical briefings and news con-

ferences that dealt with matters to be considered by the Assembly must be made available to all Members and their staff in advance of, or concurrently with, any media briefings.

The Speaker ruled that a *prima facie* case of privilege had not been met for three reasons. Firstly, the earlier motion bound government and Crown corporation officials and he was reluctant to arbitrarily extend it to Members. Secondly, the communication of the Highways Minister could not be characterized as a "technical briefing or news conference" in that its scope was unknown, it involved only one media outlet and addressed a matter outside this Minister's portfolio. Finally the Speaker held that Members had not been impeded in their work nor could anyone have benefited in the present circumstances from the early knowledge.

Speaker **Myron Kowalsky** concluded by noting that his decision was based upon technicalities and that the granting of an embargoed interview could violate the spirit of the 2005 motion. He then strongly encouraged the Assembly to address this issue either by motion or by referral to the Standing Committee on Privileges to review and make recommendations on the advance release of information, the means by which it may take place, and the sources from which it may come.

Member News

Warren McCall (Regina Elphinstone-Centre) entered cabinet on September 15th as the Minister responsible for Corrections and Public Safety. He took over from **Kevin Yates** (Regina Dewdney) who left the position due to personal circumstances.

The Assembly marked the passing of **Ben Heppner**, the Member for the Martensville constituency with the adoption of a motion of condolence. Mr. Heppner was first elected in 1995 as the Progressive Conservative Member for Rosthern. In 1997 he was one of the original members of the newly formed Saskatchewan Party. He served as its first and only caucus chair. Prior to his election to the Assembly, Mr. Heppner taught for twenty-three years and served as a councilor and as mayor of the town of Rosthern.

Committee Business

The House Services Committee completed its most recent review of the Rules and practices of the Assembly in early October. The results of the consultations were contained in its seventh report entitled "Modernization Framework: Proposal for a Parliamentary Calendar" and presented to the Assembly on October 27th. The adoption of the report had immediate implications for Members as the Assembly formally adopted a legislative calendar of 65 sitting days, divided between fall and spring sessions. The calendar also implemented a four day sitting week, designed to enable Members to balance their legislative duties with responsibilities in their constituencies.

The Report also established a framework to ensure that the Assembly completed its consideration of Bills and Estimates prior to the designated completion day of the spring session. All Government Bills introduced during the fall session and any further Government Bills introduced in the spring session that are necessary for implementing the Budget must now be voted upon on the second last day of the spring session (if not previously voted upon). Similarly all Estimates not previously disposed of, will

now be voted upon on the second last day of the spring session.

The House Services Committee recommended that on the second last day of the session a number of conditions be met before these votes would be taken. In regards to the Estimates, at least 75 hours of debate must have occurred, including at least two hours of debate on each department. The minimum hours of debates for Bills is five hours for all Bills necessary for the passage of the Budget and twenty hours for Bills introduced in the fall period. Finally, Members on both sides of the House agreed to prohibit the use of closure by the Government and the three day suspension rule by the Opposition on specified Bills.

Retirement of Clerk

One of the Assembly's longest serving employees has announced her retirement. **Gwenn Ronyk**, the Clerk of the Assembly, will bring her thirty-two year career to a close at the end of December. Ms. Ronyk joined the Assembly in 1974 as Assistant Clerk, rising to Deputy Clerk in 1981. She has led the Saskatchewan Table since 1989. She was active in many professional associations and served on the Editorial Board of the *Canadian Parliamentary Review* for nine years.

Margaret (Meta) Woods
Clerk Assistant



Ontario

On October 31, 2006, **Claude DesRosiers**, Clerk of the Legis-

lative Assembly of Ontario announced his retirement effective December 31, 2006. Mr. DesRosiers has served as Clerk for 20 years and will be greatly missed.

Mr. DesRosiers started his career in the public service as an Appeals Officer with the Public Service Commission in Ottawa in 1969 before joining the House of Commons in 1970. At the House of Commons, he was Head of the Staffing Section in 1971-72; Assistant Chief then Chief of the French Journals branch from 1972 to 1980; Principal Clerk of the Journals Branch from 1980 to 1983; Principal Clerk, Table Duties for the House of Commons 1983 to 1985; Special Advisor to the Special Committee on Reform of the House of Commons in 1984-1985; and Principal Clerk, Committees and Private Legislation Directorate from 1985 to 1986. On October 1, 1986, Claude DesRosiers was appointed as Clerk of the Legislative Assembly of Ontario.

In addition to his duties as Clerk, Mr. DesRosiers served as Parliamentary advisor for the Interparliamentary Union in Estonia and Latvia in 1992, for Cambodia in 1993-94, Lithuania in 1994 and Haiti in 1995. He also is a member of the Canadian Study of Parliament Group; Chair of the Editorial Board of the *Canadian Parliamentary Review* until 2006; a member of the Association of Clerks of Francophone Countries; Secretary, Ontario Branch, Commonwealth Parliamentary Association; Trustee of the Forum for Young Canadians; and Secretary, Ontario Section, L'Assemblée parlementaire de la Francophonie.

In the tributes in the House to Mr. DesRosiers, it was pointed out that before his tenure of 20 years, the position was held by **Rod Lewis** for 31 years. Rod Lewis had succeeded his father who was Clerk for 28 years.

In the last 79 years, the Legislative Assembly of Ontario has been served by only three Clerks.

Mr. DesRosiers has served the members of the House and led the staff of the Legislative Assembly with calm professionalism, knowledgeable and wise counsel and a fair hand in the best traditions of parliamentary service and the spirit of impartiality and non-partisan interest. All of us at the Assembly wish him well and a retirement as long and successful as his working career.

The Assembly

A by-election in the riding of Parkdale-High Park was held on September 14, 2006 to fill the vacancy made by the resignation of **Gerard Kennedy** who had left to pursue the leadership of the federal Liberal Party. The poll returned **Cheri DiNovo** of the New Democratic Party which brought the number of NDP to 9 in the House.

Joe Cordiano, Minister of Economic Development and Trade and member for York South - Weston, resigned his seat. A Cabinet shuffle moved **Sandra Pupatello** into the Economic Development and Trade portfolio from the Education ministry and promoted **Kathleen Wynne**, member for Don Valley West and Parliamentary Assistant for Education to Minister of Education.

Other resignations saw **Tony Wong**, Liberal member for Markham resign to run in the November municipal election and **Cam Jackson**, Progressive Conservative member for Burlington, resign to run for Mayor of Burlington.

Committee Activity

The Committees Branch continues its active schedule with a busy fall season.

In the summer of 2006, the Standing Committee on the Legislative Assembly met to conduct public hearings on Bill 52, *An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act*.

Bill 52 amends the *Education Act* by raising compulsory school attendance to the age of 18 from the current age, 16. It amends the *Highway Traffic Act* by requiring that anyone under the age of 18 who wishes to apply for a Driver's License be in compliance with the raised age of learning.

The Committee held two days of public hearings in Whitchurch-Stouffville and in Hamilton. Following the two meetings in August, 2006 the Committee agreed to meet for a third day of public hearings in Toronto on October 26, 2006. Clause-by-clause consideration of the Bill was completed November 2, 2006.

The Standing Committee on Government Agencies has a dual mandate to review and report to the House its observations, opinions and recommendation 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 corporation to which the Crown is a majority shareholder, and, to review the intended appointments of persons to agencies, boards and commissions. The Committee had been concentrating its efforts on reviewing intended appointments but, for the first time in ten years has agreed to conduct reviews of three agencies: the Liquor Control Board of Ontario; the Ontario Lottery and Gaming Corporation; and Hydro One. Representatives of the three agencies were invited to appear before the Committee and meetings

were held on September 5, 6 and 7, 2006. The Committee is currently in the process of drafting reports for each of the agencies it has reviewed so that it may report to the House its observations, opinions and recommendations on their operations.

The Standing Committee on Social Policy met to discuss Bill 50, *An Act respecting the regulation of the profession of traditional Chinese medicine, and making complementary amendments to certain Acts*. The Committee held public hearings on Monday, October 30, 2006 and Tuesday, October 31, 2006. The date for clause-by-clause consideration of the Bill was set for Tuesday, November 14, 2006. The Bill deals with the regulation of Traditional Chinese Medicine and the restrictions of the use of the titles "traditional Chinese Medicine practitioner" and "acupuncturist."

On September 25, 2006, the Standing Committee on General Government reported back Bill 51, *An Act amend the Planning Act and the Conservation Land Act and to make related amendments to other Acts*, as amended. Over the summer, the Committee held 3 days of public hearings and 2 days of clause-by-clause in Toronto after originally planning to travel to London, Napanee and Sudbury. Demand in these locations was insufficient to warrant travel, as per the Subcommittee report adopted by the full committee.

The Government introduced Bill 148, *An Act to amend the Highway Traffic Act respecting the use of seat belts* on October 16, 2006. The bill received Second Reading on October 17, 2006 and was referred to the Standing Committee on General Government on October 17, 2006. It was considered in Committee on October 23, 25 and 30, 2006 and reported back to the House, as

amended, on October 31, 2006. Bill 148 was in response to a car accident in which 4 of 10 people were killed when the minivan in which they were travelling crashed. The minivan was equipped with only 7 seat belts.

The Standing Committee on Regulations and Private Bills met over the summer recess to consider two Private Members' Public Bills - Bill 89, *An Act to amend the Child and Family Services Act and the Coroners Act to better protect the children of Ontario* (Mr. Jackson), and Bill 120, *An Act to require the Building Code and the Fire Code to provide for fire detectors, interconnected fire alarms and non-combustible fire escapes* (Mr. Prue). Both bills were reported back to the House, as amended, on September 25, 2006. Bill 89 subsequently received Third Reading on September 26, and was given Royal Assent on October 19, 2006. The sponsor of the Bill, Mr. Jackson, resigned his parliamentary seat, effective September 29, 2006, to run in the mayoral elections in Burlington, Ontario.

The Standing Committee on Justice Policy met for three days in August in London, Ottawa and Thunder Bay for public hearings on Bill 107, *An Act to amend the Human Rights Code*. This Bill proposes to revise the administration and functions of the Ontario Human Rights Commission, provide that complaints about the infringement of rights under the Act are to be made directly to the Ontario Human Rights Tribunal and to revise the procedures and powers of the Tribunal with matters brought before it. The Committee is now scheduling for meetings to be held during November and December and with the intention of continuing during the winter recess to hear from all the witnesses.

The Committee also continued its consideration of Bill 14, *An Act to promote access to justice by amending or repealing various Acts and by enacting the Legislation Act, 2006*. This bill, among other things, proposed to regulate the profession of paralegals under the supervision of the Law Society of Upper Canada. Public hearings were held in the spring in Toronto and further public hearings were held for seven days in September in Toronto. The Committee then met for five days of clause-by-clause consideration of the Bill which was then reported, with amendments, to the House. The Bill received Third Reading and Royal Assent on October 19, 2006.

On Thursday, October 12, 2006, the Standing Committee on Finance and Economic Affairs held public hearings on Bill 65, *An Act respecting mortgage brokerages, lenders and administrators*. Clause-by-clause consideration of Bill 65 occurred on Thursday, October 19. The Chair reported the Bill as amended to the House on the same day and it was Ordered for Third Reading.

Anne Stokes
Committee Clerk



Manitoba

Following the summer recess, MLAs returned to the Chamber on November 15, 2006 to hear Lieutenant Governor **John Harvard** deliver the NDP Government's ninth Speech from the Throne, opening the 5th Session of the 38th Manitoba Legislature.

Over the summer three long serving MLAs announced they will not be seeking re-election. Minister of Health **Tim Sale** (NDP - Fort Rouge) indicated first that he would not be running again, and subsequently tendered his resignation from cabinet. First elected in 1995, Mr. Sale served in Premier **Gary Doer's** cabinet since 1999. Opposition members **Glen Cummings** (PC - Ste. Rose) and **Jack Penner** (PC - Emerson) each also announced their retirement from the Manitoba Legislature. Both Members served in the cabinet of former premier **Gary Filmon** and were first elected in 1986 and 1988 respectively.

The vacancy created by Mr. Sale's retirement set the stage for the most recent reorganization of the NDP cabinet. On September 21, 2006 Premier Gary Doer announced a number of cabinet reassignments and one new appointment, as follows:

- **Kerri Irvin-Ross** (Fort Garry) entered cabinet as the new minister of Healthy Living.
- **Theresa Oswald** (Seine River), the former minister of Healthy Living, became Manitoba's first female Minister of Health.
- **Christine Melnick** (Riel) moved from Family Services and Housing to Water Stewardship.
- **Jim Rondeau** (Assiniboia) moved from Industry, Economic Development and Mines to become the minister of Science, Technology, Energy, and Mines.
- **Scott Smith** (Brandon West) left the department of Intergovernmental Affairs and Trade to become the Minister of the new department of Competitiveness, Training and Trade.
- **Ron Lemieux** (La Verendrye) moved from Transportation and Government Services to the newly organized department of Infrastructure and Transportation.

- **Gord Mackintosh** (St. Johns) moved from Justice to Family Services and Housing.
- **Dave Chomiak** (Kildonan) left Energy, Science and Technology to assume duties as Attorney General and Minister of Justice. Mr. Chomiak will also serve as Government House Leader.
- **Steve Ashton** (Thompson) moves from Water Stewardship to Intergovernmental Affairs.

Earlier this year Speaker **George Hickes** established the Teachers' Institute and Legislature Classroom. A group of 20 teachers (grades four to 12) will be selected to participate in a five day professional development seminar to be held annually in April. As part of their week these teachers will meet with Members of the Legislative Assembly, House Leaders and the Independent Officers of the Assembly.

The Legislature Classroom will operate in the Legislative Building beginning in fall 2007. This initiative will accommodate groups of students (again grades four to 12) and other special interest groups wishing to learn more about the democratic process. The learning session will offer students the chance to meet with a Member of the Legislative Assembly from the school's constituency and with the Director of the Institute, former Clerk Assistant **JoAnn McKerlie-Korol**. Students will receive practical lessons in democracy by acting out the stages of a bill becoming a law. This program will also be arranged to take place on site at schools across Manitoba.

Rick Yarish

Clerk Assistant /
Clerk of Committees



Prince Edward Island

The Fourth Session of the Sixty-second General Assembly opened on November 16, 2006, with the reading of the Speech from the Throne by the Lieutenant Governor, **Barbara A. Hagerman**. This occasion marked her inaugural Speech from Throne; she was installed as the fortieth Lieutenant Governor since the creation of the colony in 1769 and the twenty-seventh since Confederation.

From September 10-12, 2006, the Standing Committee on Public Accounts of the Legislative Assembly of Prince Edward Island welcomed delegates from the federal, provincial, and territorial public accounts committees of Canada.

More than 150 legislators, staff and partners attended the Twenty seventh Annual Conference of the Canadian Council of Public Accounts Committees (CCPAC) held in Charlottetown. As in previous years, this year's conference was held in conjunction with the annual conference of the Canadian Council of Legislative Auditors (CCOLA).

Co-hosts **Ron MacKinley**, Chairman of the Standing Committee on Public Accounts; and **Colin Yunker**, CA, Auditor General for Prince Edward Island, agreed that the event was an excellent opportunity to discuss matters of mutual interest relating to financial accountability, and to enjoy a taste of Island hospitality. The business sessions were informative and the social

portions of the program offered delegates the chance to catch up with old friends and to meet new ones.

Prince Edward Island looks forward to hosting the Twenty-fourth Canadian Conference of Presiding Officers, Commonwealth Parliamentary Association, Canadian Region, in Charlottetown from January 18-21, 2007. Plans are underway for a varied and interesting business program, along with opportunities for delegates to socialize with colleagues and friends.

Dr. **Lorne Bonnell**, MD, CM, passed away on October 9, 2006. He was a long-serving member of the Legislative Assembly prior to his appointment to the Senate of Canada, but is perhaps best remembered for his four decades of service to the people of Prince Edward Island as a family physician. Born in Hopfield, Prince Edward Island, and educated at Dalhousie University, Dr. Bonnell was first elected to the Legislative Assembly of Prince Edward Island in 1951. Over the next twenty years, he enjoyed considerable political success, being re-elected five times and holding the posts of Minister of Health, Minister of Welfare, Minister of Housing and Minister of Tourist Development. In 1971, Dr. Bonnell stepped down from provincial politics and in November of that year, he was appointed to the Senate of Canada. In this capacity he represented the people of Prince Edward Island for 27 years. Dr. Bonnell was also a successful entrepreneur, establishing a number of successful enterprises in the province. His commitment to the people of Prince Edward Island will be long remembered.

Marian Johnston
Clerk Assistant and
Clerk of Committees



British Columbia

On September 5, 2006, the government announced in the media that the House would likely convene for a one-day sitting this fall, rather than for the regularly-scheduled seven weeks indicated in the parliamentary calendar. Members of the Legislative Assembly have nonetheless been busy keeping up with an unmatched level of committee activity. There are currently seven parliamentary committees pursuing the mandates they have been given by the House, and four conducting public consultations. Members of the seven active committees represent forty-six of the Assembly's fifty-four Private Members, many of whom serve on two or more committees.

Committees

The ranks of the Clerk of Committees Office have more than doubled to assist members with their heavy committee workload. One Committee Clerk, **Anne Stokes**, was kindly seconded by the Legislative Assembly of Ontario, while four additional researchers and five additional administrative staff have been hired on a temporary basis.

Four committees are expected to report before the end of November, so watch for a full account of this busy and innovative committee season in the Spring issue.

The Select Standing Committee on Finance and Government Ser-

vices conducted its seventh pre-budget consultation this fall. Again the Committee set a new record, receiving over 8,300 submissions through four streams of consultation: public hearings at 15 locations throughout the province, written submissions, web-based submission forms, and a provincewide mailer issued by the Ministry of Finance. The Committee will deposit its final report by November 15.

The Select Standing Committee on Health is wrapping up its inquiry into effective strategies for promoting healthy living, physical fitness and good nutrition among children and youth, in particular to curb the growing rates of child/youth obesity. The Committee will report at the end of November on its findings, which will include input from the Committee's youth-oriented website, myhealthyspace.ca, and feature winning entries from the Committee's art contest for younger children.

The Select Standing Committee on Education is in the process of completing its assessment of effective adult literacy strategies. Under review are approaches used in other jurisdictions and homegrown proposals to improve literacy rates among aboriginal people, English-as-a-Second-Language adults, and seniors. In October the Committee completed its second phase of consultation – a series of public hearings in Greater Victoria and the lower mainland, as well as in the North Coast, Cariboo and Kootenay regions. Of special note, particularly in the context of adult literacy, is the “telephone mailbox” developed by the Committee to allow individuals to submit formal submissions by voicemail. The Committee will make its final report by November 30th.

In October the Special Committee on Sustainable Aquaculture began its second round of public consultations, visiting Bella Bella, Bella Coola, Sechelt and Smithers. Also, due to the large number of individuals and organizations wanting to appear before the Committee during its summer and fall hearings, the Committee returned to Campbell River, Victoria and Vancouver to accommodate additional witnesses.

The Committee, which was first struck last November, must report to the House by the end of May 2007 on the environmental and economic impacts of the aquaculture industry in BC, sustainable options to balance the industry's economic goals with environmental imperatives, and how BC's regulatory regime compares to other jurisdictions.

The Special Committee to Appoint a Representative for Children and Youth, which began meeting in July, is continuing to work towards recommending the appointment of a Representative for Children and Youth. It anticipates being ready to make a recommendation to the House by the end of November. Although it was suggested earlier this fall that the House might reconvene for a day in order to receive the Committee's recommendation, it is also possible that the motion required to accept the Committee's recommendation will be introduced

in the House during the spring session.

The Select Standing Committee on Children and Youth met in October to begin the process of interpreting its mandate, one that is unique in British Columbia. The Representative for Children and Youth must report to this Committee, at least annually, on all matters except financial ones. However, the Committee is further empowered to refer matters concerning a critical injury or death of a child to the Representative for investigation, even where those matters are outside the scope of the Representative's own initiative. In addition, the Committee is mandated to "foster greater awareness and understanding among legislators and the public of the BC child welfare system." The BC Children and Youth Review intends that the regular discussions of this all-party committee will foster legislators' deeper understanding of the issues relating to the wellbeing of children and youth, and maintain an ongoing public awareness of issues surrounding the child and family serving system.

Conferences

Bill Barisoff, Speaker of the Legislative Assembly of British Columbia, hosted the 28th Canadian Regional Seminar of the Common-

wealth Parliamentary Association from October 12th through 15th in Victoria. Assistant Deputy Speaker **Sue Hammell** attended as the B.C. delegate.

Cabinet Changes

On August 15, Premier **Gordon Campbell** announced the following Cabinet changes, bringing the total number of cabinet ministers to twenty-four:

- **Tom Christensen** moved from the Ministry of Aboriginal Relations and Reconciliation to the Ministry for Children and Family Development.
- **Stan Hagen** moved from the Ministry for Children and Family Development to the Ministry of Tourism, Sports and the Arts.
- **Gordon Hogg** was returned to Cabinet as Minister of State for ActNow BC.
- **Olga Illich** moved from Tourism, Sports and the Arts to the Ministry Labour and Citizens' Services.
- **Mike de Jong** moved from Labour and Citizens' Services to Aboriginal Relations and Reconciliation.

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