



Legislative Reports



Saskatchewan

The Third session of the Twenty Sixth Legislature began with the Speech from the Throne by Lieutenant Governor **Gordon Barnhart**. The Throne Speech, entitled *Moving Forward*, focused on continued debt reduction, improving health, education, vulnerable people, introducing new laws, agricultural programs, First Nations and Métis relations, environment, energy initiatives, municipal affairs, provincial cultural policy and immigration.

The Throne Speech focused on healthcare which included a goal to reduce surgical wait times to no longer than three months. The Government committed to continued efforts to recruit nurses and physicians along with a plan to improve long-term care for seniors, a change to the needle exchange program and the reduction of tobacco use. Plans to review *The Child and Family Services Act* and *The Adoption Act* were highlighted, as well as a new electronic case management system, to provide better monitoring and protection

of children and youth in its care will be implemented. There will be new laws introduced to ban texting and hand-held cell phone usage while driving, new ticket sales legislation to protect those wishing to attend events and concerts, as well as preventing members of a profession from escaping disciplinary proceedings by resigning.

In regards to agriculture, the Federal Agri-Stability Program will be assumed by Saskatchewan and moved to Melville. First Nation and Métis peoples were included with a commitment from the Government to meet their legal obligations under the duty to consult, a greater engagement in economic prosperity and honouring the request by the Métis Nation of Saskatchewan to designate 2010 as the Year of the Métis in Saskatchewan. Upcoming plans for Tourism, Parks, Culture and Sport include a new culture policy and show casing Saskatchewan at the 2010 Winter Olympics in Vancouver.

Attention was given to the Environment and Energy needs of the province as they will play a key role in the province's regulatory framework, emission-reduction technologies, carbon capture, water management plan and alternative energy options with an emphasis on increased wind power.

The Opposition painted a different perspective on the Speech from the Throne. They

have argued that it focused too much on the past and provided little vision for improving the lives of Saskatchewan people in the year ahead. They noted the lack of programs to address the rising cost of living, to provide new job skills and opportunities for Saskatchewan's Employment Insurance recipients, or affordable housing. The Opposition has also criticized the Government on their lack of support for grain, beef and hog farmers.

New Presiding Officer

Wayne Elhard was appointed Deputy Chair of the Committees of the Whole Assembly on October 22nd. Mr. Elhard was first elected to the legislature in the June 1999 by-election, giving him the distinction of being the first-ever elected Saskatchewan Party MLA. He was re-elected in the general elections of 1999, 2003 and 2007. As part of the first Saskatchewan Party Cabinet, Mr. Elhard held three separate portfolios. He is currently a member of the Standing Committee on Intergovernmental Affairs and Justice and Chairman of the Global Transportation Hub being developed west of Regina.

By-Election

On September 21st there were by-elections in two constituencies; Regina Douglas Park and Saskatoon Riversdale. Both seats were won by Members of the New Democratic Party. **Dwain Lingenfelter**, Leader of the Opposition, will represent the

Regina Douglas Park constituency and **Danielle Chartier**, the Saskatoon Riversdale constituency which was formerly held by NDP leaders **Roy Romanow** and **Lorne Calvert**. The new Members were sworn in days before being officially seated on October 21, 2009.

Committee Activities

During the month of October, the Standing Committee on Crown and Central Agencies held public hearings in Regina, Saskatoon and La Ronge on Saskatchewan's growing energy needs. The Committee heard from 32 presenters and received 24 written submissions. Individuals, social justice and environmental groups, industry, representative organizations, political parties, communities, a research institution and First Nations gave their perspective on energy needs. The Committee has agreed to table an interim report by December 2009. In the New Year, the Committee will continue its inquiry and travel to Lloydminster, Prince Albert, Saskatoon, Yorkton, Estevan and Regina. A final report is expected to be tabled during the spring before the Assembly adjourns for the summer.

In June, the Standing Committee on Human Services continued public hearings on Bill 80 – *The Construction Industry Labour Relations Amendment Act, 2009*. The proposed legislation changes how labour relations in the construction industry are governed. The Bill was debated for over twenty-two hours before it was reinstated. The Committee continues its review of the Bill.

Stacey Ursulescu
Committee Researcher



Ontario

On Monday, September 14, 2009, the fall session of the Ontario Legislative Assembly commenced with the Speaker recognizing the Member for Niagara West-Glanbrook, **Tim Hudak**, as the Leader of Her Majesty's Loyal Opposition. Mr. Hudak was elected as leader of the Ontario Progressive Conservative party on June 30, during the summer recess.

As a result of the resignation of Liberal MPP **Michael Bryant** on June 7, a by-election was held in the riding of St. Paul's on September 17. The successful candidate was **Eric Hoskins** (Liberal), the co-founder and president of War Child Canada. The newest member of the Legislature assumed his seat on September 30.

Committee Activities

The Select Committee on Mental Health and Addictions was struck pursuant to an Order of the House dated February 24, 2009. The Committee is mandated to report its observations and recommendations with respect to a comprehensive Ontario mental health and addictions strategy. In August, the Committee conducted meetings and site visits in Moose Factory, Sioux Lookout and Sandy Lake. The Committee then travelled for public consultations to Ottawa, Sudbury and Thunder Bay in September. The Committee continued to hold

public consultations in Toronto through the fall.

The Standing Committee on General Government considered *Bill 173, An Act to Amend the Mining Act*, and *Bill 191, An Act with respect to land use planning and protection in the Far North*. The bills were referred to the Committee after second and first reading respectively, and were considered concurrently during the summer recess. The Committee held public hearings in Toronto, Sioux Lookout, Thunder Bay, Chapleau and Timmins. Clause-by-clause consideration of Bill 173 took place on September 14, 16, 23, 28 and 30. A time allocation motion was passed in the House on October 6 and clause-by-clause consideration was completed on October 7. Clause-by-clause consideration of Bill 191 took place on October 19 and 21. Both bills were reported as amended.

The Standing Committee on Justice Policy considered *Bill 183, An Act to revise and modernize the law related to apprenticeship training and trades qualifications and to establish the Ontario College of Trades*. The Bill provides for the establishment of the Ontario College of Trades and revises the framework for apprenticeship training and certification. The Committee held public hearings on September 17 and 24. After clause-by-clause consideration on October 2, the bill was time-allocated for one further day of clause-by-clause consideration on October 8. The Committee reported the bill back to the House on October 8 with certain amendments.

Pursuant to its permanent mandate, the Standing Committee on Government Agencies continued to conduct reviews of, and to consider intended appointments to, Ontario Government

agencies, boards and commissions. As well, the Committee presented three agency reports to the House. In its report on the Ontario Infrastructure Projects Corporation (Infrastructure Ontario), the Committee covered topics such as: enhanced public disclosure; infrastructure and economic development; innovative building design and infrastructure projects; and the management of the Darlington nuclear procurement project.

The Committee's report on The Ontario Educational Communications Authority (TVO) dealt with subjects such as: TVO's coverage of Ontario politics and government, including the business of the Legislative Assembly; production of new cost-effective regional-based content; transparency in the reporting of TVO's membership and viewership numbers; and ongoing support for activities of the Independent Learning Centre-ILC. Its report on the Ontario Trillium Foundation commended the agency for its important work and also made recommendations for improvements. During September, 2009, the Committee commenced reviews of three agencies: Ontario Municipal Board; Ontario Power Generation Inc.; and The Royal Ontario Museum.

Other Matters

The Ontario Legislative Building suffered a fire late on the evening of October 11. Mechanical equipment on the roof of the North Wing caught fire, by means which are yet unknown. Fortunately, the fire was spotted quickly and was extinguished without damage to anything other than the equipment itself. The water used to extinguish the fire ran harmlessly off the roof, so no part of the

Legislative Library's collection stored immediately below was damaged. Coincidentally, this fire occurred almost exactly 100 years after the devastating fire of 1909, which destroyed the West Wing of the Legislative Building, including the Library and its valuable collections which were then located there.

Trevor Day
Committee Clerk



Newfoundland and Labrador

On August 21 the then President of Treasury Board, **Jerome Kennedy**, announced the suspension with pay of the Child and Youth Advocate, **Darlene Neville**, citing serious concerns expressed to cabinet by the Speaker **Roger Fitzgerald** about the functioning of the office. Retired Provincial Court judge **John Rorke** has been appointed interim Advocate.

House Convenes for Two-day Sitting

The House sat on September 8th and 9th primarily to debate Bill 37 *An Act To Amend The Energy Corporation of Newfoundland and Labrador Water Rights Act* which clarifies the definition of the waters included in the legislation so that there is no overlap between the definitions of the Lower and Upper Churchill. The Churchill Falls (Labrador) Corporation requires this clarification in order

to finalize a water management agreement with Nalcor Energy.

The House also passed a Resolution, in compliance with section 7 of the *Child and Youth Advocate Act*, to continue the suspension of the Advocate which was effected by the Lieutenant Governor in Council when the House was not in session.

Cabinet Changes, By-elections

Trevor Taylor, Minister of Transportation and Works, resigned from Cabinet on September 24th and from the House of Assembly on October 2nd citing personal reasons. **Paul Oram**, Minister of Health, resigned his seat on October 7th to return to private life.

On the same day, **Jerome Kennedy**, Minister of Finance, was appointed Minister of Health, and **Tom Marshall**, Minister of Justice, was appointed Minister of Finance and President of Treasury Board. Mr. Marshall was returning to a portfolio which he had occupied from December 29, 2006 to October 31st, 2008. **Felix Collins**, Member for Placentia-St. Mary's, Deputy Chair of Committees, was appointed Minister of Justice.

Dianne Whalen, Minister of Municipal Affairs was appointed acting Minister of Transportation and Works. However on October 26 **Thomas Hedderson**, Minister of Fisheries, was appointed acting Minister of Municipal Affairs as Ms Whalen is unable to carry out her ministerial duties due to illness. **Thomas Marshall**, Q.C. was appointed acting Minister of Transportation and Works. Both Ministers retain their current portfolios.

The by-election in the District of The Straits-White Bay North to

fill the seat vacated by Mr. Taylor took place on October 27th. The Liberal candidate, **Marshall Dean**, was elected. The other candidates were **Rick Pelly** representing the Progressive Conservative Party and **Dale Colbourne** representing the New Democratic Party.

Members Compensation Review Committee

Pursuant to subsection 16(1) of the *House of Assembly Accountability, Integrity and Administration Act*, the Committee was struck on May 28, 2009 and submitted their report to the Speaker on October 30th. The Members of the Committee were **Joe O'Neill**, Chair, former CEO of the Workplace Health, Safety and Compensation Commission, **Brian Barry**, VP-Central of the Newfoundland Region for Steers Insurance Ltd. and **Cathy Bennett**, Owner/Operator of nine McDonald's Restaurants and CEO of the Bennett Group of Companies.

The Committee held public hearings around the Province, conducted research and interviewed Members of the House of Assembly and others.

The Report recommends *inter alia*:

- that the 8% salary increase which commenced on July 1, 2009 be withdrawn and frozen at the level of June 30, 2009 pending the recommendations of the next review committee;
- that the MHA pension plan accrual rate be reduced from 75% to 70% and that MHAs who have been elected twice and served five years be eligible for pension entitlement at 55 and
- that current severance provisions remain unchanged (one month's current pay for each year of service) provided that an MHA who resigns in mid-term for reasons

other than his/her own serious illness or that of a member of his/her immediate family shall not be eligible for Severance Pay.

The Report and Annex is available at the House Assembly website: <http://assembly.nl.ca/pdf/MCRCReport2009.pdf>

The House is expected to reconvene in mid-November to resume the Second Session of the Forty-Sixth General Assembly.

Elizabeth Murphy
Clerk Assistant



In compliance with the new parliamentary calendar adopted in April 2009, the autumn sessional period resumed on Tuesday, September 15. This first sitting was marked by the welcoming of the two new Members, **Clément Gignac** and **Jean D'Amour**, elected on June 22, 2009 in the electoral divisions of Marguerite-Bourgeoys and Rivière-du-Loup.

Extraordinary sitting

The Members of the National Assembly were summoned by Premier **Jean Charest** for an extraordinary sitting on Friday, September 18, to complete the legislative process respecting Bill 40, *An Act to amend the Balanced Budget Act and various legislative provisions concerning the implementation of the accounting reform*, which had reached the stage of clause-by-clause consideration in committee.

After debate on the grounds for summoning the Assembly and on

the motions by the Government House Leader determining the timetable and speaking times provided for in the exceptional procedure, the bill passed all of the stages in the legislative process for its adoption.

This Act suspends temporarily the effect of certain provisions of the *Balanced Budget Act* and enables the Minister of Finance to present objectives for decreasing budgetary deficits. It also establishes the manner in which the Minister is to account for the achievement of those objectives. Furthermore, this Act provides for the implementation of the accounting reform with respect to the full consolidation of financial information from bodies in the health and social services network and the education network with that of the Government.

By-election

Nicolas Marceau won the by-election held in the electoral division of Rousseau, on September 21, 2009, thus filling the seat left vacant by **François Legault**, who resigned last June.

The seats in the Assembly are now distributed as follows: Québec Liberal Party, 67 Members; Parti Québécois, 51 Members; Action démocratique du Québec, 6 Members; Québec Solidaire, 1 Member.

Cabinet shuffle

Last September 9, 2009, **Sam Hamad**, who is currently responsible for the Employment and Social Solidarity portfolios as well as for the Capitale-Nationale region, was appointed Minister of Labour in replacement of **David Whissell**, Member for Argenteuil.

The Cabinet is now composed of 14 men and 12 women.

Directive from the Chair

At the sitting of September 17, the Chair reminded the Members of the rules that apply to petitions and which were introduced by the parliamentary reform of April 2009. The Chair will refuse any petition containing more than 250 words, or that is not printed on standard sheets of paper. In addition, it will reject any petition containing language that is violent, abusive or insulting, or that imputes improper motives to another Member or that questions his conduct. The same stands for any petition that concerns a matter that is before the courts or that is the subject of an inquiry, if its presentation could be prejudicial to the interests of some person or party. In such cases, the Chair will not allow consent to be sought at the time set aside for presenting petitions, nor will it allow such consent to be sought for the indirect tabling of a petition at any other stage.

However, the Chair may grant leave to the Member to request the Assembly's consent to table a petition that does not meet certain criteria regarding its form. Such would be the case if a petition was not an original or if it did not contain all of the petitioners' signatures or if the reason for which the intervention was sought did not appear on all of the sheets of paper. This would also be true if a petition asked for the redress of a grievance concerning a matter that was not within Québec's jurisdiction.

The new rules henceforth provide that once a petition is tabled, it is referred to the appropriate standing committee, which may decide to examine it.

For its part, the Government must henceforth answer, within the prescribed time, all petitions that are addressed to it.

Institutional Activities

On September 23, President **Yvon Vallières** presided over a ceremony during which he conferred the National Assembly Medal of Honour on **Ingrid Betancourt**, former Senator and former presidential candidate in Colombia, for the courage she displayed during her captivity as well as for her commitment to democracy, human rights, and freedom of expression.

The President also conferred the National Assembly Medal of Honour on **Jean-Pierre Ferland** on September 28 on the occasion of a dinner given by the Fondation des parlementaires québécois Cultures à partager. He wished thereby to acknowledge the author, composer, and singer's contribution to the influence of Québec culture and the French language.

A new programme was created, in collaboration with Laval University, to allow undergraduate students to acquire rewarding work experience and to become better acquainted with Québec's parliamentary institutions, thus joining the general trend prevalent in most of Canada's parliamentary assemblies. Students are paid on a basis of 10 to 14 hours per week. They must also conduct a research project accredited by the university. The on-site internship and the guided research led to the granting of six credits toward the bachelor's programme in which they are registered.

After having examined the students' files and conducted

interviews with approximately 70 young women and men, the members of the Assembly's selection committee selected 14 candidates (11 women and 3 men) registered in one of the approved programmes, namely the Bachelor of Law, the Bachelor of Public Affairs and International Relations, and the Bachelor of Political Science. These pages, whose average age is 21 years, began their duties at the end of August. Their work is supervised by the person who is responsible for the pages at the Assembly.

The 87 participants in the ninth Legislature of the Seniors' Parliament, held from 9 to 11 September, passed two bills on issues that are central to the interests of seniors: the *Act Respecting Health Services and Home Support for Elderly Persons and Informal Caregiver Services* and the *Act Respecting the Reimbursement of Property Taxes for Persons Aged 65 Years and Over*.

Francine Boivin Lamarche

Secretariat of the National Assembly

Committees Activity

The activities of the standing committees of the National Assembly resumed with a heavy workload in September. Committees held numerous sittings, in particular in the context of three important general consultations. Furthermore, on September 14 certain provisions in the Standing Orders concerning the names and terms of reference of the standing committees entered into effect within the framework of the parliamentary reform. The new apportionment of committee jurisdictions introduced by the parliamentary reform adopted on April 21, 2009 seeks to rebalance the workload

among the various committees. To that end the name of certain committees has been changed and one new committee has been created: the Committee on Citizen Relations. However, the number of committees is unchanged. The names and terms of reference of the committees are specified in National Assembly Standing Order 118. The following is an overview of the main mandates carried out by the committees during this period.

During the month of September the Committee on Agriculture, Energy and Natural Resources held eleven sittings dedicated to an important general consultation on Bill 57, *Forest Occupancy Act*. This bill amends the *Forest Act* and introduces a new forest regime based on the regionalization of decision-making relating to forest planning and management. During this consultation the committee heard more than 70 persons and organizations. At the end of its deliberations the committee recommended that the bill be reprinted owing to the large number of amendments announced by the minister responsible.

During September and the beginning of October the Committee on Culture and Education held public hearings as part of a general consultation relating simultaneously to Bill 38, *An Act to amend the Act respecting educational institutions at the university level and the Act respecting the Université du Québec with respect to governance*, and Bill 44, *An Act to amend the General and Vocational Colleges Act with respect to governance*. These bills seek to establish principles of sound governance relating to the management of college and university teaching

establishments. To that end the bills make amendments to the membership, operation, and responsibilities of the board of directors of the establishments concerned. The committee devoted nine sittings to the execution of this order and heard 48 persons and organizations.

On September 15, 16, and 17 the Committee on Public Finance continued clause-by-clause consideration of Bill 40, *An Act to amend the Balanced Budget Act and various legislative provisions concerning the implementation of the accounting reform*, which had begun the previous spring. After a total of eight sittings clause-by-clause consideration of the bill was completed in committee of the whole by reason of the adoption of a motion for an exceptional procedure. In particular, Bill 40 amends the *Balanced Budget Act* to allow a budget deficit for a period of several years and provides for the application of the accounting reform.

On September 24 the Committee on Institutions held special consultations and public hearings with respect to Bill 15, *An Act to amend the Courts of Justice Act and the Act respecting municipal courts with regard to court security*. This bill seeks to increase security in the buildings occupied by the courts.

The Committee on Citizen Relations devoted two sittings to clause-by-clause consideration of Bill 7, *An Act to establish an early childhood development fund*. Special consultations had been held with respect to this bill last April, during which 17 organizations were heard. The bill seeks, in particular, to establish a fund whose object is to support the development of young children living in poverty in order to

further the continuation of their education.

During August and September the Committee on Health and Social Services held public hearings during a general consultation on a document entitled "For a stronger and more equitable Québec Pension Plan". This document seeks, among other things, to identify the challenges to be met in relation to the situation of the pension plan in the coming years and to determine the orientations to be taken to provide retirees with an equitable plan. The committee devoted nine sittings to this order and heard 36 persons and organizations.

On August 27 the Committee on Transportation and the Environment elected its chairman, the post having become vacant owing to the resignation of **François Legault**, former Member for the electoral division of Rousseau. **Danielle Doyer**, Member for Matapédia, was elected to occupy this post.

In August and September the committee held special consultations on a document entitled "A First List of Sustainable-Development Indicators". This public consultation document fixes parameters for overseeing and measuring progress made in Québec with regard to sustainable development. The committee received 14 briefs during this consultation and made four recommendations as a result of this order.

In September the Committee on Public Administration held three hearings: the first concerned the financial support granted by the Ministry of Health and Social Services and the health and social services agencies to community organizations; the second

concerned government initiatives in the mining sector; and the third concerned the lookout relating to the Québec health file project.

In August the Committees Secretariat published a statistical report on the proceedings of the parliamentary committees for 2008-2009. This report contains detailed information on the activities of the parliamentary committees of the National Assembly.

Stéphanie Boutin
Committees Secretariat



During the autumn the Senate continued its work in its capacity as a revising chamber. Three Senate public bills were introduced, one Commons public bill was received from the House of Commons, six bills were referred to committee and two government bills received third reading and Royal Assent. The Senate also underwent some changes to its membership, with nine new senators added to its ranks as well as some retirements, and to its administration, with a changeover in the position of Clerk of the Senate, the procedural and administrative head of the Senate.

Legislation

The two government bills adopted were Bill C-32, *An Act to amend the Tobacco Act*, and Bill C-25, *An*

Act to amend the Criminal Code (limiting credit for time spent in pre-sentencing custody). Bill C-32 was passed with support from both parties on October 6. The bill reduces the appeal of tobacco products to Canada's youth, especially first-time smokers, by prohibiting the addition of fruit flavours and other additives such as vitamins to cigarettes, cigarillos, and blunt wraps, and by requiring packaging in minimum quantities of 20 to curtail their affordability. Bill C-32 also repeals the exemption that permits tobacco advertising in publications with an adult readership of not less than 85 per cent.

Bill C-25, one of the government's "tough-on-crime" bills, limits the amount of credit that courts grant to convicted criminals for time spent in pre-sentencing custody. Up until now, judges could grant two-for-one credits or more. The bill limits this to one-for-one. The Standing Senate Committee on Legal and Constitutional Affairs proposed amendments to the bill. These amendments, as well as another amendment put forward by Senator **Charlie Watt** to exempt Aboriginal peoples from the proposed changes in the bill, were rejected by the Senate in two standing votes.

Bill C-25 was adopted at 3rd reading on October 21 and a Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of the Governor General, signed the written declaration of Royal Assent later that same day. An interesting point to note is that when a bill is given Royal Assent by written declaration (that is, not in person by the Governor General or a Puisne Judge in the Senate Chamber), the Royal Assent does not take effect

until the written declaration has been read out in both the House of Commons and the Senate. As the written declaration of Royal Assent for Bill C-25 was read out in both chambers on October 22, the bill officially received Royal Assent that day.

Motion recognizing Famous Five as Honourary Senators

On October 8, the Senate adopted a motion proposed by Senator **Ethel Cochrane** to "posthumously recognize **Emily Murphy**, **Nellie McClung**, **Irene Parlby**, **Louise McKinney** and **Henrietta Muir Edwards**, popularly known as the "Famous Five", as Honourary Senators." The motion was moved to commemorate the 80th anniversary of the October 18, 1929 decision of the Judicial Committee of the Privy Council that recognized women as "persons" in law eligible for appointment to the Senate.

New Senators

On August 27 Prime Minister **Stephen Harper** announced the appointment of nine new Conservative senators by the Governor General. The new Senators were sworn-in on September 15. Their names and the Provinces or Territories each represent are as follows:

Senator **Donald Plett** (Manitoba) served as the full-time President of the Conservative Party of Canada from 2003 until his appointment to the Senate. He has dedicated much of his life to community service, has served on the Board of Governors of the Red River College and has enjoyed coaching and playing sports such as hockey and golf.

After a successful career in nursing that spanned twenty years

and earned her titles such as Head Nurse and Nursing Manager in different hospital departments, Senator **Carolyn Stewart Olsen** (New Brunswick) changed her focus from health care to politics, where she served most recently as Senior Advisor and Director of Strategic Communication in the Prime Minister's Office.

Senator **Kelvin Ogilvie** (Nova Scotia) is an award-winning international expert in biotechnology, bioorganic chemistry and genetic engineering. He spent 10 years as President and Vice Chancellor at Acadia University in Wolfville, and is currently a member of the Board of Genome Canada and chairs both the Advisory Board of National Research Council's Institute of Marine Bioscience and the Advisory Board of the Atlantic Innovation Fund.

Senator **Dennis Patterson** (Nunavut) is a former Premier of the Northwest Territories who is dedicated to bettering the lives of Canada's Northern population. Mr. Patterson played a key role in the settlement of the Inuvialuit final agreement and the Nunavut final land claim agreement. Mr. Patterson also served as the leader of the campaign which led to the establishment of Nunavut as Canada's newest territory in 1999.

Senator **Claude Carignan** (Québec) is a lawyer who specialized in labour and public law. He was a law teacher at the Université du Québec à Montréal and the Université de Montréal. He was the Mayor of Saint-Eustache from 2000 until his appointment to the Senate. He has been Vice-President of the Board of the Union des municipalités du Québec since May 2008 and has created the Fondation Élite Saint-Eustache, which helps the young people of his region.

Senator **Jacques Demers** (Québec) is an influential figure in Canadian hockey, best known as the former head coach of the Montreal Canadiens during their Stanley Cup victory in 1993. In 2005 he publicly revealed that he was functionally illiterate, which has helped raise awareness of literacy issues. Senator Demers is a commentator for the sports network RDS.

Senator **Judith Seidman** (Québec) is an educator, researcher and advisor in the fields of health and social services. She was the project coordinator for the Canadian Study of Health and Aging at the University of Ottawa, and was Research Associate/Fellow at the Montreal Neurological Hospital/Institute's Department of Social Work.

Senator **Doug Finley's** (Ontario) career includes working in the aviation, agriculture and energy industries. He also served as Director of Political Operations for the Conservative Party of Canada, and National Campaign Director during the 2006 and 2008 federal elections.

Senator **Linda Frum** (Ontario) is a journalist and best-selling author who has worked as a feature columnist for the *National Post* newspaper and as a contributing editor to *Maclean's* Magazine. She is an active member of the Toronto community where she is a board member for a number of organizations.

Retirements and Resignations

Four senators retired from the Senate in the last three months. The first to go was Senator **Eymard Corbin**, a journalist and teacher, who had a political career that spanned 41 years, representing New Brunswick both as a Member

of Parliament and as a Senator. He retired on August 2.

Senator **Lise Bacon** retired on August 25. She served as Chair of the Senate Committees on Transport and Communications, Legal and Constitutional Affairs, and Internal Economy, Budgets and Administration. She is a former Vice Premier of Quebec, and held a number of ministerial portfolios in Quebec.

Senator **Joan Cook**, who was a devoted advocate of the coastal communities of Newfoundland and Labrador, retired on October 6. Her long history of involvement in health care issues enabled her to contribute substantially to the Senate committee on Social Affairs, Science and Technology's extensive studies on mental health and on the state of the health care system in Canada.

Senator **John Bryden** resigned from the Senate on October 31 after representing New Brunswick for 15 years. His experience was in the areas of law, public service and business. During his time in the Senate, he sponsored a public bill which increased penalties for acts of cruelty to animals. This bill was adopted by both houses of Parliament, and received Royal Assent on April 17, 2008.

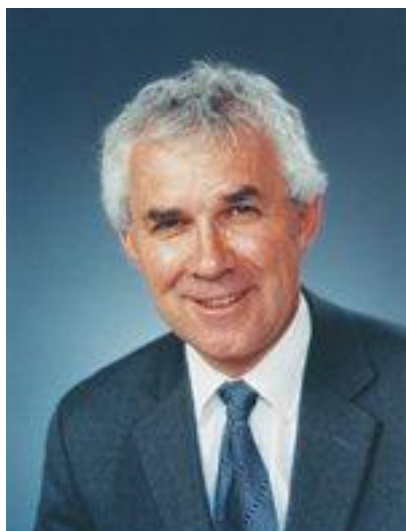
Clerk of the Senate

The Clerk of the Senate and Clerk of the Parliaments has many roles to play. The first is as senior procedural advisor to the Speaker of the Senate and to senators, both in and out of the Chamber. The second is as administrative head of the Senate, overseeing the operations and services provided to the Senate and senators. The Clerk also manages certain relations with the House of Commons and, as the Clerk of

the Parliaments, is the custodian of the engrossed manuscript copies of all legislation and other parliamentary documents. The Clerk is appointed by the Prime Minister.

On September 15, **Paul Bélisle** retired after 15 years of dedicated service as Clerk of the Senate and Clerk of the Parliaments. Mr. Bélisle was instrumental in putting in place the *Senate Administrative Rules* as well as the Administration's Report on *Priorities and Initiatives* and its *Statement of Values and Ethics*.

On September 16, **Gary O'Brien** was sworn-in as the new Clerk of the Senate and Clerk of



Gary O'Brien

the Parliaments. A former Deputy Clerk of the Senate and an expert on parliamentary procedure, he joined the Senate in 1980, first as Chief of English Journals and subsequently as Director of Committees, before assuming the role of Deputy Clerk in 1999, a position he held until 2006.

Katie Castleton
Procedural Clerk
Journals Branch



House of Commons

Parliament returned from the summer adjournment on September 14, 2009. It was immediately seized by election speculation as, on September 1, the Leader of the Official Opposition **Michael Ignatieff** had declared that the Liberal Party would no longer support the government and would attempt to bring it down at the earliest opportunity.

The first test of confidence for the government came in the form of a ways and means motion to implement certain provisions of the budget. The motion related to the Home Renovation Tax Credit and the First-time Home Buyers' Tax Credit which were noted in the budget speech. The motion was adopted on September 18, 2009 on a recorded division of 224 to 74, with the Liberals voting against.

On September 28, 2009, the government tabled "Canada's Economic Action Plan — A Third Report to Canadians — September 2009" and, pursuant to the special order made on June 19, 2009, the first opposition day of the supply period was held three sitting days later on October 1. The motion of the Official Opposition — "That this House has lost confidence in the government" — was defeated on a recorded division of 117 to 144, with the Liberals and the Bloc Québécois voting in favour. The government had passed a second

confidence test in as many sitting weeks.

The Speaker

On October 12, 2009, **Peter Milliken** became the longest serving Speaker of the House of Commons. He was first elected as Speaker on January 29, 2001. After Question Period on October 21, 2009, a representative of each recognized party paid tribute in commemoration of the Speaker's achievement.

Legislation and Procedural Motions

Two bills which were considered as potential confidence measures were introduced in September. Bill C-50, *An Act to amend the employment insurance act and increase benefits*, was adopted by the House with the support of the NDP on November 3, 2009. Bill C-51, *An Act to implement certain provisions of the budget tabled on January 27, 2009*, which embodies the ways and means motion noted above, was reported back to the House by the Standing Committee on Finance without amendment on November 4, 2009.

Of note was the continued debate on Bill C-23, *An Act to implement the Free Trade Agreement between Canada and the Republic of Colombia, the Agreement on the Environment between Canada and the Republic of Colombia and the Agreement on Labour Cooperation between Canada and the Republic of Colombia*. As of October 9, 2009 the second reading motion, as well as a reasoned amendment and subamendment that had been moved in June, had been debated for over twenty-five hours.

The subamendment was defeated on October 7 and on October 9, 2009, the Government

House Leader, **Jay Hill** sought unanimous consent to move – “That, notwithstanding any standing order or usual practice of the House, the second reading motion of Bill C-23 ... shall not be subject to any further amendments or subamendments”, but consent was denied. The House Leader then availed himself of the provisions set out in Standing Order 56.1, according to which for any routine motion for which unanimous consent is required and has been denied, a Minister may request that the Speaker propose the question to the House. The question was accordingly put and, fewer than twenty-five Members having risen to object, it was adopted.

On a point of order by the Member for Argenteuil-Papineau-Mirabel **Mario Laframboise**, it was argued that the adopted motion was out of order because it did not fall within the definition of a routine motion and because the Standing Order had been used to limit debate. The Chief Government Whip **Gordon O'Connor** contended that the government was applying the Standing Order correctly and that there had been previous instances where it had been used in the same fashion.

On October 22, 2009, the Speaker ruled the motion adopted on October 9, 2009, in order. In his ruling he reiterated a request made by his predecessor that the Standing Committee on Procedure and House Affairs examine the use of Standing Order 56.1. In the absence of such feedback, he was not in a position to rule definitively on the appropriateness of its use. He went on to point out that even though the current motion disallows further amendments and subamendments, it still allows

members who have not yet done so to speak to the amendment and the main motion. As of November 6, 2009, Bill C-23 has not been called for debate again.

On October 8, 2009, the Standing Committee on the Environment and Sustainable Development presented its Eighth Report, which, pursuant to Standing Order 97.1(1) requested an extension of thirty sitting days to consider Bill C-311, *An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change*. The recorded division on October 21, 2009, was concurred in by a vote of 169 to 93. The time provided for the Committee’s consideration of the Bill was therefore extended till December 10, 2009.

In response to the Committee’s Eighth Report, the House Leader for the NDP **Libby Davies** moved a motion of instruction to the Standing Committee on Environment and Sustainable Development giving it the power to divide Bill C-311 into two bills, C-311A and C-311B, providing that portion C-311A, which sets targets and timelines to prevent dangerous climate change, has not been reported back to the House by the tenth sitting day after October 19, 2009, it would be deemed to have been reported back without amendment.

During debate on the motion, the Parliamentary Secretary to the Minister of Environment **Mark Warawa** moved that the House proceed to Orders of the Day. A recorded division was held, and the votes being equally divided (131 to 131) the Speaker gave his casting vote in the negative on the procedural grounds that debate should continue.

Immediately thereafter, a point of order was raised by the Parliamentary Secretary to the

Leader of the Government **Tom Lukiwski** who argued that the motion was out of order because it was not permissive but instructive and it sought to impose time allocation on the Bill. The NDP House Leader countered that the motion was permissive because it is still within the prerogative of the committee to decide whether to exercise the powers given to it by the House.

Debate continued on the motion of instruction until the time provided for Statements by Members at which time the order for resumption was transferred to Government Orders. On October 29, 2009, the Speaker returned to the House with a ruling that the motion was in order because it gave the power to the committee to divide the bill, rather than ordering it, and the deadline would apply only if the committee chose to create Bill C-311A.

On October 27, 2009, the NDP gave notice of the following supply day motion – “That Bill C-311, *An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change*, be deemed reported from committee without amendment, deemed concurred in at report stage and deemed read a third time and passed”.

On a point of order, the Government House Leader argued that the motion was out of order on the grounds that attempting to pass all stages of a bill could only be done with unanimous consent. The NDP responded that the House would still have the opportunity to vote on the motion and that the Standing Orders give a very wide scope for opposition motions on supply days. The Speaker gave an initial ruling that the motion was out of order and that he would not permit it to be

moved on the NDP supply day of October 28, 2009. The motion was withdrawn from the Order Paper, and another motion was moved.

Committees

During the month of August, a number of standing committees held meetings pursuant to Standing Order 106(4), which requires a Chair to convene a meeting following the request of at least four members of a committee:

- The Standing Committee on Industry, Science, and Technology held two meetings on August 7 regarding the Proposed Sale of Certain Nortel Networks Assets;
- The Standing Committee on Health held three meetings, two on August 12 and one on August 28, in relation to the latest developments concerning the H1N1 virus;
- The Standing Committee on Natural Resources held two meetings on August 21 in relation to Atomic Energy Canada Limited facility at Chalk River and the status of the production of medical isotopes;
- The Standing Committee on Agriculture and Agri-Food held two meetings on August 26 in relation to the Report of the Independent Investigator into the 2008 Listeriosis Outbreak, and the Government's response thereto; and
- The Standing Committee on Foreign Affairs and International Development also held two meetings on August 26 in relation to the treatment of Canadians abroad by the Government of Canada.

On September 28, 2009, the Standing Committee on Procedure and House Affairs presented its Twentieth Report on "The Striking of Membership of Standing and Standing Joint Committees". Pursuant to Standing Order 104(1), the Standing Committee

is required to present a report listing the members of each standing committee every year, usually at the end of September or beginning of October, as well as at the beginning of each session. The Report was concurred in the same day and, pursuant to Standing Order 106(1), each standing committee had convened a meeting for the purpose of electing a Chair within ten sitting days following the adoption of the Report.

Special arrangements were made to accommodate the Standing Committee on Finance which was particularly busy holding meetings in Ottawa and in various locations across the country as part of its study on Pre-budget Consultations 2009.

Points of Order/Questions of Privilege

On October 1, 2009, the Speaker ruled on a point of order that had been at issue since June 10, 2009. During Oral Questions, the House Leader of the Official Opposition and Member for Wascana **Ralph Goodale** said that "the Minister of Natural Resources cannot give the number and clearly she cannot tell the truth either". Following a point of order by the Parliamentary Secretary to the Leader of the Government, the Member for Wascana withdrew his remarks on September 18, 2009. Unsatisfied with the withdrawal, on September 28, the Parliamentary Secretary urged the Speaker "to give direction to the House as to whether the words by the member for Wascana were unparliamentary". The Speaker returned to the House on October 1, and ruled that "the words used were unparliamentary, they have

been withdrawn, and the Chair considers the matter closed".

A question of privilege was raised in the Standing Committee on the Environment and Sustainable Development when "on Tuesday, October 6, 2009, the Member for Edmonton-Strathcona, **Linda Duncan** was quoted in a press release posted on a public Website releasing the details of an in camera proceeding of the Standing Committee". The House Leader for the NDP had apologized to the House stating that "there was no intention to undermine the committee, its work, or what happens in camera. It was done in error and I wish to apologize on behalf of the NDP that that happened".

In its Third Report to the House, presented on October 19, 2009, the Committee asked the House to "reflect on these serious matters and consider holding the Member for Edmonton-Strathcona in contempt". However, on October 21, 2009, the House agreed, by unanimous consent, "That since the matter expressed in the third report of the Standing Committee on Environment and Sustainable Development presented to the House on Monday, October 19, 2009 has been addressed, notwithstanding any standing order or usual practice of the House, the said report be withdrawn and that no subsequent proceeding may take place in relation thereto".

In the same vein, on October 20, 2009, the Member for Vancouver South, **Ujjal Dosanjh** rose on a point of order to apologize to the House for having inadvertently "tweeted" about matters discussed during the in camera proceedings of the Standing Committee on National Defence. He undertook to delete the entry

at the earliest opportunity. A week later, the Member rose again in the House to further apologize for having discussed the committee proceedings in question with the media.

By-elections

On September 16, 2009, the Member of the Electoral District of Hochelaga, in the Province of Quebec, **Réal Ménard** gave notice of his intention to resign his seat as Member for the said Electoral District. On Sunday, October 4, the Prime Minister called a by-election in the riding of Hochelaga (Quebec), as well as in three others which were previously vacant, Montmagny-L'Islet-Kamouraska-Rivière-du-Loup (Quebec), Cumberland-Colchester-Musquodoboit Valley (Nova Scotia), and New Westminster-Coquitlam (British Columbia). The by-elections were held on November 9, 2009.

Preliminary results indicated that the Bloc Québécois candidate, **Daniel Paillé**, won in the riding of Hochelaga; the Conservative Party candidates, **Bernard Généreux** and **Scott Armstrong** won in Montmagny-L'Islet-Kamouraska-Rivière-du-Loup and Cumberland-Colchester-Musquodoboit Valley, respectively; and, the NDP candidate, **Fin Donnelly**, won in the riding of New Westminster-Coquitlam.

Disturbances in the Gallery

On September 16, 2009, three women dressed as nuns disturbed Oral Questions by unfurling a banner over the gallery which read "The Seal Slaughter is a Bad Habit".

On October 26, 2009, there were loud chants coming from the public gallery in support of

Bill C-311. Protestors managed to disrupt Oral Questions for several minutes before being escorted out by security personnel.

On October 27, 2009, the Government House Leader rose on a question of privilege to charge the leader of the NDP **Jack Layton** with contempt for his involvement in the incident. He stated that the people who caused the disturbance were guests of Mr. Layton. On November 5, 2009, the leader of the NDP rose on a point of order to state that the accusations were false and demanded an apology from the Government House Leader and from the Member for Langley. The Speaker returned to the House later that day and ruled on the question of privilege by stating that since the Leader of the NDP had denied any involvement in the disturbance, the matter was closed. He added, however, that he had concerns about the disturbance itself.

Samy Agha
Procedural Clerk



New Brunswick

The Third Session of the Fifty-Sixth Legislature adjourned on June 19, 2009. A total of 95 Bills were introduced during the session, 80 of which received Royal Assent. Significant legislation considered during the spring sitting included:

- Bill 47, *An Act to Amend the*

Smoke-free Places Act, aims to protect the youth of New Brunswick from the serious health risks associated with tobacco use. The amendments will extend the definition of prohibited places to include vehicles if there is a person under 16 years of age present.

- Bill 48, *An Act to Amend the Tobacco Sales Act*, was introduced in response to the report of the Select Committee on Wellness, which raised concerns about the increased use of flavoured tobacco products by youth. The amendments will restrict the sale of particular tobacco products and flavours, particularly those that are attractive to children, and will prohibit the sale of individual cigarillos.
- Bill 87, *Pay Equity Act*, 2009, introduced by Social Development Minister **Mary Schryer**, ensures that pay equity is implemented and maintained in all parts of the public service. Pay equity requires that female job classifications be evaluated and compared to male job classifications on the basis of skill, effort, responsibility, and working conditions, using a nondiscriminatory job evaluation system. Female job classifications of equal or comparable value to male job classifications must be paid at least the same amount.
- Bill 90, *Firefighters' Compensation Act*, establishes compensation and benefits for retired and active firefighters, both full-time and volunteer, who suffer from one of 10 cancers to be prescribed by regulation, or who suffer a heart attack within 24 hours of active service.
- Bill 93, *An Act to Amend the Medical Services Payment Act*, would bring the fee-for-service payments to physicians in line with restraint measures in place with the public service. Following significant debate in the House, the Bill received Royal Assent on June 19. However, an agreement was subsequently announced whereby doctors would receive annual wage increases of 3.75 per cent annually for four years, retroactive to April 1, 2008, followed by a two-year wage freeze.

- Bill 94, *An Act Respecting Expenditure Restraint*, introduced in recognition of the current state of economic and financial uncertainty, implements a two-year wage restraint policy throughout the public service. Members of the Legislative Assembly are also subject to the new legislation.

Twelve Public Bills were introduced by the Official Opposition during the session. A Private Member's Bill introduced by **Jody Carr** received the support of both sides of the House and was given Royal Assent on June 19. Bill 85, *An Act to Amend the Society for the Prevention of Cruelty to Animals Act*, increases the maximum allowable fines and penalties for the abuse, mistreatment, or neglect of animals and was intended to send a clear message that New Brunswick is not a haven for individuals or businesses that are cruel to animals.

Two Bills introduced by the Leader of the Opposition, **David Alward**, were referred to the Standing Committee on Law Amendments for review:

- Bill 53, *Lobbyists Registration Act*, would require lobbyists to file with a registrar a return that would disclose certain information about the lobbyist and would be available for public inspection.
- Bill 60, *An Act to Amend the Family Services Act*, would require the government to create and implement a "safe haven policy". The policy could allow parents of children 72 hours old or younger to give away possession of their child to an emergency room nurse without fear of prosecution, provided the child has no signs of abuse or neglect.

Public Hearings on the two opposition bills were held on November 9 and the Committee is expected to report to the House early in the new session.

Committee Reports

On May 12, 2009, the Standing Committee on Law Amendments, chaired by Justice and Consumer Affairs Minister **Thomas J. Burke**, reported on Bill 28, *Limitation of Actions Act*. The Bill would improve and modernize the existing limitation of actions legislation in the province. The Bill establishes time limits within which civil proceedings must be commenced and provides a defence if a claim is brought too late. Following the incorporation of certain amendments, the Bill was given Royal Assent on June 19.

The Committee also received input on the discussion paper entitled *Health Care Directives Legislation*, which presents the basis for new legislation giving legal force to health care directives, sometimes called living wills, and describing the circumstances in which they can take effect.

Cabinet Changes

On June 22, 2009, Premier **Shawn Graham** announced a cabinet shuffle. Two ministers traded responsibilities with **Victor Boudreau** being named Minister of Business New Brunswick and **Greg Byrne** becoming Minister of Finance. **Roland Haché** moved from the Environment portfolio to Education and **Kelly Lamrock** moved from Education to Social Development with additional responsibilities for Housing. **Mary Schryer** moved from Social Development to become Minister of Health. **Michael Murphy**, formerly in Health, was named Minister of Justice and Consumer Affairs and Attorney General. He remains Government House Leader. **T.J. Burke**, who had served as Minister of Justice and Attorney General since 2006,

assumed the Environment portfolio, but stepped down shortly thereafter to resume his law practice. He continues to represent the riding of Fredericton-Nashwaaksis. **Rick Miles**, the Member for Fredericton-Silverwood, was subsequently named to Cabinet as Minister of the Environment.

New Lieutenant-Governor

Graydon Nicholas of Tobique First Nation was installed as the province's thirtieth Lieutenant-Governor at a ceremony held at Government House on September 30. Premier Graham noted Nicholas' important accomplishments, as well as the significance of being the province's first Aboriginal Lieutenant-Governor. The Premier stated that New Brunswickers are grateful for His Honour's outstanding contributions to society as a provincial court judge, an advocate on behalf of First Nations, a community leader, and a proponent of Aboriginal and human rights. "This day is a milestone in the story of our province, a day that will always be remembered proudly by all New Brunswickers, especially the members of our First Nations." The appointment was supported by Opposition Leader Mr. Alward who noted that Graydon Nicholas was a person of integrity with a wonderful history to bring to the role of Lieutenant-Governor.

Herménégilde Chiasson, the outgoing Lieutenant-Governor, was thanked for his six years of dedicated service to the people of New Brunswick. It was noted that through his tireless work to promote the social and cultural advancement of the province, he had left a distinctive and permanent stamp on the office that will serve as an inspiration to his successor

and to all who follow in his footsteps in the coming years.

Other Matters

On October 29, 2009, Premier Graham and Québec Premier **Jean Charest** met in Fredericton to sign a memorandum of understanding between the governments of New Brunswick and Québec. Under the terms of the proposed agreement, Hydro-Québec would acquire most of the assets of NB Power for an amount equivalent to NB Power's debt, \$4.75 billion. It was announced that the proposed regulatory framework spelled out in the memorandum of understanding would be referred to a legislative committee for review and feedback. The committee will be asked to report to the House before implementing legislation is tabled.

Restoration Project

Work on the restoration of the exterior of the Legislative Assembly Building continues on schedule. The 2009 restoration work, which commenced in May, is the fourth phase of a planned five phase restoration program to be completed by mid 2011. The current work includes restoration of the foundation wall masonry, dismantling and reconstruction of new granite steps, installation of new copper roofing, and fabrication of copper ornamentation and decorative cast iron railings to replicate existing detail.

The Third Session of the Fifty-Sixth Legislative Assembly prorogued on the morning of November 17. The standings in the House heading into the new session are: Liberals, 33; Progressive Conservatives, 22.

Donald J. Forestell
Clerk Assistant and
Clerk of Committees



Prince Edward Island

The Third Session of the Sixty-third General Assembly opened on November 12, 2009, with the Speech from the Throne delivered by Lieutenant Governor **Barbara A. Hagerman**. This was the third Speech from the Throne she has delivered since her appointment in 2006.

In April 2008 the Legislative Assembly adopted a parliamentary calendar, with the fall session opening on the first sitting day following Remembrance Day. In accordance with the *Legislative Assembly Act*, which requires 60 days' notice of the opening of the session, the announcement of the opening was issued on September 11, 2009.

Committee Activity

The Standing Committee on Public Accounts met several times this fall with the Auditor General to review his latest annual report to the Legislative Assembly. In an unusual move, the committee, by majority decision, determined it would hear testimony from its chair on the issue of a local hog processing plant which had received public money. Their rationale was that the chair had specific knowledge of the file due to his position as minister of agriculture in the former administration. The committee will present its report on this matter in the fall of 2009.

New Legislative Assembly Products

Residents of Prince Edward Island are proud of their heritage. The Legislative Assembly is demonstrating its own sense of pride in its history, and its ongoing relevance to Island affairs, with a series of new products that celebrate its rich legacy and Island identity.

The Speaker of the Legislative Assembly, **Kathleen Casey**, is interested in Islanders visiting their Legislature to see how elected representatives do their jobs. She has addressed people in the gallery, as well as schoolchildren, on its traditions and on parliamentary government. Continuing in that vein, the Speaker has now made it possible for Islanders everywhere to see the Legislature close up, with a 2010 wall calendar.

The large format calendar features two images for each month: one of the familiar exterior views of Province House and the Hon. George Coles Building, and interior shots of the Legislative Assembly and Legislative Council; accompanied by smaller photographs of furnishings, draperies, and domestic items that often go unseen or unnoticed. "The calendars will allow people to see areas of the Legislative Assembly which are not accessible to the public," says Speaker Casey. "We think all Islanders will find the calendars interesting for historical and heritage reasons. Our culture is present in every nook and cranny of the buildings. The architecture is just impressive."

The Legislative Assembly will be prominent also in note cards, postcards and two sets of limited edition stamps—all bearing images taken of the Legislative

Assembly, Province House, the Coles Building, and the J. Angus MacLean Building, “the places where history happens everyday, and where our members and staff do their jobs,” says the Speaker.

Order of PEI

The 2009 recipients of the Order of Prince Edward Island were honoured at a special investiture ceremony at Government House on October 1, 2009.

Chancellor of the Order, Lieutenant Governor Hagerman, conferred the honour on the following individuals: **Wilma Hambly**, Charlottetown; **Elmer MacDonald**, Augustine Cove; and **Frank Zakem**, Charlottetown.

The honour is awarded annually to recognize those Islanders who have shown individual excellence or demonstrated outstanding leadership in their community and in their chosen occupation or profession. It is the highest honour that can be accorded a citizen of the Province and is facilitated through a public nomination process. Not more than three individuals are selected each year by an independent nine person Advisory Council as appointed pursuant to the Provincial Emblems and Honours Act. The honour was conferred for the first time in 1996 at which time six individuals were invested in the Order of Prince Edward Island. There are now forty-eight Members of the Order.

Social Bloggers and the Press Gallery

Members of the press gallery of the Prince Edward Island Legislative Assembly voted to exclude bloggers from their organization at a public meeting held in October. Debate on the issue

was intense, with arguments in favour of permitting members of the social media to join the press gallery centering on freedom of speech issues, along with benefits of increasing accessibility for the general public. In opposition, the president of the press gallery, who is also the senior political reporter for the Charlottetown daily newspaper, asserted that similar organizations across the country do not grant membership to bloggers, lobbyists or special interest groups. The legislative press gallery dates from April 1971, when a motion was passed in the Prince Edward Island Legislative Assembly resolving that the members of the gallery shall be accredited representatives of bona fide news reporting media. Accreditation confers a number of privileges, including use of a media room in Province House, and access to politicians for interviews in certain designated areas.

Commonwealth Parliamentary Association

At the Fifty-fifth Commonwealth Parliamentary Conference held in Tanzania from September 28 to October 5, 2009, the Executive Committee of the CPA elected **Kathleen Casey**, MLA, Speaker of the Prince Edward Island Legislative Assembly, as its Vice-chairperson for the coming year. The Vice-chairperson is an Officer of the Association who serves on the Coordinating Committee and chairs the Executive Committee's Planning and Review Subcommittee which reviews past and ongoing CPA projects and services and plans for future activities.

Symons Lecture

Mary Simon, President of the national Inuit organization Inuit

Tapiriit Kanatami gave the seventh National Symons Lecture on the State of Canadian Confederation on November 3, 2009. Ms. Simon has devoted her life's work to gaining further recognition of Aboriginal rights and to achieving social justice for Inuit and other Aboriginal peoples nationally and internationally.

The annual lecture, named in honour of Trent University emeritus professor **Thomas H. B. Symons**, a pioneer in the field of Canadian studies, was established to provide a national platform to discuss the current state and future prospects of Canadian confederation. As part of the day's events, Speaker Casey hosted a reception at Province House following the lecture.

Indemnities Commission

The three-member Indemnities and Allowances Commission is continuing with its review of salaries and benefits of Members of the Legislative Assembly. The Commission's authority arises from a 1994 amendment to the *Legislative Assembly Act*, which established the independent commission for the purpose of reviewing the salaries and benefits of Members, and reporting its decisions to the Speaker each year by the first of December. The decisions of the Commission are binding.

Girl Guide Parliament

Preliminary plans are underway to hold Prince Edward Island's first Girl Guide Parliament. Provincial Commissioner, **Michelle MacDonald**, a former page in the Prince Edward Island Legislative Assembly and the Senate of Canada, has a keen interest in introducing the next

generation of young politicians to the Legislative Assembly.

Security at Province House

A small explosive device, constructed of aerosol cans and sparklers, detonated outside the Hon. George Coles Building, located adjacent to Province House, on August 19, 2009. There were no injuries and no serious damage was done. Charlottetown City Policy reacted quickly and a suspect was arrested. Nonetheless, the incident caused staff and Members of the Legislative Assembly to reflect on the challenges of balancing security and accessibility for visitors to the parliamentary precincts.

Distinguished Visitors

Speaker Casey welcomed delegates of the Canadian Superior Courts Judges Association (CSCJA) to Province House on September 1, 2009. **Yorman Elron**, Counsel General of Israel to Canada, met with Speaker Casey on September 16, 2009. On September 23, 2009, Dr. **Abrahma Nkoma**, High Commissioner for the Republic of South Africa, accompanied by several officials, toured the legislative building. In addition, a study tour consisting of a number of Russian officials, along with their interpreters, visited the "Cradle of Confederation" in September.

Marian Johnston

Clerk Assistant and
Clerk of Committees



Manitoba

The House rose from the 3rd session of the 39th Legislature on October 8, 2009. A number of government bills passed and received Royal Assent this session, including:

- *Bill 9 – The Social Work Profession Act*, which replaces the *Manitoba Institute of Registered Social Workers Incorporation Act*, and provides for the regulation of the social work profession.
- *Bill 16 – The Police Services Act*, which would introduce civilian oversight and an independent investigation unit.
- *Bill 35 – The Municipal Conflict of Interest and Campaign Financing Act*, which included the following provisions:
 - Making the annual statements of assets and interests filed by municipal councillors under *The Municipal Council Conflict of Interest Act* available for public inspection;
 - Governing election campaign financing for municipalities outside Winnipeg; and
 - Amending the election campaign financing regime for the City of Winnipeg.

On September 24, 2009 the Leader of the Official Opposition **Hugh McFadyen** moved the following Opposition Day Motion:

THAT the Legislature ask the Government House Leader to call a meeting of the Standing Committee on Legislative Affairs as soon as possible to

consider the Annual Report of Elections Manitoba for the year ending December 31, 2003, which deals with certain matters arising from the 1999 general election, and that the Legislative Assembly of Manitoba call witnesses, including **Tom Milne**, **David Asselstine** and other relevant witnesses to testify at the committee, and to compel production of documents and records in the possession of any witnesses, and have the committee continue to meet without time limit until all outstanding questions are answered regarding the 2003 annual report.

After two hours of debate on this issue, the House defeated the motion on a recorded vote of Yeas 15, Nays 29.

On October 8, 2009 the House agreed to extend the reporting deadline for the Special Committee on Senate Reform to allow further time for the drafting of the final report. On November 9, 2009 the Committee met and, after some discussion, agreed on division to adopt a report and submit it to the Speaker for tabling in the House.

Committee Activity

The Standing Committee on Public Accounts met on several occasions in September and October to consider reports from the Auditor General covering a range of topics including:

- First Nation Gaming Accountability
- Audit of Workplace Safety and Health
- Compliance with Oil and Gas Legislation
- Image Campaign for the Province of Manitoba
- Employment and Income Assistance Program

- Investigation of Maintenance Branch of the Manitoba Housing Authority
- Audit of the Child and Family Services Division Pre-Devolution Child in Care Processes and Practices
- Property Transactions in the Seven Oaks School Division
- Examination of the Crocus Investment Fund

In light of recent allegations made by a former external consultant to Manitoba Hydro, on October 21, 2009 Finance Minister **Rosann Wowchuk** announced a government request for the Office of the Auditor General to conduct a special audit of Manitoba Hydro's risk management. In response to the suggestion that her time on the Manitoba Hydro Board of Directors prior to her appointment as Auditor might possibly be seen as a potential conflict of interest, Auditor General **Carol Bellringer** made a statement at the October 21, 2009 Public Accounts meeting detailing a number of safeguards her office will be implementing for this audit to avoid perceptions of conflict of interest. The safeguards include seeking out a former Legislative Auditor from another jurisdiction to oversee the entire process. The audit continues to receive public attention.

The Standing Committee on Legislative Affairs met in October to consider the Report and Recommendations of the Judicial Compensation Committee dated June 25, 2009. The Standing Committee on Crown Corporations met in November to consider outstanding reports from Manitoba Hydro.

New Premier Cabinet Changes

On August 27, 2009 Premier **Gary Doer** announced his resignation after ten years in that office. The following day Prime Minister Stephen Harper appointed Mr. Doer as Canada's next Ambassador to the United States. On October 8, 2009, Premier Doer's last day in the House, Members paid tribute to him with speeches and by singing a traditional Ukrainian song of salute.

Three cabinet Ministers resigned their positions to run in the leadership race to succeed Mr. Doer, **Steve Ashton**, **Greg Selinger** and **Andrew Swan**.

On October 19, 2009 Mr. Selinger was sworn in as the 22nd Premier of Manitoba. On November 3, 2009 the new Premier announced a cabinet shuffle, making a number of changes to the Executive Council including installing three new Ministers:

- **Jennifer Howard**, Minister of Labour and Immigration and Minister responsible for persons with disabilities
- **Bill Blaikie**, Minister of Conservation and Government House Leader
- **Flor Marcelino**, Minister of Culture, Heritage and Tourism

Other changes to the cabinet included:

- **Rosann Wowchuk**, Minister of Finance and Deputy Premier
- **Andrew Swan**, Minister of Justice and Attorney General
- **Stan Struthers**, Minister of Agriculture, Food and Rural Initiatives
- **Kerri Irvin-Ross**, Minister of Housing and Community Development
- **Eric Robinson**, Minister of

Aboriginal and Northern Affairs, and Deputy Premier

- **Steve Ashton**, Minister of Infrastructure and Transportation
- **Jim Rondeau**, Minister of Healthy Living, Citizenship and Youth
- **Peter Bjornson**, Minister of Entrepreneurship, Training and Trade
- **Dave Chomiak**, Minister of Innovation, Energy and Mines
- **Nancy Allan**, Minister of Education
- **Ron Lemieux**, Minister of Local Government

The Fourth session of the 39th Legislature began on November 30, 2009 with a Speech from the Throne.

Rick Yarish

Clerk Assistant/
Clerk of Committees



British Columbia

The First Session of the Thirty-ninth Parliament opened on August 25, 2009. The first order of business was the election of the Speaker. Running unopposed, **Bill Barisoff** was re-elected as Speaker – the first MLA to serve in the position over consecutive parliaments since the mid-1980s. **Linda Reid**, a Member since 1991 and now the “Dean of the Legislature,” was appointed Deputy Speaker and opposition member **Claire Trevena** was appointed Assistant Deputy Speaker.

Throne Speech

The Throne Speech, presented by Lieutenant Governor **Steven Point**, emphasized steps the B.C. government will take to strengthen the economy to create jobs, improve and protect vital services and manage taxpayer dollars prudently to avoid burdening future generations with unaffordable debt. The Throne Speech formally announced British Columbia's intention to harmonize the provincial Social Services Tax with the federal Goods and Services Tax, effective July 1, 2010.

In reply to the Throne Speech, the Leader of the Official Opposition, **Carole James**, observed that the move to implement the HST came quickly after the election, and argued that the government lacked a mandate from British Columbians to introduce the new tax. She also stressed the Opposition's priority areas for the session: improving access to post-secondary education, addressing child poverty and developing strategies to promote economic stability in the forestry sector.

September Budget Update 2009

On September 1, 2009, the Minister of Finance **Colin Hansen** presented the *September Budget Update 2009/10 to 2011/12* and Estimates for the current fiscal year. In response to a "sharp decline in taxation and natural resource revenues," the Finance Minister announced revised deficit forecasts of \$2.8 billion in 2009/10, \$1.7 billion in 2010/11, and \$945 million in 2011/12. Other highlights in the budget include:

- capital investments of \$7.4 billion in 2009/10, \$7.7 billion in 2010/11 and \$6.5 billion in 2011/12;
- an 18 percent increase in funding

to the Ministry of Health Services over three years;

- an increase in per-student funding for K-12 students; and
- a \$151 million increase over three years in funding for social assistance programs.

In addition to the introduction of the HST, the *September Budget Update* included increases to the Medical Service Plan premiums paid by individuals and families. To offset some of proposed tax increases, the small business income tax threshold was increased to \$500,000, and the basic personal income tax credit was increased to \$11,000.

Finance critic **Bruce Ralston** observed that the September budget was dramatically different than the February 2009 pre-election budget that had anticipated an "unrealistic" deficit, according to several leading economists in the province. Claiming that the September budget "lays out yesterday's solutions to tomorrow's problems," he also chastised the government's move to offer a new regressive sales tax and hikes to Medical Services Plan premiums.

Legislation

At the time of writing, the following bills of note had received Royal Assent during the First Session:

- Bill 4 – *Wills, Estates and Succession Act* modernizes the law of wills, estates and succession and replace four existing pieces of legislation.
- Bill 6 – *Insurance Amendment Act, 2009* harmonizes insurance-related legislation with the Province of Alberta so as to protect consumers.
- Bill 7 – *Police (Misconduct, Complaints, Investigations, Discipline and Proceedings)*

Amendment Act, 2009 strengthens the civilian oversight of the province's municipal police forces and provides B.C.'s Police Complaint Commissioner with increased powers.

- Bill 9 – *Wood First Act* requires provincially funded buildings and projects to use wood as their primary construction material.
- Bill 16 – *Body Armour Control Act* requires persons not employed in law enforcement to obtain a permit before purchasing body armour, and also regulates the sale of body armour.

Ministerial Statement

On October 29, Premier **Gordon Campbell** gave a ministerial statement to mark the beginning of the Olympic torch relay and the hosting of the 2010 Winter Olympics and Paralympics in British Columbia. Over the course of the relay, the torch will visit more than 1,000 communities and places of interest; be carried by 12,000 torchbearers and travel more than 45,000 kilometers. Premier Campbell acknowledged the contributions made to the Olympic bid by former premiers **Glen Clark**, **Dan Miller** and **Ujjal Dosanjh**; the Winter Games' Chief Executive Officer **John Furlong**; and the late **Jack Poole**, the "father of the 2010 Winter Olympics," who passed away on October 23.

Opposition Leader Ms. James added comments of support on behalf of her party regarding the Olympic torch relay event. Speaking as the local MLA for Victoria-Beacon Hill, she expressed her pride that her community had been chosen as the site for the inaugural ceremony.

Technological Innovations

Three new technologies have been introduced during the First

Session. To allow Members to better listen to proceedings in the main chamber, all Members' desks have now been furnished with new audio headsets. Two other innovations relate to the work of the Select Standing Committee on Finance and Government Services and its annual budget consultation

process. To encourage a broader spectrum of participation in the consultation process, the Committee successfully piloted two videoconferencing hearings as a means to hear from witnesses in six remote locations while the Committee met in Victoria. For the first time, the Committee also

invited potential participants to submit audio or video files as evidence for the Committee's deliberations.

Jonathan Fershau
Committee Research Analyst