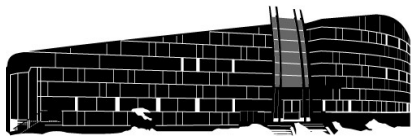




# Legislative Reports



## Nunavut

A number of substantive motions were considered and voted on by the House during its winter 2010 sitting, which began on March 4, 2010.

On March 11, 2010, **Fred Schell** moved a motion calling on the Government to impose a moratorium on purchases by the Nunavut Liquor Commission of products originating from the European Union until such time as the issue of the EU's seal product ban has been resolved to the territory's satisfaction. The motion, seconded by **Paul Okalik**, was supported by all Regular Members of the Legislative Assembly. Members of the Executive Council abstained on the vote.

On March 18, 2010, **Johnny Ningeongan** moved a motion calling on the Government of Canada to fully reinstate federal funding for the Aboriginal Healing Foundation. The motion, seconded by **Ron Elliott**, was passed unanimously. Approximately two-thirds of the Legislative Assembly's membership delivered remarks in support of the motion, including Premier **Eva Aariak**. A number of Members' interventions were subsequently quoted during the March 30, 2010, emergency

debate in the House of Commons on this issue.

On March 22, Mr. Okalik moved a motion recommending that the Auditor General of Canada be requested to undertake a comprehensive performance audit of the Qulliq Energy Corporation, which is one of the territory's major Crown agencies. The motion, seconded by **James Arvaluk**, was passed without opposition.

On March 22, Mr. Elliott moved a motion to refer a number of the Government of Nunavut's most recent annual reports on departmental and Crown agency contracting, procurement and leasing activities to the Committee of the Whole for consideration. The motion, seconded by Mr. Schell, was passed without opposition.

The proceedings of the Committee of the Whole during the winter 2010 sitting of the House were dominated by the scrutiny of the Government's proposed 2010-2011 main estimates and departmental business plans. The main estimates were referred to the Committee of the Whole following the delivery of Finance Minister **Keith Peterson's** Budget Address of March 8, 2010.

The spring sitting began on June 1. The proceedings of the Committee of the Whole during the spring sitting were dominated by the scrutiny of the aforementioned annual reports on contracting, procurement

and leasing activities. To date, a number of Ministers have appeared before the Committee of the Whole to respond to Members' questions on departmental and Crown agency activities and initiatives in these areas, including Premier Aariak, Community and Government Services Minister **Lorne Kusugak**, Health and Social Services Minister **Tagak Curley**, Finance Minister Peterson, and the Minister responsible for the Nunavut Housing Corporation **Hunter Tootoo**.

Significant time during the spring sitting was also devoted to the consideration of a number of proposed supplementary appropriation acts to address the shortfall in the Nunavut Housing Trust. Messrs. Peterson and Tootoo made a number of Ministerial Statements during the sitting concerning the government's action plan to address the shortfall.

The House adjourned on June 10 for the summer recess. The 2<sup>nd</sup> Session of the 3<sup>rd</sup> Legislative Assembly will reconvene on October 19, 2010.

## Legislation

Twenty bills have been passed by the Legislative Assembly since January 1, 2010. Bills 24, 33 and 34 were House Bills introduced under the authority of the Legislative Assembly's Management and Services Board. Speaker **James Arreak** appeared before the Committee of the Whole on the occasion of its

clause-by-clause consideration of each bill.

Bill 24 implemented the recommendations contained in the final report of the Independent Commission to Review Members' Indemnities, Allowances, Expenses and Benefits, which was tabled in the House by Speaker Arreak on December 8, 2009.

Bill 33 implemented a number of recommendations contained in the 2008-2009 annual report of the Integrity Commissioner of Nunavut. The Bill also introduced new provisions concerning time limitations with respect to investigations conducted by the Integrity Commissioner.

Bill 34 made a number of amendments to the *Legislative Assembly and Executive Council Act*, including the introduction of new provisions with respect to the tabling of annual reports by the Speaker and Premier concerning such matters as Members' absences and Ministerial allowances.

Bill 35, the *Licensed Practical Nurses Act* and Bill 37, the *Tobacco Damages and Health Care Costs Recovery Act*, were referred to the Standing Committee on Legislation for scrutiny following their second reading during the spring sitting and remain under consideration. The Standing Committee is chaired by Mr. Okalik.

### Committee Activities

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On March 18, 2010, Standing Committee on Oversight of Government Operations and Public Accounts Chairperson Mr. Arvaluk presented the Standing Committee's *Report on the Review of the 2009 Reports of the Auditor General of Canada to the Legislative Assembly of Nunavut*

*on the Financial Management Practices of the Department of Health and Social Services and the Follow-up on the 2005 Report to the Legislative Assembly of Nunavut on the Financial Management Practices of the Government of Nunavut*. On June 10, the Finance Minister tabled the Government of Nunavut's response to the Standing Committee's report. Both documents are available for downloading from the Legislative Assembly's website.

The Standing Committee on Oversight of Government Operations and Public Accounts is anticipated to hold hearings in September 2010 on a number of reports of independent officers of the Legislative Assembly. The reports to be considered are the Auditor General's 2010 report to the Legislative Assembly on human resource capacity in the Government of Nunavut, in addition to the most recent annual reports of the Languages Commissioner of Nunavut and the Information and Privacy Commissioner.

### The Order of Nunavut

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On January 1, 2010, *The Order of Nunavut Act* came into force. The objective of the Order is to recognize individuals who have made outstanding contributions to the cultural, social or economic well-being of Nunavut. The Order is the highest honour of Nunavut and takes precedence over all other orders, decorations or medals conferred by the Government of Nunavut.

On April 8, 2010, the Speaker of the Legislative Assembly and Chairperson of the Order of Nunavut Advisory Council issued a public invitation to Nunavut artists to submit designs for the medal that will be presented to members of the

Order of Nunavut.

On July 9, 2010, member of the Advisory Council and Senior Judge of the Nunavut Court of Justice, **Robert Kilpatrick**, unveiled the winning design at a ceremony held during Nunavut Day festivities at the Legislative Assembly. The winning design was submitted by Iqaluit artist **Claude Roussel**.

A number of dignitaries participated in the Nunavut Day events, including Premier **Eva Aariak** and Nunavut Member of Parliament and federal Minister of Health **Leona Aglukkaq**.

### Noteworthy Appointments

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On May 12, 2010, the Prime Minister of Canada announced the appointment of **Edna Elias** to the position of Commissioner of Nunavut. Originally from the community of Kugluktuk, Ms. Elias is a former educator and interpreter-translator. Ms. Elias was sworn into office on May 31, 2010, in a ceremony held in the Chamber of the Legislative Assembly.

On March 4, 2010, the Legislative Assembly adopted a motion unanimously recommending that **Elaine Keenan Bengts** be re-appointed as the Information and Privacy Commissioner of Nunavut for a five-year term of office. Ms. Keenan Bengts was appointed Nunavut's first Information and Privacy Commissioner in 1999. She also serves as the Information and Privacy Commissioner of the Northwest Territories.

### Nattilik By-Election

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On February 22, 2010, **Enuk Pauloosie** resigned from the Legislative Assembly. A by-election for the constituency of Nattilik, which includes the communities of Gjoa Haven and

Taloyoak, was held on April 26, 2010. Three candidates stood for election. **Jeannie Ugyuk** of Taloyoak won a majority of votes cast and was sworn into office by Commissioner Elias on the morning of June 1, 2010. Ms. Ugyuk rose in the House that afternoon to deliver her first Member's Statement and to pose her first oral and written questions. Ms. Ugyuk is a former social worker, Inuit Language teacher and municipal councillor.

**Alex Baldwin**

Office of the Legislative Assembly  
of Nunavut



## Saskatchewan

**S**askatchewan Premier **Brad Wall** introduced a new provincial cabinet on June 29, 2010. Three new Ministers were sworn in, while others received new and/or additional duties. The cabinet shuffle came shortly after Finance Minister **Rod Gantefer** announced that he will not seek re-election in November 2011.

Replacing Mr. Gantefer as Finance Minister is Deputy Premier, **Ken Krawetz**, former Minister of Education. Moving from Social Services to Education is **Donna Harpauer**. She also is the new Provincial Secretary. **June Draude**, formerly Minister of Crown Investments Corporation, Information Technology Office, Public Service Commission, and Provincial Secretary retains responsibility

as Minister responsible for the Public Service Commission but takes over as the Minister of Social Services and the Minister Responsible for the Status of Women. First-term MLA **Tim McMillan** and former Chair of the Standing Committee on Crown and Central Agencies becomes Minister Responsible for Crown Investments Corporation, Information Technology Office, Information Services Corporation and Saskatchewan Government Insurance.

Another first time MLA receiving ministerial responsibilities is **Laura Ross**. Ms. Ross joins cabinet as the Minister of Government Services. Returning to cabinet is **Darryl Hickie**, former Chair of the Standing Committee on the Economy. Mr. Hickie is now the Minister of Municipal Affairs. Former Minister of Municipal Affairs, **Jeremy Harrison**, takes on responsibility of Minister of Enterprise and Minister Responsible for Trade. He retained his role as the Deputy Government House Leader. Former Minister of Enterprise, **Ken Cheveldayoff**, moves to the Ministry of First Nations and Métis Relations and also becomes responsible for Northern Affairs, Saskatchewan Gaming Corporation and maintains his role as the Minister Responsible for the Proposed Multi-Purpose Entertainment Facility.

Given Mr. Cheveldayoff's new responsibilities, the former Minister of First Nations and Métis Relations and Saskatchewan Gaming Corporation **Bill Hutchinson** becomes the new Minister of Tourism, Parks, Culture and Sport and the Minister Responsible for the Provincial Capital Commission. The

former Minister of Tourism, Parks, Culture and Sport, **Dustin Duncan**, becomes the new Minister of the Environment and the Minister Responsible for SaskWater.

Four Ministers maintain their current cabinet portfolios while an additional three are receiving additional responsibilities. **Bob Bjornerud** remains the Minister of Agriculture, **Don McMorris**, remains as the Minister of Health, **Jim Reiter** maintains his position as Minister of Highways and Transportation, Minister Responsible for Saskatchewan Transportation Company and the Minister responsible for the Global Transportation Hub Authority and **D.F. (Yogi) Huyghebaert** continues to serve as the Minister of Corrections, Public Safety and Policing. **Bill Boyd** retains his post as Minister of Energy and Resources, and Saskatchewan Research Council and adds responsibility for SaskTel. **Don Morgan**, Minister of Justice and Attorney General as well as the former Minister Responsible for SaskTel, sees his portfolio expanded to include Labour Relations and Workplace Safety, Minister Responsible for the Saskatchewan Worker's Compensation Board and the Minister Responsible for the Saskatchewan Liquor and Gaming Authority. **Rob Norris** the former Minister of Advanced Education, Labour and Employment now becomes the Minister of Advanced Education, Employment and Immigration. He also becomes the Minister Responsible SaskPower and Innovation.

### **Controversial Bills Concluded by Sessional Calendar Rules**

Two pieces of legislation were required to be voted off the order



paper at the end of the Spring sitting. The rules state that any bill introduced during the previous fall sitting, or reinstated from a previous session, which has received twenty or more hours of debate, must be voted off the order paper on the day prior to the end of the Spring sitting of the Assembly. Two controversial pieces of legislation met the requisite threshold. Bill 80 – *The Construction Industry Labour Relations Amendment Act* and Bill 132 – *The Wildlife Habitat Protection (Land Designation) Amendment Act, 2009*, received more than the requisite twenty hours of debate.

Bill 80 was introduced during the previous session on March 10, 2009 and was the subject of three days of public hearings in June 2009. It was reinstated to the order paper on October 28, 2009, carrying forward the twenty-hours of debate from the last session. It was recommitted to the Standing Committee of Human Services where it remained to the end of the session. The Rules required the Committee to meet on Bill 80 and vote on all the clauses as one combined question.

Bill 132 achieved its twenty-hours of debate after the Standing Committee on the Economy met for five hours on the evening before the deadline under the sessional calendar. During that meeting the Committee agreed to two new clauses. According to the Rules, had the Committee not introduced or passed the new clauses, the clauses could not have been introduced the next morning. Under the rules for completion of sessional business, both bills were reported to the Assembly and subsequently passed Third Reading.

The final Appropriation

Bill was also introduced and passed into law subject to the parliamentary calendar rules. The rules for the calendar have been in place since 2007, but was the first time an Appropriation Bill needed to be dealt with in this manner.

**Stacey Ursulescu**  
Committee Researcher



## Ontario

Just prior to the Ontario Budget being presented in the Legislature on March 25, 2010, two Members from the Official Opposition rose on similar points of order to advise the Speaker that Members of the Official Opposition who attended the Budget lock-up in an adjacent government building had been detained there and would be delayed in arriving to the House in time to hear the Budget motion. After hearing these points of order, the Speaker agreed to delay the proceedings in order to allow the Members of the Opposition parties to make their way into the Chamber for the presentation of the Budget. Subsequently, **Norm Miller** raised a point of privilege on April 12, 2010, asserting that members of the Official Opposition had been impeded when they tried to make their way to the Chamber for the Budget presentation.

On May 4, 2010 Speaker **Steve Peters** found a *prima facie* case of privilege had been established.

The issue at hand was not with the budget lock-up itself, but rather the confusion surrounding it. The Speaker received representations from all three parties indicating that members were apparently detained at the lock-up longer than they should have been, and found that this delay (however caused) did tend to prevent MPPs from performing their parliamentary duties by preventing them from being in the House.

The Speaker in his ruling stated that “further investigation may well reveal a plausible explanation or mitigating circumstances for what occurred in the Budget lock-up on March 25, 2010, but I do believe that such further investigation is warranted.”

As a result of the finding of a *prima facie* case of privilege, Mr. Miller moved, “That the matter of the delayed release of certain members of this House from the March 25, 2010 budget lock-up be referred to the Standing Committee on the Legislative Assembly for its consideration.”

Accordingly, the Standing Committee on the Legislative Assembly met on May 12, May 19 and June 2, 2010 to conduct an inquiry into the matter and questioned witnesses under oath. The Committee’s inquiry is still ongoing with another meeting on the matter scheduled when the House returns in September, 2010.

## Parliamentary Officers

On May 19, 2010, the Legislative Assembly adopted an address requesting the re-appointment of **Gord Miller** as Environmental Commissioner. Subsequently, the Lieutenant Governor approved an Order in Council re-appointing him. Mr. Miller

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is now entering his tenth year as Ontario's Environmental Commissioner.

On June 1, 2010, the Assembly adopted a similar address requesting the re-appointment of **André Marin** as Ontario's Ombudsman, and the Lieutenant Governor approved an Order in Council re-appointing him. However, this re-appointment was preceded by some controversy surrounding the all-party selection panel established to recruit an Ombudsman for a new term.

Parliamentary Officers in Ontario are all appointed by the Lieutenant Governor in Council, on Address of the Legislative Assembly. The process for the Assembly to come up with such an Address is an informal one that comes into being through the negotiations and cooperation of the parties in the House. Of late, the Speaker has been called upon to compose a panel of three Members, one from each of the recognized parties, and chaired by the Speaker, to fulfil this task. The creation of these selection panels allows the involvement of the House in the selection of its own Officers, with the intent that the selection panel will recommend a candidate for appointment.

Leading up to the panel's recommendation that Mr. Marin be re-appointed, there were a number of press reports surrounding the selection panel's work. Some members raised concerns that such information - accurate or not - had become public, leading eventually to a point of privilege being raised in the House by **Peter Kormos**. Mr. Kormos compared the all-party selection panel to a legislative committee and contended that the breach in confidentiality

it had experienced should be subject to the same potential remedies that occur if there were to be a prematurely-released report of a legislative committee. After taking the point of privilege under consideration, the Speaker found that a *prima facie* case had not been made out. The Speaker focused on the fact that the status of the selection panel was informal, and that it was not answerable or accountable to the House, unlike a parliamentary committee which is a creation of the House and governed by the Standing Orders.

### G20 Summit

Toronto was the host city of the G20 Summit from June 26-27, 2010. The location selected by Summit organizers for the Designated Speech Area was the north section of Queen's Park. This created a large security presence at the Legislative Precinct for the week leading up to the G20 Summit as well as during the Summit itself. Although there were a number of organized demonstrations with very large numbers of people, the Legislative Building and its grounds were relatively unscathed. Following the G20 Summit, there were questions and concerns raised by the public and Opposition members regarding an Ontario regulation that apparently gave police broad search and arrest powers with respect to the G20 Summit. Ontario's Ombudsman announced that he would be "launching an investigation into the origin and subsequent communication of the controversial security regulation passed by the province prior to the June 26-27, 2010 G20 Summit." This investigation is expected to be completed by early October, 2010.

### Committees

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. The Committee tabled its *Interim Report* on March 31, 2010, and will continue to meet through the summer of 2010. The Committee must table its final report by September 3.

After holding public consultations in April, the Standing Committee on Finance and Economic Affairs resumed its consideration of Bill 16, *An Act to implement 2010 Budget measures and to enact or amend various Acts*, by meeting for clause-by-clause consideration on May 6, 2010. The Committee also met on May 13, 2010 for clause-by-clause consideration of Bill 44, *An Act to implement the Northern Ontario energy credit*. Both Bills received Royal Assent, respectively on May 18 and June 8.

The Standing Committee on General Government was scheduled to hold public hearings on Bill 191, *An Act with respect to land use planning and protection in the Far North*, during the summer adjournment following second reading of the Bill. The Committee had previously considered the Bill after first reading and held public hearings in Sioux Lookout, Thunder Bay, Chapleau and Timmins. A time allocation motion having passed on June 2, 2010, the Committee was authorized to hold public hearings in the northern Ontario communities of Slate Falls, Webequie, Sandy Lake, Attawapiskat and Moosonee during the week of June 14, 2010.

On June 8, 2010, the Nishnawbe Aski Nation Chiefs-in-Assembly passed resolution 10/36 which requested that public hearings be postponed until July and August. The Committee cancelled its meeting scheduled for the week of June 14, 2010, but under the terms of the time allocation motion was unable to reschedule the meetings. Clause-by-clause consideration of the Bill is scheduled for the first day of the fall sitting, September 13.

The Standing Committee on Government Agencies continued to conduct reviews of, and to consider intended appointments to, Ontario Government agencies, boards and commissions. In June, 2010, the Committee presented its report on *The Royal Ontario Museum*. In its report, the Committee noted recent transformations and innovations at the venerable institution and made several recommendations for further improvements.

The Standing Committee on Justice Policy considered Bill 46, *An Act respecting the care provided by health care organizations*. The bill includes requirements for quality committees, annual quality improvement plans, compensation linked to achieving improvement targets, patient/client/caregiver surveys, staff surveys, declaration of values and a patient relations process to address patient experience. The Committee held public hearings on May 20, 2010 and followed that with clause-by-clause consideration on June 1. The bill was reported back, with certain amendments, on June 2.

In 2005, the *Ontario Audit Act* was amended to expand the Auditor General's mandate, thus allowing the Auditor to undertake value-for-money audits in the broader public

sector of selected major recipients of government grants such as hospitals, colleges, universities, school boards and Crown-controlled corporations. The Standing Committee on Public Accounts tabled a report entitled "Committee's Best Practice" dealing with the province's transfer partners when broader public sector audits are conducted under the Auditor's expanded mandate. The report outlined the Committee process for reviewing an audit on School Boards in 2007, the actions taken by the Committee to secure transfer partner compliance, public hearings and the issuance of Committee reports. The Committee is hopeful that this template can be of use in future reviews.

The Standing Committee on Social Policy completed its public hearings on Bill 21, *An Act to regulate retirement homes*, before reporting the bill with certain amendments back to the House for passage prior to the adjournment of Parliament for the summer. In the intersession, the Committee is expected to hold public hearings across the province to consider Bill 65, *An Act to revise the law in respect of not-for-profit corporations*.

**William Short**  
Committee Clerk



**House of Commons**

**B**oth the House and its committees were quite active in the months leading up to the summer adjournment, with

financial procedures, Afghan detainee documents, decorum and accountability continuing to be at the centre of discussions.

### **Financial Procedures**

On May 3, 2010, on the motion of the Leader of the Official Opposition, **Michael Ignatieff**, all Votes under Natural Resources and all Votes under National Defence in the Main Estimates for the fiscal year ending March 31, 2011, were withdrawn from their respective standing committees and deemed referred to Committee of the Whole for examination. Votes under National Defence were considered in and deemed reported by Committee of the Whole on May 27, 2010, and those under Natural Resources on May 31, 2010.

On May 4, 2010, during the fourth of nine allotted days for the supply period ending June 23, 2010, the House debated a Liberal Party motion of **Siobhan Coady** on the *Lobbying Act*. During the debate, an amendment was moved by **Dominic LeBlanc** with the consent of the sponsor of the motion. The vote was deferred until May 5, 2010. The amendment and the main motion, as amended, were agreed to unanimously.

On June 17, 2010, the Main Estimates for the fiscal year ending March 31, 2011, less the amounts voted in interim supply, were concurred in. On the same day, the Supplementary Estimates (A) for the fiscal year ending March 31, 2011, which were tabled on May 25, 2010, were also concurred in. Bills C-44 and C-45 (*Acts for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2011*) passed all legislative stages



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in the House on June 17, 2010, and, after Senate examination, received Royal Assent on June 29, 2010.

### Legislation

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On June 1, 2010, the Leader of the Government in the House of Commons, **Jay Hill**, gave notice of a time allocation motion for the report and third reading stages of Bill C-9, *An Act to implement certain provisions of the budget tabled in Parliament on March 4, 2010 and other measures*. On June 3, at the resumption of consideration of the Bill, Mr. Hill moved that not more than one further sitting day be allotted to the consideration at report stage of the Bill and one sitting day be allotted to the consideration at third reading stage of the said Bill. The question was then put and agreed to. After several weeks of debate in the Senate, the Bill received Royal Assent on July 12, 2010.

On June 7, 2010, Mr. Hill gave notice of the government's intention to move time allocation for the report and third reading stages of Bill C-2, *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*. On June 9, at the resumption of consideration of the Bill, Mr. Hill moved that not more than one further sitting day be allotted to the consideration at report stage of the Bill and one sitting day be allotted to the consideration at third reading stage of the said Bill. The question was then put and agreed to.

On June 17, 2010, by unanimous consent, the

House instructed the Standing Committee on Public Safety and National Security to divide Bill C-23, *An Act to amend the Criminal Records Act and to make consequential amendments to other Acts*, into two bills, namely Bill C-23A, *An Act to amend the Criminal Records Act*, and Bill C-23B, *An Act to amend the Criminal Records Act and to make consequential amendments to other Acts*. By that same motion, Bill C-23A was deemed to have been reported from the Committee without amendment, deemed concurred in at report stage and deemed read a third time and passed. Following consideration by the Senate, the Bill received Royal Assent on June 29, 2010.

### Questions of Privilege

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*Afghan Detainee Documents:* On April 27, 2010, Speaker **Peter Milliken** provided the House with a detailed ruling on the questions of privilege raised concerning the Order of the House of December 10, 2009, pertaining to documents on the treatment of Afghan detainees. Having found a *prima facie* question of privilege, the Speaker opted to allow the parties two weeks to work together to reach a compromise on how to deal with the documents, rather than proceeding immediately to asking a Member to move a privilege motion. On May 11, following a request from all parties, the Speaker granted an extension to May 14. That day the Minister of Justice (**Rob Nicholson**) announced that an agreement in principle had been reached between the parties and then proceeded to table the agreement. The Minister added that a memorandum of understanding outlining the details of the agreement would be in place by May 31, 2010. Mr.

Nicholson indicated, on May 31, that more time was required to finalize the memorandum of understanding.

On June 15 the Government House Leader made a statement indicating that the government, together with the Official Opposition and the Bloc Québécois, had arrived at an agreement. The same day, NDP Member **Jack Harris** rose on a question of privilege to challenge the provisions of this agreement. On the following day, June 16, the agreement, signed by the Prime Minister, the Leader of the Opposition and the leader of the Bloc Québécois, was tabled in the House by the Government House Leader.

On June 17 the Speaker made a statement regarding Mr. Harris's June 15 question of privilege. He explained that it was not for the Chair to examine the details of the agreement or to compare it to the agreement in principle tabled on May 14, and concluded that the requirements of his ruling of April 27, 2010 had been met. However, although the Speaker considered the matter closed for now, he noted that should circumstances change following the implementation of the processes and mechanisms described in the agreement, the Chair could be again seized of the matter.

*Comments About Members:* On May 10, **Paul Szabo** raised a question of privilege regarding a statement made about him by **Chris Warkentin** during Statements by Members on Thursday, May 6. Mr. Szabo raised another question of privilege on May 14 with respect to remarks made by **James Bezan** during Statements by Members, and to a question of Mr. Warkentin during Oral

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Questions. (Both the statements and question related to the role played by Mr. Szabo as Chair of the Standing Committee on Access to Information, Privacy and Ethics.) Mr. Szabo alleged that the Members' interventions were personal attacks against him and a form of intimidation.

On June 14 the Speaker ruled on the questions of privilege. The Speaker found that while it was clear that many of the grievances related directly to events said to have occurred in committee, the questions of privilege were in fact hybrid matters: that is, they concerned whether or not statements made in the House with regard to events in committee, because of the way they were cast when made, constituted a *prima facie* case of privilege. The Speaker did not find a *prima facie* case of privilege in these instances, but he stated that he was concerned by the continuing and unsettling trend towards using Members' statements as a vehicle to criticize other Members.

*Committee Proceedings:* On June 3, **Peter Julian** raised a question of privilege with respect to the business of the Standing Committee on International Trade. The Member argued that his rights and the rights of the Bloc Québécois Members had been violated during a meeting held on June 1, during which the Committee was conducting clause by clause consideration of Bill C-2. He explained that during the meeting, the Chair had not informed the Committee that it was reverting to a public meeting from its *in camera* status, and that the Chair and the majority of the members on the Committee had systematically frustrated his attempts to speak, intervene on points of order, and have access

to the procedural resources of the Committee. Mr. Julian claimed that this matter went beyond the scope of committee business and involved the abuse by the majority on the Committee of the privileges bestowed on it by the House.

On June 10, the Speaker ruled on the matter and, stating that committees are masters of their own proceedings, reaffirmed that any alleged irregularities occurring in committees could only be taken up in the House following a report from the committee itself. The Speaker concluded that since the Committee had not reported the matter to the House, there was little he could do.

#### **Points of Order**

On May 11 the Speaker ruled on the point of order raised on April 29, 2010, concerning the admissibility of the amendments contained in the report from the Standing Committee on Aboriginal Affairs and Northern Development on Bill C-3, *An Act to promote gender equity in Indian registration by responding to the Court of Appeal for British Columbia decision in McIvor v. Canada (Registrar of Indian and Northern Affairs)*. The Speaker explained that Bill C-3 had been drafted in response to a ruling of the Court of Appeal for British Columbia and sought to redress the specific inequality identified by the Court with respect to the descendants of some Indian women. The proposed amendment to section 6 of the *Indian Act* aimed to extend registration to persons who were not identified in the Court's ruling. The amendment thus exceeded the scope of the Bill as set by the House at second reading and was therefore inadmissible. The second

amendment, which sought to change the short title of the bill, was dependent on the adoption of the first amendment and was therefore ruled null and void. The Speaker ordered that these two amendments, as adopted by the Committee, be struck from the Bill as reported and that the Bill be reprinted.

On May 31, the Speaker ruled on the point of order raised on May 5, 2010 by **Sylvie Boucher** with regard to the use of the term "token Quebecker" in reference to some Members. The Speaker concluded that the use of the term "token Quebecker" had clearly led to some disorder and considerable offence, and he urged Members to refrain from using it and any others that may tend to lead to disorder.

#### **Private Members' Business**

During the Second Session of the 40th Legislature, on November 18, 2009, **David Sweet** presented the Second Report of the Standing Committee on Veterans Affairs on Bill C-201, *An Act to Amend the Canadian Forces Superannuation Act and the Royal Canadian Mounted Police Superannuation Act (deletion of deduction from annuity)*, standing in the name of **Peter Stoffer**. The Committee amended the Bill by deleting the title and all clauses. During report stage in the House, the sponsor of the Bill, Mr. Stoffer, proposed motions to restore the title and original clauses of the Bill. On May 5, 2010, the House voted to adopt Mr. Stoffer's motions and the Bill, as amended, was concurred in at report stage. However, because the Bill required a royal recommendation that had not been granted, the Speaker stated that, pursuant to his ruling of February 25, 2009, he would not put the question on the motion



for third reading of Bill C-201. The Order for third reading was discharged and the item was dropped from the *Order Paper*.

On May 27, the House considered motion M-517 in the name of **Michael Chong** instructing the Standing Committee on Procedure and House Affairs to recommend changes to the Standing Orders and other conventions governing Oral Questions. Mr. Chong's motion contains proposals:

- (i) to elevate decorum and fortify the use of discipline by the Speaker;
- (ii) to lengthen the amount of time given for each question and answer;
- (iii) to require that Ministers respond to questions directed at them;
- (iv) to allocate half the questions each day to backbench Members;
- (v) to dedicate Wednesday exclusively for questions to the Prime Minister; and
- (vi) to dedicate the rest of the week to questions for Ministers other than the Prime Minister.

During the debate, the Parliamentary Secretary to the Leader of the Government (**Tom Lukiwski**) moved an amendment to the motion, proposing, among other things, that the Committee study whether there are practices of the Westminster Parliament in the United Kingdom or of other parliaments based on the Westminster model that may be adopted and adapted to a Canadian context. After debate, the Order was dropped to the bottom of the order of precedence on the *Order Paper*. It is scheduled to be taken up again when the House resumes sitting in the fall.

### Committee Business

On March 31 **Merv Tweed** tabled the First Report of the Standing Committee on Transport, Infrastructure and Communities, which

recommended that Bill C-310, *An Act to Provide Certain Rights to Air Passengers*, standing in the name of **Jim Maloway**, not be further proceeded with. The motion to concur in the Report was debated on April 29, 2010, and subsequently agreed to in a vote on May 5, 2010.

On May 25 Mr. Hill made a statement in the House to address the issue of Ministers' staff members being called before committees to testify. He declared that henceforth, ministerial political staff would not have to testify before committees. Instead, since Ministers are accountable for policy, the operation of their departments and the decisions made by their staffers, they would be the ones to appear when their subordinates were called before committees.

The Standing Committee on Access to Information, Privacy and Ethics, which is conducting a study regarding the allegations of interference in Access to Information requests, had called upon staff members from different Ministers' offices and from the Prime Minister's office to testify. Following the government's statement, and a number of committee meetings during which Ministers attended to speak in the place of the witnesses who had been called, the Law Clerk and Parliamentary Counsel, **Rob Walsh**, appeared before the Committee on June 15, 2010, to explain the consequences of the witnesses' failure to appear before the committee.

On June 2 Mr. Chong presented the First and Second Reports of the Standing Committee on Industry, Science and Technology in relation to an extension of time to consider Bills C-309, *An Act establishing*

*the Economic Development Agency of Canada for the Region of Northern Ontario*, and C-393, *An Act to amend the Patent Act (drugs for international humanitarian purposes)* and to make a consequential amendment to another Act. On June 9, 2010, the House voted to allow these two extensions of time.

On June 9, 2010, **Mark Holland** tabled the Second Report of the Standing Committee on Public Safety and National Security, which recommended that Bill C-391, *An Act to amend the Criminal Code and Firearms Act (repeal of long-gun registry)*, standing in the name of **Candice Hooppner**, not be further proceeded with. On June 15, 2010, the Speaker designated Tuesday, September 21, 2010, as the date fixed for the consideration of the motion to concur in the Second Report of the Standing Committee on Public Safety and National Security. The one-hour debate will take place immediately following Private Members' Business.

On June 10 **Pat Martin** presented the Third Report of the Standing Committee on Government Operations and Estimates to the House. Later that day, Mr. Szabo raised a point of order concerning the admissibility of the Report. He argued that the subject matter of the Report was based on a study of claims that the Member for Scarborough—Rouge River (**Derek Lee**) was actively lobbying the Government of Canada while sitting as a Member of Parliament and that this was beyond the mandate of the Committee. On June 17, 2010, the Speaker ruled on the point of order, finding that the Standing Committee on Procedure and House Affairs had the necessary

authority to look into any claims related to the Conflict of Interest Code or the conduct of Members of Parliament. Consequently, he ruled the Third Report of the Standing Committee on Government Operations and Estimates out of order, that the Report be deemed withdrawn, and that no further proceedings be taken on the Report.

On, June 16, **Joe Preston** presented the Twelfth Report of the Standing Committee on Procedure and House Affairs, relating to the use of new technologies and their impact on House and Committee proceedings.

On June 17, **Yasmin Ratansi** presented the Fourth Report of the Standing Committee on Government Operations and Estimates in relation to its study of the financing of renewable energy projects by the government. The Committee's study of the matter had run for a number of weeks, during which the Committee had heard testimony by several individuals including former Member of Parliament **Rahim Jaffer**. The Report drew the attention of the House to a potential breach of its privilege and/or a possible case of contempt of Parliament and recommended that the House take the measures it deems appropriate.

#### Other Business

On May 12 the House resolved itself into Committee of the Whole for a take-note debate on the subject of the importance of the East Coast shellfish industry. On June 14, the House resolved itself into Committee of the Whole for a take-note debate on the subject of the measures being taken to address the treatment of multiple sclerosis.

On May 13 **Jay Hill, Marcel Proulx, Louis Plamondon, Libby Davies** and the Speaker paid tribute to the memory of **William Corbett**, Clerk of the House of Commons from 2000 to 2005, who passed away on May 3, 2010.

The portrait of former Prime Minister **Jean Chrétien** was unveiled during a ceremony held on May 25.

On May 27 the President of Mexico, **Felipe Calderón Hinojosa**, addressed the Members of the House of Commons and the Senate in the House of Commons chamber.

On May 31, Mr. Hill tabled Report of the Commission of Inquiry into Certain Allegations Respecting Business and Financial Dealings Between **Karlheinz Schreiber** and the Right Honourable **Brian Mulroney**.

On June 3, 2010, he tabled a Certificate of Nomination and biographical notes of **Suzanne Legault**, the nominee for the position of Information Commissioner. After referral to the Standing Committee on Access to Information, Privacy and Ethics, the nomination was agreed to in the House by unanimous consent on June 10, 2010.

On June 17, **Vic Toews** (Minister of Public Safety) tabled the final report of the Commission of Inquiry into the Investigation of the Bombing of Air India Flight 182.

On June 9 **Diane Ablonczy** (Minister of State for Seniors), made a statement marking the fifth annual World Elder Abuse Awareness Day on June 15. She also announced there would be an International Elder Abuse Awareness Conference in Toronto on June 15.

On June 11 **Chuck Strahl** (Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency) made a statement regarding the Indian residential school system and he marked the second anniversary of the Prime Minister's apology. Minister Strahl also announced he would attend the first of seven national events being held by the Truth and Reconciliation Commission in the following week.

The House adjourned for the summer on June 17, and is scheduled to resume sitting on Monday, September 20, 2010.

**Suzie Cadieux**  
Procedural Clerk  
Table Research Branch



The National Assembly adjourned on June 12, 2010, for its summer recess. According to the 2010-2011 calendar tabled by President **Yvon Vallières**, it will resume on September 21. By the close of proceedings, the Members had passed 20 public bills and 10 private bills. Also, since the parliamentary reform adopted in April 2009, 23 electronic petitions signed by over 117,000 Quebecers have been presented to the National Assembly.

On May 11, at the request of two independent Members, the Assembly met as a committee

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of the whole to consider the Assembly's budget estimates for the 2010-2011 fiscal year. The last similar occurrence dated back to 1996. Since then, the practice had been for the Assembly to depart from Standing Order 286 and dispense the committee of the whole from meeting given that, by law, the Assembly's budget estimates are adopted by the Office of the National Assembly.

The end of the regular sitting period was followed by an extraordinary sitting, held on June 11, during which the MNAs completed consideration of and passed Bill 100, *An Act to implement certain provisions of the Budget Speech of March 31, 2010, reduce the debt and return to a balanced budget in 2013–2014*. The Government used an exceptional procedure which specifies the number of hours allotted for each stage remaining in the consideration of a bill. The bill had been undergoing the committee stage.

At the April 20, 2010 sitting, the President handed down a directive on the distribution of questions at Question Period. It sought to clarify prior directives issued on November 10 and 11, 2009 – which spelled out the particulars relating to questions by independent Members and Members of the Second Opposition Group – in order to facilitate the Members' exercise of their right to ask questions.

The independent Members for La Peltre and les Chutes-de-la-Chaudière are each entitled to one question per seven sittings, but may not ask their question at the same sitting as the Second Opposition Group, which is entitled to five questions per seven sittings. When the Second Opposition Group decides not to ask a question at a sitting,

it must notify the Chair and the independent Members in advance. The independent Member for Mercier is entitled to one question per seven sittings and may ask his question at any sitting he chooses but he must let the Chair and the other independent Members know at which sitting he intends to do so.

Premier **Jean Charest** made minor changes to the Cabinet line-up. On May 6, 2010, **Yolande James**, who is also Minister of Immigration and Cultural Communities, was appointed Minister of Families to replace **Tony Tomassi**, who is now sitting as an independent Member.

On July 5, 2010, the by-election in the electoral division of Vachon was won by Parti québécois candidate **Martine Ouellet**. The Assembly now stands as follows: Québec Liberal Party, 66 seats; Parti Québécois, 51 seats; Action démocratique du Québec, 4 seats; and Québec solidaire, 1 seat; independents, 3 seats.

On June 11, 2010, further to a motion moved by the Premier, Associate Secretary General for Parliamentary Affairs and Procedure **Michel Bonsaint** was appointed Secretary General of the National Assembly, to succeed **François Côté**, who is retiring from the post. The appointment is effective as of September 21. Also, **François Casgrain**, interim Lobbyists Commissioner, was appointed Lobbyists Commissioner for a five-year term.

### Other events

On April 6, the National Assembly announced the names of the eight winners of the literary prizes awarded on the occasion of the 8th edition of Political Book Day in Québec.

Political Book Day in Québec is held to promote books on politics and generate a fresh flow of ideas between members of the public, parliamentarians, authors and readers.

The National Assembly held the 18th edition of the Young Democrats' Tournament from April 16 to 18. Forty-four teams representing 33 educational institutions from various regions throughout Québec tested their knowledge of the history of democracy and of our parliamentary system and how it works.

On April 30, the President of the National Assembly, M. Vallières, chaired the proceedings of the 14th Pupils' Parliament. Three bills drafted by participating classes were debated by the student MPs, aged 11 and 12.

On April 21, before an audience of parliamentarians and dignitaries, National Assembly President Vallières unveiled a program of activities to mark the 70th anniversary of women's right to vote and to hold office in Québec. The program includes a brochure on the advances made by women from the time they were granted the right to vote to the present, an exhibition, a television broadcast and a special issue of the magazine published by the National Assembly Library, the *Bulletin de la Bibliothèque de l'Assemblée*. Also, in partnership with the city of Québec, the Québec National Capital Commission and the Conseil du statut de la femme, a monument will be erected on the grounds of the Parliament Building to honour the memory of those who launched the women's suffrage movement. This fall, the National Assembly television channel will produce



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a feature on the suffragettes as part of its series on figures of democracy.

On June 3, President Vallières opened the exhibition, which looks at women in politics from the suffragette days to the present. On the same occasion, he launched the special issue of the *Bulletin*.

**Nicole Bolduc**

House Secretariat

### **Committees**

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After holding public hearings and special consultations in February and March as part of its consideration of a paper on sustainable off-roading, on June 9 the Committee on Transportation and the Environment tabled a report containing three recommendations: that a pilot project be set up to test a dispute resolution mechanism for a six-year period, during which immunity from prosecution would be maintained; that nighttime off-roading be prohibited; and that a minimum 100-metre buffer distance be required between future trails and residential buildings. The matter had been referred to the Committee by the National Assembly under section 87.2 of the *Act respecting off-highway vehicles*.

On April 28, in compliance with Standing Order 294, the same Committee tabled its report on its examination of the policy directions, activities and management of the agency responsible for holding public hearings on environment-related issues, the Bureau d'audiences publiques sur l'environnement. In its report, the Committee makes four recommendations aimed at improving the agency's accountability reporting and

internal organization. These recommendations were unanimously adopted by the Committee members.

On the same date, the Committee tabled another report after hearing the Commission des transports du Québec and examining its policy directions, activities and management. The Committee framed two recommendations for better accountability reporting within the Commission. The recommendations received unanimous support from the Committee members.

On May 25, the Committee on Planning and the Public Domain tabled its report on its examination of the 2008–2009 activity report, three-year plans and financial statements of the Commission de la capitale nationale du Québec. The report formulates eight recommendations that were unanimously adopted by the Committee members. These recommendations seek to improve certain aspects of the Commission's accountability reporting and the content of its annual report. The Committee heard the Commission as required by section 27 of the *Act respecting the National Capital Commission*.

As part of its order of initiative on the indexation of the public and parapublic sector pension plans, the Committee on Public Finance tabled an interim report on June 8 to stimulate public reflection on the possible solutions it chose to explore in its pursuit of a positive outcome. The interim report provides background on the pension plans, outlines the main problems and challenges to be addressed and summarizes the Committee members' comments. It also

recommends that an internal committee be created to advise the pension plan management board, the Commission administrative des régimes de retraite et d'assurances, on services to pension recipients and on indexation-related issues. The Committee intends to continue its examination of the subject and to pay close attention to how its recommendation is acted on.

On May 25, after the Committee on Health and Social Services wrapped up its expert hearings, the Select Committee on Dying with Dignity released a consultation paper to encourage public debate on what is a complex issue. The paper offers food for thought and discusses the questions raised by the Committee members, who will be travelling to 10 cities throughout Québec to hold general consultation hearings and meet members of the public who wish to voice their opinions on the subject. To open the process to the broadest possible spectrum of participants, the Select Committee has been asked to also hold an online consultation. The questionnaire is up on the National Assembly's website at <https://www.assnat.qc.ca/csmd/dyingwithdignity.aspx>.

On June 4, the Committee on Public Administration tabled its 24th report on the accountability of deputy ministers and chief executive offices of public bodies. In the winter of 2010, the Committee completed its first "cycle of scrutiny" after examining the annual management reports of some 80 bodies governed by the *Public Administration Act*. The Committee's report makes recommendations aimed at improving the way in which the content of the annual

management reports is structured and asks the treasury board secretariat, the Secrétariat du Conseil du trésor, to draft a 10-year report on the administration of the Act.

### Bills, Estimates and other Activities

The parliamentary committees of the National Assembly considered a number of bills. The Committee on Public Finance devoted 12 sittings to the clause-by-clause consideration of Bill 100, *An Act to implement certain provisions of the Budget Speech of 30 March 2010, reduce the debt and return to a balanced budget in 2013-2014*. Worth noting is the fact that the work was completed in committee of the whole during an extraordinary sitting after it was moved that the Assembly use the exceptional legislative procedure provided for in Standing Orders 182 to 184.2 and 257.1 to 257.10.

The Committee on Institutions started its clause-by-clause consideration of Bill 48, the *Code of ethics and conduct of the Members of the National Assembly*. Among other things, the proposed Code establishes the rules of conduct to be observed by Members in such matters as incompatible offices or posts, conflicts of interest, gifts and benefits. The Committee has so far devoted 11 sittings to the bill.

In April and May, the parliamentary committees considered the Government's budget estimates, as per Standing Order 282. The task required a total of 188 hours.

After hearing experts on student dropout, education and young people, the members of the Committee on Culture and Education, inspired by what they had heard, travelled on May 21 and 28 to the Lanaudière

and Saguenay – Lac-Saint-Jean regions to meet with dropouts and returners and people who are actively involved in the education sector or with youth in their region. On both occasions, a number of dropout-related themes were broached at a public roundtable discussion. These regional visits were part of the order of initiative the Committee took up in April 2009.

**Stéphanie Boutin**  
Committees Secretariat



### Prince Edward Island

On May 19, 2010, the Third Session of the Sixty-third General Assembly prorogued after 40 sitting days. According to the parliamentary calendar, the Fourth Session of the Sixty-third General Assembly will commence on November 12, 2010.

**Maria C. MacDonald** was appointed Information and Privacy Commissioner for the Province of Prince Edward Island on May 6, 2010, for a five-year term effective June 7, 2010. Commissioner MacDonald, a practising lawyer and resident of Charlottetown, was called to the Bar of the Supreme Court of Prince Edward Island in 2001. She is a graduate of the University of Prince Edward Island and the University of New Brunswick.

The 2010 recipients of the Order of Prince Edward Island were announced on June 18, 2010. Receiving the highest honour

that can be accorded to a citizen of the province were Father **Brady Smith**, **Diane F. Griffin** and Dr. **Regis Duffy, CM**.

First conferred in 1996, the honour is granted annually as a means of recognizing those Islanders who have shown individual excellence or outstanding leadership in their community and in their chosen occupation or profession. It is awarded following a public nomination process with not more than three recipients being selected by an independent advisory council each year. Insignia of the Order will be presented by **Barbara A. Hagerman**, Lieutenant Governor of Prince Edward Island, at a special investiture ceremony on October 6, 2010.

A snapshot of the province's economy, population and social makeup is now available with the release on July 5, 2010, of the thirty-sixth edition of the *Prince Edward Island Annual Statistical Review*. Highlights from 2009 reveal the Island population at 140,985, an increase of 1.1% over the previous year, mainly attributable to net international immigration; economic growth of 0.6%; an unemployment rate of 12%; farm cash receipts of \$395.7 million; and an increase in housing starts of 23.2% as compared to 2008. The entire review can be viewed online at [www.gov.pe.ca/finance](http://www.gov.pe.ca/finance).

Attorney General **Doug Currie** announced on June 10, 2010, that the Office of the Attorney General and Public Safety will be renamed the Department of Justice and Public Safety.

"The new name was chosen to better reflect the diverse range of responsibilities and services within the department," said Minister Currie. "It also

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follows department naming conventions in other provinces.” The Department of Justice and Public Safety is responsible for the administration of justice and for public safety throughout the province. Programs and services include court services, Legal Aid, community and correctional programs, legal services to government, consumer and corporate services, insurance and securities regulation, policing services, emergency management, 911 service, the Crown Attorneys’ Office, the Fire Marshal’s Office, the Coroner’s Office, and the Legislative Counsel Office.

Throughout the winter of 2010, with a break from early April to late May when the House was open, and into the spring and early summer, Hansard continued with four ongoing projects. The first two were the fifth volume of *Index of Committees* (covering December 8, 2009–March 30, 2010) and the index to the daily debates of the Third Session of the Sixty-third General Assembly (November 12, 2009–May 19, 2010). Both are available online at [www.assembly.pe.ca](http://www.assembly.pe.ca).

The third indexing project concluded on July 2, 2010. It was determined that the previous indices for the period 1996 to 2002—its first six years in existence—were inadequate. They were also accessible only to the few who owned the bound Hansards for those years. These indices have all been redone and expanded, and are available online. This has been a sizeable project, taking in about 18,000 pages of text.

In the winter of 2010, and resuming again in late May, Hansard continued with its fourth project, the digitizing of reel-to-reel tapes, and the

transcription of them. In February 2009 Hansard began digitizing the Third Session of the Fifty-first General Assembly (February 22–April 25, 1968)—the first tapes available—and at press time were up to the Second Session of the Fifty-second General Assembly (up to March 26, 1971). These audio files will be archived on a website. Eventually, the transcripts will be merged with scanned text of replies to the throne speeches, and edited, giving the public access to these records.

Hansard Manager, **Jeff Bursey**, will publish his first book, a satire, entitled *Verbatim: A Novel*, this fall from the Manitoban firm of Enfield & Wizenty. Set in a fictional parliament in a fictional province during the 1990s, and told primarily in debates (set out in dual-column form) and letters between bureaucrats, this ‘insider’ look at legislative activity is sure to be of interest to those who work in legislatures and closely with legislators.

From August 16–20, 2010, Prince Edward Island will host the Hansard Association of Canada conference. Delegates are expected from across Canada, as well as England, Isle of Man, Northern Ireland, Scotland and Wales to hear presentations on social media, voice recognition technology, verbatim scale, and how to keep staff employed when legislatures are closed. This marks the first time the conference will be held in the province.

Plans are underway for the Prince Edward Island Branch of the Commonwealth Parliamentary Association to host the 49<sup>th</sup> Canadian Regional Conference, as well as the Commonwealth Women Parliamentarians Canadian

Regional meeting from July 13–19, 2011. Next year marks the centennial of the Commonwealth Parliamentary Association, and 70 years since the Legislative Assembly of Prince Edward Island unanimously resolved to establish a branch of the Association to furnish the members with “greater facilities to obtain a wider knowledge of Empire affairs.”

As previously reported, on April 29, 2010, the Legislative Assembly unanimously passed a motion calling for the Standing Committee on Legislative Management to review the 1974 Province House Agreement between the Government of Prince Edward Island and the Government of Canada. The Legislative Management Committee has been charged with holding public meetings and making recommendations for revisions to the Agreement which will ensure the long-term structural maintenance of the building and transform Province House into a more dynamic place for engaging Islanders in the history, culture and operation of their own legislature and democracy. The process has begun with the development of a survey to gauge visitors’ views on the interpretation of Province House, as well as documents explaining the building’s history and the federal-provincial management agreement. Public comment is being invited via the Legislative Assembly’s website and a series of advertisements in the province’s newspapers. Public hearings will take place in the early fall.

The *Island Hymn* is now the official provincial anthem of Prince Edward Island. First performed in 1908, the lyrics were written by **Lucy Maud**



**Montgomery**, perhaps best known for her series of novels starting with *Anne of Green Gables*, with music composed by **Laurence W. Watson**. For more than a century, the song has been a part of the cultural fabric of the province and is often heard at social and recreational events. In 2007, French language lyrics were developed by **Raymond J. Arsenault**; this version is known as *L'hymne de l'Île*

**Marian Johnston**

Clerk Assistant and Clerk of  
Committees



## Yukon

On May 20, 2010 the Spring Sitting of the 1st Session of the 32<sup>nd</sup> Legislative Assembly adjourned. The 32-day sitting had convened on March 25th. The Sitting concluded with Assent being given in the Chamber by the Commissioner of Yukon, **Geraldine Van Bibber** to the following seven bills (all Government bills):

- Bill No. 18, *Third Appropriation Act, 2009-10*
- Bill No. 19, *Interim Supply Appropriation Act, 2010-11*
- Bill No. 20, *First Appropriation Act, 2010-11*
- Bill No. 81, *Victims of Crime Act*
- Bill No. 83, *Act to Repeal an Amendment to the Human Rights Act*
- Bill No. 84, *Labour Mobility Amendments Act*
- Bill No. 85, *Act to Amend the Motor Vehicles Act, 2010*

## Civil Forfeiture Bill

During the Spring Sitting, a proposed piece of Government legislation (Bill No. 82, *Civil Forfeiture Act*) met with marked opposition, including a protest outside the Yukon Government Administration Building (which also houses the Legislative Assembly Chamber). The bill, which was introduced on March 29th, received second reading on division on April 15th, and was considered in Committee of the Whole on April 19th. On April 28th, during Opposition Private Members' Business, **Steve Cardiff** moved Motion No. 1031, urging the Government to delay debate on the bill (which remained in Committee of the Whole) until a further Sitting to allow time for public consultation. During the debate, Premier **Dennis Fentie** stated that the Government fully supported the motion, which was agreed to that day, *nemine contradicente*. On May 6, a public protest that had been planned went forward, with protesters first demonstrating outside then moving inside to fill the Chamber's Public Gallery. The same day, Mr. Cardiff presented a petition (Petition #12) in the House regarding the bill. On May 20, Minister of Justice **Marian Horne** delivered an oral response to the petition, stating that Bill No. 82 will not be passed into law.

Since the adoption of the new Standing Orders in 2001 (Standing Order 76) that provide for outstanding Government bills called by the Government House Leader to be advanced through remaining stages on the final day of a sitting without further opportunity for debate or amendment, it is unusual for a government bill to not be assented to during the sitting in

which it is introduced.

## Original Territorial Administration Building

On June 5, a ceremony was held in Dawson City to unveil a brass plaque commemorating the historic significance of the Old Territorial Administration Building, which in 2001 had been designated a National Historic Site by Parks Canada. The impressive building, designed in the neoclassical style by architect **Thomas W. Fuller**, was constructed in 1901. Until 1953, when the territory's capital moved from Dawson City to Whitehorse, the Council Chamber was located in the building. Currently, the Old Territorial Building serves as the home of the Dawson City Museum.

Among those in attendance at the ceremony were **Elaine Taylor**, Yukon's Minister of Tourism and Culture and Deputy Premier, and **Steve Nordick**, Deputy Speaker, Cabinet Commissioner for Community Services and Highways and Public Works, and Member for Klondike (in which electoral district Dawson City is located). Together with a representative of the Historic Sites and Monuments Board of Canada, other officials, and Yukoners, they gathered in the old Council Chambers to commemorate the occasion.

## Todd Hardy

On July 28, **Todd Hardy**, Member for Whitehorse Centre, and former Leader of the NDP, passed away. He had been fighting leukemia. Members of all political stripes made statements regretting the loss to the territory of a principled, compassionate, and passionate Member. First elected in 1996, Mr. Hardy lost his seat in the

2000 election, and was re-elected in 2002, and again in 2006. He leaves his wife, **Louise Hardy**, who is a former MP for Yukon, as well as four children, and a granddaughter.

**Linda Kolody**  
Deputy Clerk



## British Columbia

The Legislative Assembly adjourned on June 3, 2010 after forty six sitting days. Twenty one government bills received Royal Assent during the spring sitting, including the following public safety bills:

- Bill 12, *Gunshot and Stab Wound Disclosure Act*, requires health care facilities and emergency medical assistants to report gunshot and stab wounds to the police; and provides protection from liability for those who report such injuries in good faith.
- Bill 14, *Motor Vehicle Amendment Act, 2010*, gives the police increased authority regarding drunk drivers and makes British Columbia's drinking and driving penalties the toughest in Canada; and introduces other changes regarding motorcycle safety, driver fitness and drivers' licences for agricultural workers.
- Bill 16, *Armoured Vehicle and After-Market Compartment Control Act*, requires permits for drivers of armoured vehicles; prohibits after-market compartments in vehicles unless the owner is

exempt from the prohibition; and requires that each installation of an after-market compartment be reported to the police.

One bill that passed unanimously was Bill 18, *Haida Gwaii Reconciliation Act*. It gives effect to the *Kunst'aa guu — Kunst'aayah Reconciliation Protocol* between the Haida Nation and British Columbia, which was signed on December 11, 2009. The islands known as the Queen Charlotte Islands and Iles de la Reine Charlotte are renamed Haida Gwaii in both languages. The legislation also provides for a joint management council, made up of two representatives each from the province and the Haida Nation, to make land and natural resource decisions over most of Haida Gwaii.

Bill 17, *Clean Energy Act*, was passed through the use of a time allocation motion. From the B.C. government's perspective, this bill provides a strong legislative foundation for ensuring electricity self-sufficiency at low rates; harnessing British Columbia's clean power potential to create jobs in every region of the province; strengthening environmental stewardship; and reducing greenhouse gases. However, the Official Opposition argued that giving cabinet more control over energy policy would allow \$10 billion in infrastructure spending without sufficient public oversight, remove consumer protection from hydro rate hikes and shift British Columbians' money into the hands of private power companies.

### Committee Activity

On May 6, 2010, the Legislative Assembly established a Special Committee to Appoint a Chief

Electoral Officer to recommend a Chief Electoral Officer, as the incumbent's term expired on June 5. **Craig James**, Clerk Assistant and Clerk of Committees of the Legislative Assembly of British Columbia, has temporarily been appointed Acting Chief Electoral Officer until a permanent appointment is found.

On May 27, the Select Standing Committee on Finance and Government Services received its terms of reference, which will enable the Committee to conduct its annual budget consultations beginning in September. The Committee is also responsible for reviewing the annual budgetary proposals of British Columbia's eight statutory officers.

The Special Committee to Review the *Freedom of Information and Protection of Privacy Act* tabled its report in the Legislature on May 31, 2010. During this third review of the legislation, the Special Committee heard from 22 witnesses at two public hearings, received 118 written submissions and made 25 recommendations.

To improve access to information, the Special Committee reiterated the call for public bodies to adopt the practice of routine proactive disclosure of electronic records, made by the previous two statutory review committees. In the privacy field, the report proposed adopting consent provisions, similar to the private sector privacy law. This recommendation and other concerns of opposition members prompted a brief debate on the committee report before its adoption by the House.

### Cabinet Shuffle

On June 11, 2010, **Blair Lekstrom**, the Minister of Energy, Mines and Petroleum Resources,

resigned from both the Cabinet and the B.C. Liberal Caucus over his concerns regarding a lack of consultation on the province's adoption of the HST. He continues to sit as the Independent Member for Peace River South.

Due to the resulting vacancy in Cabinet, the following changes were made:

- **Bill Bennett** moved from Community and Rural Development to become Minister of Energy, Mines and Petroleum Resources;
- **Ben Stewart** moved from Citizens' Services to become Minister of Community and Rural Development; and
- **Mary McNeil** becomes Minister of Citizens' Services. Her former responsibilities as Minister of State for the Olympics and ActNow BC now fall under the Ministry of Healthy Living and Sport.

**Kathryn Butler**  
Committee Researcher



## Manitoba

The 4<sup>th</sup> session of the 39<sup>th</sup> Legislature recessed for the summer break on June 17, 2009. A number of government bills received Royal Assent during this spring session, including:

- *Bill 24 – The Aboriginal Languages Recognition Act*, which recognizes Cree, Dakota, Dene, Inuktitut, Michif, Ojibway and Oji-Cree as the Aboriginal languages spoken and used in Manitoba.

- *Bill 31 – The Budget Implementation and Tax Statutes Amendment Act, 2010*, which implements measures in the 2010 Manitoba Budget, and makes various other amendments to tax and financial legislation, including:
  - Amendments to the Balanced Budget, Fiscal Management and Taxpayer Accountability Act which would suspend requirements for the government to table a balanced budget each fiscal year and to achieve a positive balance each year. These measures would be in effect for the current fiscal year and the next three years or until a positive net result is achieved, whichever is earlier (the “economic recovery period”).
  - Amendments to Members' Salaries Regulation which would: suspend cost-of-living increases for MLA salaries for the current fiscal year and the next fiscal year; and reduce the additional salary payable to ministers by 20% for the duration of the economic recovery period.
- *Bill 32 – The Protection for Persons in Care Act*, which requires the reporting of abuse of in-patients and residents of hospitals, personal care homes and designated health facilities. This Bill extends that reporting requirement to patients of geriatric day hospitals and emergency rooms.
- *Bill 39 – The Child And Family Services Amendment Act (Children's Advocate Reporting)*, which creates a requirement that the annual report of the Children's Advocate to be referred to the Standing Committee of the Assembly on Legislative Affairs for consideration.

During the June 17, 2010 division on Concurrence and Third Reading of *Bill 31 – The Budget Implementation and Tax Statutes Amendment Act, 2010*, procedural issues arose regarding

whether or not the Minister of Finance rose in a timely manner to cast her vote. Ultimately, Deputy Speaker **Marilyn Brick** ruled that as unanimous consent was denied for the Minister's vote to be recorded, her vote would not be counted even though the Minister was in her seat for the division.

Another procedural issue developed this session regarding the public discussion of a confidential document considered by the Legislative Assembly Management Commission this past winter and spring. On June 2, 2010 **Kevin Lamoureux** referred during question period to a budget submission from the Children's Advocate. Speaker **George Hickes** intervened and ruled that the document was confidential and should not be referred to in the House. Dr. Jon **Gerrard** raised a matter of privilege on June 7 regarding members' ability to reference the document in the House. The Deputy Speaker took the matter under advisement. Subsequently the document began appearing in newspapers, on TV and on the web. Following a further point of order regarding this issue raised on June 10, the Deputy Speaker ruled that Members could now refer to the budget submission in the House and committee because the document had been released to the media. Finally, on June 16 the Deputy Speaker ruled on Dr. Gerrard's privilege submission, stating that no Matter of Privilege existed as the Member was not prevented from performing his duties as an MLA.

On June 25th, 2010 the Standing Committee on Legislative Affairs met to consider child welfare in Manitoba. Appearing before the committee to respond to MLAs'



questions were **Bonnie Kocsis**, Acting Children's Advocate, **Irene Hamilton**, Ombudsman and **Carol Bellringer**, Auditor General. This marked the first occasion a Manitoba Standing Committee met to consider these matters.

The House considered two opposition day motions this spring. On June 3, 2010 Official Opposition Justice Critic **Kelvin Goertzen** moved:

That the Legislative Assembly of Manitoba urge the Minister of Justice to implement a departmental policy to ensure that every breach of a court order for a high-risk offender is reported to police and that the total number of individuals who are in breach of their court orders under the supervision of probation services is reported on a quarterly basis.

Following two hours of debate the House passed this motion on a vote of yeas 49, nays 0.

On June 16, 2010 **Heather Stefanson** moved:

That the Legislative Assembly endorse the concept that legislation should not be changed to protect ministerial salaries for failure to adhere to legislative requirements.

The House defeated this motion on a vote of yeas 21, nays 29.

In December 2009, Chief Electoral Officer **Richard Balasko** announced his intention to retire in 2010 after 20 years as CEO and 30 years with Elections Manitoba. On May 20, 2010 the Standing Committee on Legislative Affairs agreed to strike a subcommittee consisting of four government members, two official opposition members and one independent member to manage the process of hiring a new Chief Electoral Officer. They specified that the "subcommittee may only report back to the committee

with a recommendation that has received a general level of acceptance by all members."

**Rick Yarish**

Clerk Assistant and Clerk of Committees



## Senate

This year the Senate sat until July 12 before adjourning until September 28. The work of the Standing Senate Committee on National Finance was one of the reasons the Senate extended its sitting days. Thanks to the hard work of Senators in both the Chamber and committee, many bills were passed and given Royal Assent before the summer recess.

### Government Bills

Bill C-9, *An Act to implement certain provisions of the budget* tabled in Parliament on March 4, 2010 and other measures, was closely considered by the Senate in the last sitting weeks. It was a highly anticipated bill that was much debated, both in the Chamber and in committee. On June 8, the Senate suspended its session late in the afternoon to receive Bill C-9, which had just passed in the House of Commons earlier that day.

The debate at second reading began on June 9 with a statement by Senator **Irving Gerstein**, who sponsored the bill. On June 10, the bill was read a second time, on division, and referred to the Standing Senate Committee on National Finance. Given the scope and significance of the bill, on

June 15 Senator **Lowell Murray** moved that the Committee be instructed to divide the bill into five bills so that it could report on them separately. After many statements for and against the motion, it was negated by a vote of 42 yeas and 51 nays.

The Committee on National Finance heard from many witnesses and held many meetings to complete its study of the bill. It reported back to the Senate on July 8 with amendments. At its next sitting, the Senate negated the motion to adopt the reported amendments. Immediately following the vote, the Deputy Leader of the Government moved that the bill be read a third time. His motion was agreed to and passed, on division, without debate. A written declaration of Royal Assent was signed shortly after the bill passed third reading.

Bill S-4, *An Act respecting family homes situated on First Nation reserves and matrimonial interests or rights in or to structures and lands situated on those reserves*, was also the focus of much debate in the Senate. Two standing votes were called, one to dispose of amendments proposed at third reading by Senator **Mobina Jaffer** and one to pass the third reading of the bill.

Bills S-2, S-3, S-5 and S-9 passed third reading in the Senate and were sent to the House of Commons for consideration and adoption. Bills C-2, C-11, C-13, C-23A, C-24, C-34, C-44 and C-45 also passed third reading in the Senate. As these bills originated in the House of Commons, they were added to the list of bills ready to receive Royal Assent.

### Public Bills

Bill S-215, *An Act to amend the Criminal Code (suicide bombings)*,

has been introduced in the Senate more than once in recent years. It was sponsored by **Jerry Grafstein**. When he retired in early 2010, Senator **Linda Frum** took it over and the bill was adopted by the Senate on May 11. Bill S-211, *An Act respecting World Autism Awareness Day*, was also sent to the House of Commons for consideration following its amendment at the report stage and its passing at third reading in the Senate on July 8. The following day, the Senate approved the third reading of Bill S-203, *An Act respecting a National Philanthropy Day*, as amended at the report stage. This bill, sponsored by Senator **Terry Mercer** following Senator Grafstein's retirement, has also been introduced in the Senate a number of times in the last few years.

On June 3, the Senate agreed to Bill C-268, *An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)*, on division, placing it on the list of bills ready to receive Royal Assent.

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### Senate Committees

On May 4, Senator **Gerald Comeau** moved that a Special Committee of the Senate be appointed to consider all matters relating to anti-terrorism.

Twice, the Senate met as a Committee of the Whole: once on May 5 to receive the Polish Speaker of the Senate, **Bogdan Borusewicz**, and once on June 22 to receive Ms. **Suzanne Legault** regarding her appointment as Information Commissioner.

Following the tabling of reports on special studies undertaken by the Senate committees, several motions were adopted requesting

government responses regarding the concerns outlined in the reports. On May 13, Senator **Gerry St. Germain** requested a government response to the third report of the Aboriginal Peoples Committee entitled *First Nations Elections: The Choice is Inherently Theirs*. The Senate also adopted Senator **William Rompkey's** motion calling for a government response to the second report of the Fisheries and Oceans Committee entitled *Controlling Canada's Arctic Waters: Role of the Canadian Coast Guard*, as well as Senator **Maria Chaput's** motion regarding the third report of the Official Languages Committee entitled *Implementation of Part VII of the Official Languages Act: We can still do better* and Senator **Joan Fraser's** motion regarding the ninth report of the Legal and Constitutional Affairs Committee entitled *Public Protection, Privacy and the Search for Balance: A Statutory Review of the DNA Identification Act*.

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### Speaker's Rulings

On May 13, Senator **Claudette Tardif** rose on a point of order about comments made earlier in the sitting during Senators' Statements. The comments regarded a series of questions put to the Leader of the Government during Question Period the previous day. Senator Tardif believed it was unfair to make comments of this type, since the issues discussed during Senators' Statements are not subject to debate. Senator Comeau, on the other hand, said that the statement being challenged did not anticipate consideration of an Order of the Day. Senator **Anne Cools** mentioned that rule 22(4) of the *Rules of the Senate* envisions a period of time during which Senators can bring matters to the attention of the Senate, but that

interventions are still subject to the usual rules governing the propriety of debate. The Speaker reminded Senators that their interventions must relate to matters of "public consequence" that cannot be raised through other means. He also stressed that Senators must respect the usual rules governing the propriety of debate, including rule 51, which prohibits "personal, sharp or taxing speeches."

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### New and Retiring Senators

The Senate paid tribute to **Wilbert Keon**, who retired from the Senate on May 17, 2010, and **Michael Pitfield**, who resigned from the Senate on June 1, 2010. To fill these vacancies, two new Ontario Senators were sworn in.

**David Braley**, President and owner of Orlick Industries Limited and owner of two Canadian Football League teams, was appointed to the Senate on May 26. The other vacancy was filled by **Salma Ataullahjan** on July 12. She pursued a career in real estate and has played an active role in social and political affairs in her community for many years.

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### Unusual Event

On June 23, at 1:44 p.m., the Speaker of the Senate was forced to invoke rule 18(1) of the *Rules of the Senate* and suspend the sitting due to "grave disorder." A strong earthquake interrupted the Senate business and the Parliament buildings were evacuated. The Senate resumed the following Monday, June 28, at 6:00 p.m.

**Marie-Eve Belzile**  
Procedural Clerk