



Legislative Reports



Manitoba

The Fifth Session of the 39th Legislature began on November 16, 2010 with the presentation of the NDP government's 14th Speech from the Throne. Delivered by Lieutenant-Governor **Phillip Lee**, the address highlighted a range of government commitments and proposals, including:

- Elimination of the small business tax on December 1, 2010
- A new approach to trade promotion that will reflect the increasing importance of global trade links with Brazil, Russia, India and China, the so-called BRIC nations;
- The launch of a broad consultation process to help parents help their children excel by utilizing things such as plain-language report cards, standardized in-service days and improving student attendance;
- A new pension plan for child-care workers to be implemented on December 1, 2010
- The establishment of quick-care clinics staffed by nurse practitioners;
- A new ambulance helicopter;
- Legislation to cap

health-administration costs.

- More community-based police and more Crown prosecutors;
- Introduction of stronger laws to ensure that criminals are not benefiting from the supports offered to law-abiding citizens;
- The launch of a new program, modelled on the successful auto-theft initiative, to intensively track violent, high-risk offenders and keep them from reoffending;
- A series of measures designed to protect consumers when buying new homes, condominiums, vehicles and cell phones;
- A new program to improve the infrastructure and programming of community centres throughout the province;
- A further increase to the minimum wage; and
- New nutrient reduction targets to improve the quality of water in Lake Winnipeg;

Official Opposition Leader **Hugh McFadyen's** non-confidence amendment to the Address in Reply motion included a number of observations and commentaries on the government's plans, including:

- That the government's Throne Speech failed to acknowledge that after 11 years, violent crime is rising, waste is rampant and past health-care promises have been broken; and
- That the speech endorses large ongoing deficits and rising debt which will result in higher taxes for Manitoba families; and
- That the speech failed to protect Manitoba seniors

and families from hydro rate increases caused by the Premier's interference in Manitoba Hydro; and

- That the speech fails to acknowledge that for 11 years the government has wasted money on bloated health-care bureaucracy and boardrooms at the expense of front-line care; and
- That the speech fails to assure parents that their children are learning the skills they need to succeed in today's workforce; and
- That the speech continues the government's divisive policies of neglecting or penalizing Manitoba's farm families and rural communities; and
- That the speech fails to acknowledge the chaos in Manitoba's child welfare system; and
- That while the speech contains many good ideas offered by members of the opposition, it fails to convince this House that they will actually be implemented; and
- That the current government has failed in its promises to Manitobans, and as a result, it is now clearer than ever that it will require a new government to deliver positive results on crime reduction, fiscal responsibility, job creation, tax relief, protection from rate hikes, access to family physicians, support for farm families, the cleanup of Lake Winnipeg, better sports facilities and infrastructure, stability within Child and Family Services and other goals that are supported by all Manitobans.

Following the defeat of Mr. McFadyen's amendment on

November 26, 2010 by a vote of yeas 19, nays 33; on November 29 the main motion carried on a vote of yeas 25, nays 18.

The fall session saw the introduction and passage of a number of bills, including:

- Bill 2 – *The City of Winnipeg Charter Amendment Act (Winnipeg Police Service Auxiliary Cadets) Act*, which amends *The Charter* to enable cadets in the recently established auxiliary cadet program to perform additional duties and enforce provisions of Acts specified by regulation.
- Bill 3 – *The Victims' Bill of Rights Amendment Act (Denying Compensation to Offenders and Other Amendments) Act*, which amends the *Victims' Bill of Rights* so that compensation payable to a victim of crime may be denied or reduced if the victim has been involved in illegal activity in the past. It also recognizes the entitlement to compensation for witnesses of a criminal incident and amends several provisions to clarify eligibility for various types of compensation, including compensation for counselling services.
- Bill 7 – *The Polar Bear Protection Amendment Act (International Polar Bear Conservation Centre) Act*, which establishes the International Polar Bear Conservation Centre at Assiniboine Park Zoo. The centre will display polar bears in a natural environment and support polar bear conservation research and education.

A higher than usual number of bills – nine in total – passed through all legislative stages this fall session, receiving Royal Assent on December 9, 2010.

Standing Committee activity this quarter included two meetings of the Public Accounts Committee – to consider reports on the Winnipeg Regional Health Authority, the operations of the

Auditor General's Office and follow-up reports on previously issued recommendations – as well as meetings of the Social & Economic Development and Justice committees to consider legislation.

On November 5, 2010 Premier **Greg Selinger** announced the appointment of **Jennifer Howard** as the new Government House Leader.

In advance of the general election scheduled for October 4, 2011 a number of members announced they will not be seeking re-election including, **David Faurshou** – first elected in 1997; **Peter George Dyck** – first elected in 1995 and **Rick Borotsik** – a former MP, first elected in 2007. All three MLAs indicated they will serve out the rest of their terms.

Additionally, **Kevin Lamoureux** resigned his seat in the legislature this fall to seek (and ultimately win) a seat in the House of Commons representing the riding of Winnipeg North.

The current party standings in the Manitoba Legislature are: NDP 36, Progressive Conservatives 19, one Independent Liberal, as well as one vacancy.

After 26 years of service to the Manitoba Assembly, Deputy Clerk **Bev Bosiak** retired at the end of 2010. The first woman to sit at the Manitoba Table, Ms. Bosiak leaves a legacy of expertise and dedication as an example for her successors.

The fifth session of the 39th Legislature will resume at the call of the government.

Rick Yarish
Clerk Assistant/Clerk of Committees



Ontario

David Johnston, Governor General of Canada, made his first official visit to Ontario, which was marked by a welcoming ceremony at the Legislative Assembly of Ontario on December 2, 2010 where he was greeted by Premier **Dalton McGuinty**, **Steve Peters**, Speaker of the Legislative Assembly of Ontario; and **David C. Onley**, Lieutenant Governor of Ontario.

The Governor General received full military honours, including a 21-gun salute, the "Viceregal Salute" and the inspection of the guard of honour, composed of soldiers from the 32 Canadian Brigade Group and the Governor General's Horse Guards.

In the Lobby of the Legislative Building twinkling with Christmas trees, against the backdrop of red-robed children from the Thomas Street Middle School Choir assembled on the Grand Staircase, Speaker Peters, Premier McGuinty, and the Lieutenant Governor in turn offered words of welcome to the Governor General. His Excellency addressed the Members of Provincial Parliament and guests gathered in the Lobby, outlining in his remarks the three pillars defining his term in office: to support families and children, to reinforce learning and innovation, and to encourage philanthropy and volunteerism.

While the ceremony was taking place in the Lobby, the

House was in session directly above. To ensure that the Governor General's visit was not disrupted in any way by the bells that signal divisions, the House adopted a motion that any votes be deferred until the following sitting day. Even the two quick rings of the division bells that signal adjournment of the House were dispensed with that day – the first time this has happened as far as anyone can remember.

150th Anniversary of Queen's Park

The year 2010 marked the 150th anniversary of Queen's Park, site of the Legislative Assembly of Ontario. An Ontario Heritage Trust plaque honouring the anniversary was unveiled by Her Majesty the Queen during her visit to Queen's Park in July, and has now been permanently installed on the legislative grounds. Also installed was a new locator sign indicating the placement of plaques, statues and monuments on the grounds of the legislative building.

Technology

An eight-day rolling archive of the daily Question Period was added to the Legislative Assembly website. Viewers at home may now watch the current day's Question Period, as well as from the seven preceding days. When announcing the new archive to the House, Speaker Peters emphasized its importance with the satellite TV providers not offering the legislature's dedicated channel (ONT-PARL) to subscribers, and with the channel becoming increasing harder to find on digital cable systems. Other technical improvements included the installation of a closed captioning display in the Speaker's Gallery and

of HD-compatible flat-screen monitors in the Members' lobbies.

Committees

The Standing Committee on Estimates completed its consideration of the 2010-2011 expenditure estimates of selected ministries and offices. By an Order of the House dated October 26, the Committee was authorized to alter the order of consideration of selected Estimates and to present its report on all Estimates considered no later than Wednesday, November 24 instead of the third Thursday in November, as set out in the Standing Orders.

The Standing Committee on Finance and Economic Affairs held public hearings on the following bills, all of which were reported back to the House with certain amendments and received Royal Assent:

- Bill 109, *An Act to Amend the Taxation Act 2007 to implement the Ontario energy and property tax credit and to make consequential amendments*. The bill implemented a tax credit announced in the 2010 Ontario Budget. This tax credit will apply for the 2010 and subsequent taxation years.
- Bill 120, *An Act to amend the Pension Benefits Act and the Pension Benefits Amendment Act, 2010*. The amendments in the Bill related to types of benefits and pension plans, funding requirements, entitlement to surplus, the Pension Benefits Guarantee Fund, the administration of pension plans, regulatory oversight and enforcement, and other matters.
- Bill 135, *An Act respecting financial and Budget measures and other matters*. This, the "Budget Bill", implemented financial measures, including measures contained in the 2010 Ontario Budget, and enacted or amended various Acts.

The Committee undertook the annual pre-Budget consultation process and conducted hearings in London, Windsor, Thunder Bay, Timmins, and Ottawa the week of January 24 and in Toronto on January 31 and February 1, 2011. The Committee will meet on February 24 to write its Report on the pre-Budget consultations.

The Standing Committee on Justice Policy conducted public hearings on Bill 172, *An Act to amend the Ticket Speculation Act*. The Committee held one day of public hearings on November 25, 2010 and clause-by-clause consideration of the bill on December 1, 2010. The bill was reported as amended later that day. This Act had not previously been amended since its introduction in 1914.

The Standing Committee on the Legislative Assembly met on November 17 and on December 8 to discuss a matter referred by Speaker Peters: that of parliamentary review provisions in legislation. The Speaker asked the Committee to look at these statutory requirements after expressing concern that the House found itself in a position of non-compliance with provisions in certain statutes requiring a committee of the Legislature to conduct a review and report its findings to the House in a specified time frame.

The Committee heard testimony from the Speaker, the Clerk of the Legislative Assembly, **Deborah Deller** and from the Procedural Clerk of Research, **Peter Sibenik**. The Speaker asked the Committee to consider a recommendation that would caution against statutory provisions that concern House proceedings or, at the

very least, that the Clerk be consulted on the wording of such provisions, so that all of the procedural implications be clearly understood. He also asked the Committee to consider recommending an amendment to the Standing Orders that would provide for a set of procedures for responding to such provisions. The Committee is scheduled to meet in February to consider its draft report on the matter.

The Standing Committee on Social Policy considered Bill 122, *An Act to increase the financial accountability of organizations in the broader public sector*. The bill enacts measures concerning financial accountability in the broader public sector and prohibits various organizations from engaging lobbyists who are paid with public funds. Local Health Integration Networks and hospitals will be required to report on their use of consultants and to post information about expense claims. As per the time allocation motion of November 4, 2010, the Committee held public hearings on November 22 and 23 followed by clause-by-clause consideration on November 29. The Committee reported the bill to the House, with certain amendments, on November 30.

Upcoming Provincial Election

In anticipation of the upcoming Ontario general election on October 6, 2011 a number of MPPs have indicated they will not be seeking re-election. Among them is Speaker **Steve Peters** who will step down from public life after 22 years of elected service at the local and provincial level to pursue his interests in education and business and to build a new career in the private sector. Speaker Peters marked his tenure as a strong promoter of local produce, beer

and wine, and ensured that native Ontario plants grace the grounds of Queen's Park.

The list of Members who do not intend to run again includes former cabinet ministers **Peter Fonseca** and **David Ramsay**, Government House Leader and Minister of Intergovernmental Affairs **Monique Smith**, Cambridge MPP **Gerry Martiniuk**, and **Pat Hoy**, Chair of the Standing Committee on Finance and Economic Affairs.

Condolences

On three separate sitting days in November, the House heard statements from Members of all parties in an expression of condolence on the deaths of former Members **Leo Edward Bernier** (Kenora 1966-1987), **John Yaremko** (Bellwoods 1951-1975), and **Robert William Macaulay** (Riverdale 1951-1964).

Sylwia Przedziecki
Committee Clerk



Saskatchewan

The fall sitting concluded on Thursday, December 9, 2010. During the fall period of session, 17 government bills, 6 private members' public bills and 1 private bill were introduced. Bill 144 – *The Litter Control Amendment Act, 2010* was reinstated.

The Lieutenant Governor, **Gordon Barnhart**, gave royal assent to 7 bills including an

Appropriation Bill to defray the expenses of the Public Service. The other bills to receive royal assent included:

- Bill No. 905 – *The Sisters of the Presentation Act, 2010* – a private bill introduced by **Rod Gantefoer**.
- Bill No. 152 – *The Commissioners for Oaths Amendment Act*
- Bill No. 151 – *The Saskatchewan Indian Institute of Technologies Amendment Act, 2010*
- Bill No. 158 – *The Correctional Services Amendment Act, 2010*
- Bill No. 148 – *The Animal Protection Amendment Act, 2010*
- Bill No. 156 – *The Freehold Oil and Gas Production Tax Act, 2010*

Same Question Ruling

Bill No. 148 - *The Animal Protection Amendment Act, 2010* sought to strengthen penalties against those who are found guilty of animal abuse.

Bill No. 617 – *The Protection of Service Animals Act* was a Private Member's Public Bill, introduced by **David Forbes** – Saskatoon Centre, which sought special protection and penalties against those who commit an offence against service animals such as guide dogs and police service dogs.

When Bill No. 148 was considered in the Standing Committee on the Economy, Government members introduced amendments to include most of the sections that were contained in Bill No. 617. The following day, the Chair reported Bill No. 148 with amendments to the Assembly which the Assembly agreed to. Given the Assembly's adoption of the amended bill, Speaker **Don Toth** ruled that Bill No. 617 be removed from the Order Paper to ensure that the Assembly does not come to two different conclusions

Deputy Chair of Committees

On November 1, 2010, **Wayne Elhard** resigned as the Deputy Chair of Committees. On a motion by the Government House Leader, it was ordered that **Fred Bradshaw**, member for the constituency of Carrot River Valley be appointed to preside as Deputy Chair of Committees

Métis Sash Ceremony

On Tuesday, November 30, 2010 a historical event took place in the Legislature. The Assembly formally recognized the important contributions of the Métis people in the creation of Saskatchewan as a province. A Métis sash, crafted by **Pat Adams**, was presented to the Legislative Assembly by **Robert Doucette**, President of the Métis Nation of Saskatchewan and Elder **Nora Cummings**. The Métis sash now lays alongside the Mace, beaver pelt and beaded table runner on the Table in the Legislature.

Independent Officer

A motion was passed by the Assembly to appoint **Bob Pringle** as the Children's Advocate. Mr. Pringle, former Minister of Social Services and MLA for the constituencies of Saskatoon Eastview and Saskatoon Eastview-Haultain, has extensive knowledge and experience related to social issues. Some of his recent work includes co-chairing Saskatchewan's Task Force on Housing Affordability and chairing a panel and completion of a report for the Ministry of Social Services entitled *Saskatchewan Child Welfare Review Panel Report: For the Good of Our Children and Youth*. Mr. Pringle is also a Saskatoon City Councilor and a Human Services Consultant.

Reports by the Conflict of Interest Commissioner

In May 2010, a Member requested the Conflict of Interest Commissioner examine **Serge LeClerc's** expenses and further, the Assembly, ordered an inquiry into his conduct. The reports were released on November 23, 2010.

Stacey Ursulescu
Committee Researcher



Newfoundland and Labrador

On November 25, 2010 Premier **Danny Williams**, announced his resignation effective December 3. **Kathy Dunderdale**, MHA for Virginia Waters, Minister of Natural Resources and Deputy Premier, was sworn as Premier on December 3, the first woman to hold the office in the history of the Province.

Yvonne Jones, MHA for Cartwright – L'Anse au Clair, Leader of the Official Opposition, who is on leave for medical reasons, appointed **Kelvin Parsons**, MHA for Burgeo – LaPoile and Government House Leader, acting Leader of the Opposition. Ms. Jones expects to return to her duties full time in the Spring.

The House of Assembly reconvened on December 6th having adjourned for the summer on June 24th. Twenty-nine Bills received Royal Assent on June 24th, the Interim and Main Supply Bills having been assented to in March and May respectively.

The Third Session of the 46th General Assembly adjourned on December 16th having passed another sixteen Bills.

The House, by Resolution, recommended the re-appointment of **Ed Ring** as Information and Privacy Commissioner before adjourning for the summer. On December 16 by Resolution, it recommended the appointment of **Carol Chafe** as Child and Youth Advocate. Ms. Chafe had been acting in the position since late August.

Members were saddened at the loss of their colleague, **Dianne Whelan**, MHA for Conception Bay East – Bell Island, who died on October 3rd. Ms. Whelan was Minister of Municipal Affairs at the time of her death.

Cabinet Shuffles

In a Cabinet shuffle on October 13, 2010, **Kevin O'Brien**, MHA for Gander, formerly Minister of Government Services, was appointed Minister of Municipal Affairs while **Harry Harding**, MHA for Bonavista North, was appointed Minister of Government Services.

In a second Cabinet shuffle on December 6th, **Shawn Skinner** was appointed Minister of Natural Resources, with responsibility for the Forestry and Agrifoods Agency, the portfolio formerly held by Ms Dunderdale; **Susan Sullivan** was appointed Minister of Innovation, Trade and Rural Development with responsibility for the Rural Secretariat and the Status of Women, while retaining responsibility for Francophone Affairs; **Joan Burke**, Minister of Child, Youth and Family Services was appointed Acting Minister of Human Resources, Labour and Employment, Minister

Responsible for the Status of Persons with Disabilities, the Labour Relations Agency, the Workplace Health, Safety and Compensation Commission and Youth Engagement.

A third Cabinet shuffle took place on January 13, 2011 when Premier Dunderdale appointed **Derrick Dalley** as Minister of Business. **Charlene Johnson** formerly Minister of Environment and Conservation was appointed Minister of Child, Youth and Family Services. **Joan Burke**, formerly Minister of Child, Youth and Family services was appointed Minister of Education, a portfolio Ms. Burke had held before. **Ross Wiseman**, formerly Minister of Business was appointed Minister of Environment and Conservation. **Darin King**, formerly Minister of Education, was appointed Minister of Human Resources, Labour and Employment with responsibility for the Labour Relations Agency, Youth Engagement and Minister Responsible for Persons with Disabilities for Youth Engagement and the for the Newfoundland and Labrador Housing Corporation.

By-elections

David Brazil, representing the Progressive Conservative Party was elected on December 2nd in the District of Conception Bay East - Bell Island, formerly represented by Ms Whelan. The other candidates were **Joy Buckle**, representing the Liberal Party, and **George Murphy** representing the New Democratic Party.

The by-election for the District of Humber West, vacated upon the resignation of former Premier Williams, was called for February 15. The candidates were **Vaughn Granter**, representing

the Progressive Conservative party who defeated **Mark Watton** representing the Liberal Party and **Rosie Myers** representing the New Democratic Party.

Agreement with Medical Association

On December 16th, Government reached a tentative agreement with the Newfoundland and Labrador Medical Association. The offer, which includes 100% Atlantic parity within the first two years of the agreement, pay equity for salaried specialists, and retention bonuses for fee-for-service rural physicians, was made after two weeks of discussions with the Ministers of Health and Finance. Government has also agreed to the principle of binding arbitration as a dispute resolution mechanism for future agreements. Specialists who had submitted their resignations effective in the New Year rescinded their decisions. The Newfoundland and Labrador Medical Association ratified the agreement on December 21.

Final Sitting of 46th General Assembly

The House is expected to reconvene in mid-March for what will likely be the final sitting of the 46th General Assembly as the General Election will take place on October 11th, 2011.

Elizabeth Murphy

Clerk Assistant/Clerk of Committees



At the request of Premier **Jean Charest**, the President

summoned the National Assembly for an extraordinary sitting on October 18, 2010. This sitting, held in compliance with the exceptional procedure provided for in Standing Order 182, focussed on the examination and passage of Bill 115, *An Act following upon the court decisions on the language of instruction*.

On November 24, 2010, a debate was held on a want of confidence motion moved by the Official Opposition. This motion, which concerned the construction industry, the awarding of public contracts, permits and subsidies, and the financing of political parties, was defeated by a vote of 61 to 57.

In accordance with the parliamentary calendar, the National Assembly adjourned its proceedings on December 10, 2010 and is scheduled to resume on February 8, 2011.

Directive from the Chair

On November 11, 2010, the Official Opposition House Leader, **Stéphane Bédard** notified the President of his intent to rise on a matter of privilege or contempt. In his notice, he alleged that Hydro-Québec had been in contempt of Parliament by failing to comply with an order of the Assembly adopted on September 29, 2010 in reference to the production of documents. The President heard Members' arguments at a subsequent sitting and took the matter under advisement.

The ruling on this matter was rendered on November 23. President **Yvon Vallières** indicated that the terms of the Assembly order are clear. Hydro-Québec has no other choice but to transmit all of the information requested. However,

the concerns expressed by the Crown corporation, particularly regarding trade and security issues, are well founded. Hydro-Québec is therefore asked to identify the information it considers to be of strategic importance. The Assembly will then determine in what manner Hydro-Québec's concerns will be taken into consideration. Even if the facts set forth allow us to believe that there is, at first glance, a breach of privilege or contempt, an additional delay is hereby granted. Consequently, Hydro-Québec was given until December 2, 2010 to transmit to the Assembly all of the documents requested.

Hydro-Québec did comply with the order given and forwarded the requested documents. Following a meeting with the House leaders of the parliamentary groups and the independent Members, it was agreed that the procedure relating to the complaint of breach of privilege or contempt should be suspended to allow the Members to analyze the information received.

Composition of the National Assembly

A by-election was held on November 29 in the electoral division of Kamouraska-Témiscouata, which had been left vacant following the death of **Claude Béchar**. **André Simard**, the Parti Québécois candidate, won this election. He took his seat in the National Assembly on December 7.

The composition of the National Assembly is now as follows: Québec Liberal Party, 65; Parti Québécois, 52; Action démocratique du Québec, 4; Québec Solidaire, 1; and 3 independent Members.

Other Events

At the sitting of December 9, the National Assembly made nominations requiring the approval of two-thirds of the Members of the National Assembly. **Jacques Drouin** was thus appointed Chief Electoral Officer. **Jean Chartier** was named Chairman of the Access to Information Commission. Finally, **Jacques Saint-Laurent** was appointed the first Ethics Commissioner. This office was created by the *Code of Ethics and Conduct of the Members of the National Assembly*, which was adopted in early December.

On November 23, Bill 132, *An Act to suspend the electoral division delimitation process*, was adopted on division. This Act suspends the electoral division delimitation process begun under the *Election Act* by the Commission de la représentation électorale until June 30, 2011. It sets the stage for discussions among political parties to find a way of achieving a balance between the principle of effective representation and the protection of the political weight of regions. Each political party is thus invited to submit its proposal to this effect by March 2011.

Jacques Gagnon
Secretariat of the Assembly

Parliamentary Committees

Last November 12, the Committee on Institutions concluded its clause-by-clause consideration of Bill 48, *Code of ethics and conduct of the Members of the National Assembly*. The bill was passed by the National Assembly on December 3, 2010. This code of ethics and conduct contains measures applicable to all MNAs in the exercise of their functions as well as rules

applicable to those who are also Cabinet Ministers in the exercise of their ministerial functions. It particularly establishes the rules of conduct to be observed by Members on such matters as incompatible offices or posts, conflicts of interest, remuneration, gifts and benefits, attendance at Parliament, and the use of State property and services. In addition, the Code provides for the appointment by the National Assembly of an Ethics Commissioner, who is to be responsible for the administration of the Code. This Commissioner's functions include providing advisory opinions to Members on their request, as well as to the Premier with regard to Cabinet members, concerning their obligations under the Code and conducting inquiries into any violation of the rules of conduct established by the Code according to the procedure set by the Code. It should be noted that during the months of May, June and September to November 2010, the Committee on Institutions had set aside 22 sittings for the clause-by-clause consideration of this bill.

Orders of Initiative

On October 6, within the framework of an order of initiative, the Committee on Institutions heard **Pierre Marc Johnson** on the orientations expressed by the Government of Québec to the Federal Government concerning the proposed free trade agreement between Canada and the European Union, as well as on the current state of negotiations and the issues arising from this proposal. The Committee tabled its report to the National Assembly on November 9.

Last December 7, the

Committee on Transportation and the Environment tabled a follow-up report on its order of initiative concerning the situation of lakes in Québec as regards cyanobacteria. This report contains 16 unanimous recommendations, particularly as regards the development, by the Government of Québec, of a “private septic system” component within the Gas Tax Fund and the Québec Government’s contribution. This component would benefit low-income families by allowing them to bring their septic systems up to standard. From August 17 to 20 and on September 20, 2010, 22 groups and experts came before the Committee to present their viewpoints. It should also be mentioned that 85 persons filled out the online questionnaire.

Last November 30, the Committee on Agriculture, Fisheries, Energy, and Natural Resources, tabled a report containing three recommendations, after having held public hearings on November 17, 2010 with regard to a petition on the treatment of animals. It should be noted that the Member for Jacques-Cartier, **Geoffrey Kelley**, was heard by the Committee in his capacity as chairman of the working group on the welfare of companion animals. The recommendations contained in this report focus on three problem areas identified by the Committee members, namely abandonment, overpopulation and puppy mills.

Last December 8, the Committee on Culture and Education tabled in the National Assembly a report on sex education courses. This mandate, arising from petitions received, contains two unanimous recommendations focussing on

the creation of an obligatory sex education programme and the establishment of adequate obligatory instruction for persons who will provide sex education courses. Within the framework of this mandate, on November 29, 2010, the Committee heard representatives of the Centre d’aide et de lutte contre les agressions à caractère sexuel de l’Estrie, a commissioner and a student from the Commission scolaire de Montréal, a medical specialist from the Direction de la santé publique of the Agence de la santé et des services sociaux de la Capitale-Nationale as well as representatives of the Ministère de l’Éducation, du Loisir et du Sport.

Twenty-fifth Report on the Accountability of Deputy Ministers

On December 9, the Committee on Public Administration tabled in the National Assembly a report on the accountability of deputy ministers and chief executive officers of public bodies. This report includes six recommendations pertaining to the watch over projects to modernize Montréal’s university medical centres. In total, this report contains seventeen unanimous recommendations made by the Committee members. These recommendations focus on three mandates that were carried out in recent months. Other matters included in the report are the support of judicial activities in courthouses and the selection of qualified immigrant workers.

Select Committee on Dying with Dignity

The Select Committee on Dying with Dignity continued its public hearings on October

26, November 2 and 11 in Québec City, on November 19 in Rimouski and on November 25 and 26 in Sherbrooke. As of December 23, 2010, the Committee had held nineteen sittings in six different cities. Other public hearings will be held in Saint-Jérôme, Gatineau, Montréal and Québec City in January and February 2011.

Valérie Roy

Secretariat of Committees
Translation:

Sylvia Ford

Secretariat of the Assembly



Alberta

The Fall Sitting of the Third Session of the Twenty-Seventh Legislature, which commenced on October 25, 2010, and adjourned on December 2, lasted 19 sitting days and 132 sitting hours. During the sitting, the Assembly passed 13 Government Bills. A total of one Government Bill and five Private Members’ Public Bills, along with other Private Members’ business items, remained on the Order Paper upon the adjournment of the sitting.

Bill 17, Alberta Health Act, and other Health-Care Issues

Health-care concerns in large part marked the Fall Sitting of the Assembly, with the introduction of Bill 17, *Alberta Health Act*, the suspension from the Progressive Conservative caucus of the Parliamentary Assistant to the Minister of Health and Wellness, and an emergency debate on emergency room

wait times in Alberta hospitals. The health-care issue came to a head in mid-November when the Parliamentary Assistant to the Minister of Health, Dr. **Raj Sherman**, openly criticized the Government's failure to decrease emergency room wait times. Furthermore, on November 18, a request for leave for an emergency debate on the state of emergency room services was granted and debate on this issue continued for the remainder of the sitting day.

Subsequently, Dr. Sherman was suspended from the Progressive Conservative caucus and relieved of his duties as Parliamentary Assistant. During the afternoon sitting on November 24, Dr. Sherman, sitting as an Independent Member of the Assembly, moved an amendment to Bill 17 to provide, among other things, that the lengths of stay in emergency departments accord with standards set by the Canadian Association of Emergency Room Physicians. The amendment was debated for the remainder of the afternoon sitting and during the evening sitting, which adjourned at 4:30 p.m. the following day. After further debate, the amendment was defeated and Bill 17 was passed and granted Royal Assent.

Bill 17, *Alberta Health Act* requires that the Minister of Health and Wellness create a Health Charter. The Health Charter sets out expectations and responsibilities within the health-care system, creates a Health Advocate to address citizen concerns with the health-care system, and establishes a process by which the public may provide input into the development of regulations made under the Act.

Other Notable Bills

The Government Bills that received Royal Assent at the conclusion of the Fall Sitting included Bill 16, *Traffic Safety (Distracted Driving) Amendment Act, 2010*. This legislation prohibits vehicle drivers from using a cellphone, except when using a cellphone in hands-free mode or when a cellphone is used by drivers of emergency vehicles, along with other select drivers, in the performance of their duties; texting or emailing; or using electronic devices, such as video games or computers. The legislation also provides, with exceptions, that drivers may not operate a vehicle if the display screen of a television, computer or other device in the vehicle is activated and visible to them. Nor may drivers use a global positioning system navigation device for navigation purposes while operating a vehicle. Other distracting driving activities that are prohibited include reading or viewing printed materials, writing, printing or sketching, engaging in personal grooming or hygiene along with other activities as specified in the regulations.

Bill 24, *Carbon Capture and Storage Statutes Amendment Act, 2010* clarifies ownership of pore space in rock formations and long-term liability for carbon sequestration projects and creates a stewardship fund which covers the ongoing monitoring of remedial work that takes place upon the conclusion of projects.

Bill 28, *Electoral Divisions Act* revises Alberta's electoral boundaries reflecting the recommendations put forth by the Electoral Boundaries Commission and amendments made by the Legislative Assembly. The *Electoral*

Boundaries Commission Act was amended in 2009 such that an Electoral Boundaries Commission would be established and tasked with increasing the number of electoral districts in Alberta by four, from the current 83 to 87. In 2009-2010, the Electoral Boundaries Commission conducted public hearings throughout the province to receive input on changes to Alberta's electoral district boundaries. The Commission recommended a number of alterations including that Calgary receive two additional electoral districts and that Edmonton and the Fort McMurray region each receive one more electoral division. The Commission's final report was presented to the Speaker of the Assembly in June. The Assembly debated and approved the recommendations contained in the Commission's report in October and changed the names of four electoral districts. Bill 28 reflects the Assembly's amendments to the Commission's report.

Bill 208, *Recall Act*, which is a Private Member's Public Bill, sponsored by **Paul Hinman**, was being considered at Second Reading when the Fall Sitting adjourned. Bill 208, *Recall Act*, as its name suggests, proposes to allow for the recall of Members should specific conditions, such as the issuance of a recall petition, which itself requires, among other things, signature of at least 33 per cent of the total number of eligible voters within an electoral district, be met.

Committee Activity

Speaker **Ken Kowalski** announced in late November 2010 the resignation of **G.B. "Gord" Button**, the Ombudsman of Alberta. On December 1, the Assembly appointed a search

committee, consisting of nine Members, called the Select Special Ombudsman Search Committee, which is responsible for inviting applications for this position and ultimately recommending to the Assembly whom it considers the most suitable applicant.

The Assembly deemed the Standing Committee on Health to be the special committee to review the *Freedom of Information and Protection of Privacy Act*. The Committee met a number of times over the summer and fall of 2010 in its effort to undertake a comprehensive statutory review of the Act. The Committee received and reviewed written submissions on the legislation and heard from stakeholders and other presenters during public meetings, held in Edmonton in early September. The Committee's final report, presented to the Assembly on November 15, 2010, was 23 pages in length and contained 24 recommendations. Two minority reports were appended to the report.

Caucus Changes

On January 24, 2011, **Dave Taylor**, an Independent Member of the Legislative Assembly for Calgary-Currie, requested to sit in the Assembly as a representative of the Alberta Party during the upcoming Spring Sitting.

On January 25, 2011, Premier **Ed Stelmach**, who has been Premier since December 2006, announced his intention to resign his position after the end of the Spring Sitting of the Assembly.

On January 27, 2011, Dr. **Ted Morton** resigned his position as Minister of Finance and Enterprise in anticipation of his participation in a contest for the leadership of the Progressive Conservative Party.

On February 1, 2011, Dr.

David Swann announced his resignation as Leader of the Official Opposition to take effect following the adjournment of the Spring Sitting of the Assembly.

Visit of Governor General

On November 28, 29 and 30, **David Johnston**, Governor General of Canada made an official visit to Alberta. As a highlight of his visit, Governor General Johnston addressed the Legislative Assembly. In his address, Mr Johnston emphasized the importance of the family, education, innovation, entrepreneurship and philanthropy to the advancement of Canadian society. The Governor General began the official visit by attending the 98th Grey Cup Championship, which was held in Edmonton on November 28, and ended the visit in Calgary, on November 30.

Remembrance Day Ceremony

On November 4, Speaker Kowalski hosted a Remembrance Day service in the Rotunda of the Legislature Building. Deputy Premier **Doug Horner**, Dr. Swann, **Brian Mason** of the New Democrats and Mr. Hinman of the Wildrose Alliance Party participated in the service.

Philip Massolin, Ph.D.
Committee Research Coordinator



House of Commons

December 16, 2010, was the last sitting day of the fall session of the House of Commons. The House returned on January 31,

2011, amid speculation about the possibility of a spring election and the content of the upcoming budget.

Financial Procedures – Opposition Days

On December 2, 2010, a motion was adopted by unanimous consent amending Standing Order 81(10)(a) to provide certain directives for the allocation of the 22 sitting days for the consideration of the business of supply in 2011 during the present Parliament. This continues a practice that began with the adoption of a motion to the same effect on June 19, 2009.

On December 9, 2010, the Supplementary Estimates (B) for the fiscal year ending March 31, 2011 were concurred in by a vote of 200 to 68. Bill C-58, *An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2011*, was then also agreed to at all stages.

Legislation

During recent debates on several pieces of government legislation, opposition Members expressed their objections about the nature of the short titles used for the bills, and the short titles of several of them were deleted during committee. Bill C-22, *An Act respecting the mandatory reporting of Internet child pornography by persons who provide an Internet service*, the short title of which had been *Protecting Children from Online Sexual Exploitation Act*, was reported back from the Standing Committee on Justice and Human Rights with amendment on October 25, 2010, as the Committee voted to delete the short title of the Bill. On November 15, 2010, at report stage in the House, **Bob Dechert**

(Parliamentary Secretary to the Minister of Justice) moved that the short title be restored to its original form but the motion was negatived 138 to 126. Similarly, on December 14, 2010, the House negatived a motion at report stage to restore the short title, *Serious Time for the Most Serious Crime Act*, of Bill S-6, *An Act to Amend the Criminal Code and another Act*, which had been deleted in committee. The short title *Cracking Down on Crooked Consultants Act* of Bill C-35, *An Act to amend the Immigration and Refugee Protection Act*, was also deleted in committee and the Bill was concurred in at report stage on December 6, 2010, pursuant to a special order.

On December 1, 2010, during Routine Proceedings, **Mark Holland** (Ajax-Pickering) moved that the First Report of the Standing Committee on Public Safety and National Security, which dealt with prison farm closures, be concurred in. During the debate, **Tom Lukiwski** (Parliamentary Secretary to the Leader of the Government in the House of Commons) moved that the debate be now adjourned. The question was put immediately on the motion and it was negatived 135 to 132. The debate then continued.

Questions of Privilege and Points of Order

On November 29, 2010, the Speaker (**Peter Milliken**) ruled on the question of privilege that had been raised on November 23, 2010 by **Thomas Mulcair** (Outremont) concerning the November 18, 2010 premature disclosure – by an employee of **Kelly Block** (Saskatoon – Rosetown – Biggar) – of the Standing Committee on Finance’s confidential draft report on its pre-budget consultations. The

Committee reported the potential breach of privilege in its Seventh Report, tabled in the House on November 23, 2010. The Speaker concluded that the members of the Standing Committee on Finance, individually and collectively, appeared to have been impeded in their work and, accordingly, found that a *prima facie* breach of privilege had occurred. Following debate, the House agreed to refer the matter to the Standing Committee on Procedure and House Affairs. The Speaker, the Clerk of the House, **Audrey O’Brien**, the Law Clerk and Parliamentary Counsel of the House, **Rob Walsh**, and the Chief Information Officer, **Louis Bard**, all appeared before the Committee on December 9, 2010 on the issue. On December 14, 2010, the Standing Committee on Procedure and House Affairs held televised meetings and heard from the former employee of Ms. Block who had allegedly leaked the confidential draft report as well as the five lobbyists to whom the report allegedly had been sent. On December 16, 2010, Ms. Block testified as a witness on the same question.

On December 15, 2010, the Speaker ruled on the point of order raised on December 8, 2010, by Mr. Lukiwski concerning the length of *Order Paper* Question No. 614, standing in the name of **Pablo Rodriguez** (Honoré-Mercier). The Speaker noted that when written questions are submitted to the Journals Branch for inclusion in the *Notice Paper*, they are examined with a view to ensuring that all of their parts are interrelated, that they are not too broad and that they meet various other criteria for written questions. The Speaker reviewed Question No. 614 and found that its sub-questions were indeed

interrelated. As the Speaker determined that the scope of the question was sufficiently narrow to satisfy established procedural requirements, the question was allowed to stand in its present form on the *Order Paper*.

Private Members’ Business

On November 24, 2010, the House adopted, by a vote of 141 to 132, an amendment to the third reading stage of Bill C-304, *An Act to ensure secure, adequate, accessible and affordable housing for Canadians*, standing in the name of **Libby Davies** (Vancouver East). The amendment referred the Bill back to the Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities for the purpose of reconsidering some clauses of the Bill.

On December 1, 2010, during the report stage debate on Bill C-474, *An Act respecting the Seeds Regulations (analysis of potential harm)*, **Megan Leslie** (Halifax) moved that when the Bill is called next, the time provided for the consideration of any remaining stage of the Bill be extended, pursuant to Standing Order 98(3), by a period not exceeding five hours. The question was put and, more than 20 Members having risen in support of the motion, it was adopted. This marked the first time Standing Order 98(3) was used in the House.

Committee Business

As part of its study on the management of the Department of Public Works and Government Services in the awarding of contracts for the renovation of parliamentary buildings, the Standing Committee on Government Operations and Estimates tabled its Sixth Report

on November 24, 2010, in which it recommended a moratorium on all tendering of contracts associated with the parliamentary buildings until the Committee had concluded its study.

On November 5, 2010, Bill C-32, *An Act to Amend the Copyright Act*, was read a second time and referred to a legislative committee. **Gord Brown** (Leeds—Grenville) was appointed Chair of the legislative committee from the Panel of Chairs by the Speaker on November 19, 2010.

A legislative committee was also created for Bill C-49, *An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act*, though the debate has yet to conclude at second reading. On November 5, 2010, the Speaker appointed **Andrew Scheer** (Deputy Speaker and Chair of Committees of the Whole), from the Panel of Chairs, as Chair of the legislative committee.

On December 2, 2010, in light of the leak of the confidential draft report on the pre-budget consultations of the Standing Committee on Finance, the House agreed to a motion providing the Committee with a one week extension for the tabling of its report. On December 14, 2010, the Standing Committee on Finance announced that it would not report on its pre-budget consultations.

Membership Changes

On November 4, 2010, **Jim Prentice** (Calgary Centre-North) announced his immediate resignation from Cabinet and his resignation as Member of Parliament on November 14, 2010.

Three by-elections were held on November 29, 2010. Conservative candidate

Robert Sopuck won in the electoral district of Dauphin—Swan River—Marquette (Manitoba), Conservative candidate **Julian Fantino** was victorious in Vaughan (Ontario) and Liberal candidate **Kevin Lamoureux** won in Winnipeg North (Manitoba). Mr. Lamoureux took his seat in the House on December 9, 2010, while Mr. Sopuck and Mr. Fantino took their seats on December 15, 2010.

Other Business

On November 2, 2010, the House resolved itself into a Committee of the Whole for a take-note debate on the courageous contribution and service to Canada by Canada's veterans.

On November 3, 2010, **Jean-Pierre Blackburn** (Minister of Veterans Affairs and Minister of State (Agriculture)) made a statement in the House about Veterans' Week in Canada which was followed by two minutes of silence.

During Routine Proceedings on November 24, 2010, **Christiane Gagnon** (Québec) asked the Speaker to call Notice of Motion for the Production of Papers No. P-32, "That the House issue an order to produce a copy of the aqueduct system analysis reports for Canadian Forces Base Valcartier, Quebec, from 1970 on." The House voted on the motion, which was agreed to 140 to 129.

On December 13, 2010, **Denis Coderre** (Bourassa) submitted a request for an emergency debate on the situation in Haiti. The Speaker accepted the request and the debate took place later on the same day.

On December 14, 2010, the House sat in Committee of the

Whole for a take note debate on the current negotiations to conclude a comprehensive economic and trade agreement with the European Union by the end of 2011.

On December 14, 2010, 147 written Questions were submitted to the Journals Branch by Members of Parliament for inclusion on the *Order Paper*. This constituted a record number for a single day.

On January 29, 2011, Speaker Milliken celebrated 10 years as Speaker of the House of Commons. He was first elected Speaker in 2001, was acclaimed as Speaker in 2004 and re-elected to the Chair in 2006 and 2008.

Suzie Cadieux
Procedural Clerk
Table Research Branch



New Brunswick

On November 9, 2010, Governor General **David Johnston** made his first Official Visit to the province. Greeted upon arrival by Lieutenant-Governor **Graydon Nicholas**, the official party proceeded to the Legislative Assembly where they were met by Premier **David Alward**. The Governor General received military honours, a 21 Gun Salute and inspected the Guard of Honour. Their Excellencies were introduced to the Speaker of the Legislative Assembly, **Dale Graham**, as well as the Clerk of the House and the Sergeant-at-Arms. The Governor General then proceeded to the historic

Legislative Assembly Chamber where he met with Members of the Legislative Assembly and Cabinet.

Also on November 9, former Premier **Shawn Graham** announced his decision to step down as Liberal Leader and Leader of the Official Opposition. First elected in a 1998 by-election and re-elected in 1991, 2003, 2006 and 2010, Mr. Graham was elected Leader of the Liberal Party of New Brunswick in May 2002. Following his re-election on September 18, 2006, when his party captured 29 of the 55 seats in the Legislative Assembly, he was sworn in October 2, 2006 as the province's 31st Premier. Mr. Graham continues to represent the riding of Kent in the Legislature.

The Official Opposition caucus subsequently elected **Victor Boudreau** to serve as Leader of the Opposition until the election of a new leader. Mr. Boudreau, who was first elected in a 2004 by-election, and re-elected in 2006 and 2010, held several ministerial portfolios while in government including Minister of Finance and Minister of Business New Brunswick.

During the 17-day fall sitting, the House passed 11 pieces of legislation, considered capital estimates for 2011-2012, debated several motions, and struck a select committee.

Throne Speech

On Tuesday, November 23, Lieutenant Governor Nicholas delivered the first Throne Speech of Premier Alward's government, formally opening the First Session.

The Throne Speech outlined significant fiscal challenges facing the Province: the effects of the recent recession are still being experienced, unemployment has risen and many communities

have been affected by job losses. The provincial debt, which stands at more than \$8 billion, is projected to reach over \$10 billion in 2012. It was noted that the government has come forward with a comprehensive plan to address the challenges through changing the culture of government, responsible fiscal management, citizen engagement and focussed leadership. The Throne Speech detailed the actions the government will take to create jobs; promote economic growth; reduce the deficit; and improve the quality of education and healthcare. Highlights include:

- A new economic development vehicle called Invest NB will be established.
 - A four-year, \$200-million northern New Brunswick job creation fund will be established as well as a four-year, \$50-million Miramichi regional job creation fund.
 - Small businesses will be strengthened through lowering the small business tax rate, greater access to capital and easing of regulatory and administrative burdens.
 - A multi-year silviculture plan for both Crown lands and private woodlots will be introduced with the goal of improving forest productivity as well as wages for workers.
 - With respect to early childhood education, work will be done to establish more spaces for toddlers and infants; to create more early childhood training programs; to increase compensation for staff; and to make the system more inclusive in rural and urban areas and for children with disabilities and other special needs.
 - A community service requirement for high school students will be introduced and a new action plan to promote adult literacy will be implemented.
- Legislation will be introduced to begin reducing the corporate income tax rate for small business by 50 per cent to an eventual rate of 2.5 per cent.
 - Growth in property assessments for homeowners will be capped at three per cent for two years and a fair and effective property tax system will be established for the long term. Property tax relief for homeowners 65 and older will be initiated.
 - NB Power will establish a mechanism to put in place a three-year freeze of electricity rates. An Energy Commission has been established which will work on the development of a progressive, long-term provincial energy policy.
 - A new local governance and service delivery system will be forged in full partnership with residents and stakeholders.
 - Legislation will be introduced to create a lobbyist registry; to establish a provincial Referendum Act; and to enable more free votes in the Legislative Assembly.

In the Reply to the Speech from the Throne, Leader of the Opposition Mr. Boudreau stated that the Liberals would not be an obstructionist opposition and that good policies that would be of benefit to the province would be supported. He noted that such policies should not include undoing all the good that had been done over the past four years.

He suggested that efforts to reduce poverty must be continued and that new policies and laws need to be implemented to help the less fortunate. The Opposition Leader urged the government to follow through on all of the recommendations of the Poverty Reduction Initiative.

The Opposition Leader stated that economic growth must be at the top of the list for the

new government and that New Brunswick must be an attractive place to do business. He noted that the government must set goals and targets to measure success and that without them promises of job creation are nothing but empty political rhetoric.

Mr. Boudreau noted that the Speech offered many promises to spend money on new programs but was vague on what the government would actually be doing to address the fiscal problems. The Opposition Leader stated that the government has a responsibility to inform New Brunswickers as to the options being considered and whether they would include higher taxes or fewer services.

The Opposition Leader stated that the government must set priorities which should include better health care for New Brunswickers, better treatment for seniors, better education for young people and a growing economy to create jobs. He suggested that services should be improved for these citizens and not cut. He stated that it is critical that the government take a balanced approach to governing and not just promise to increase spending.

On Opening Day, **Claude Landry** and **Carl Urquhart** were elected Deputy Speakers.

Legislation

The government introduced thirteen Bills during the fall sitting. Noteworthy among them:

- Bill 4, *An Act to Amend the Motor Vehicle Act*, introduced by the Minister of Public Safety, **Robert Trevors** prohibits the handling or programming of handheld cellular telephones, texting devices, entertainment devices, or GPS systems while driving.

- Bill 5, *An Act to Amend the Assessment Act*, introduced by the Minister of Local Government, **Bruce Fitch** places a 3% cap on the growth of property assessments for residential, owner occupied properties for two years.
- Bill 6, *An Act to Amend the Assessment Act*, introduced by the Minister of Local Government, initiates property tax relief for home owners aged 65 and over as part of an overall strategy to help seniors stay in their homes longer.
- Bill 11, *An Act Respecting the Saint John Harbour Bridge Authority*, introduced by the Minister of Transportation, **Claude Williams** will allow the Authority to transfer the ownership of the bridge to the province of New Brunswick.

Capital Budget

On December 14 the Minister of Finance, **Blaine Higgs**, introduced the 2011-2012 Capital Budget, which totals \$592.9 million. In an attempt to scale back capital spending and return to fiscal balance, the capital budget relates almost entirely to projects already underway and for the maintenance of existing infrastructure. Only seven per cent of the budget is for new projects. Highlights of the capital budget include \$98.3 million for the K-12 education system; \$19.4 million for the community college network and \$7.5 million for universities; \$56.9 million for health-care infrastructure; \$313.2 million for transportation infrastructure such as roads, bridges and ferries; and \$53.6 million for ongoing projects in the justice and corrections system.

Committees

In addition to passing a motion appointing the various standing committees, the House appointed

a select committee to examine the ongoing refurbishment of the Point Lepreau Nuclear Power Plant. The Select Committee on Point Lepreau, chaired by **Kirk MacDonald** will meet regularly to review the progress of the refurbishment, consider issues, and report back to the House, so that the taxpayers of New Brunswick will be fully aware of the current state of the project.

Since the adjournment of the House, Committees have maintained an active schedule. The Standing Committee on Public Accounts, chaired by **Rick Doucet** has reviewed the annual reports and public accounts of various government departments. The Standing Committee on Crown Corporations, chaired by **Jack Carr** is scheduled to meet in February and March.

House Standings

The Legislature will resume sitting on March 22, 2011, at which time the Minister of Finance will bring down his government's first budget. The current standings in the House are 42 Progressive Conservatives and 13 Liberals.

Kenda Clark-Gorey
Legislative Librarian



Northwest Territories

The fifth session of the 16th Legislative Assembly of the Northwest Territories, which began in March 2010, reconvened on October 14, 2010 and took an extended adjournment on November 4, 2010 until February 2, 2011. The main topic of

discussion for members was the capital estimates for the 2011-2012 fiscal year. The fall capital planning process allows for greater efficiencies and maximizes the short spring and summer construction season in the far north.

A number of bills were referred to standing committees, including:

- Bill 14: *An Act to Amend the Conflict of Interest Act*, which provides that territorial and federal government employees who sit on boards and municipal councils are not automatically in a conflict of interest when a contract or other matter affecting their employer comes before their board or council;
- Bill 15: *An Act to Amend the Fire Prevention Act*, which says that the Fire Marshal can carry out a fire prevention order when the owner of a structure cannot be identified; and
- Bill 16: *An Act to Amend the Dog Act*. This bill clarifies that a dog is in distress if it does not have adequate food, water, shelter, necessary veterinary care or if it is subject to obvious abuse or neglect; allows bylaw and RCMP officers to enter a premises or vehicle and take custody of dogs in distress; makes exceptions for locally accepted or traditional practices; and increases the penalties for offences under the act to a maximum of a \$5,000 fine and three months in jail for a single offence, and up to a \$10,000 fine and six months in jail for repeat offences.

Other bills before standing committees are:

- Bill 17: *An Act to Amend the Income Tax Act*, which facilitates a child tax benefit that is also applicable for shared custody arrangements, and adjusts the dividend tax credit and deductions for corporations with foreign investment income;

- Bill 18: *An Act to Repeal the Settlements Act*, which revokes the *Settlements Act* and makes consequential changes to other acts;
- Bill 19: *Municipal Statutes Amendment Act*, which amends the *Charter Communities Act*, the *Cities, Towns and Villages Act* and the *Hamlets Act* to clarify the process involved in making bylaw petitions and to establish guidelines for making municipal grants; and
- Bill 20: *An Act to Amend the Evidence Act*, which would protect evidence on quality assurance committees from being used in court proceedings, and consequently from access to information requests.

Committee Activities

Standing committees met for a week in December and a week in January. The December meetings were a chance for committees to catch up on in camera business and on departmental briefings. The January meetings were the committees' first look at the draft main estimates, which the members will consider in detail in the February-March sitting on the floor of the House.

The Standing Committee on Economic Development and Infrastructure, chaired by **David Ramsay**, MLA Kam Lake, held public hearings on Bill 16: *An Act to Amend the Dog Act* in January, with one more to come in February. The committee held two public hearings in Yellowknife, and one each in Hay River and Inuvik. Public interest in this bill was very high, and the committee heard from dozens of people at the meetings, and received dozens of letters from across the territory and all over the country. The committee chair was interviewed in local media, and also on the national CBC radio show "As It Happens."

The most interest was generated by the clause that would allow people to put dogs in distress "if the distress results from an activity carried on in accordance with the regulations or in accordance with generally accepted local or traditional practices of dog care, use and management." Many people felt that this clause provided a "deadly loophole" through which people could claim that various forms of animal cruelty were legitimate locally accepted or traditional practices. Other people felt that removing this clause would subject dog mushers, people who use dogs for hunting and trapping, and people who keep dogs at their fish camps, for example, to judgements about appropriate treatment that don't realistically apply to working dogs. They worried that removing this clause would result in many unwarranted charges against people who actually treat their dogs well. The committee will be holding one more hearing in Fort Smith on February 10, 2011, and will present its findings in the House during the February-March sitting.

Jennifer Knowlan
Principal Clerk, Standing and
Special Committees



Nunavut

The Legislative Assembly's fall 2010 sitting began on October 19, 2010. On that date, the Members of the Legislative Assembly announced that the Mid-Term Leadership Review of

the Executive Council would take place on November 3, 2010.

On October 25, 2010, the Legislative Assembly approved a motion to establish an Electoral Boundaries Commission. The Legislative Assembly unanimously recommended the appointments of Justice **J. Edward (Ted) Richard, Kirt Ejesiak** and **Gordon Main** to serve on the Electoral Boundaries Commission. Justice Richard serves as the Commission's Presiding Officer. The Commission's public hearings began in January 2011.

Under the *Nunavut Elections Act*, the Electoral Boundaries Commission must submit its final report and recommendations to the Legislative Assembly within 250 days of its establishment. The *Nunavut Elections Act* provides that any changes to Nunavut's electoral boundaries and the number of constituencies in the Legislative Assembly will not come into effect until the general election for the 4th Legislative Assembly.

Minister of Finance and Cambridge Bay MLA **Keith Peterson** delivered his fall fiscal update on October 19, 2010. The proceedings of the Committee of the Whole during the fall 2010 sitting of the House were dominated by the scrutiny of the Government of Nunavut's proposed 2011-2012 capital estimates, in addition to the consideration of a number of reports related to the Nunavut Housing Corporation's expenditures and activities.

The November 3, 2010, Mid-Term Leadership Review of the Executive Council was conducted under the auspices of the Nunavut Leadership Forum. The Forum is an informal

body consisting of all nineteen Members of the Legislative Assembly. By convention, its decisions concerning such matters as the selection of the Speaker, Premier and Cabinet Ministers are ratified by way of formal motions in the House. The proceedings of the Forum take place in the Chamber of the Legislative Assembly and are open to the public to observe.

Similar mid-term reviews of the Executive Council were held during the 1st Legislative Assembly (1999-2004) and 2nd Legislative Assembly (2004-2008). The 2010 review followed a similar process wherein the Premier and her Ministers delivered statements and responded to questions from the Regular Members of the Legislative Assembly. The 2010 process culminated in all Members present being entitled to cast secret ballots expressing confidence or non-confidence in each member of the Executive Council. This constituted the first time that a mid-term leadership review involved a formal vote. Premier and Iqaluit East MLA **Eva Aariak** and all members of the Executive Council retained the support of a majority of the Members of the Legislative Assembly.

On November 4, 2010, the Nunavut Leadership Forum reconvened to undertake the selection of a new member of the Executive Council. The selection process was necessitated by the resignation of Amittuq MLA **Louis Tapardjuk** from Cabinet, which had been announced on October 28, 2010. Three Members stood for election, including Uqqummiut MLA **James Arreak**, who resigned the Speakership in order to stand for election. Mr. Arreak was selected to serve on the Executive Council. He currently serves as

Minister of Culture, Language, Elders and Youth.

Iqaluit West MLA **Paul Okalik** and Nattilik MLA **Jeannie Ugyuk** stood for election as Speaker. Mr. Okalik was selected as Speaker and took the Chair later that afternoon for the Assembly's final sitting of the year. Speaker Okalik's first day as Speaker also required his appearing before the Committee of the Whole on the occasion of its consideration of proposed amendments to the *Nunavut Elections Act*, a statute that falls under the jurisdiction of the Legislative Assembly itself.

The House adjourned for the Christmas recess at the conclusion of its sitting of November 4, 2010. The 2nd Session of the 3rd Legislative Assembly will reconvene on February 22, 2011. It is anticipated that the proceedings of the winter sitting will be dominated by the scrutiny of the Government of Nunavut's proposed 2011-2012 main estimates and departmental business plans.

Legislation

A dozen bills were passed by the Legislative Assembly during its fall 2010 sitting:

- Bill 35, *Licensed Practical Nurses Act*
- Bill 37, *Tobacco Damages and Health Care Costs Recovery Act*
- Bill 38, *Appropriation (Capital) Act, 2011-2012*
- Bill 39, *Supplementary Appropriation (Operations and Maintenance) Act, No. 3, 2009-2010*
- Bill 40, *Supplementary Appropriation (Operations and Maintenance) Act, No. 3, 2010-2011*
- Bill 41, *Supplementary Appropriation (Capital) Act, No. 3, 2010-2011*
- Bill 42, *Forgiveness of Debts Act, 2010, No. 2*

- Bill 43, *Write-off of Assets Act, 2010-2011*
- Bill 44, *An Act to Amend the Income Tax Act*
- Bill 45, *An Act to Amend the Labour Standards Act (Minimum Wage)*
- Bill 46, *An Act to Amend the Senior Citizens and Disabled Persons Property Tax Relief Act*; and
- Bill 51, *An Act to Amend the Nunavut Elections Act*

Committee Activities

On October 27, 2010, Committee Chairperson **Ron Elliott** presented the *Report of the Standing Committee on Rules, Procedures and Privileges on Recommendations for Amendments to the Rules of the Legislative Assembly of Nunavut and Other Matters*. The Committee's recommendations for amendments to the *Rules of the Legislative Assembly of Nunavut* were adopted by the House and will come into effect on the first day of the winter 2011 sitting.

The Committee's report also addressed the use of portable hand-held electronic devices, laptop computers and other technologies in the Legislative Assembly Chamber and Committee Rooms. The report recommended that the Speaker issue interim guidelines on the use of such technologies. The Standing Committee is anticipated to report back to the House at its spring 2011 sitting with its final recommendations.

The Standing Committee on Oversight of Government Operations and Public Accounts held hearings from September 27, 2010 to October 1, 2010, on the most recent reports of the Auditor General of Canada, the Languages Commissioner of Nunavut and the Information and Privacy Commissioner of Nunavut.

On October 28, 2010, Mr. Okalik presented the Committee's report to the House on its hearings on the report of the Languages Commissioner. On October 29, 2010, Committee Co-Chairperson **Fred Schell** presented the Committee's report to the House on its hearings on the report of the Information and Privacy Commissioner.

Other Matters

The 28th Canadian Presiding Officers' Conference took place at the Legislative Assembly of Nunavut from January 20-23, 2011. Speaker Okalik was the host for the conference.

The 3rd Speaker's Youth Parliament was held during the week of November 22-26, 2010. Commissioner of Nunavut **Edna Ekhivalak Elias** opened the formal sitting of the Youth Parliament, which was televised live across the territory.

On January 11, 2011, Speaker Okalik announced the opening of nominations for the Order of Nunavut. The Order of Nunavut Advisory Council considers nominations to the Order and makes recommendations to the Commissioner of Nunavut, who serves as the Chancellor of the Order. The members of the Advisory Council are the Speaker of the Legislative Assembly of Nunavut, the Senior Judge of the Nunavut Court of Justice and the President of Nunavut Tunngavik Incorporated. Nominations must be received by April 29, 2011. The first investiture ceremony will take place in 2011 on a date to be announced.

Alex Baldwin

Office of the Legislative Assembly
of Nunavut



Prince Edward Island

The Fourth Session of the Sixty-third General Assembly adjourned to the call of the Speaker on December 9, 2010, after 16 sitting days. A total of 33 bills received Royal Assent at the conclusion of the sitting.

Among them: The *Electric Power (Electricity-Rate Reduction) Amendment Act* (Bill No. 25) makes a number of amendments to recognize and facilitate the implementation of the Prince Edward Island Energy Accord, a major component of which is the guarantee of an average 14 per cent rate reduction for electricity to Island consumers, starting in March 2011 and to remain in place until the spring of 2013.

An Act to Amend the School Act (Bill No. 31) provides the ability for the Minister of Education and Early Childhood Development to appoint an official trustee to conduct the affairs of a school board, and investigate the condition of a school board, including the actions of school trustees. The legislation follows much media and community comment regarding the functioning of one of the province's three school boards.

An Act to Amend the Retail Business Holidays Act (Bill No. 100), a private member's bill, introduced by **Olive Crane**, Leader of the Opposition, allows retailers in the province to open on Sundays year round.

Starting in January of this year, retail businesses are permitted to open at 12 noon on Sundays, although they must still close on designated holidays, regardless of the day of the week on which those holidays fall. Prior to passage of the bill, many retailers were limited to remaining open on Sundays between Victoria Day weekend and late December. Passage of the bill marks the end of a long debate in the province about the merits of Sunday shopping, which had proponents arguing that consumers demand this service, while others favoured Sunday as a day of rest or worship.

Casting Votes of the Speaker

On November 25, 2010, Bill No. 100, was reported as agreed to without amendment from the Committee of the Whole, and a recorded division was sought on the motion for adoption of the committee report. There was an equality of votes, which required Speaker **Kathleen Casey** to make her first casting vote since taking office in July 2007. She voted in favour of the motion, and advised the House that she did so in order to preserve the possibility that the matter might somehow be brought back in the future and be decided by the majority of the House.

Speaker Casey had occasion again to cast the deciding vote on November 30, 2010, as there was a tie vote on the motion for third reading of the same bill. She voted in favour of the motion. Her reasons were noted in the Journal of December 1, 2010, and were as follows:

Rule 43 of the Rules of the Legislative Assembly of Prince Edward Island provides that in such circumstances, when there is an equality of votes upon a division, the Speaker shall cast the deciding vote and any reasons stated by the

Speaker shall be entered in the daily Journal. In voting in favour of the Motion last night, Hon. Members, I did not offer any reasons for why I voted in the manner I did but I wish to do so now. I refer all Hon. Members to *House of Commons, Procedure and Practice*, Second Edition 2009, page 316 which states as follows:

“In theory, the Speaker has the same freedom as any other Member to vote in accordance with his or her conscience; however, the exercise of this responsibility could involve the Speaker in partisan debate, which would adversely affect the confidence of the House in his or her impartiality. Therefore, certain conventions have developed as a guide to Speakers (and Chairs in a Committee of the Whole) in the infrequent exercise of the casting vote. Concisely put, the Speaker normally votes to maintain the status quo.”

In the case of Bill 100, the debate was not a partisan debate. The matter before the House was a private member’s initiative and Honourable Members, without partisan considerations, expressed opinion and voted according to their conscience on the floor of this Chamber. As your Speaker, I did the same...I voted my conscience. As noted, and due to circumstances, it became my responsibility to cast the deciding vote and, because voting either way could not reasonably be interpreted to involve the Speaker in partisan debate (there was none) or undermine your confidence in the Chair, I voted my conscience.

The opportunity to cast the deciding vote comes very rarely to Speakers of the Prince Edward Island Legislative Assembly. Prior to the two occasions in November 2010, a casting vote last occurred in June 1969 when Speaker **Prosper Arsenault** was called upon five times in one sitting day to use his casting vote.

Capital Budget Released

Minister of Finance and Municipal Affairs, **Wes Sheridan**, presented the capital budget in the Legislative Assembly on November 26, 2010. Totalling \$137.7 million, the plan will provide investments of \$65.9 million to the health care system in 2011/2012, and a further \$40.4 million for transportation and infrastructure renewal. The Minister indicated that process of winding down from the capital stimulus program is continuing, with infrastructure spending returning to normal levels.

PEI Energy Accord

In mid-November, Premier **Robert Ghiz** released details of the Prince Edward Island Energy Accord that is aimed at significantly reducing electricity costs for Island consumers. The Accord contains a number of initiatives including a new power purchase agreement between Maritime Electric Company Limited and New Brunswick Power, increased public investment in wind energy, and the establishment of a Commission on the Future of Electricity in Prince Edward Island which aims to ensure that all Islanders have an opportunity to participate in the development of the province’s energy future. Legislative change in the form of the *Electric Power (Electricity-Rate Reduction) Amendment Act* will guarantee a 14 per cent rate reduction effective March 2011, which will stay in place until the spring of 2013.

Pension Benefits Act Sent for Public Consultation

The proposed *Pension Benefits Act* obligates employers with pension plans to register those plans and to make financial

disclosure on a regular basis. It also establishes the circumstances in which employees may access their retirement funds. The bill received first reading on December 2, 2010, and the Minister of Justice and Public Safety, **Doug Currie**, indicated that it was his intention to conduct an extensive consultation with stakeholders prior to the spring 2011 sitting of the Legislative Assembly. To date, more than 35 interested parties have identified themselves participants in this consultation, including employers, pension plan administrators, pension plan consultants, individual plan members and investment advisors.

Anniversaries

On December 2, 2010, **Ron MacKinley**, Minister of Transportation and Infrastructure Renewal, was congratulated for his 25 years as an elected member of the Legislative Assembly. Mr. MacKinley was first elected to represent his riding in a 1985 by-election, and has served continuously ever since.

He is the longest-serving member of the current Legislature. Following the 2000 provincial election, Mr. MacKinley was the lone Liberal member in the House. He became interim leader of the Liberal Party and Leader of the Opposition until the 2003 general election, when he was replaced in both capacities by Mr. Ghiz. In June 2007, Mr. MacKinley assumed office as Minister of Transportation and Public Works. His position was renamed to Minister of Transportation and Infrastructure Renewal during a government reorganization in early 2010.

This year marks the start of a year long celebration to honor and commemorate the 160th anniversary of the achievement of responsible government in Prince Edward.

Beginning in January 2011, a number of events will take place which are designed to recognize the historical significance of the 160th anniversary of responsible government and to encourage its celebration. The year will provide an opportunity for all people in Prince Edward Island to learn more about the past and, more importantly, to better understand today's Legislative Assembly. In conjunction with the community celebrations, a number of projects of a more enduring nature will be completed during the year. The goal of these legacy projects is to further enhance democratic values within the province.

Book Launch

A book on the architectural history of the three Maritime legislative assembly buildings was launched at Province House on November 18, 2010. *Building for Democracy: The History and Architecture of the Legislative Buildings of Nova Scotia, Prince Edward Island and New Brunswick* was written by **James W. Macnutt** of Charlottetown.

Mr. Macnutt has written and lectured on architectural history and is very familiar with the Legislative Assembly of Prince Edward Island having served as its first legislative counsel and as law clerk. The book documents, through pictures and text, the origins and usage of the architectural styles in which the buildings are constructed, and the origins of the form and function of the various parliamentary chambers and spaces in each building as they continue to allow for the functioning of modern

legislatures and the practice of responsible government. *Building for Democracy* explores the many common architectural themes shared by legislative assembly buildings and why they were built in a very specific architectural style. It examines specific questions such as why the Legislative Council and House of Assembly Chambers are located on the second floor, why the "upper chambers" tend to be located where they are and why very carefully chosen locations within the city were selected as the construction sites.

Open House for Public Service

Speaker Casey hosted a well-attended Open House for members of the provincial public service on January 28, 2011. The event included special "insiders" tours of Province House, door prizes and refreshments, and was intended to be a kickoff to a year-long celebration of the 160th anniversary of the achievement of responsible government in the province. It was at the opening of the spring session in 1851 that, after a lengthy struggle, Sir **Alexander Bannerman**, Governor of Prince Edward Island, announced that responsible government would be granted to the colony. To commemorate this significant milestone, the Legislative Assembly is organizing a number of events to take place throughout 2011 to provide those interested with an opportunity to learn more about the historical and presentday importance of this event.

Marian Johnston
Clerk Assistant and
Clerk of Committees



Yukon

On November 30th, Prime Minister **Stephen Harper** announced that **Douglas (Doug) George Phillips** would serve as Yukon's new Commissioner. Mr. Phillips took over from outgoing Commissioner **Geraldine Van Bibber**, whose term came to an end on that date. He was inaugurated as Commissioner of Yukon on December 17th in a ceremony held in Whitehorse.

From 1985-2000, Mr. Phillips served as the MLA representing the constituency of Riverdale North. During the 28th Legislature (1992-1996), he held various Cabinet portfolios, including Tourism, Education, and Justice, in the Yukon Party government of **John Ostashek**. Since 2007, Mr. Phillips had served as Yukon Administrator (the Administrator acts in place of the Commissioner in case of the Commissioner's absence or illness). Mr. Phillips has been a Director of the Yukon Hospital Foundation since 2005.

New Member Elected

A December 13, 2010 by-election, called on November 12th by Premier **Dennis Fentie**, was held in the electoral district of Whitehorse Centre, to fill a vacancy caused by the death of **Todd Hardy**, former NDP Leader on July 28, 2010. On December 20th, **Elizabeth Hanson** was sworn in as the Member

for Whitehorse Centre by Commissioner Phillips, in a ceremony held in the Legislative Chamber. On September 26, 2009, Ms. Hanson, then-President of Yukon's NDP, was acclaimed as the new Leader of the Yukon NDP, during the Party's convention in Whitehorse. In 2007, Ms. Hanson retired as the Regional Director-General, Yukon Region, of Indian and Northern Affairs Canada.

New Administrator of Yukon

On December 22, 2010, **John Duncan**, Minister of Indian Affairs and Northern Development announced the appointment of **Bob Cameron** as Yukon Administrator for a three-year term, effective upon Mr. Cameron taking the Oaths of Office and Allegiance. Before his retirement in 2001, Mr. Cameron enjoyed a 34 year career as a commercial pilot and operations manager for North Turbo Air. Mr. Cameron's father, **Gordon Robertson Cameron**, who had also been an aviator, served as Commissioner of Yukon from 1962-1966.

Spring Sitting

On January 19, 2011, pursuant to Standing Order 73, the Premier advised the Speaker that the public interest required the House to meet on February 3, and the Speaker accordingly provided notice of this to Members. Although Yukon does not have a fixed parliamentary Calendar, the February 3 start date falls approximately 7 weeks earlier than the usual start of the Spring Sitting.

Linda Kolody
Deputy Clerk



Senate

The Senate's 2010 fall session ended on Wednesday, December 15. A traditional royal assent ceremony brought the session to a close in the late afternoon when the Governor General assented to eight government bills and three public bills.

A number of the government bills that received royal assent were part of the government policies mentioned in the Throne Speech. The public bills from the Senate and the House of Commons also drew the attention of parliamentarians and support from the government. Two of the bills that received royal assent amended the *Criminal Code*, while **Senator Tommy Banks' Bill S-210** amended the *Federal Sustainable Development Act* and the *Auditor General Act*. The Senate's work over the last few months lined up with the government's legislative objectives.

Bills

In the last two months of 2010, the Senate studied and passed more than 10 bills at third reading. A number of other bills are still at second reading or have been sent to committee. Over the last few months, a number of unusual events in the Upper Chamber have drawn the attention of the House of Commons and the media.

On November 16, the Speaker of the Senate called

for a vote at second reading on Bill C-311, *An Act to ensure Canada assumes its responsibilities in preventing dangerous climate change*. The bill had been passed by a slim majority in the House of Commons on May 5, 2010. Senator **Grant Mitchell** sponsored the bill in the Senate. The result of the voice vote was contested, so a recorded vote took place. The final tally was 32 senators in favour and 43 against. As a result, the bill was defeated at second reading and was dropped from the *Order Paper*.

Pursuant to rule 59(10) of the *Rules of the Senate*, on November 17 Senator Mitchell raised a question of privilege regarding the events recorded in the *Debates of the Senate* on November 16, 2010, regarding the vote on Bill C-311. After discussion, the Speaker made his ruling, reminding Senators that the *Journals of the Senate* are the only official record of deliberations in the Senate and that the proceedings the day before had been in keeping with the *Rules*. The Speaker quoted citation 479 of *Beauchesne's Parliamentary Rules and Forms*, which states that a Member may not speak against or reflect upon any determination of the House, unless intending to conclude with a motion for rescinding it. As a result, the Speaker ruled that it was not a question of privilege. However, the result of the vote in the Senate was the subject of debate in the Lower House several times, with certain Members protesting the fact that a bill passed by elected representatives could be defeated by the Senate.

On November 25, the Committee on Banking, Trade and Commerce presented its sixth report, on Bill S-216, *An Act to amend the Bankruptcy and*

Insolvency Act and the Companies' Creditors Arrangement Act in order to protect beneficiaries of long term disability benefits plans. The Committee's report recommended that this bill not be proceeded with further in the Senate for the reasons listed in the report. It was a controversial report that was adopted in committee by a vote of 6 yeas to 5 nays.

On November 30, when the Senate considered the report, a point of order was raised regarding the report's admissibility. Several senators put forward that the committee had not done a clause-by-clause study of the bill, as required under rule 96(7.1) of the *Rules of the Senate*. The following day, the Speaker returned with his ruling on the point of order, citing rule 100. He noted that there have been very few instances in which Senate committees have used the process allowed under rule 100, the most recent case being in 1998. According to the available records, committees have always made the decision to report against a bill without starting clause-by-clause study. That is to say, the basic issue of whether a committee considers that a bill should be proceeded with is decided, either explicitly or, most often, implicitly, before clause-by-clause. If the committee decides to make a recommendation under rule 100, it does not ever reach the clause-by-clause stage. The Speaker added that it would be contradictory and inconsistent to require that a committee go through a bill clause-by-clause when it had already decided to report against the bill. Therefore, the report was ruled to be properly before the Senate.

On December 7, the Senate resumed its consideration of

the report. After debate, the matter was put to a voice vote. A recorded vote was requested and deferred to 5:30 p.m. the following day. On December 8, the committee's report was adopted by a slim majority of 47 yeas to 44 nays. As a result, consideration of the bill was suspended indefinitely.

Lastly, Bill C-36, *An Act respecting the safety of consumer products*, was introduced in the Senate on November 2. While it was the subject of animated debate, it quickly passed the second reading and committee stages. Several amendments were proposed at third reading but were negated following the result of two recorded votes. The bill was adopted without amendment by a recorded vote of 50 yeas to 36 nays.

Committee of the Whole

On November 25, the Senate sat as a Committee of the Whole in order to receive **Jennifer Stoddart** respecting her appointment as Privacy Commissioner. Her appointment was approved by the Senate on November 30, 2010.

Tributes

The Senate paid tribute to the memory of two former Senators who died in 2010, **Duff Roblin** and **Norman Atkins**.

Two Senators retired in November and December 2010. The Senate paid tribute to **Peter Stollery** on November 23 and to **Jean Lapointe** on November 30. Following their retirement, Prime Minister **Stephen Harper** announced the appointment of two new Senators on December 20, 2010.

Don Meredith was appointed to fill the vacant Ontario seat. He is the Executive Director and co-founder of the GTA Faith

Alliance, an interfaith group that is dedicated to finding solutions to youth violence. **Larry Smith** was appointed to fill the vacant Quebec seat. He is well-known in Montreal from his days as a fullback with the Montreal Alouettes from 1972 to 1980, and as President and Chief Executive Officer of the same team from 1997 to 2001 and again since 2004.

While the majority of political votes in the fall session were carried by the Conservatives, these last two appointments mean the Conservatives now have an absolute majority in the Senate.

Marie-Eve Belzile
Procedural Clerk



British Columbia

The Legislative Assembly was adjourned throughout the reporting period. Outside the House, leadership races in both the major provincial parties have dominated the political scene and led to changes in party standings. Currently the BC Liberal Party has 47 seats, the BC NDP 34 and Independents now total four.

BC Liberal Party Leadership Race

As reported in the previous issue, **Gordon Campbell** has announced his intention to resign as Premier once the BC Liberal Party has elected a new leader. The party executive set February 26, 2011 as the date for a leadership vote, following a separate convention on leadership voting rules on February 12.

One outspoken critic of the Premier's leadership style, **Bill Bennett**, was removed from cabinet (November 17) and from the BC Liberal Party caucus (November 19). His ministerial Energy portfolio was transferred to the Minister of Natural Resource Operations, **Steve Thomson**.

Four candidates in the Liberal leadership race resigned as cabinet ministers: **Moira Stilwell, George Abbott, Kevin Falcon and Mike de Jong**. Their portfolios were assumed by Executive Council members. Another contender, **Christy Clark**, served in the cabinet during the 37th parliament (2001-05) before becoming a radio talk-show host.

The province-wide leadership vote took place on February 26, 2011 with the results announced at the election-night headquarters in Vancouver. For the first time, party members used on-line or phone voting to cast a preferential ballot where candidates were ranked in order of preference. Ballots were weighted equally in each of the province's 85 electoral districts and translated into 100 points per riding. On the third count, Ms Clark won a majority (52%) of the available points across British Columbia, defeating Mr. Falcon in the run-off. It is anticipated that the premier-designate will appoint a new cabinet by mid-March.

BC NDP Leadership Race

On December 6, 2010, **Carole James** announced that she would be stepping down as Leader of the Official Opposition, in the face of a call from 13 of her caucus colleagues for a leadership race. Earlier in the fall, Ms James' decision to remove **Bob Simpson**, MLA from the NDP caucus had precipitated two resignations

from the caucus executive: **Norm Macdonald**, opposition caucus chair (October 15) and **Katrine Conroy**, opposition whip (November 19). Ms. James was first elected to the Assembly in 2005.

The BC NDP Provincial Council voted on December 18, 2010 to hold a leadership convention on April 17, 2011, using a one-member, one-vote process. Members of the party for at least 90 days prior to the election date can vote via telephone or Internet during the convention, or via advance voting. The Provincial Council also accepted the caucus choice of interim leader, **Dawn Black**, formerly an NDP MP. Five candidates in the BC NDP leadership race have resigned from the caucus executive and/or their critic roles: **Mike Farnworth, Adrian Dix, John Horgan, Nicholas Simons and Harry Lali**.

Recall Petitions

Under the *Recall and Initiative Act*, registered voters in British Columbia can petition for the removal of an MLA 18 months or later following a provincial general election. To date, the Acting Chief Electoral Officer, **Craig James**, has approved three recall applications related to the anti-HST campaign. The recall petition in the Oak Bay-Gordon Head electoral district has failed as the proponent did not collect enough valid signatures to warrant a full verification process. Two other recall campaigns are currently underway in the Kamloops-North Thompson and Comox Valley electoral districts.

Josie Schofield
Manager, Committee Research
Services