



Legislative Reports



Ontario

On September 9, 2013, the House resumed sitting after the summer adjournment and the five new MPPs, elected in the August 1 by-elections, took their seats in the Chamber for the first time. The House made changes to the memberships on Committees, to include all of the new members. However, a new vacancy in the membership of the House was created when **Kim Craiton**, MPP for Niagara Falls, resigned his seat on September 24.

Financial Accountability Office

On the first day of the fall sitting, the government introduced legislation to create a Financial Accountability Office (FAO), as ordered by the House in May, through the passage of a motion to apply a timeline to the consideration of the Budget bill. The bill respecting the FAO was amended by the Standing Committee on the Legislative Assembly which, in its deliberations, had called **Kevin Page** as a witness, the first federal Parliamentary Budget Officer. The bill was passed by the House on September 25 and received Royal Assent on September 26.

New Auditor General and her Special Report

On September 13, 2013, **Bonnie Lysyk** became the 13th Auditor General of Ontario, succeeding **Jim McCarter**, who'd held the post for the nine previous years. Ms. Lysyk is the former Auditor General of Saskatchewan and previously the Deputy Auditor General and Chief Operating Officer for the Office of the Auditor General of Manitoba.

In October, Auditor General Lysyk presented her first report to the Legislature, a Special Report on the Oakville Power Plant Cancellation Costs, which her predecessor had commenced at the request of the Premier. The report concerned a contract to build a gas-generation facility in Oakville that had been awarded by the Ontario Power Authority (OPA) to TransCanada Energy Ltd. (TCE) and executed in October 2009. An April 2013 report by the former auditor general addressed the cancellation and relocation of a gas plant in Mississauga. The Standing Committee on Justice Policy is continuing its examination into matters relating to both gas plant projects.

Programming Motion

On October 3 the House passed a motion that a timetable be applied to the consideration of certain business of the House. The motion determined the progress of eight bills through

the House, and called for the establishment of a Select Committee on Developmental Services.

The motion affected both government bills (five) and private member's public bills (three) whose proposed measures include: a ban on the sale of tanning services to minors; consumer protection with respect to wireless contracts; the promotion of local food products; an amendment to the *Regulated Health Professions Act* respecting an exception for health professionals to treat a spouse; and carbon monoxide safety.

Any of these bills that receive Third Reading shall be presented to the Lieutenant Governor for Royal Assent by December 13.

Committees

On October 3, 2013, as part of a timetable motion, the Select Committee on Developmental Services was struck. The Committee's mandate is to consider and report its observations and recommendations with respect to the urgent need for a comprehensive developmental services strategy to address the needs of children, youth and adults in Ontario with an intellectual disability or who are dually diagnosed with an intellectual disability and a mental illness, and to coordinate the delivery of developmental programs and services across

many provincial ministries. The motion prescribes that the Committee shall present an interim report no later than February 26 and a final report no later than May 15, 2014. The Committee is composed of 4 Government members, three Official Opposition members and two Third Party members. **Laura Albanese** was elected Chair and **Christine Elliott** was appointed Vice-Chair at the Committee's first meeting on October 23, 2013.

The Standing Committee on General Government tabled its Report on the Review of the *Aggregate Resources Act*. The review, which included visits to numerous pits and quarries across Southern Ontario and one on Manitoulin Island in Northern Ontario, began with public hearings in the spring of 2012.

On September 30, the Committee held public hearings on Ontario Regulation 237/13, concerning an industry-wide rate reduction target in the automobile insurance industry. The Committee's authority to review the regulation is a statutory provision contained in the *Automobile Insurance Rate Stabilization Act, 2003*, which was amended in a schedule to the *Prosperous and Fair Ontario Act (Budget Measures), 2013*, to include a 15 per cent reduction target in the average of the authorized rates that may be charged by automobile insurers. Regulations made under this provision stand permanently referred to the Standing Committee on General Government which may examine them with particular reference to whether they are reasonable in the circumstances and with respect to such other matters as the Committee considers appropriate.

The Committee considered and amended Bill 30, *An Act to regulate the selling and marketing of tanning services and ultraviolet light treatments for tanning*, which prohibits the selling of tanning services to persons under 18. The bill had the support of all parties and received Royal Assent on October 10. The Committee further considered Bill 60, the *Wireless Services Agreements Act* which, if passed, would govern wireless agreements in the province.

The Standing Committee on Government Agencies completed two agency reviews—a review of the Liquor Control Board of Ontario and of the Workplace Safety and Insurance Board—and tabled both reports.

The Standing Committee on Public Accounts continued its consideration of the 2012 Special Report of the Office of the Auditor General of Ontario on Ornge Air Ambulance and Related Services. The Committee is still holding hearings as well as continuing report writing on the issue.

The Committee also considered Sections 4.14 Unfunded Liability of the Workplace Safety and Insurance Board of the 2011 Annual Report of the Office of the Auditor General of Ontario as well as Section 3.08 Long-term-care Home Placement Process of the 2012 Annual Report of the Office of the Auditor General of Ontario.

The Standing Committee on Social Policy continued its study relating to the oversight, monitoring and regulation of non-accredited pharmaceutical companies. The Committee continued to hear from witnesses and commenced report writing.

The Committee also considered Bill 36, *An Act to enact the Local Food Act, 2013*. The Committee held public hearings on October 8 and 22 and clause-by-clause consideration on October 29, 2013.

Sylvia Przedziecki
Committee Clerk



New Brunswick

On September 19, 2013, Premier **David Alward** announced a significant reorganization of his cabinet. **Paul Robi-chaud** became Minister of Natural Resources, while **Bruce Northrup** became Minister of Public Safety and Solicitor General.

Bruce Fitch took on a new role as Minister of Economic Development and Minister responsible for Invest New Brunswick. **Danny Soucy** became Minister of Environment and Local Government while **Jody Carr** became Minister of Post-Secondary Education, Training and Labour.

Marie-Claude Blais became Minister of Education and Early Childhood Development and **Troy Lifford** became Minister of Justice. **Hugh Flemming** became Attorney General in addition to his continuing responsibility as Minister of Health. **Robert Trevors** was appointed Minister of Human Resources.

Québec-New Brunswick Parliamentary Association

The New Brunswick Legislative Assembly hosted the fourth meeting of the Québec-New Brunswick Parliamentary Association from September 27 to 29, 2013. This Association was established in 2004 in order to strengthen the close ties that exist between the Québec and New Brunswick Legislatures and to provide a regular forum for meetings between the two Assemblies.

The New Brunswick delegation consisted of Speaker **Dale Graham**, Deputy Speaker **Carl Urquhart** and Members **Martine Coulombe**, **Denis Landry**, **Hédard Albert**, **John Betts** and **Carl Killen**. The Québec delegation consisted of Speaker **Jacques Chagnon** and six additional delegates, including four Members of the National Assembly. Throughout the three-day conference, delegates examined various topics of mutual interest to both jurisdictions, such as the energy challenges both provinces will face over the next 20 years.

Upgrade to the Legislative Grounds

The grounds of the Legislative Assembly were extensively upgraded throughout late summer and early fall. Existing pathways were replaced and landscaping was significantly improved, resulting in an inviting and cohesive outdoor space. These improvements stemmed from recommendations from the Building Master Plan commissioned in 2005.

These exterior upgrades follow extensive restoration work to the 125 year old main legislative building, including:

new copper roofing; restoration of the building's masonry façade; refurbishment of the legislative dome and existing exterior sculptures; repair of various areas of the interior of the building, including the Chamber; dismantling and reconstruction of the granite steps at the main entrance; and fabrication of copper ornamentation and decorative cast railings. To ensure that the restoration work respected the heritage value of the building, the *Standards and Guidelines for the Conservation of Historic Places in Canada* was adopted as the model conservation philosophy. Further improvements are scheduled for next year.

Portrait unveiling

On October 18, 2013, the portrait of the former Lieutenant Governor, **Herménégilde Chiasson**, was unveiled in the foyer of the Legislative Assembly. The official unveiling was hosted by Speaker Graham. Joining His Honour in attendance was the current Lieutenant Governor **Graydon Nicholas** and **Mrs. Beth Nicholas**, Premier Alward, and the portrait's artist **Stephen May**, in addition to various other guests.

The Legislative Assembly houses the portraits of former New Brunswick Lieutenant Governors dating back to the late 1800s. Following the unveiling of the portrait, guests were invited to the Legislative Library for a reception. Mr. Chiasson was the 29th Lieutenant Governor of New Brunswick and served in that role between 2003 and 2009. Additionally, he is a noted Acadian artist and playwright.

Conflict of Interest Commissioner

Alfred R. Landry was recently sworn in as the new Conflict of Interest Commissioner. He succeeds **Patrick A. A. Ryan**, who has served as Commissioner since 2005. Commissioner Landry was appointed a Judge of the Court of Queen's Bench of New Brunswick in 1985 and served in this capacity until his retirement in 2011. On the unanimous recommendation of the Legislative Assembly, he was appointed Commissioner under the *Members' Conflict of Interest Act*, effective September 1, 2013.

Fourth Session

The fourth session of the 57th Legislative Assembly is scheduled to open on November 5, 2013. This will be the final session before the provincial election, scheduled for September 22, 2014. The current distribution of seats is 41 Progressive Conservative Members, 13 Liberal Members and one Independent Member.

Rose Campbell

Clerk Assistant and Committee Clerk



House of Commons

The first Session of the 41st Parliament was prorogued on September 13, 2013. The second Session began on October 16, 2013. The information below covers the period from August 1 to October 31, 2013.

Speech from the Throne

Governor-General **David Johnston** delivered the Speech from the Throne on October 16, in the Senate Chamber, in the presence of the assembled Justices of the Supreme Court, Senators, Members, and other dignitaries and guests. The theme of the Throne Speech was "*Seizing Canada's Moment – Prosperity and Opportunity in an Uncertain World*." Contrary to recent practice, the debate on the Address in Reply to the Speech from the Throne did not start before the House adjourned the first sitting day.

Supply and Legislation

On October 16, after the House had agreed to the motion for the designation of a continuing order of supply, the Speaker informed Members that the number of allotted days for the Supply period ending December 10 would be adjusted. Since the House had sat fewer days than scheduled, five days instead of seven were allotted for this period.

On October 22, Bill C-4, *A second act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures*, was introduced in the House and read a first time. The following day during second reading debate of the Bill, **Peggy Nash** moved a reasoned amendment. Between October 24 and 28, unanimous consent was sought to divide Bill C-4, *A second act to implement certain provisions of the budget tabled in Parliament on March 21, 2013 and other measures*, either to withdraw clauses relating to the appointment of Supreme Court justices, the public sector employee relations and changes to workplace health and safety regulations or the

establishment of a new system of permanent residence in Canada. Unanimous consent was denied. Debate continued until October 29, 2013, when questions were put on the amendment and the second reading motion. The Bill was adopted at second reading and referred to the Standing Committee on Finance.

Pursuant to provisions of Government Business Motion No. 2 and at the request of a Minister, some government bills identical to bills from the previous Session were deemed to have been considered and approved at all stages completed at the time of prorogation: Bill C-6, *An Act to implement the Convention on Cluster Munitions*; Bill C-7, *An Act to amend the Museums Act in order to establish the Canadian Museum of History and to make consequential amendments to other Acts*; Bill C-8, *An Act to amend the Copyright Act and the Trade-marks Act and to make consequential amendments to other Acts*; and Bill C-9, *An Act respecting the election and term of office of chiefs and councillors of certain First Nations and the composition of council of those First Nations*."

Motions

On October 17, a motion was adopted calling for the Senate to unite with the House to present an Address to the Queen on behalf of the Parliament of Canada offering congratulations on the birth of her great-grandson, **Prince George**. The motion also provided that a Message of congratulations be sent by the Speaker, on behalf of the House, to Their Royal Highnesses the Duke and Duchess of Cambridge upon the joyful occasion of the birth of a son to Their Royal Highnesses.

On October 21, the House adopted Government Business Motion No. 2, which had the effect, amongst other things, of: adopting a mechanism for the reinstatement of government bills from the previous session; directing the Standing Committee on Procedure and House Affairs (PROC) to examine the issue of transparency and accountability with a view to replace the Board of Internal Economy (BOIE) with an independent oversight body and study possible future practices by re-adopting an order of reference from the previous session; extending the right to one Independent Member to participate as a non-voting Member in the hearings of PROC regarding BOIE; recreating the Special Committee on Violence Against Indigenous Women from the previous session; and making changes to the Parliamentary calendar for 2013.

Points of Order

On October 16 Opposition House Leader **Nathan Cullen** rose on a point of order regarding the length and complexity of Government Business Motion No. 2. He believed that since the motion contained 13 parts that were capable of standing alone, they should be debated and voted on independently. On October 17, the Speaker ruled that, since the threshold for dividing the motion had not been met, the motion would be debated as a whole. However, due to concerns expressed about the reinstatement of government bills, the Speaker informed the House that a separate vote would be held on that part of the motion and other sections of the motion would be voted on together.

Questions of Privilege

On October 17, **Craig Scott** rose on a question of privilege regarding the dispute between Elections Canada and **James Bezan**. The question of privilege had originally been raised in the previous Session by **Scott Andrews** and found to be *prima facie* on June 18, 2013, on the grounds that there was a lack of clear process when the House had to deal with issues arising from subsection 463(2) of the *Canada Elections Act*. The Speaker had added that this lack of process did not satisfy the needs of the House, nor the needs of the individual Members concerned and that he believed it would be helpful to the whole House and to the Speaker if the Standing Committee on Procedure and House Affairs were to examine the issue with a view to incorporating relevant provisions in the Standing Orders. The Speaker immediately ruled that this was still a *prima facie* question of privilege and, accordingly, Mr. Scott moved that the matter be referred to the Standing Committee on Procedure and House Affairs. The motion was agreed to without debate.

On October 30, the Speaker ruled on the question of privilege raised by **Charlie Angus** on October 17, regarding alleged misleading statements made by the Prime Minister during Oral Questions. Mr. Angus argued information revealed by an RCMP investigation in July contradicted answers the Prime Minister gave during Oral Questions. In his ruling, the Speaker reminded members of the benchmarks established by practice for establishing that a member is in contempt for deliberately misleading the

House: it must be proven that the statement was misleading; it must be established that the member making the statement knew at the time that the statement was incorrect; and, that in making the statement, the member intended to mislead the House. The Speaker ruled that he could not find procedural grounds for a *prima facie* case of privilege.

Private Members' Business

On October 16, the Speaker made a statement on the reinstatement of Private Members' Business in accordance with Standing Order 86.1. Items that were listed on the *Order Paper* at prorogation were deemed to have been considered and approved at all stages completed at the time of prorogation. Furthermore, four bills standing originally in the name of Members recently appointed as Parliamentary Secretaries who, by virtue of their office, are not eligible to propose items during the consideration of Private Members' Business remained in the possession of the House or its committees, without sponsors. On October 23, unanimous consent was sought and obtained to discharge the four orders for consideration or for reference and withdraw the bills.

Other Matters

On August 31, **Merv Tweed** the Member of Parliament for Brandon—Souris resigned his seat. By-elections were called for this riding, as well as for the vacant ridings of Bourassa (QC), Provencher (MB) and Toronto Centre (ON), for November 25.

On September 18, **Maria Mourani** became an Independent Member for Ahuntsic. **Dean**

Del Mastro is now recognized as a Conservative Independent Member for Peterborough.

On October 17 the Minister of International Development and Minister for La Francophonie, **Christian Paradis** along with **Jean Rousseau** (Compton—Stanstead), **Justin Trudeau** (Papineau) and **Jean-François Fortin** (Haute-Gaspésie—La Mitis—Matane—Matapédia) rose to pay tribute to the victims of the Lac-Mégantic disaster. Tributes were followed by a moment of silence.

Julie-Anne Macdonald

Table Research Branch



ASSEMBLÉE NATIONALE

Q U É B E C

The National Assembly resumed its proceedings on September 17, 2013, as provided for in the Standing Orders. During the very first week of work, Bill 57, *An Act in response to the railway disaster in Ville de Lac-Mégantic*, was introduced and all the stages of the bill were considered with the unanimous consent of the Assembly. This bill contains measures intended to enable Ville de Lac-Mégantic to meet certain needs, ensure safety and reorganize its territory in order to facilitate a return to normal life and the resumption of normal activities following the railway disaster of July 6 and postpones until 2015 the general election scheduled for 2013 for the town council and the office of warden of Municipalité régionale de comté du Granit.

Rulings and directives from the Chair

On September 18 the Chair gave a directive regarding modifications to the distribution of certain measures and speaking times. These modifications were necessary owing to changes in the composition of the Assembly. Oral Questions and Answers, Statements by Members as well as speaking times for two-hour limited debates were modified to take into account the presence of a third independent Member.

On September 26 the Chair gave a ruling on the point of privilege or contempt raised by the Second Opposition Group House Leader on June 14, 2013, in which he invoked that the chief executive officer of the Fondation du Centre hospitalier de l'Université de Montréal (CHUM) had been in contempt of Parliament. The latter allegedly infringed the rights of the Assembly by providing false or incomplete testimony to the Committee on Health and Social Services, on June 11, thereby failing to comply with section 55(2) of the *Act respecting the National Assembly*.

During his testimony before the Committee on Health and Social Services, the chief executive officer of the Fondation du CHUM categorically stated that he was unaware of certain facts, while the day after this testimony, the Committee received documents indicating that he indeed had knowledge of them. As the facts submitted in support of the point of law or privilege could raise doubts as to the veracity of his testimony, the Chair ruled that the point of privilege was, at first glance, in order.

The Chair stated that regardless of the manner in which persons are called upon to give testimony before a committee, by simple invitation or subpoena, the fact remains that when they take part in parliamentary proceedings, persons have the duty to fully cooperate and tell the truth. It is therefore important to remember that the act of giving false or incomplete answers to questions asked by Members constitutes, at first glance, interference with the exercise of the duties of the Assembly as well as contempt of its authority and dignity.

Composition and parliamentary offices

Two Members of the Québec Liberal Party handed in their resignation in recent months: **Emmanuel Dubourg**, Member for Viau, on August 9; and **Raymond Bachand**, Member for Outremont, on September 13. Since the resumption of proceedings, the composition of the Assembly is as follows: Parti Québécois, 54 Members; Québec Liberal Party, 48 Members; Coalition Avenir Québec, 18 Members; three independent Members, including two Members of Québec Solidaire and a third Member without any affiliation to a political party; and two vacant seats.

Other events

On September 18, the National Assembly welcomed His Excellency **Abdou Diouf**, Secretary General of the Francophonie. During his visit, Mr. Diouf addressed the parliamentarians of the 40th Legislature in the National Assembly Chamber. On this same occasion, the President of the National Assembly, **Jacques Chagnon**, awarded Mr. Diouf the

President's Medal, the highest form of recognition awarded by the National Assembly of Québec.

The result of a collaborative effort between the National Assembly of Québec, the National Assembly of France and Laval University's Research Chair on Democracy and Parliamentary Institutions, the *Québec-France Comparative Parliamentarism distance course*, was made available online for the first time ever on September 13, 2013. This university course, the first of its kind, is innovative in that it presents a unique approach to analyzing Québec and French legislatures. Its dynamic, web-based platform takes a new comparative look at both parliamentary systems through the use of videos featuring experts and exercises highlighting their similarities and distinctive characteristics.

Sylvia Ford

Parliamentary Proceedings
Directorate

Committees

On August 14 the Committee on Public Finance continued its special consultations on the report entitled "Innovating for a Sustainable Retirement System". When the consultations were initiated last June, the Committee had heard a committee of experts who came before the Committee to present the report's conclusions to the Members. With the hearings held in August, 42 persons and organizations will have been heard on the subject, and 61 briefs were tabled. The exchanges between the parliamentarians and the persons invited to appear before the Committee concerned the overall recommendations of the committee of experts and certain proposals made by the groups

that were heard. The Committee report was tabled in the Assembly last September 17 and contains three recommendations.

The Committee on Public Finance also heard five groups within the framework of special consultations on Bill 41, *An Act to amend the Public Service Act* mainly with respect to staffing. This bill makes changes to the staffing process, which replaces the notions of competitions and lists of candidates declared qualified with the concepts of qualification processes and banks of qualified persons.

The Committee on Culture and Education, for its part, held special consultations and public hearings on the document entitled "Consultation paper on the regulation of retail prices of new printed and digital books." The Committee received 39 briefs and heard 42 groups, organizations and citizens during the six days of hearings held between August 19 and September 19, 2013. At the end of this mandate, the Committee held a deliberative meeting and made two observations. The members unanimously recognized that certain independent bookstores in Québec are in a difficult and precarious situation and that it is urgent to try to maintain the independent bookstores of our cities, towns and districts to prevent them from disappearing. The Committee report was tabled in the Assembly on September 25, 2013.

During this period, the committees carried out several orders of surveillance of agencies. The Committee on Citizen Relations heard the Public Curator regarding the examination of his policy directions, activities and management; the Committee on

Institutions, for its part, heard the Lobbyists Commissioner; the Committee on Labour and the Economy heard the Chief Executive Officer of the Conseil de gestion de l'assurance parentale, who came before the Committee to discuss her management of the Parental Insurance Fund and her administrative management as well as the examination of the report on the implementation of the *Parental Insurance Act*; and, finally, the Committee on Public Administration heard the Commission administrative des régimes de retraite et d'assurances (CARRA).

The Committee on Health and Social Services commenced special consultations on Bill 52, *An Act respecting end-of-life care*. Over 50 individuals and organizations were scheduled to give their opinion on this bill during the 13 days of hearings held between September 17 and October 10, 2013. The bill, which is a follow-up to the Select Committee report on Dying with Dignity, aims to ensure that end-of-life patients are provided care that is respectful of their dignity and their autonomy and to recognize the primacy of wishes expressed freely and clearly with respect to end-of-life care. It specifies rights with respect to end-of-life care, in particular by affirming the right of everyone to end-of-life care that is appropriate to their needs. The bill also establishes specific requirements for certain types of end-of-life care, namely terminal palliative sedation and medical aid in dying. It prescribes the criteria that must be met for a person to obtain medical aid in dying and the requirements to be complied with before a physician may administer it.

On October 1, the Committee on Agriculture, Fisheries, Energy and Natural Resources concluded its special consultations during which it heard 48 individuals and groups concerning Bill 43, *Mining Act*. Bill 43 proposes a new *Mining Act*.

Dany Hallé

Parliamentary Proceedings
Directorate
Committees Service



Nunavut

The 3rd Legislative Assembly was dissolved on September 22, 2013. The Chief Electoral Officer issued writs of election on September 23, 2013. The 4th general election was held on October 28, 2013. This was the first general election to be held under the territory's new electoral boundaries. The number of seats in the Legislative Assembly has increased from 19 to 22.

A number of incumbents did not stand for re-election. Retiring Members were **James Arreak**, **Moses Aupaluktuq**, **Tagak Curley**, **John Ningark**, **Daniel Shewchuk**, **Louis Tapardjuk** and **Hunter Tootoo**.

At the close of nominations, two incumbents were declared acclaimed: **Peter Taptuna**, MLA for Kugluktuk and **Jeannie Ugyuk**, MLA for Netsilik. The successful candidates in the 4th general election were:

- **Paul Quassa** (Aggu)
- **Steve Mapsalak** (Aivilik)
- **George Qulaut** (Amittuq)

- **George Kuksuk** (Arviat North-Whale Cove)
- **Joe Savikataaq** (Arviat South)
- **Simeon Mikkungwak** (Baker Lake)
- **Keith Peterson** (Cambridge Bay)
- **Tony Akoak** (Gjoa Haven)
- **Allan Rumbolt** (Hudson Bay)
- **Monica Ell** (Iqaluit-Manirajak)
- **Pat Angnakak** (Iqaluit-Niaqunnguut)
- **Paul Okalik** (Iqaluit-Sinaa)
- **George Hickes** (Iqaluit-Tasiluk)
- **Johnny Mike** (Pangnirtung)
- **Isaac Shooyook** (Quttiktuq)
- **Tom Sammurtok** (Rankin Inlet North-Chesterfield Inlet)
- **David Joanasie** (South Baffin)
- **Joe Enook** (Tununiq)

As a consequence of tie votes in the constituencies of Rankin Inlet South and Uqqummiut, judicial recounts were held on November 5, 2013. Following the recounts, **Samuel Nuqingaq** was declared the successful candidate in Uqqummiut. A by-election will be held for the constituency of Rankin Inlet South on February 10, 2014.

On November 15, 2013, Members-elect gathered in the Chamber of the Legislative Assembly for the convening of the Nunavut Leadership Forum. By convention, the Forum consists of all Members of the Legislative Assembly, and is used to conduct the selection process for the Speaker, Premier and members of the Executive Council (Cabinet) of Nunavut. The Forum's proceedings were open to the public to observe from the Visitors' Gallery and were televised live across Nunavut.

The first item of business was the selection of the Speaker. **George Qulaut** was acclaimed to the position.

Three Members accepted nominations to serve as Premier: Mr. Taptuna, Mr. Okalik and Mr. Quassa. Each candidate was permitted to deliver a 20-minute speech. Members not standing for Premier were permitted to ask up to two questions to the candidates. In a secret ballot vote, Mr. Taptuna was elected as Premier on the first round of balloting.

A total of ten Members accepted nominations to serve on Cabinet. Caucus had earlier announced that the Cabinet will consist of nine members (Premier and eight Ministers).

The following Members were elected to Cabinet: Mr. Okalik, Mr. Quassa, **Ms. Ell**, **Mr. Kuksuk**, **Mr. Mike**, **Mr. Peterson**, **Mr. Sammurtok** and **Ms. Ugyuk**.

Final sitting of 3rd Assembly

The final sitting of the 3rd Legislative Assembly was held from September 5-17, 2013. Seven bills received Assent during the sitting:

- Bill 32, *An Act to Amend the Legal Services Act*;
- Bill 40, *Representative for Children and Youth Act*;
- Bill 58, *Public Service Act*;
- Bill 64, *An Act to Amend the Liquor Act*;
- Bill 66, *Plebiscites Act*;
- Bill 68, *Supplementary Appropriation (Capital) Act*, No. 3, 2013-2014; and
- Bill 69, *Supplementary Appropriation (Operations and Maintenance) Act*, No. 2, 2013-2014.

Bill 66, the proposed new *Plebiscites Act*, was introduced under the authority of the Legislative Assembly's

Management and Services Board. Speaker Tootoo appeared before the Committee of the Whole on the occasion of its clause-by-clause consideration of the bill. Both the *Nunavut Elections Act* and the *Plebiscites Act* fall under the jurisdiction of the Legislative Assembly itself.

The Representative for Children and Youth will be an independent officer of the Legislative Assembly. The legislation will come into force on a day or days to be fixed by order of the Commissioner of Nunavut on the recommendation of the Management and Services Board.

A total of 127 bills were passed during the life of the 3rd Legislative Assembly.

Appointment of Integrity Commissioner

On September 9, 2013, the Legislative Assembly unanimously approved a motion recommending that **J.E. (Ted) Richard** be appointed Integrity Commissioner of Nunavut for a five-year term of office.

Mr. Richard served as a Judge of the Supreme Court of the Northwest Territories, the Court of Appeal of the Northwest Territories and the Court of Appeal of the Yukon from 1988-2012. He served as a Judge of the Nunavut Court of Justice and the Court of Appeal of Nunavut from 1999-2012. He served as the Chairperson of the 1997 and 2011 Nunavut Electoral Boundaries Commissions. Mr. Richard served as a Member of the Legislative Assembly of the Northwest Territories from 1984-1988.

Order of Nunavut

The 2013 investiture ceremony for the Order of Nunavut was held in the Chamber of the Legislative Assembly

on September 12, 2013. The ceremony was presided over by Speaker Tootoo in his capacity as Chairperson of the Order of Nunavut Advisory Council and Commissioner **Edna Elias** in her capacity as Chancellor of the Order of Nunavut.

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

In June of this year, the Order of Nunavut Advisory Council announced the 2013 recipients of the Order: Messrs. **Jimmy Akavak** of Iqaluit, **Louis Angalik, Sr.** of Arviat and **Davidee Arnakak** of Pangnirtung.

Alex Baldwin

Office of the Legislative Assembly of
Nunavut



British Columbia

The first sitting of the 40th Parliament adjourned on July 25, 2013. The House did not reconvene in the fall.

Committee Activity

On September 10, 2013, the Select Standing Committee on Finance and Government Services

commenced its annual province-wide budget consultations, seeking input from individuals and organizations on the 2014 provincial budget. Contributions to the consultation process were submitted at seventeen public hearings in communities around the province, at video conference sessions in a further five communities, through completion of an on-line *Budget Consultation Paper 2014* survey, or through audio, video or written submission to the Committee's consultation website.

This year's consultation process resulted in 676 submissions — 263 responses to the *Budget Consultation Paper 2014* survey, 170 written submissions, and 243 public hearing submissions. The Committee's report on the results of the budget consultations were to be made public no later than November 15, 2013, in accordance with section 2 of B.C.'s *Budget Transparency and Accountability Act*.

On September 24, 2013, the all-party Legislative Assembly Management Committee (LAMC) held its first meeting in the 40th Parliament. LAMC agreed on actions to strengthen public disclosure and accountability to British Columbians, including expanded quarterly reporting on Members' travel expenses, quarterly disclosure of Members' compensation, disclosure of Members' constituency office expenses, and the publication of quarterly independent, audited financial statements for the first time. The Committee's decisions were designed to fulfil its commitment for full disclosure of Assembly expenses and liabilities. The information on MLA remuneration and expenses is posted on the Legislative

Assembly website.

On October 9, 2013, the Select Standing Committee on Public Accounts held its first full-day orientation session. The session was organized to support the committee as it prepares to tackle a heavy workload. Technical briefings were given by CCAF-FCVI representatives, senior officials from the offices of the Auditor General and the Comptroller General, as well as by the Deputy Clerk and Clerk of Committees. Topics covered included roles and responsibilities of the Public Accounts Committee, best practices and effectiveness.

Constituency Assistants Seminar

On September 25 and 26, 2013, the Assembly's first Constituency Assistants Seminar was held in the Legislative Chamber. The program focused on financial and administrative management practices, with training sessions on accounting software, internal and external audit processes, and inventory and asset management. These sessions were offered to familiarize constituency assistants with the tools required to provide efficient support for their MLAs and to manage their offices in the parliamentary environment. In addition, attendees were provided with an overview of Assembly services and resources, including the new Members' Orientation 2013 website, which contains comprehensive information on constituency office set-up, travel guidelines, and MLA remuneration. The two-day seminar was attended by approximately 120 constituency office staff from across the province.

Other Matters

On September 18, 2013, Official Opposition Leader **Adrian Dix** announced that he would be stepping down as leader of the B.C. New Democratic Party. His resignation would be effective following a leadership convention.

Women's History Month Exhibit

Speaker **Linda Reid** hosted the official launch of the *Parliamentary Trailblazers* exhibit celebrating the achievements of B.C.'s first female Parliamentarians, on October 2, 2013. The exhibit was timed to coincide with Women's History Month, celebrated in Canada each October since 1992, and was on display in the Assembly Reception Hall.

**Aaron Ellingsen
Ron Wall**

Committee Researchers



Prince Edward Island

The Fourth Session of the Sixty-Fourth General Assembly opened on November 12, 2013, with the Speech from the Throne delivered by Lieutenant Governor **H. Frank Lewis**. The Third Session of the Sixty-fourth General Assembly was prorogued on November 8, 2013.

Province House Renovations

Work is continuing on the much-needed repairs to the foundation, mortar, stone facing, windows and roof of Province

House, the home of Prince Edward Island's Legislative Assembly and a national historic site. No significant restoration has been undertaken for the past several decades and weather-related stresses have taken their toll on the structure. The renovations are meant to get the building ready for 2014 celebrations, which will mark the sesquicentennial of the meetings of the Fathers of Confederation in Charlottetown.

Engraving Donated

The Legislative Assembly of Prince Edward Island recently received a donation of a framed **Edward Scriven** engraving of **Prince Edward, Duke of Kent (1834)**. The donation by the Tidridge family of Waterdown, Ontario, was made to honour well-known historian, **Catherine Hennessey** for her extraordinary efforts in preserving and interpreting Island history, heritage and built architecture. With Ms. Hennessey in attendance, Professor **Thomas H. B. Symons** presented the engraving on behalf of the Tidridge Family at a special ceremony on October 11, 2013. The work is of special significance to the Legislative Assembly of Prince Edward Island as the legislature of St. John's Island voted to change the colony's name to Prince Edward Island on November 29, 1798. The Act received Royal Assent by **King George III** on February 2, 1799, and came into effect on June 3 of that year.

Caucus Activity

The Opposition Caucus underwent significant change in the month of October. **Hal Perry**, Member of the Legislative Assembly for Tignish-Palmer Road, left to join the government

caucus on October 3, 2013. Mr. Perry had briefly been Leader of the Official Opposition, following the resignation of **Olive Crane** from that position in January 2013. He was Opposition House Leader at the time he switched political parties. The next day, October 4, 2013, Ms. Crane was expelled from the Opposition Caucus. She was first elected to the Legislative Assembly in a 2006 by-election, and subsequently re-elected in the provincial general elections of 2007 and 2011. Elected leader of the Progressive Conservative Party in 2010, she resigned that position in early 2013. Ms. Crane, who represents the district of Morell-Mermaid, will sit as an Independent Progressive Conservative.

As a result of these events, the standings in the House are 23 Liberal seats, three Progressive Conservative seats, and one Independent Progressive Conservative.

Marian Johnston

Clerk Assistant and Clerk of Committees



Manitoba

The Second Session of the 40th Legislature continued with its emergency session throughout the summer months and adjourned on September 13th, 2013. This was in fact the longest summer session on record bringing the total num-

ber of sitting days between April and September to 85.

Sessional Order

Flowing from negotiations between the parties relating to the unfinished business before the House, a sessional order was passed on September 11, 2013, laying out a number of provisions for sitting dates and the consideration of items over the next few months, including:

- Deadlines for the completion of consideration of legislation in committee and in the House; to be concluded prior to the September adjournment date;
- Directions for the consideration of legislation in committee intersessionally, to be concluded prior to November 13, 2013;
- Commencement of the 3rd Session on November 12, 2013 with the Speech from the Throne;
- Directions and deadlines for the consideration of all 2nd Session reinstated legislation, to be concluded before the 3rd Session adjourned on December 5, 2013.
- Spring session to resume on March 6, 2014.

As a result of this agreement, the House will continue consideration of 35 government bills reinstated from the 2nd Session during this upcoming fall session, including the following bills:

- *Bill 20 – The Manitoba Building and Renewal Funding and Fiscal Management Act (Various Acts Amended)*, which exempts the referendum requirement in *The Balanced Budget, Fiscal Management and Taxpayer Accountability Act* in order to increase the PST by 1 per cent and enacts measures to provide a sustainable funding source for the renewal of infrastructure.
- *Bill 26 – The Accessibility*

for Manitobans Act, which enables the establishment of accessibility standards to achieve accessibility for Manitobans disabled by barriers and also requires the government, municipalities and prescribed public sector organizations to prepare annual accessibility plans.

- *Bill 28 – The Health Services Insurance Amendment and Hospitals Amendment Act (Admitting Privileges)*, which amends *The Health Services Insurance Act* and *The Hospitals Act* to allow hospitals to grant admitting privileges to nurse practitioners and midwives.
- *Bill 43 – The Manitoba Liquor and Lotteries Corporation Act and Liquor and Gaming Control Act*, which establishes the Manitoba Liquor and Lotteries Corporation by amalgamating The Liquor Control Commission and the Manitoba Lotteries Corporation. Also the Gaming Control Commission and the regulatory elements of The Liquor Control Commission are combined and continued as the Liquor and Gaming Authority of Manitoba.

The 2nd Session had a total of 21 bills that received Royal Assent including the following bills as set out by the sessional order:

- *Bill 18 – The Public Schools Amendment Act (Safe and Inclusive Schools)*, which amends the Act in the areas of bullying and respect for human diversity.
- *Bill 33 – The Municipal Modernization Act (Municipal Amalgamations)*, which permits the minister to recommend that a municipality be amalgamated if it has a population of fewer than 1,000 residents and enables the Lieutenant Governor in Council to make regulations amalgamating municipalities.
- *Bill 208 – The Universal Newborn Hearing Screening Act*, which ensures that parents or guardians of a newborn infant

are offered the opportunity to have the infant screened for hearing loss.

- *Bill 211 – The Personal Information Protection and Identity Theft Prevention Act*, which governs the collection, use, disclosure and destruction of personal information by organizations in the private sector. It also establishes a duty for those organizations to notify individuals who may be affected when the personal information the organization has collected is lost, stolen or compromised.
- *Bill 301 – The Jewish Foundation of Manitoba Amendment Act*, which requires the board of the Foundation to establish a distribution policy and to give the Foundation sufficient authority to carry out that policy.

Reasoned Amendment and Report Stage Amendment Motions

On August 27, 2013 **Kelvin Goertzen** moved a hoist amendment to delay the concurrence and third reading of *Bill 20 – The Manitoba Building and Renewal Funding and Fiscal Management Act (Various Acts Amended)* for six months. Since this Bill is reinstated to the 3rd Session at the current stage that it was at in the previous session, it will now appear on the House agenda for continuation of concurrence and third reading debate.

Since mid-August, another 42 report stage amendments on various bills were considered by the House; however, only three report stage amendments to *Bill 33 – The Municipal Modernization Act (Municipal Amalgamations)* were passed.

Standing Committees

Manitoba Standing Committees have been very active during these past

few months. The Standing Committee on Human Resources and Social and Economic Development met on 11 separate occasions from September 3 to 11, 2013 to consider legislation, hearing 320 public presentations and receiving over 150 written submissions. During the month of October, another 11 intersessional Standing Committee meetings were held to consider various matters as follows:

- Standing Committee on Crown Corporations met to consider the Annual Reports from the Manitoba Hydro-Electric Board, Manitoba Liquor Control Commission, Manitoba Lotteries Corporation, Manitoba Public Insurance Corporation and the Workers Compensation Board;
- Standing Committees on Human Resources and Social and Economic Development met to consider legislation, hearing another 67 public presentations.
- Standing Committee on Public Accounts met to consider several reports from the Auditor General covering a variety of topics including, the Provincial Nominee Program for Business; Manitoba Early Learning and Child Care Program and the Office of the Fire Commissioner.

A grand total of 46 separate Standing Committee meetings occurred during the 2nd Session of the 40th Legislature.

Cabinet Shuffle

On October 18, 2013, Premier **Greg Selinger** announced a reorganisation of the current Cabinet along with new appointments replacing three former Ministers. The new Cabinet is set out as follows:

- **Andrew Swan** – remained as Minister of Justice and Attorney General and will also serve as Government House Leader.

- **Dave Chomiak** – Minister of Mineral Resources.
- **Eric Robinson** – remained as Minister of Aboriginal and Northern Affairs.
- **Erin Selby** – Minister of Health.
- **Erna Braun** - newly appointed as Minister of Labour and Immigration.
- **Florina Marcelino** – Minister of Multiculturalism and Literacy.
- **Gordon Mackintosh** – remained as Minister of Conservation and Water Stewardship.
- **James Allum** – newly appointed as Minister of Education and Advanced Learning.
- **Jennifer Howard** – Minister of Finance and continues as Minister responsible for Persons with Disabilities.
- **Kerri Irvin-Ross** – Minister of Family Services
- **Kevin Chief** – remained as Minister of Children and Youth Opportunities, and also became Minister responsible for City of Winnipeg relations.
- **Peter Bjornson** – Minister of Housing and Community Development.
- **Ron Kostyshyn** – Minister of Agriculture, Food and Rural Development.
- **Ron Lemieux** – Minister of the newly established department of Tourism, Culture, Sport and Consumer Protection.
- **Sharon Blady** – newly appointed as Minister of Healthy Living and Seniors
- **Stan Struthers** – Minister of Municipal Government.
- **Steve Ashton** – remained as Minister of Infrastructure and Transportation.
- **Theresa Oswald** – formerly responsible for Health is now the Minister of Jobs and the Economy.

As result of the recent Cabinet shuffle, **Nancy Allan**, former Minister of Education,

Jim Rondeau, former Minister of Healthy Living, Seniors and Consumer Affairs and **Christine Melnick**, former Minister of Immigration and Multiculturalism are were no longer part of the Executive Council.

Resignation

On October 18, 2013, **Larry Maguire** resigned as the MLA for Arthur-Virden to seek the nomination as the Conservative Party of Canada candidate in the Brandon-Souris federal by-election. First elected in the 1999 general election, Mr. Maguire served as critic for the official opposition in a number of areas, including conservation and water stewardship and also served for a short period as Chair of the Public Accounts Committee.

On October 26, 2013 **Jon Gerrard**, who has led the Manitoba Liberal Party for the past 15 years, handed over the reins to **Rana Bokhari**, who won the Manitoba Liberal leadership. Mr. Gerrard has announced his intentions to stay on as the MLA for River Heights until the next provincial general election.

The current party standings in the Manitoba Legislature are: NDP 37, Progressive Conservatives 17, one Independent Liberal and two vacancies.

In accordance with the sessional order, the 3rd session of the 39th Manitoba Legislature commenced on November 12, 2013, with the Speech from the Throne.

Monique Grenier

Clerk Assistant / Clerk of Committees



Newfoundland and Labrador

Premier **Kathy Dunderdale**, shuffled her cabinet on October 25, 2013. The changes included the addition to Cabinet of **Steve Kent** as Minister of Municipal Affairs and Intergovernmental Affairs and **Dan Crummell** as Minister of Service NL.

The following have changed portfolios: **Tom Marshall**, Minister of Finance, **Joan Shea**, Minister of Environment and Conservation; **Paul Davis**, Minister of Child, Youth and Family Services, **Kevin O'Brien**, Minister of Advanced Education and Skills, **Charlene Johnson** Minister of Innovation, Business and Rural Development, **Derrick Dalley** Minister of Natural Resources, **Keith Hutchings**, Minister of Fisheries and Aquaculture and **Nick McGrath**, Minister of Transportation and Works and Minister responsible for Labrador and Aboriginal Affairs.

The following Ministers retained their portfolios: **Terry French**, Minister of Tourism, Culture and Recreation, **Darin King**, Minister of Justice, **Clyde Jackman**, Minister of Education and **Susan Sullivan**, Minister of Health and Community Services.

New Lieutenant Governor

On March 19, 2013, **Frank F. Fagan** was installed as Lieutenant Governor of Newfoundland and Labrador succeeding **John C. Crosbie**. On March 25, 2013 the Lieutenant Governor opened the

2nd session of the 47th General Assembly. The Spring sitting concluded on May 16, 2013 with the House passing six bills before rising. The House resumed for its Fall sitting on November 4, 2013.

Changes in the Legislative Assembly

On April 8, **Yvonne Jones**, MHA, Cartwright-L'Anse au Clair resigned her seat in order to contest the by-election in the federal riding of Labrador. Ms. Jones had represented the provincial district since 1996.

On June 25, 2013 **Lisa Dempster** was elected in the Cartwright-L'Anse au Clair by-election and took her seat in the House on November 4. On August 27, 2013, **Tom Osborne**, MHA, St. John's South, who had left the Progressive Conservative caucus in September 2012 to sit as an Independent, announced that he was joining the Official Opposition.

On October 2, 2013, Minister of Finance **Jerome Kennedy**, resigned his seat of Carbonear-Harbour Grace to return to the practice of law. The by-election for the District was set for November 26, 2013.

On October 29, 2013 **Dale Kirby**, MHA, St. John's North, and **Christopher Mitchelmore**, MHA, The Straits-White Bay North, left the New Democratic Party Caucus to sit as Independents.

Leader of the Official Opposition

The Liberal Party of Newfoundland and Labrador elected **Dwight Ball**, MHA Humber Valley as its leader on November 17, 2013. Mr. Ball had been appointed Leader of the Opposition effective January 2012, but relinquished the position in July 2013 as he was

contesting the leadership of the party. **Eddie Joyce**, MHA, Bay of Islands, was appointed Leader of the Official Opposition, *pro tem*.

Report of Commissioner for Legislative Standards

The *House of Assembly Accountability, Integrity and Administration Act*, which was unanimously passed by the House of Assembly in June 2007, includes provisions relating to ethics and accountability. These provisions were invoked in September of 2012 when a Member lodged a complaint against another Member of the House relating to conflict of interest. As required by the legislation, the Commissioner for Legislative Standards undertook an investigation and in August reported that, in his view, the Member had violated the *Act* in failing to complete an accurate disclosure statement and had violated the Members' Code of Conduct in failing to take reasonable steps to remove himself from a conflict of interest situation in a timely manner. The Commissioner stated, however, that the evidence did not demonstrate any financial gain on the part of the Member and recommended that the MHA be reprimanded by the House for the failures, the least severe of four penalty provisions of the legislation. On November 7th the House, by Resolution, concurred with the Commissioner's findings and asked that the Member apologize to the House, which he did.

Elizabeth Murphy
Clerk Assistant



Saskatchewan

The 3rd session of the 27th Legislature began with the Speech from the Throne by Lieutenant Governor, **Vaughn Solomon Schofield** on October 23, 2013. The Throne Speech, entitled *Meeting the Challenges of Growth*, focused on the government's commitment to "ensure all Saskatchewan people share in the benefits of a growing economy." The themes of the Throne Speech included investments into health care, education, traffic safety and highways.

The Opposition argued that the Throne Speech did not address the needs of Saskatchewan families. According to the Opposition, the Throne Speech failed to address the shortfalls in health care, seniors' care and education, nor did it provide any new plans to diversify the economy.

Usher of the Black Rod

The opening of this session marked the inaugural use of the Saskatchewan Black Rod. The Black Rod is a legacy from The Queen's Diamond Jubilee. It is carved from oak grown in the Duchy of Cornwall woodlands. The wood was presented to the Province of Saskatchewan by His Royal Highness The Prince of Wales during his visit

to the province in 2012. The Lieutenant Governor appointed **Rick Mantey**, Clerk of Executive Council to serve as the first Usher of the Black Rod.

Special Committee on Traffic Safety

On August 30, 2013, the Special Committee on Traffic Safety tabled its final report. The Special Committee on Traffic Safety report contained 26 recommendations. The recommendations cover many aspects of traffic safety, including impaired driving, distracted driving and excessive speed, addressing intersection safety and wildlife collisions, and improving public safety messages and awareness campaigns. The Minister responsible for Saskatchewan Government Insurance (SGI), **Donna Harpauer** reported on November 7, 2013 that SGI will move forward with legislation this fall to implement more than half of the recommendations from final report.

The Rules and Procedures

The Standing Committee on House Services appointed a sub-committee on December 7, 2011, to study and make recommendations on revisions to *The Rules and Procedures of the Legislative Assembly of Saskatchewan*. On November 7, 2013 the committee proposed many new rules that put in writing for the first time long-established practices that have governed proceedings. Some examples are new rules for ministerial statements, the oral presentation of petitions, the scope of debate for the 75 Minute Debate, the treatment of amendments, proceedings on Appropriation Bills, the Chamber galleries, and dilatory

motions. The committee also recommended a new rule to restrict the use of "omnibus bills," which will codify an important Assembly convention. These recommendations were adopted by the Assembly on November 7, 2013 and came into force on November 12, 2013.

Board of Internal Economy

On September 30, 2013, the Board of Internal Economy approved the Steering Committee's directive review and proposed changes. This process began on December 14, 2011, when the Board of Internal Economy appointed a sub-committee to carry out a comprehensive review of the directives. This review focused on directives relating to the operation of constituency offices and MLA travel and living expenses.

Special Debates

On November 6, 2013, Premier **Brad Wall** moved a government motion "That this Assembly supports the abolition of the Senate of Canada." This motion was debated and then agreed upon. The government House Leader, **Jeremy Harrison** then moved a motion that "the Speaker, on behalf of the Legislative Assembly, transmit copies of the motion and verbatim transcripts of the motion just passed to the Prime Minister of Canada and the Leaders of the Opposition parties in the House of Commons as well as the Premier of each Canadian province and territory."

On November 13, 2013, Premier Wall moved a government motion "That this House supports the agreement in principle for the Comprehensive Economic and

Trade Agreement (CETA) reached by the Government of Canada and European Union and calls on all federal parties to support the swift implementation of the agreement." This motion was debated and then agreed upon.

Rob Park
Committee Clerk



Yukon

On October 31st, the 2013 Fall Sitting of the First Session of the 33rd Legislative Assembly resumed. The Sitting was scheduled to last a maximum of 28 sitting days, ending by December 19th at the latest.

Cabinet Shuffle

On August, four of the eight ministers forming Premier **Darrell Pasloski's** cabinet took on different responsibilities. **Elaine Taylor** assumed responsibility for Education; **Brad Cathers** assumed responsibility for Community Services, the Yukon Housing Corporation, the Yukon Liquor Corporation, and the Yukon Lottery Commission; **Scott Kent** assumed responsibility for Energy, Mines and Resources, the Yukon Energy Corporation, and the Yukon Development Corporation; and **Currie Dixon** had the Public Service Commission added to his responsibilities.

Clerk of Committees

On September 18th, following a two-week orientation period in August, **Allison Lloyd** took up full-time duties as Clerk of

Committees. As a part of this newly created position, Ms. Lloyd also serves as a Clerk-at-the-Table. Ms. Lloyd comes to the Yukon Legislative Assembly from the Senate of Canada, where she had served as a Procedural Clerk – most recently, with the Committees Directorate, and previously, with the Chamber Operations and Procedure Office.

Select Committee – Hydraulic Fracturing

The Select Committee Regarding the Risks and Benefits of Hydraulic Fracturing (described in Yukon's "Fall 2013" Legislative Report) continued its work. In open letters released over the past few months, **Patti McLeod**, Chair of the six-member Committee, provided updates on the Committee's plans and activities.

An August 9th open letter noted that Committee members were "focused on their responsibility to gain an understanding of Yukon's legislative and regulatory framework relevant to the oil and gas sector, and a science-based understanding of the technical, environmental, economic and regulatory aspects of hydraulic fracturing."

An open letter dated September 24th indicated that in the pursuit of this goal, the Committee would be receiving comprehensive briefings from Yukon's Departments of Environment; Energy, Mines and Resources; and Justice; as well as from the Yukon Water Board, and the Yukon Environmental and Socio-Economic Assessment Board.

The Committee Chair's November 1st open letter noted that in addition to having received these briefings, the Committee had also received

presentations from the Yukon Chamber of Commerce, as well as from a group called Yukoners Concerned About Oil and Gas. The letter also referenced some of the Committee's future plans, including a visit to a hydraulic fracturing site in the Calgary area in January 2014, and public proceedings that month in the Assembly's Chamber in which the Committee anticipates receiving presentations from industry, environmental groups, academics, public health officers, regulators, and First Nation representatives.

The Committee's mandate (outlined in Motion #433, carried May 6, 2013) requires that the Committee report its findings to the Legislative Assembly no later than the 2014 Spring Sitting.

Linda Kolody
Deputy Clerk



Alberta

The 4th sitting of the 1st Session of the 28th Legislature resumed on October 28, 2013. The first new piece of legislation introduced in the Assembly was Bill 27, *Flood Recovery and Reconstruction Act*. Developed in the aftermath of the summer floods, which devastated communities around Alberta, particularly in the southern part of the province, this bill would amend both the *Emergency Management Act* and the *Municipal Government Act*. It proposes to ban further develop-

ment in most floodways, provide funding for flood mitigation, double the amount of time for which a provincial state of emergency may be in effect, and place notices on land titles for properties in flood-prone areas indicating that they had received disaster assistance following the June 2013 floods and would therefore not be eligible for future Government assistance.

Questions of Privilege

On the second day of the new sitting, October 29, 2013, **Shayne Saskiw**, Member for Lac La Biche-St. Paul-Two Hills, raised a purported question of privilege regarding the Government's public advertising of a Bill that had not been presented to the Assembly. The Bill in question, Bill 32, *the Enhancing Safety on Alberta Roads Act*, was on the Order Paper but had not been introduced in the Assembly when the media articles and public signage appeared. Mr. Saskiw argued that the Government was in contempt for breaching the rights of the Members of the Legislative Assembly and tabled copies of media articles and a sign referencing Bill 32 in support of his position.

Two days later, Speaker **Gene Zwozdesky** addressed the purported question of privilege. Before ruling on the matter the Speaker referenced previous decisions made in the Legislative Assembly of Alberta as well as rulings by former Speaker Milliken in the House of Commons. Ultimately the Speaker found that there was no *prima facie* question of privilege regarding the advertising of Bill 32 because there was no finding that the Bill had been provided in its final form to the media or other entity prior to its

introduction in the Assembly. However, he went on to emphasize that his ruling should not be interpreted as reducing restrictions on providing detailed information on Bills not yet before the Assembly. He went on to caution that should any advertising of a Bill occur it should be undertaken with great caution so as not to give the impression that the Bill was already law. He then went on to reinforce the convention of confidentiality of Bills on notice in order to ensure that all Members of the Assembly could be well informed and to respect the role that the Assembly plays in the parliamentary system.

Bills 45 and 46

Bills 45 and 46 received First Reading on November 27, 2013, as protesters voiced their opposition outside the Chamber. The volume of the protest was loud enough that when a Member rose to raise a question about the distribution of the Bills, the Speaker was at first unable to hear the question.

Bill 45, *the Public Sector Services Continuation Act* introduces increased penalties for unions involved an illegal strike or strike threat. It includes measures introducing civil liabilities on unions for the cost of a strike to the employer and requires the union to pay \$1 million for each day of the strike or strike threat into a court-established liability fund. It also enables other financial repercussions on unions, including a three-month suspension on the collection of union dues for the first day of a strike or strike threat, with an additional month added for each day of the strike.

Bill 46, *the Public Service Salary Restraint Act* would legislate

a four-year wage settlement between the Government and the Alberta Union of Public Employees (AUPE) if no other agreement can be reached by January 31, 2014. The bill would implement a wage freeze for the first two years of the agreement followed by a one per cent increase in years three and four. Additionally, Bill 46 would provide that full-time employees receive an \$875 lump sum payment. The Government and the AUPE have been without an agreement since March 31, 2013. The AUPE has applied for compulsory arbitration.

Speaker's Ruling

As the sponsor of Bill 206, *Tobacco Reduction (Flavoured Tobacco Products) Amendment Act, 2013*, **Christine Cusanelli**, Member for Calgary-Currie, sent a letter to the Speaker requesting that Bill 206 proceed immediately to Third Reading after completing consideration in Committee of the Whole. On November 18, 2013, the Speaker made a statement regarding requests for early consideration of Private Members' Public Bills. The Speaker acknowledged that on many occasions Private Members' Public Bills had proceeded from Committee of the Whole to Third Reading in the same day. In certain cases this was due to a sponsor's request for early consideration while at other times it was done with the unanimous consent of the Assembly. Citing his concern that the progress of other Private Members' Public Bills could be unfairly delayed the Speaker asked the House Leaders to work together to agree upon an equitable procedure that could be used for similar situations in the future. The Speaker then indicated that the progress of Bill 206 would be

decided by the House. Later that afternoon, once consideration by the Committee of the Whole was complete, a request was made of the Assembly to permit Bill 206 to proceed to Third Reading. Unanimous consent was not granted.

Report of the Conflicts of Interest Act Review Committee

On November 19, 2013, the Chair of the Select Special Conflicts of Interest Act Review Committee, **Jason Luan**, Member for Calgary-Hawkwood, presented the Committee's final report to the Legislative Assembly. The release of the report fulfilled the Committee's mandate and the legislative requirement that the Act be reviewed every five years. The report included 44 recommendations pertaining to the Act and had attached minority reports from each of the three opposition parties.

In an attempt to have the Committee's report, and the minority reports attached to it, debated by the Assembly, **Rachel Notley**, Member for Edmonton-Strathcona, who had served as a member of the Committee, made a motion under Standing Order 42 that the "Legislative Assembly receive the final report of the Select Special Conflicts of Interest Act Review Committee as tabled." Under Standing Order 18 motions for the receipt of a report are debatable and Standing Order 42 allows for a motion to be made without notice in the case of "urgent and pressing necessity" with the unanimous consent of the Assembly. After Ms Notley presented her arguments in favour of the motion the Speaker noted that a motion of this nature was "rare" and made a few explanatory comments to the

Assembly which confirmed that the motion was in order. The request for unanimous consent to proceed was made to the Assembly but was not granted.

Special Guest in the Chamber

On November 28, 2013, **David Alward**, Premier of New Brunswick, was invited to speak to Members the Legislative Assembly of Alberta from the floor of the Chamber. Introduced by Premier **Alison Redford**, as a "friend to Alberta" and a "great Canadian," Premier Alward addressed the Assembly in both English and French. During his presentation Premier Alward commented on the importance of responsible resource development, cooperation among Canadian governments, the potential benefits of the Energy East pipeline, and the development of a National Energy Strategy.

In Alberta it is not common for non-Members to address the Assembly from the floor of the Chamber, and Premier Alward is the first individual to do so since the beginning of the 28th Legislature. The last non-Member to speak to the Assembly was **Rick Hansen**, who has addressed the Assembly for the second time in March 2012 on the occasion of the 25th anniversary of Man in Motion Relay. Other guests to address the House include former Governor General **Michaëlle Jean**, **Prince Michael of Kent**, and Her Majesty **Queen Elizabeth II**.

Officers of the Legislature

On November 15, 2013, Alberta's third Ethics Commissioner, **Neil R. Wilkinson** advised the Standing Committee on Legislative Offices that he would not be seeking

reappointment when his five-year term expired on November 18, 2013, but that he would remain in office for an additional six months, as permitted by legislation. It is anticipated that the Standing Committee on Legislative Offices will request that the Assembly appoint an all-party search committee, prior to the completion of the fall sitting, and task it with identifying and recommending a successor to Mr. Wilkinson.

On November 20, 2013, the all-party Select Special Chief Electoral Officer Search Committee completed its mandate and unanimously recommended to the Assembly that **Glen L. Resler** be appointed the next Chief Electoral Officer of Alberta. Mr. Resler, most recently the Chief Administrative Officer with the Office of the Ethics Commissioner, has over 20 years of experience in Alberta's public service. The Committee's recommendation was accepted by the Assembly on November 21, 2013, and it is anticipated that Mr. Resler will begin his new role on December 9, 2013.

Jody Rempel
Committee Clerk



Northwest Territories

The 4th Session of the 17th Legislative Assembly reconvened on October 17, 2013. The principal business of the House included the introduction and passage of the capital budget for the fiscal year 2014-2015, as well as four supplementary appropriation bills. The House also considered

a total of 17 pieces of legislation, all receiving assent from **George Tuccaro**, Commissioner of the Northwest Territories, before prorogation on November 1, 2013. The following bills are of particular interest:

Bill 3: *The Wildlife Act* was reviewed and debated during this sitting. The bill replaces the existing wildlife legislation, dating back to 1978, and is a unique and collaborative effort between the Government of the Northwest Territories and Aboriginal governments to jointly draft legislation that upholds the constitutionally enshrined treaty and Aboriginal rights and provisions in land claim agreements, as well as recognizing the fundamental value of wildlife to all Northwest Territory residents.

The Standing Committee on Economic Development and Infrastructure, chaired by **Robert Hawkins**, also carried out extensive consultation on the bill. During the committee review, on September 24, four motions were moved, adopted and concurred with by the Minister of Environment and Natural Resources, **Michael Miltenberger**.

The debate in the House took place on October 29, 2013, with nine motions adopted to further amend the bill. The amended bill received third reading on October 31, and assent on November 1.

Bill 12: *An Act to Amend the Education Act* was referred to the Standing Committee on Social Programs for consideration on June 3, 2013. This amendment to the *Education Act* deals with bullying and cyberbullying in schools. In September the committee held public meetings

throughout the territory to receive submissions. For the first time, a Legislative Assembly committee held special meetings in schools to engage students and hear first-hand about bullying in NWT schools. The committee met with students in Yellowknife and three regional centres, in addition to connecting with students in a remote northern community via e-learning technology. To facilitate discussion and openness, the format of the meetings was much less formal than a typical public hearing.

During the committee's consideration, three amendments were introduced, adopted by committee and concurred with by the Minister. Following consideration in Committee of the Whole, and third reading, the bill received assent on November 1.

Bill 24: *An Act to Amend the Liquor Act* was a private member's bill, sponsored by **Norman Yakeleya**, Member for Sahtu. The bill allows residents of the entire Sahtu constituency to be involved in the decision regarding limits on sales of alcohol in the regional liquor store. The bill was referred to the Standing Committee on Government Operations. The committee held public meetings in four of the Sahtu communities affected by the legislation. During the committee review one motion to amend was adopted by the committee with Mr. Yakeleya's concurrence. The amended bill was reported to the Assembly by **Michael Nadli**, Chair of the Standing Committee on Government Operations. During the clause-by-clause consideration in Committee of the Whole, the seven-member cabinet voted against each clause. However, the regular members, forming a majority in the House,

did support the bill and the motion to report the bill as ready for third reading was adopted by the House. The motion for third reading was also adopted and the bill received assent on November 1.

Bill 22: *the Territorial Emblems and Honours Act* establishes an Order of the Northwest Territories, honouring current and former residents for outstanding service and achievements. The bill received third reading and assent during the fall sitting.

After prorogation on November 1, 2013, the House resumed sitting the following Monday, November 4, with Commissioner Tuccaro opening the 5th Session with the presentation of the Commissioner's Address. The address highlighted the achievements of the government at the mid-point of its mandate and emphasized the work continuing as the transfer of powers from the federal government becomes a reality on April 1, 2014. The government is moving forward with an ambitious social agenda, the implementation of economic strategies, and continuing to engage with its Aboriginal partners.

Points of Order

Two Points of Order were raised during the sitting. Mr. Miltenberger, Government House Leader, rose on October 24, with respect to comments made by Mr. Hawkins. Mr. Miltenberger noted that the content, volume and tone of Mr. Hawkin's oral question violated the rules of the Assembly. **Jackie Jacobson**, Speaker of the Legislative Assembly, found that there was a point of order and asked

Mr. Hawkins to withdraw his remarks and apologize to the House, which he did.

On October 28, Mr. Miltenberger again rose on a Point of Order with respect to comments made by Mr. Hawkins on his Facebook page, following Mr. Hawkins's apology to the House. Mr. Miltenberger felt the comments called into question the sincerity of the apology. Speaker Jacobson found no point of order, advising the House that he accepted the apology from the Member, taking him at his word.

Statutory Officers

On October 18, the House adopted a motion to appoint **David Phillip Jones** as the Conflict of Interest Commissioner, for a term of four years, effective December 1, 2013. Mr. Jones replaced **Gerald Gerrand**, who completed his second term and retired from the position.

On November 7, the House adopted a motion to appoint **Snookie Henrietta Catholique** as Languages Commissioner, for a term of four years, effective December 1, 2013. Ms. Catholique is replacing **Sarah Jerome** in the position.

Electoral Boundaries Commission 2013 Final Report

The Electoral Boundaries Commission tabled its final report on May 29, 2013. As directed by the Assembly, the report contained recommendations for 18, 19 and 21 electoral districts. The Assembly currently has 19 electoral districts.

On November 5, the House gave unanimous consent to stand down select orders of the day and proceed to Committee of the Whole to debate the report of the Electoral Boundaries

Commission. A five-hour debated ensued.

A motion to appoint a new electoral boundaries commission was defeated. A motion to implement the 19 electoral districts recommendation, with adjustments to two Yellowknife ridings, was carried. A motion to make future electoral boundaries commission final recommendations binding was deferred.

Committee Activity

The standing committees of the Legislature met from September 12 to 27, to review the infrastructure budget and to consider and provide comment on government action plans. The action plans relate to major government initiatives such as an anti-poverty strategy, education reform, mental health and addictions, early childhood development, a new economic opportunities strategy, a workforce planning strategy, and a mineral development strategy.

This process was slightly different from previous years, as this period prior to the fall sitting is usually used to consider government business plans. With April 1, 2014, set as the implementation date for the devolution agreement with the federal government, all Members agreed to forgo the business plan review this fall. This will allow the work on devolution to progress, including the creation of a new Department of Lands, the transfer of positions from the federal government and reorganization and decentralization within the territorial government. Committees were to meet in December to review the departmental main estimates.

Committees also used the opportunity this fall to review 11 pieces of legislation referred during the spring sitting. The Standing Committees on Social Programs and Government Operations were travelling on the review of bills.

Representatives from the Standing Committee on Economic Development and Infrastructure joined a delegation led by the Minister of Industry, Tourism and Investment, **David Ramsay**, on a tour of the Bakken shale formation in Saskatchewan and North Dakota. The committee produced its *Report on Bakken Shale Formation Tour 2013* and presented it to the House on November 7. In the report, the committee acknowledges the attention that hydraulic fracturing continues to gain in the Northwest Territories and the benefits of such a tour to highlight the need for planning and research, while also addressing the many differences between the jurisdictions.

20th Anniversary Celebration

November of 2013 marked the 20th anniversary of the Legislative Assembly building. Speaker Jacobson invited the public to join him in a celebration event, which took place on November 1.

In attendance were former commissioners, speakers, premiers and members. Speaker Jacobson was particularly honoured to have former Commissioners **Stuart Hodgson** (1967-1979) and **John Parker** (1979-1989) take part in the celebrations.

Events included the unveiling of speakers' and premiers' portraits, the announcement of new signage for the building and a newly-designed waterfront park area on the capital grounds,

a scholarship fund to support northern political science students, and the construction of a time capsule. The evening concluded with music and entertainment.

A highlight of the celebration was a panel discussion with nine of the 10 former premiers of the Northwest Territories. The discussion took place on the floor of the Chamber, moderated by **Doug Schauerte**, Deputy Clerk of the Legislative Assembly. The gallery was full as the participants shared experiences and stories marking the growth of the Northwest Territories and the Legislative Assembly.

Gail Bennett

Principal Clerk, Corporate and Interparliamentary Affairs



The Senate

On September 13, 2013, on the advice of the Prime Minister, the Governor General issued a proclamation proroguing the 1st Session of the 41st Parliament, and all items on the Senate's *Order Paper* and *Notice Paper* died.

The 2nd Session of the 41st Parliament began with the Speech from the Throne on October 16, 2013. Entitled *Seizing Canada's Moment: Prosperity and Opportunity in an Uncertain World*, the speech included the broad themes of creating jobs

and opportunities for Canadians, supporting and protecting Canadian families and putting Canada first. It was one of the longer speeches in recent times, with more than 7,000 words. The opening of the session in the Chamber was a modified bench opening, where the Senators' desks are removed and benches placed to allow for more guests to sit in the Chamber.

In the first two weeks of the session, the Senate dealt with the potential suspension without pay of three Senators for the duration of the session. Originally, the suspensions were debated as three separate motions, one for each of the Senators. Later, the government introduced one motion for suspension, still without pay, but allowing them to keep their health and insurance benefits. Given the significance of the issue, the Senate held long sittings with many hours of debate and considered a number of amendments. In the end, the Government invoked time allocation to bring the matter of the three suspensions to a decision. Although the suspension had become one motion, Senators were allowed to vote separately on each suspension.

On November 5, 2013, the motion to suspend the three Senators was adopted with some variance in the breakdown of standing votes, but not before the Speaker made a statement to explain why he had exercised his authority to allow the Senate to vote on each suspension separately. This statement will be addressed in more details below.

Speaker's Rulings

On October 24, 2013, the Speaker delivered a ruling on a point of order raised earlier in the

week about the initial motions for separate suspensions of the Senators. It had been argued that the motions were arbitrary, and a violation of basic rights guaranteed under the *Canadian Charter of Rights and Freedom*, and that one of the reports of the Standing Committee on Internal Economy, Budgets and Administration was not properly before the Senate because it had died on the Order Paper with the prorogation of the previous session. The Speaker found that proceedings were in keeping with the Senate's authority, rules and practices, and that debate could proceed.

The following week, a point of order was raised with respect to the propriety of a government disposition motion being used to limit debate on the original three motions to suspend the Senators, which were moved as non-government business. The Speaker agreed with the point of order and stated that the disposition motion that was before the Senate appeared to cross the boundaries between these two basic categories of business. He ruled the Government disposition motion out of order.

As mentioned previously, just before the Senate proceeded to the final vote on the suspension of the three Senators, the Speaker delivered a statement to explain that he would allow separate votes on each senator's suspension. He stated that it was appropriate, under rule 1-1(2), to look to the procedures in the Canadian House of Commons which had more experience dividing complex questions.

Committees

Before prorogation, the Standing Committee on

Internal Economy, Budgets and Administration presented its 27th report, dealing with the expenses of Senator **Pamela Wallin**. The report was deposited with the Clerk of the Senate under an order adopted before the summer recess. Though the report died on the Order Paper with prorogation, the report informed the debate on the motions for the Senator's suspension.

In the days following the Speech from the Throne, the Committee of Selection was appointed to name senators to serve on the several committees during the present session, except the Standing Committee on Conflict of Interest for Senators. By the end of October,

committees had not yet organized due to the busy schedule of the Chamber sittings.

Senators

There were some changes in the Leadership of the Senate on both the government and opposition sides. At the end of August Senator **Claude Carignan** became Leader of the Government in the Senate. Since 2011, he had served as the Deputy Leader of the Government and was replaced in that role by Senator **Yonah Martin** on September 18. Unlike his predecessors since the early 1960's, Senator Carignan is not a member of the Cabinet though he was sworn in to the Queen's Privy Council on September 3,

2013. On the Opposition side, Senator **Claudette Tardif** stepped down from her role as Deputy Leader of the Opposition, a function she had performed since 2007, and was replaced by Senator **Joan Fraser**, who was previously the Deputy Leader of the Opposition in 2006-2007.

There were two resignations from the Senate over the summer. Senator Rod Zimmer and Senator Mac Harb gave up their seats in the Senate in August of 2013. Senator Zimmer was appointed to the Senate in 2005 by Paul Martin and Senator Harb had served in the Senate since 2001 after being appointed by Jean Chrétien.

Vanessa Moss-Norbury
Procedural Clerk