



# Legislative Reports



## Alberta

### 2nd Session of the 28th Legislature

The first sitting of the Second Session of the 28th Legislature opened with the Speech from the Throne, delivered by Col. (Ret'd) Hon. **Donald S. Ethell**, Lieutenant Governor of Alberta, on March 3, 2014. Focusing heavily on the province's relationship with municipal governments, the speech touched on long-term stability funding for municipalities, transit support through the "Green Trip" budget allocation, and further amendments to the *Municipal Government Act*. Other topics of note included flood preparedness, investment in Alberta's infrastructure, and promoting Alberta to the rest of the world. Three days later, on March 6, 2014, the province's proposed 2014-2015 budget was presented by **Doug Horner** (Spruce Grove-St. Albert), President of Treasury Board and Minister of Finance. The Main Estimates were debated by the three Legislative Policy

Committees (LPCs) beginning on March 17, 2014, and were reported to the Committee of Supply for a vote on April 16, 2014. Bill 8, *Appropriation Act, 2014* also passed First Reading on April 16, 2014, and went on to receive Royal Assent on April 24, 2014.

### Changes to the Standing Orders

Government Motion 7, which proposed changes to the Standing Orders governing the review of the Main Estimates by the three LPCs, was passed by the Legislative Assembly on March 4, 2014. The changes included updating the mandates of the LPCs to accurately reflect the portfolio names included in the current Cabinet, reducing the size of the LPCs from 18 to 15 members and clarifying the rotation of caucus speaking times during the estimates debates. A specific segment of time for independent Members was added into the rotation and the maximum amount of time to review a ministry's estimates, which had previously varied from two to six hours, was set at three hours for all ministries except Executive Council, which remains at two hours.

### Resignation of the Premier

On March 17, 2014, **Alison Redford** (Calgary-Elbow) received a standing ovation from her Progressive Conservative caucus after being asked in Oral Question Period if she continued to have the support necessary to

lead the province as the Premier of Alberta. Two days later, Ms. Redford announced that she would be resigning as Premier effective March 23, 2014.

Ms. Redford's resignation followed weeks of scrutiny and criticism of her travel costs, use of a government aircraft and other spending. In addition, two Progressive Conservative MLAs had recently crossed the floor to sit as independents and several other caucus members were openly discussing similar action. In her resignation speech Ms. Redford noted that she was "not prepared to allow party and caucus infighting to get in the way of building a better future for our province and for all Albertans." Having resigned as Premier, Ms. Redford has indicated she will continue to represent her constituents in the Assembly.

On March 23, 2014, **David Hancock** (Edmonton-Whitemud) became the 15th Premier of Alberta. Prior to this appointment he had served as Deputy Premier for a number of months and Minister of Innovation and Advanced Education, a portfolio he continues to hold. His tenure as Government House Leader began in 1999 and he regularly filled this role until his appointment as Deputy Premier in December, 2013. He has been responsible for a variety of portfolios during his five terms in the Legislature, including the ministries of Justice, Education, Human Services

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and Intergovernmental and Aboriginal Affairs.

Ms. Redford's departure as Premier also triggered a leadership race within the Progressive Conservative Association of Alberta. Mr. Hancock has publicly indicated he will not be pursuing the leadership role on a permanent basis, therefore, the winner of the leadership selection process will become the 16th Premier of Alberta. The leadership nomination period was open from May 15 to May 30, 2014, and the selection vote is scheduled for September 6, 2014. The association requires a candidate to receive more than half the votes cast in order to win the leadership. If no single candidate receives such a majority on the first vote then the top two candidates will go on to compete in a second ballot scheduled for September 20, 2014.

### Changes to Caucus Membership

On March 13, 2014, **Len Webber** (Calgary-Foothills), a Member of the Government caucus, announced that he was leaving the Progressive Conservative caucus to sit as an independent Member of the Legislative Assembly. Four days later, **Donna Kennedy-Glans** (Calgary-Varsity), Associate Minister of Electricity and Renewable Energy, announced she was resigning from Cabinet and leaving the Government caucus to sit as an Independent.

On April 7, 2014, **Ken Hughes** (Calgary-West) announced his resignation as Minister of Municipal Affairs. He confirmed his intention to run for the leadership of the Progressive Conservatives on April 11, 2014; however, he has since withdrawn from the leadership race. In

May, **Ric McIver** (Calgary-Hays) stepped down as Minister of Infrastructure and announced that he would be running for the leadership of the Progressive Conservatives, followed by **Thomas Lukaszuk** (Edmonton-Castle Downs), who resigned as Minister of Jobs, Skills, Training and Labour. Former federal cabinet minister **Jim Prentice** has also joined the race.

**Greg Weadick** (Lethbridge-West) has been sworn-in as the Minister of Municipal Affairs; **Wayne Drysdale** (Grande Prairie-Wapiti), Minister of Transportation, has taken on the added responsibility of the Infrastructure portfolio; and **Kyle Fawcett** (Calgary-Klein) is now the Minister of Jobs, Skills, Training and Labour.

### Committee Activity

The Legislative Policy Committees debated the 2014-2015 Main Estimates from March 17, 2014 until the vote in Committee of Supply on April 16, 2014. Under the Standing Orders, these committees, and all other legislative committees, are prohibited from meeting for any other purpose during this period. However, on March 4, 2014 the Assembly passed amendments to the Standing Orders which included an exception to this rule, in order to permit the Select Special Ethics Commissioner Search Committee to continue its recruitment activities without interruption. Ultimately, in order to maintain its schedule the Committee met three times during the period the Main Estimates were under review.

On March 10, 2014, the Legislative Assembly referred the *Agricultural Pests (Fusarium Head Blight) Amendment Act, 2014*, to the Standing Committee

on Resource Stewardship prior to the completion of second reading. Bill 201, a Private Members' public bill, sponsored by **Maureen Kubinec** (Barrhead-Morinville-Westlock), seeks to amend the *Agricultural Pests Act* in order that a tolerance level for fusarium graminearum, an aggressive plant pathogen, which can lead to the destruction of a variety of crops, of 0.5 per cent be accepted for Alberta seed and feed.

The Standing Committee on Alberta's Economic Future has met with a wide range of stakeholders and completed a series of public meetings on the future of high-speed rail in Alberta. A call for written submissions on the matter closed March 31, 2014. In order to complete its review within the allotted six-month timeframe the Committee will report to the Assembly on the matter by May 25, 2014.

**Jody Rempel**  
Committee Clerk



### **Nova Scotia**

The spring sitting of the House of Assembly was a very busy one with long hours and the passage of two controversial health bills.

### Emergency sitting

The Speaker recalled the House of Assembly for 9:00

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am Friday, February 28, 2014 to deal with a pressing issue of public interest. The first order of business, a motion put forth by the Government House Leader to extend the sitting hours of the day to midnight, was adopted. Bill 30, *An Act to Ensure the Provision of Essential Home-support Services*, was introduced by **Kelly Regan**, Minister of Labour and Advanced Education. A strike by approximately 450 home-support workers had commenced at 8:00 a.m. that morning and several hundred workers were protesting outside the House of Assembly in frigid weather.

With the unanimous consent of the House, second reading debate commenced at 9:15 am. At approximately 1:50 p.m. the motion for second reading was carried and the bill was referred by the House to the Law Amendments Committee – at that point over 130 presenters were scheduled to speak with approximately 90 more remaining to be scheduled.

At 6:00 p.m. the Government House Leader requested and obtained the consent of the House to adjourn until 9:00 am Saturday, March 1, to allow presentations before the Law Amendments Committee to continue through the night. The last time the House of Assembly sat on a Saturday in Nova Scotia was on May 24, 1986.

At 9:05 a.m. on March 1, with unanimous consent of the House to dispense with Committee of the Whole House, third reading debate of the bill commenced and continued for approximately one hour. The motion for third reading was carried and the bill was walked to Government House for the signature of the Lieutenant Governor.

Although only the home-support employees of one

employer were on strike on February 28, this legislation applies to 12 employers and 19 union locals and requires the employer and the union to identify the employees who provide “essential services” and allow only the non-essential workers to strike.

### **Legislation**

The spring sitting commenced on March 27, 2014 with further health care labour unrest on the horizon, as nurses with the Capital Health District, members of the Nova Scotia Government Employees Union, prepared for a strike. On March 31, 2014 at 7:12 pm, Ms. Regan, Minister of Labour and Advanced Education introduced Bill 37, *An Act to Ensure the Provision of Essential Health and Community Services*. As the opposition parties had not been briefed on the bill, the House was recessed. Unanimous consent to proceed to second reading was not obtained and the House adjourned until 12:01 am on April 1.

April 1 proved to be a marathon session with Question Period commencing at 12:21 am followed by second reading debate on Bill 37 which commenced at approximately 1:30 am. A “hoist” motion was proposed by the NDP and debate continued until 6:37 am when a series of bell ringings and votes took place. At 9:30 am the vote for second reading of Bill 37 was taken and the motion carried. The bill was referred to the Law Amendments Committee where over 200 presenters were scheduled to speak. At that point the House was recessed until 11:30 pm at which time the hours were called for the following day, April 2.

Proceedings commenced at 2:00 pm on April 2 – Wednesdays are Opposition Days and the House recessed at approximately 4:00 pm after the conclusion of opposition business until 11:30 pm at which time the House was adjourned until 12:01 am on April 3. At 12:01 am proceedings commenced and at the end of Question Period at 1:30 am the House resolved itself into Committee of the Whole House of Bills. The bill was reported from the Committee to the House at 4:13 am, at which time unanimous consent was requested to proceed to third reading of the bill; consent was not obtained. The House then recessed until 2:15 pm, at which time **Diana Whalen**, Minister of Finance, delivered her first budget speech. At the conclusion of the budget speech at approximately 4:00 pm the House was adjourned to 12:01 am Friday, April 3.

Third reading debate on Bill 37 commenced at approximately 12:30 am on April 3 and continued until 6:09 am; at this time there was bell ringing and votes were taken on the previous question and on third reading of the bill. The motion for third reading took place at 7:09 am; the House rose following the vote. As the nurses were already legally on strike at that time, the Bill received immediate Royal Assent.

During most of the week, protestors were present outside and inside the House. The public gallery of the House was cleared once by the Speaker due to the disruptive behaviour of the public.

The Government House Leader called for extended hours to deal with the budget estimates commencing on Monday, April

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7 – days of 6, 8 and 10 hours were called daily thereafter.

There have been 40 Bills introduced so far this spring sitting – 26 Government, 11 Private Members’ and three Private Bills. It is expected that the House will rise in early May.

**Annette M. Boucher**  
Assistant Clerk



## British Columbia

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### Speech from the Throne

As reported in the spring 2014 issue, the First Session of the 40<sup>th</sup> Parliament prorogued on the morning of February 11. The Second Session began that afternoon, with Lieutenant Governor **Judith Guichon** delivering a Speech from the Throne which focused on economic development and the creation of opportunities through maintaining a balanced budget, opening new markets for investment, achieving labour stability and supporting development of a liquefied natural gas (LNG) industry. A commitment was also made for a 10-year skills-training action plan to ensure British Columbians benefit from this economic growth. Ms. Guichon announced the government’s intention to formally apologize for the historical wrongs done

to the Chinese community. In addition, she noted the government will develop a long-term comprehensive strategy to move towards a violence-free BC, and will also introduce legislation to amend BC’s liquor laws and policy.

Leader of the Official Opposition **Adrian Dix** delivered his response to the Speech from the Throne the following day, summarizing the speech as failing to address BC’s economic and employment problems.

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### Budget 2014/2015

On February 18, Minister of Finance **Mike de Jong** delivered what he characterized as a “boring” budget for fiscal year 2014/2015, projecting a slim surplus of \$175 million. Mr. de Jong pointed out that among the provincial and federal governments, only BC and Saskatchewan generated balanced budgets this year; he reiterated BC’s commitment to promoting economic growth and investment in communities without running a deficit. He also commented on the importance of BC’s nascent LNG industry and described the LNG tax regime the government intends to implement in the fall. Tax provisions included sheltering credit unions from a negative federal tax change for another three years and increasing the tariff on tobacco.

In his response, Opposition finance critic **Mike Farnworth** described Budget 2014/2015 as lacking vision. He asserted that government-imposed rate increases will mean families pay more for medical service premiums, ferry fares, home heating, hydro, tuition and basic car insurance.

As with the previous budget address, both the Minister and

the critic used PowerPoint slides displayed on large monitors in the Chamber to supplement their presentations on Budget 2014/2015. Display monitors may be used by the Minister of Finance and a leader of a recognized opposition party, or designated member thereof, to present textual and numerical information or graphical data, while audio, video or other images are not be permitted.

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### Changes to Standing Orders

On February 12, the House unanimously agreed to amend Standing Orders 2(1) and 3 to make permanent regular sitting hours that have been the practice of the House since 2009. These adjustments had previously been authorized through sessional orders.

On February 13, the House passed a sessional order amending Standing Orders 25 and 47a to reschedule Oral Question Period and the daily Members’ Statements from afternoon sittings to mornings on Tuesdays and Thursdays of each sitting week. Oral Question Period and Members’ Statements on Mondays and Wednesdays will remain scheduled each afternoon. Government House Leader Mike de Jong indicated his intention to meet with members of the Opposition to assess the impact of the changes following the session.

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### Legislation

On March 27, the Government House Leader advised the Legislature that all bills that formed part of the government’s legislative agenda for the present spring session had been introduced. The Second Session of the 40<sup>th</sup> Parliament saw the introduction and First Reading

of 27 Government Bills, ten Members' Bills and one Private Bill. At the time of writing, nine Government Bills have received Royal Assent, including:

- Bill 3 — *Missing Persons Act*: Provides the authority for police to access records and search premises in specified circumstances when the police are conducting a missing person investigation.
- Bill 6 — *Provincial Capital Commission Dissolution Act*: Dissolves the Provincial Capital Commission and transfers its property, assets and liabilities to the provincial government, with the exception of the Belleville wharves, which are transferred to the BC Transportation Financing Authority.
- Bill 15 — *Liquor Control and Licensing Amendment Act, 2014*: Provides for implementation of 15 out of 29 provincial liquor policy review recommendations that require changes to the *Liquor Control and Licensing Act*. Highlights include allowing the sale of BC wine, craft beer and spirits at farmers' markets; streamlining requirements for manufacturers so that they can expand on-site tasting venues; and allowing hobby brewer and vintner competitions.

### Application for Speaker's Ruling

Over 1,000 non-union container truck drivers at Port Metro Vancouver went on strike on February 26, 2014, where they were joined by about 250 union truck drivers on March 10. On March 24, Minister of Jobs, Tourism and Skills Training and Minister Responsible for Labour **Shirley Bond** introduced Bill 25, *Port Metro Vancouver Container Trucking Services Continuation Act*, to impose a cooling-off period respecting employers and the union, in order to restore functioning of the port

and minimize the sustained negative impact on the provincial economy.

On March 25, the Government House Leader made an application to the Speaker, pursuant to Standing Order 81, that Bill 25 be permitted to advance through two or more stages of debate in one day due to the urgent need to resolve the dispute. The Speaker took the matter under advisement, preparing a decision for delivery the following day. On March 26, Mr. de Jong, with agreement from the Opposition, requested a delay in delivery of the Speaker's ruling to accommodate labour negotiations underway. Prior to moving adjournment of the House that evening, Mr. de Jong reported resolution of the labour dispute and withdrew his application for a ruling.

### Committee Activity

In March 2014, the Legislative Assembly Management Committee (LAMC) committed to work towards publicly releasing the Assembly's quarterly financial operating and capital reports, including a capital projects update, as part of an expanded routine disclosure process. Work is also underway to disclose — for the first time — Members' constituency office expenses, following through on a September 2013 LAMC commitment. These constituency office expenses for the January 1 to March 31, 2014 reporting period will be posted on the Assembly's website in late May 2014.

On April 10, Committee Chair **Bruce Ralston** presented the First Report of the Select Standing Committee on Public Accounts for the Second Session of the 40<sup>th</sup> Parliament,

providing recommendations on document retention and disposal applications made to it by the Public Documents Committee. The Public Accounts Committee holds oversight responsibility regarding retention and disposal of all records created by the executive of government and its agencies, pursuant to Section 3 of the *Document Disposal Act*, first enacted in 1936.

### Cabinet Changes

On April 11, 2014, **Norm Letnick** was sworn in as Minister of Agriculture, replacing **Pat Pimm**. Mr. Pimm, who has been undergoing treatments for cancer, continues to serve as MLA for Peace River North. Mr. Letnick previously served in this portfolio between September 2012 and June 2013.

**Aaron Ellingsen**  
**Gordon Robinson**  
Committee Researchers



### Nunavut

The 1st Session of the 4th Legislative Assembly reconvened on March 6, 2014. The proceedings of the Committee of the Whole during the 2014 winter sitting of the House were dominated by the consideration of the Government of Nunavut's proposed 2014-2015 capital estimates.

The winter sitting was the first to be broadcast live across the territory on direct-to-home satellite service, in addition to existing broadcasts on community cable stations.

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In April of 2013, representatives from the Legislative Assembly of Nunavut and the Legislative Assembly of the Northwest Territories appeared before the Canadian Radio-television and Telecommunications Commission (CRTC) on the occasion of its public hearing concerning the legislatures' joint application for mandatory distribution.

In August of 2013, the CRTC issued a decision requiring mandatory carriage of the televised proceedings of the territorial legislatures on the digital basic service of the direct-to-home satellite broadcasting distribution undertakings serving Nunavut and the Northwest Territories.

## Legislation

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Five bills received Assent during the winter sitting:

- Bill 1, *An Act to Provide for a Fixed Election Date*;
- Bill 2, *Appropriation (Capital) Act, 2014-2015*;
- Bill 3, *Supplementary Appropriation (Operations and Maintenance) Act, No. 3, 2013-2014*;
- Bill 4, *Supplementary Appropriation (Capital) Act, No. 4, 2013-2014*; and
- Bill 5, *Interim Appropriation Act, April 1, 2014 – July 31, 2014*.

Bill 1, *An Act to Provide for a Fixed Election Date*, was the first bill to be introduced in the current Legislative Assembly. Bill 1 was introduced under the authority of the Legislative Assembly's Management and Services Board. Speaker **George Qulaut** appeared before the Committee of the Whole on the occasion of its clause-by-clause consideration of the bill.

Bill 1 amended the *Nunavut Elections Act* and the *Legislative*

*Assembly and Executive Council Act* to provide that the election day for a territorial general election must be the last Monday in October in the fourth calendar year following the election day for the most recent general election. Consequently, the next territorial general election will be held on October 30, 2017.

Bill 1 fulfilled a commitment that was announced as part of the communiqué which was issued following the February 18-21, 2014, full caucus retreat. The retreat, which was held in the community of Kugluktuk, brought together all Members of the Legislative Assembly. Other decisions and initiatives announced by caucus included:

- The holding of a territory-wide plebiscite in 2015 concerning the alienation of municipal lands, pursuant to Article 14.8.4 of the *Nunavut Land Claims Agreement*. The vote, which will be held under the auspices of the recently-passed *Plebiscites Act*, will ask residents to consider the question of whether the current restrictions applying to the disposal of municipal lands should continue.
- The adoption of a new *Code of Conduct* for Members of the Legislative Assembly.
- The holding of a mid-term leadership review of the Executive Council (Cabinet) in the fall of 2015. Caucus agreed that the review will be broadened from past exercises to include such matters as the size of Cabinet and the Legislative Assembly's standing committee structure.

The 1st Session of the 4th Legislative Assembly was prorogued on March 19, 2014. The 2nd Session convened the following day. Commissioner **Edna Elias** delivered the Opening Address. Premier **Peter Taptuna** tabled a copy of the new

government's mandate statement, *Sivumut Abluqta: Stepping Forward Together*. Speaker Qulaut tabled a copy of the new *Code of Conduct* for Members of the Legislative Assembly.

The 2nd Session of the 4th Legislative Assembly reconvened for its spring sitting on May 22, 2014.

## Committee Activities

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The membership and terms of reference for the standing committees of the 4th Legislative Assembly were established by way of motion on March 6, 2014. The committees are:

- Standing Committee on Legislation;
- Standing Committee on Oversight of Government Operations and Public Accounts;
- Standing Committee on Social Wellness;
- Standing Committee on Community and Economic Development; and
- Standing Committee on Rules, Procedures and Privileges.

The Standing Committee on Legislation, which is chaired by Arviat South MLA **Joe Savikataaq**, is presently considering the proposed *Northern Employee Benefits Services Pension Plan Act*, which was introduced in the House on March 20, 2014. The bill sets out the proposed legislative framework for the continuation of the Northern Employee Benefits Services plan as a multi-employer, multi-jurisdictional pension plan for employees of approved public sector employers in northern Canada. A piece of mirror legislation was introduced in the Legislative Assembly of the Northwest Territories on February 26, 2014.

The Standing Committee on Oversight of Government Operations and Public Accounts, which is chaired by Iqaluit-Tasiluk MLA **George Hickes**, held hearings from April 1 to 3, 2014, on the reports of the Auditor General of Canada to the Legislative Assembly on *Education in Nunavut* and *Safety of Schools and Childcare Facilities in Nunavut*.

The hearings were televised live across Nunavut on local community cable channels and direct-to-home satellite service. Auditor General **Michael Ferguson** and officials from the Government of Nunavut's Department of Education and Department of Community and Government Services appeared before the standing committee to provide testimony.

**Alex Baldwin**

Office of the Legislative Assembly of Nunavut



## Manitoba

### Budget

The Third Session of the 40th Legislature resumed on March 6, 2014, with the delivery of the first budget from new Finance Minister **Jennifer Howard**.

The 2014-2015 total operating expenditure of \$12.3 billion represents an increase of 2% from

2013-2014. Highlights of the government's budget included:

- Creating jobs and more opportunities for young people while keeping life affordable and protecting the front-line services families count on;
- Creating more apprenticeship and training opportunities to help grow Manitoba's workforce by 75,000 by 2020;
- Setting up a five-year plan to invest \$5.5 billion in core infrastructure to improve the province's roads, bridges, flood protection and municipal infrastructure and create tens of thousands of jobs;
- Achieving further administrative savings to be reinvested in front-line services for families including the extension of corporate administrative spending caps to all regional health authorities; and
- Creating a lean council tasked with providing advice to government on new ways to offer better services more efficiently across government departments.

### Opposition's Response to the Budget

During his contribution to the budget debate on March 7, 2014, Official Opposition Leader **Brian Pallister** moved a motion expressing non-confidence in the government which stated that the budget failed to address the priorities of Manitobans by:

- failing to repeal the massive tax and fee increases imposed in Budget 2012 and Budget 2013, including the PST hike;
- refusing to hold the legally required referendum before increasing the PST;
- breaking the promise to eliminate the structural deficit of nearly \$400 million;
- failing to address the growing threat to services Manitobans count on such as health and social supports;
- failing to raise the employment

and income assistance rental allowance rates to 75 per cent of median market rents;

- failing to provide promised tax relief for seniors;
- stifling economic growth and prosperity through excessive red tape and unwarranted taxation; and
- failing to join the New West Partnership.

On March 18, 2014 Mr. Pallister's amendment was defeated on a recorded vote of yeas 19, nays 35, while the main budget motion carried on a recorded vote of yeas 34, nays 20.

### Legislation

In addition to the bills introduced in the fall, the spring session to date has seen the introduction of approximately 16 bills addressing a variety of governance areas including:

- Bill 37 – *The Public Schools Amendment Act (Connecting Schools to the Internet)*, which enables school boards to enter into cost-sharing agreements to establish or improve Internet services in schools.
- Bill 49 – *The Manitoba Public Insurance Corporation Amendment Act*, which enhances the ability to gather information relevant to insurance claims. Under this bill, MPI is granted authority to obtain information from certain public bodies, persons who claim benefits and persons claiming payment for goods or services.
- Bill 52 – *The Non-Smokers Health Protection Amendment Act (Prohibitions on Flavoured Tobacco and Other Amendments)*, which prohibits the sale or supply of flavoured tobacco products and also repeals the exemption allowing a parent to provide tobacco to his or her child in a non-public place. Menthol tobacco products, snuff and chewing tobacco are exempt from this prohibition.

- Bill 55 – *The Environment Amendment Act (Reducing Pesticides Exposure)*, which prohibits the use of prescribed classes or types of pesticides on lawns and on the grounds of schools, hospitals and child care centres, except in specific circumstances.
- Bill 59 – *The Adoption Amendment and Vital Statistics Amendment Act (Opening Birth and Adoption Records)*, which creates a scheme that allows for more openness with respect to adoption records and pre-adoption birth records, subject to certain privacy rights.
- Bill 212 – *The Child and Family Services Amendment Act*, which requires a child and family services agency, when it proposes to remove a child from the care of a caregiver in the absence of child protection plans, to prepare a written plan, notify the caregiver in writing about its intentions and explain its reasons for the proposal and its assessment of the factors relevant to determining how the proposed move may affect the child; and, once the final decision is made to carry out the proposal, give the caregiver a written decision and provide copies of the notice and decision to the authority under which the mandated agency operates.

### Opposition Day Motion

On April 17, 2014 **Kelvin Goertzen** moved an opposition day motion urging that “a Special Committee of the Legislative Assembly be appointed to investigate the conduct of the First Minister and the Member for Riel with respect to the issuing of invitations to provincial civil servants and immigration service providers to attend a political debate in the House on April 19, 2012 concerning immigration settlement services.” Following the debate, the motion was defeated on a vote of yeas 19, nays 28.

### Committee of Supply

The Committee of Supply considered the Estimates of the Departmental Expenditures from March 19 to April 30, 2014. During this period, resolutions to approve departmental spending were passed and motions were moved in certain departments to reduce the ministers’ salaries to various dollar amounts. All motions were defeated.

As a result of the Sessional Order adopted on September 11, 2013, the Committee of Supply also considered and passed supply resolutions dealing with temporary funding for operating and capital expenditures until the Assembly deals with the main supply bills later this session. As a result, Bill 40 – *The Interim Appropriation Act, 2014* received Royal Assent on March 27, 2014.

### Standing Committees

Manitoba Standing Committee activity this quarter included the following meetings:

- Legislative Affairs Committee – to consider the appointment of the Children’s Advocate;
- Sub-Committee of the Legislative Affairs Committee – met in camera on two separate occasions regarding the recruitment and selection of a new Auditor General and a new Ombudsman;
- Public Accounts Committee – to consider several fiscal years of the Public Accounts Volumes as well as the report from the Auditor General – Operations of the Office.

Under the provisions of the Sessional Order, the Public Accounts Committee is required to have 10 meetings between September 11, 2013 and September 11, 2014. This committee has held five meetings as of March 19, 2014.

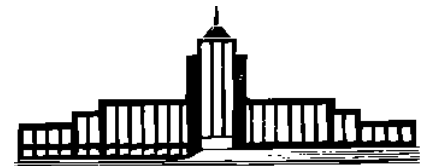
### Current Party Standings

The current party standings in the Manitoba Legislature are: NDP 36, Progressive Conservatives 19, Independents two.

Under the terms of the Rules and the Sessional Order, the House did not meet during spring break from March 31 to April 4 and during the week considered as Constituency Week from May 5 to 9, 2014.

**Monique Grenier**

Clerk Assistant/  
Clerk of Committees



### Newfoundland and Labrador

#### New Session

On the morning of March 12, 2014, **J. Derek Green**, Chief Justice of Newfoundland and Labrador, prorogued the Second Session of the Forty-Seventh General Assembly. In the afternoon he delivered the Speech from the Throne opening the Third Session of the Forty-Seventh General Assembly.

#### Members

Former Premier **Kathy Dunderdale**, who had resigned as Premier on January 24, 2014, resigned her seat on February 28.

**Sam Slade**, MHA, Carbonear-Harbour Grace who was elected on November 26, 2013 took his seat before the House was prorogued.

Liberal candidate **Cathy Bennett** was elected in the



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District of Virginia Waters in the by-election which took place on April 19. Ms. Bennett was sworn in and took her seat in the House on May 5.

On June 2nd Minister of Environment and Conservation, Joan Shea resigned her seat.

The composition of the House is now 33 Progressive Conservatives, 12 Liberals and three New Democrats.

### **Appointment of Sergeant-at-Arms**

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On March 18, by Resolution, the House approved the appointment of **Wayne Harnum** as Sergeant-at-Arms. Mr. Harnum, who succeeds **Bill Brown**, is a 30-year veteran of the Royal Newfoundland Constabulary, having retired as Staff Sergeant before taking up his new position.

### **Leadership Renewal**

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The leadership convention for the Progressive Conservative Party scheduled to take place in July will now consider only one candidate, **Frank Coleman**, as the other two candidates have withdrawn.

On May 17th at their annual convention the New Democratic Party of Newfoundland and Labrador affirmed **Lorraine Michael** as leader.

The House adjourned for the summer on June 5th on which date **Tom Marshall** spoke in the House for the last time as Premier to bid farewell to the Members. In his comments the Premier indicated that he suspected that it would also be the last time he addressed the House as an MHA.

**Elizabeth Murphy**  
Clerk Assistant



## **Saskatchewan**

The third session of the 27th Legislative Assembly resumed on March 3, 2014. Some of the highlights included the Budget presentation and debate on several government bills and motions.

### **Government Motions**

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Several government motions were debated and passed in the spring sitting. The first two government motions were moved by unanimous consent under Rule 61 – urgent and pressing necessity. These motions focused on grain transportation and the crisis in Ukraine. Three additional government motions sought support for the Northern Gateway pipeline, the Canada-Korea Free Trade Agreement and the use of a P3 model in the construction of a new bridge in the city of Saskatoon. An amendment to the motion on the P3 model was proposed but defeated.

### **Budget Presentation**

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On March 19, 2014, Finance Minister **Ken Krawetz** presented the province's budget for 2014-2015. The Budget entitled *Steady Growth* focused on infrastructure investments for highways, hospitals, high-speed data networks and education capital. The government cited significant planned expenditures in health,

social services and labour force development.

Prior to the budget presentation, the Opposition laid out seven items they wished to see in the budget. According to the Opposition, six out of seven of their requests were not met. Finance Critic **Trent Wotherspoon** criticized the government for not addressing the high cost of living, citing increases to monthly bills from some of the Crown Corporations and less transfers to municipalities as ways the government is pushing pressure onto property tax. The item that was included in the budget was the presentation of the budget on a summary basis and the requirement that only the summary financial statements are included in the public accounts. For many years, the Provincial Auditor recommended that the government produce their budget and financial statements on a summary basis. This change was included in the *Financial Administration Amendment Act, 2014*.

### **Legislation**

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The Assembly passed two bills that relate to the *Legislative Assembly and Executive Council Act, 2007*.

Bill No. 129 – *The Executive Government Administration Act* establishes the Office of Executive Council, consolidates the provisions of *The Government Organization Act, The Tabling of Documents Act, 1991* and *The Federal-Provincial Agreements Act*. It is accompanied by Bill No. 130 – *The Executive Government Administration Consequential Amendments Act, 2013*. This Act provides separate acts for both Executive Government and the Legislative Assembly. This is

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the first time that there will be separate statutes for the two branches of government.

### **Interparliamentary Relations**

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The Province of Saskatchewan and the State of Western Australia share a great number of similarities including parliamentary institutions, socio-economic circumstances, issues of national-provincial relations, First Nations matters and cultural diversity. In July 2012 the Legislative Assembly of Saskatchewan and the Western Australia Parliament agreed in principle to pursue a parliamentary study exchange.

The goal of the study exchange is to encourage practical professional development through learning from each other, through the examination of practices and by the sharing of information and experiences. Members and staff must apply to participate in the program with a statement of interest describing their purpose of participation, their goals and objectives, specific area of interest, and how the exchange relates to and may enhance their roles. The program for members consists of two parts – one part relating to the operation of Parliament, and the second to focus on a special interest determined by the participants. Participants are matched with members of the host parliament who have similar interests. The hosting members are expected to make the arrangements for the second part of the study visit.

The first cycle of the exchange took place in September 2013, when a Saskatchewan study delegation visited Western Australia. A Western Australia delegation visited Saskatchewan for two weeks in April.

### **Saskatchewan Teachers' Institute on Parliamentary Democracy**

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Speaker **Dan D'Autremont** welcomed 16 teachers to the Saskatchewan Teachers' Institute that was held from April 5 to 9, 2014. This year marked the 17th anniversary of the program.

The first Saskatchewan Teachers' Institute on Parliamentary Democracy was held in 1999, with the aim of developing a strategy to enhance the understanding of parliamentary democracy in the classroom. Since then, over 200 teachers from across Saskatchewan have participated in the institute. During the five-day Institute teacher participants receive a behind-the-scenes look at democracy at work. Participants have the opportunity to meet with the Lieutenant Governor, the Speaker, the Premier, cabinet ministers, caucus leaders, Whips and Chairs, as well as with private members, the Clerk and other members of the Legislative Assembly Service, Officers of the Assembly, the press gallery association and the judiciary.

### **Speakers' Outreach**

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Speaker D'Autremont continues to do presentations as part of the Speaker's Educational Outreach Program on Parliamentary Democracy. The program aims to promote awareness and understanding of the Legislative Assembly and the democratic process through a non-partisan approach. This year has seen an increase in interest and participation as a result of direct communication with social studies teachers across the province. Speaker D'Autremont completed 25 presentations from January to April 2014. Teachers

have remarked that this program has given them the ability to teach children about citizenship, the democratic system and the importance of voting.

**Stacey Ursulescu**  
Committee Clerk



### **Northwest Territories**

The Fifth Session of the 17th Legislative Assembly reconvened February 5, 2014. The six-week session saw the consideration and adoption of 18 pieces of legislation, including the *Appropriation Act* for operations expenditures for the 2014-15 fiscal year as well as 10 bills directly related to the implementation of the Devolution Agreement with the Government of Canada. Responsibility for public lands, water and resource management was transferred effective April 1, 2014 from the Government of Canada to the Government of the Northwest Territories. For the first time, Northerners will be able to pass laws and make their own decisions about how the environment is managed and protected and the resources are developed. This was an historic occasion in the ongoing evolution of the territory.

### **Budget 2014-2015**

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On February 6, Finance Minister **J. Michael Miltenberger** presented the 2014-15 territorial operations budget. The biggest highlight of the \$1.612 billion budget is the \$59 million to administer the new land, water and resource management programs and services. This is to be funded through a \$67 million increase in the

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Gross Expenditure Base in the Territorial Formula Financing Grant. Other highlights include \$27 million in new investments in health and education to expand economic opportunities as well as \$54 million to address increased salary costs and other forced growth pressures for existing programs. The *Appropriation Act* received Third Reading on March 7 and Royal Assent on March 13, 2014.

### **Legislation**

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Other bills of particular interest that were considered include Bill 4: *Health Information Act*, which was introduced in November and referred to the Standing Committee on Social Programs. The bill establishes rules regarding the collection, use, disclosure and security of personal health information. The Committee held public hearings in February and March and proposed and adopted amendments broadening the bill's purpose statement, as well as adding a mandatory review clause requiring the Minister to conduct a review of the *Act* within 10 years of its enactment. The bill received Third Reading on March 12 and Royal Assent on March 13, 2014.

On March 6, amendments to the *Legislative Assembly and Executive Council Act* were introduced to revise the electoral districts of the Northwest Territories. The bill proposed changes to the electoral boundaries within the communities of Hay River, Inuvik and Yellowknife, and moved the areas of Lutselk'e, Fort Resolution, Detah and Ndilo to a new Tu Nedhe and Weledeh electoral district. The status quo is maintained in the remaining seven constituencies. Bill 18

did not propose any increase to the 19 Member Legislative Assembly. The Bill was reported out of Committee of the Whole on March 12 and remains on the Order paper with Third Reading scheduled when the Fifth Session resumes in May.

### **Term Extension Request**

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The next NWT general election is currently scheduled, by way of fixed-date election legislation, for October 5, 2015. This is the same month as the next scheduled federal general election and municipal elections in several NWT communities. Some provinces with elections scheduled for the fall of 2015 have already extended their terms in order to avoid overlap in election periods, or are considering doing so in the near future. In an effort to avoid significant communications and administrative difficulties, as well as the possibility of lower voter participation rates, the Assembly adopted a motion on March 10 requesting an amendment to the federal *Northwest Territories Act* that would authorize the current Assembly to extend its term, from the current four years, to a period not exceeding five years. On a recorded vote, the motion was carried by an 11-7 margin.

### **Building Anniversary Projects**

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November 2013 marked the 20th Anniversary of the NWT Legislative Assembly building. The final mortgage payment has been made and full ownership of our magnificent facility has been assumed. Surplus funding received from the Legislative Assembly Building Society was then committed to a number of celebration and enhancement projects that will be completed over the summer months. The ongoing projects include a

new exterior building sign, the rejuvenation of the Water's Edge Park and the establishment of an ongoing scholarship fund for NWT students. Work is also underway for signage upgrades in the Capital Site area that will serve as landmarks and guide visitors and tourists to our building and other important public institutions located on the Capital Site.

### **Direct-to-Home Satellite Television Broadcasting**

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In August 2013, the Canadian Radio-television and Telecommunications Commission approved a joint submission from the Legislative Assemblies of the NWT and Nunavut, requesting mandatory distribution of Assembly proceedings. Commencing in February, our proceedings are now being carried through direct-to-home satellite providers Bell Express Vu and Shaw Direct, giving northerners and Canadians another option to view the proceedings of our legislature. These dedicated channels are being shared with the Nunavut Legislative Assembly. Broadcasting will not be limited to just the formal proceedings of the House and will include rebroadcasts in our Aboriginal languages, public meetings of the committees, special events and archival materials.

### **Extended Adjournment**

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The House went into extended adjournment on March 13 and will resume on Wednesday, May 28, 2014.

**Doug Schauerte**  
Deputy Clerk



## Ontario

After a busy winter adjournment for its committees, the Ontario Legislature resumed its Second Session of the Fortieth Parliament. Speaker **Dave Levac** made a number of rulings during the period of February to April 2014, some of which are outlined below.

### Speaker's Rulings

On February 25, the Speaker ruled on a point of privilege raised by **Gilles Bisson**, Member for Timmins-James Bay, regarding a request by **Todd Smith**, Member for Prince Edward-Hastings for unanimous consent to have his just-introduced bill immediately called for Second and Third Reading. Mr. Bisson noted that Mr. Smith, having not received the unanimous consent requested, issued an open letter saying that a member or members of the Third Party, of which Mr. Bisson is the House Leader, said "no" to the request. Mr. Bisson asserted that his caucus was in favour of the request and therefore would not have said no, while Mr. Smith said that it was his honest belief that there were "noes" from the Third Party.

The Speaker ruled that a *prima facie* case of privilege was not made out. The ayes or nays on a request for unanimous consent are not recorded; thus there was no record of which members might have declined consent.

The Speaker stated that it is therefore: dangerous to make allegations about requests for unanimous consent, and even more so to attribute motive for the perceived refusal, since by their nature requests for unanimous consent are handled without debate and therefore without any opportunity for a member to state a position for or against.

The Speaker delivered another ruling on March 3, this time relating to provincial legislation that provides for Members representing areas in eastern or southwestern Ontario to be given the opportunity to participate in public announcements relating to financial assistance or incentives affecting the area. The Member for Elgin-Middlesex-London, **Jeff Yurek**, gave notice of his intention to raise a point of privilege that such a public announcement was made in his riding but that he was given no notice or opportunity to participate.

The Speaker ruled that the application of privilege is "confined to proceedings in parliament, and to the activities of members in their parliamentary roles." Because this issue concerned constituency-related work, the Speaker could not find a *prima facie* case of privilege. Even though the Speaker found that privilege was not breached, he noted that "complying with the law is always a good policy."

On March 25, the Speaker ruled on a point of privilege raised by the Government House Leader, **John Milloy**, relating to a question posed to the Minister of Finance during Oral Questions the week before. Mr. Milloy charged that **Vic Fedeli**, Member for Nipissing, knowingly "disclosed the contents of a confidential committee document" while

posing his question, and therefore committed a contempt of the Legislature. Mr. Fedeli maintained that he referred to a set of redacted documents that were to be made public.

Both Mr. Milloy's and Mr. Fedeli's submissions refer to an Order of the Standing Committee on Estimates that protected certain documents received by the Committee as confidential. Consequently, the Speaker contended that the "power rests with the Standing Committee on Estimates which, as the custodian of the documents in question, is best able to decide if the allegation of improper disclosure is correct." The matter was therefore prematurely brought to the attention of the House. As with all matters of privilege relating to Committees, the Committee in question must adopt and present a report to the House.

On April 14, the Speaker ruled on a point of privilege raised by Mr. Fedeli relating to alleged Budget leaks. He referenced a document that he said outlines the government's plan to pre-announce the contents of the Budget. His case was that the "announcements represent an improper disclosure of information that first ought to be given to the Legislature." He also sought to make a distinction between a breach of privilege and contempt of the Legislature, arguing that this case is similar to the 2003 "Magna Budget", when the government of the day presented the Budget at the Magna facility instead of at the Legislature. In that case, Speaker **Gary Carr** found that a *prima facie* case of contempt had been established.

In his ruling, Speaker Levac noted that it has been widely

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settled that a “breach of budget secrecy does not equate to a matter of privilege.” Procedural authorities and previous rulings have deemed budget secrecy as a political convention rather than a parliamentary privilege. He cited a number of these authorities and rulings, including Speaker Carr’s ruling on the “Magna Budget.” In this case, the Speaker found that a *prima facie* case of privilege had not been made out because he could not find that “there is any intention on the part of the government to similarly bypass or pre-empt normal procedures of the Legislative Assembly with respect to the 2014 Budget.”

### Condolences

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On April 10, while proceedings were going on in the House and Committees, Members and staff were shocked to learn that **Jim Flaherty** had suddenly passed away that afternoon. Within moments of the news, the House observed a moment of silence in respect for Mr. Flaherty’s death and then recessed for a few minutes. Subsequently, upon receiving representation from the House Leaders, the Deputy Speaker adjourned the House and Committees for the rest of the day.

Mr. Flaherty was the Member of Provincial Parliament for Durham Centre from 1995 to 1999 and for Whitby-Ajax from 1999 to 2005. He was the sitting Member of Parliament for Whitby-Oshawa and had just resigned from his post as the Minister of Finance in the Canadian House of Commons. A state funeral was held in his honour on April 16 in Toronto.

### Committee Activities

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On April 1, the Standing Committee on Social Policy

tabled its *Report on Diluted Chemotherapy Drugs*. The Report is a result of many months of public hearings and report writing relating to the oversight, monitoring and regulation of non-accredited pharmaceutical companies. This study was initiated when it became known that patients in Ontario received diluted doses of chemotherapy drugs. The Committee made six recommendations hoping that similar situations are avoided in the future.

The Committee continued its review of the *Local Health System Integration Act*, and the regulations made under it, pursuant to an Order of the House. It also held public hearings on Bill 135, *An Act to protect pupils with asthma*, a Private Member’s Public Bill introduced by Mr. Yurek. The bill is seeking to require that every school board establish and maintain an asthma policy.

The Standing Committee on General Government continued its self-directed study and review of the 2015 Pan/Parapan American Games and the Pan/Parapan American Games Secretariat (P/PAGS), established under Standing Order 111. To date, there have been 12 days of public hearings, with further hearings expected to continue through early June. Witnesses invited by the Committee have included **Saad Rafi**, Chief Executive Officer of the TORONTO 2015 Pan Am / Parapan Am Games Organizing Committee, as well as the Deputy Minister of P/PAGS, **Steven Davidson**, who was called back to appear a second time.

The Committee further continued its self-directed study relating to the auto insurance industry, and began report writing in March.

Throughout February, March and April, 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*. After two years of consideration, the Committee is now working on its second interim report.

In addition to the work surrounding Ornge, the Committee has also requested the Auditor General to complete several value-for-money audits within various public entities in the province. Since February 2014, the Committee has asked the Auditor General to complete the following value-for-money audits: the Winter Road Maintenance Program; a review of all community care access centres in the province of Ontario; and all security contracts surrounding the Toronto 2015 Pan/Parapan Am Games.

The Standing Committee on Regulations and Private Bills held public hearings on Bill 69, *An Act respecting payments made under contracts and subcontracts in the construction industry*. Introduced by **Steven Del Duca**, Member for Vaughan, the bill sets out various rules and requirements in relation to payments made under construction contracts.

On March 5, the Select Committee on Developmental Services presented its interim report. The report is a summary of the oral and written submissions received by the Committee over the previous four months. The Committee’s final reporting date has been extended to not later than June 5, 2014.

**Valerie Quioc Lim**  
Committee Clerk



## New Brunswick

### Budget

The House adjourned on December 13 and resumed sitting on February 4, when Finance Minister **Blaine Higgs** tabled the 2014-2015 Budget, the fourth for the Alward Government.

The provincial government projected a deficit of \$391 million. Revenues are expected to increase 4.3 per cent from 2013-14 estimates, exceeding \$8 billion. Spending is budgeted to increase less than two per cent over the previous year.

“The challenge is to create the opportunities to keep New Brunswickers home. We have chosen to put our natural resources to work for the people of this province. New Brunswick has a long history of developing its mineral and forest resources in a socially, economically and environmentally sustainable manner to provide jobs, stimulate investment, generate wealth and grow the economy,” said Higgs.

Investment highlights included an increase of three per cent to social assistance rates, \$27 million for the New Brunswick Drug Plan, providing drug insurance to 70,000 families

without drug coverage; and \$7.2 million for the “Home First Strategy,” helping seniors stay in their own homes.

Spending reduction initiatives include reducing the number of MLAs from 55 to 49 in the next election and making reductions to the public service sector through the retirement and attrition of approximately 1,500 employees. There were no planned increases to gas, income and consumption taxes, or to major fees, including vehicle licensing and registration.

The 2014-2015 Capital Budget totaled \$555 million. The majority of the expenditures will go towards maintaining existing infrastructure, with \$35 million in capital spending dedicated to new projects. Highlights include \$223 million to repair and maintain transportation infrastructure; \$213 million for health-care infrastructure; and \$99 million for school infrastructure.

On February 6, Finance Critic **Roger Melanson** responded to the Budget speech. Melanson spoke at length on the issues surrounding hydrofracking. He questioned why the government had not yet balanced the budget, despite cuts to frontline services and increased taxes and fees in recent years, including gas, tobacco and income taxes. Melanson also raised concerns about a number of unfulfilled campaign promises, including the elimination of ambulance fees, the doubling of medical seats in universities and freezing property taxes for those over 65 years of age.

### Legislation

Legislation introduced by the Government since the spring sitting includes;

Bill 51, *An Act Respecting Members' Pensions*, introduced by Premier **David Alward**, would adopt a shared-risk pension model for MLAs, placing Members into the Public Service Shared-Risk Pension with government employees. Members would retain service accrued to date, but new service would be calculated differently. The age for unreduced retirement on future service would increase from 60 to 65. Changes are expected to save taxpayers \$1.3 million annually.

Bill 56, *Organ and Tissue Donation Strategy Act*, introduced by **Wes McLean**, requires the Minister of Health to create an Organ and Tissue Donation Strategy, which would include collaboration with various stakeholders to promote public awareness through government departments, schools and Regional Health Authorities. This is the first Private Member's Public Bill introduced by a Government Member since 1999.

Legislation introduced by the Official Opposition includes;

Bill 46, *Government Advertising Accountability Act*, introduced by Leader of the Official Opposition **Brian Gallant**, would prevent the airing or publishing of government advertisements that are deemed partisan or political. The Act would apply to any type of advertisement that the government proposes to pay for.

### Party Affiliation

**Jim Parrott**, Member for Fundy-River Valley, rejoined the Progressive Conservative caucus on April 30. Parrott was removed from Caucus in 2012, and sat as an Independent PC, and later as an Independent. The standings in the House are now 42 Progressive Conservative and 13 Liberal.

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## Lighting

On April 2, the portico of the Legislative Assembly building was lit in blue in support of Light It Up Blue, a campaign launched by Autism Speaks to help raise awareness about autism. **Ryan Riordon**, the Member for Nepisiguit who took the initiative on the lighting, was joined by Premier Alward, Speaker **Dale Graham**, and Minister of Education and Early Childhood Development **Marie-Claude Blais**, along with members of the Chaleur Autism and Asperger Family Centre for the lighting of the building.

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## Retirement

On February 20, Speaker Graham announced he would not be seeking re-election in the upcoming general election, scheduled for September 22. Graham was first elected as the Member for Carleton North in a by-election in 1993. He was subsequently re-elected from 1995 to 2010, representing the riding of Carleton. Graham has held the positions of Deputy Premier, Minister of Supply and Services, Minister of Human Resources, Minister Responsible for Service New Brunswick, and Acting Minister of Environment and Local Government. He has served on numerous committees and held the position of Opposition Whip and critic for Natural Resources, Mines and Energy, and Supply and Services. He was elected Speaker of the 57<sup>th</sup> Legislative Assembly on October 27, 2010.

**John-Patrick McCleave**  
Committee Clerk,  
Research Assistant



## Prince Edward Island

The Fourth Session of the Sixty-fourth General Assembly resumed on April 2, 2014. On April 9, 2014, **Kathleen Casey** (Charlottetown-Lewis Point) was elected Acting Deputy Speaker during the absence of Deputy Speaker **Paula Biggar** (Tyne Valley-Linkletter), who is expected to be away from the Legislative Assembly for a number of weeks.

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## Budget 2013

**Wes Sheridan**, Minister of Finance and Municipal Affairs, introduced his budget on April 8, 2014, which contained expenditures of \$1.656 billion. Health continued to account for the largest share of provincial expenditure at over \$583 million, followed by Education and Early Childhood Development at \$232 million. The minister indicated revenues will grow in 2014-2015 by 3.3 per cent, while expenditures will be held to two per cent. The following year, revenues are expected to grow by 3.5 percent while expenditures grow by 1 percent. For the 2013-2014 fiscal year, the government improved on its budget target of a \$58.9 million deficit, with a forecast deficit of \$51.9 million. In the upcoming fiscal year, there will be a further reduction in the deficit to \$39.7 million before achieving a small surplus in 2015-2016.

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## 4-H Debate in the Legislative Chamber

As part of their annual conference on citizenship and parliamentary process, 4-H Canada held a debate in the Legislative Chamber of Province House on April 14, 2014. Youth from across Canada participated, debating the motion, "Be it resolved that an equal representation of both men and women should exist among government leaders." In addition to the proceedings at Province House, the program included visits to Lennox Island to view a Mi'kmaq cultural presentation, the Acadian Museum and a tour of the north shore of Prince Edward Island.

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## Significant Legislation

A number of pieces of significant legislation were introduced during the spring sitting :

- *An Act to Amend the Election Act* (Bill 34) provides for an exception to the current requirement to hold provincial general elections on the first Monday in October in the fourth calendar year following the last general election, thus avoiding the possibility of having two general elections—one federal and one provincial—in October 2015. If the federal general election is held in October 2015, the provincial general election will be held in April 2016.
- *An Act to Amend the Financial Administration Act* (Bill 41) allows for the Comptroller to be appointed under the Civil Service Act. The Comptroller is currently appointed by the Lieutenant Governor in Council.
- *Health Information Act* (Bill 42) establishes a set of rules for custodians regarding the collection, use, disclosure, retention and secure

destruction of personal health information; enables the sharing and accessing of personal health information where appropriate to improve the provision of health services and the planning and management of the health care system; provides individuals with the right to examine, and to request corrections to, their personal health information.

### Province House Repairs

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Province House was closed for the month of February 2014 for repairs to ceilings, gutters and downspouts. It reopened to the public on March 24, 2014, a week prior to the resumption of the session. The building remains in need of major restoration, which will likely require an extended closure, and the relocation of the Legislative Chamber and associated staff and offices, potentially as soon as 2015.

### Royal Tour

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On April 11, 2014, the details of a Royal Tour to Prince Edward Island by Their Royal Highnesses **The Prince of Wales** and **the Duchess of Cornwall** were announced. The province will host Their Royal Highnesses on May 19 and 20, 2014. "Prince Edward Island is delighted to be included in this historic tour during 2014 as we celebrate the 150th anniversary of the Charlottetown Conference," said Premier **Robert Ghiz**. "The Royal Tour is a wonderful opportunity to showcase the history, natural beauty, vibrant culture and people of our province."

**Marian Johnston**  
Clerk Assistant and  
Clerk of Committees



### The Senate

During the spring session, two bills relating to Aboriginal Peoples and the subject matter of another were the object of debate. One, Bill C-16, which was granted Royal Assent on March 4, gives effect to the Governance Agreement with Sioux Valley Dakota Nation. The purpose of the bill is to provide this community greater control over its affairs in a way that is more transparent, accountable and responsive to local needs. This is to be done by promoting better living conditions and by fostering a positive climate for investment and economic development.

The second legislative measure, Bill C-15, deals with the transfer of resource control and management in the Northwest Territories, specifically through devolution of land and resource management from Ottawa to the Government of the Northwest Territories, and the improvement of the regulatory regime in the Northwest Territories. This will be achieved by removing barriers to private investment, enhancing environmental stewardship, and investing in programs to support economic growth and provide opportunities for Northerners. This bill received Royal Assent

on March 25. On April 10, the Senate adopted a motion to allow for the pre-study of a bill still before the House of Commons. *The First Nations Control of First Nations Education Act (C-33)* that involves education standards for aboriginal communities was sent to the Standing Senate Committee on Aboriginal Peoples.

The pre-study of a bill that is still in the Commons, is a Senate practice that was commonly used in the 1970s and it has once again become an option of interest to the government. In addition to the pre-study of Bill C-33, the Senate authorized the Standing Senate Committee on Legal and Constitutional Affairs to pre-study Bill C-23, the *Fair Elections Act* and the committee issued an interim report on the bill on April 15 with proposals for nine amendments. Another pre-study motion was passed on April 9; this one, dealing with the budget implementation bill (C-31), was sent to the Standing Senate Committee on National Finance while portions of the bill was sent to five other committees for the purpose of the pre-study. Also, on the financial front, the usual supply bills were studied by the Standing Senate Committee on National Finance and passed by the Senate in March.

### Committees

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In addition to the three pre-studies of Commons' bills, the Standing Senate Committee on Official Languages issued its third report, entitled: *CBC/Radio-Canada's Language Obligations, Communities Want to See Themselves and Be Heard Coast to Coast!*. The committee took an in-depth look at the key role this federal institution plays in the advancement of Canada's linguistic duality and



the development of official-language minority communities. In making its recommendations, the Senate Committee first considered the conditions of licence issued to the Corporation by the Canadian Radio-television and Telecommunications Commission. It then highlighted the importance for the Corporation to act in the spirit of the Official Languages Act.

In February, the Standing Committee on Rules, Procedures and the Rights of Parliament presented three reports amending the Rules of the Senate. Amongst other things, the definition of critic and sponsor was added to the Rules and a limit on how many times senators can adjourn an item of non-government business in their name for the balance of their time was introduced.

The Standing Committee on Conflict of Interest for Senators presented a report amending the Conflict of the Interest Code for Senators. The Committee exercises general and constant oversight over the conflict of interest regime applicable to Senators and, as part of this mandate, regularly assesses and reviews the Code. The Committee's report, presented in March and adopted on April 1, amends those sections dealing with the inquiry process under the Code.

All committee reports and can be accessed at <http://www.parl.gc.ca/SenCommitteeBusiness/default.spx?parl=41&ses=2&Language=E>

### Speaker's Ruling

On March 4, a point of order was raised respecting the acceptability of a motion proposing that the Senate call upon the members of the

House of Commons to invite the Auditor General to conduct a comprehensive audit of their expenses, along the lines of the audit currently underway in the Senate. The objection was that the motion is an instruction to the House of Commons and would not respect the autonomy of the houses in a bicameral Parliament. In his ruling, the Speaker allowed for the debate to continue on the basis that although the language "call upon" might be considered strong or ambiguous, it is up to the Senate as a whole to decide if debate should proceed on the matter.

**Vanessa-Moss Norbury**  
Procedural Clerk



## House of Commons

The Second Session of the Forty-First Parliament resumed on January 27, 2014. The information below covers the period from February 1 to April 30, 2014.

### Legislation

Bill C-23, *An Act to amend the Canada Elections Act and other Acts and to make consequential amendments to certain Acts*, introduced on February 4, 2014, was the subject of provisions dealing with voter identification requirements, banning Elections Canada from encouraging Canadians to vote and proposing

changes to spending limits on fundraising. After being time allocated, the Bill was read the second time and referred to the Standing Committee on Procedure and House Affairs on February 10, 2014. On February 10, 2014, an opposition motion, which sought to instruct the Standing Committee on Procedure and House Affairs as to the manner in which it should consider and report the Bill, was defeated.

An unprecedented situation arose in February with respect to private Member's Bill C-461, *An Act to amend the Access to Information Act and the Privacy Act (disclosure of information)* sponsored by **Brent Rathgeber** (Edmonton—St. Albert). The Bill had been reported with amendments by the Standing Committee on Access to Information, Privacy and Ethics in the last session and reinstated at report stage in the current session. After all recorded divisions had taken place on report stage motions, Mr. Rathgeber informed the Chair that he did not wish either to proceed further with the Bill or to move the motion to concur in the Bill at report stage. Pursuant to Standing Order 94, which allows the Speaker to make all arrangements necessary to ensure the orderly conduct of Private Members' Business, the Speaker ruled that the order for concurrence at report stage be discharged and that the Bill be dropped from the *Order Paper*.

### Financial Procedures

On March 24, 2014, when the House was considering Bill C-29, *An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31,*

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2015, **Tony Clement** (President of the Treasury Board) announced that, from now on, the form of supply bills would change to present organizations in alphabetical order, as in the 2014-15 Main Estimates, which had led to a change in vote numbering. This change, he said, resulted from comments provided by the Standing Committee on Government Operations and Estimates during its review of estimates and supplies. Mr. Clement stated that the rights and privileges of Members to criticize any item in the estimates when considered in committee would not be curtailed or restricted.

### Points of Order, Questions of Privilege and Procedure

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#### *Points of Order*

In a challenge to Bill C-23, *An Act to amend the Canada Elections Act and other Acts and to make consequential amendments to certain Acts*, **Nathan Cullen** (Skeena—Bulkley Valley) rose on a point of order on February 6, 2014, claiming that a serious discrepancy between the French and English versions of the Bill meant that the Bill was not in the correct form. **Peter Van Loan** (Leader of the Government in the House of Commons) insisted that the discrepancy in question was with the summary of the Bill only and that the summary was not, in fact, part of the Bill. In his ruling, delivered on February 10, 2014, the Speaker noted that the error in question had been caught and corrected in the version of the Bill of which the House was officially seized, and concluded that the matter had accordingly been resolved.

On March 6, 2014, Mr. Cullen rose on a point of order to object to the moving of a time

allocation motion pursuant to Standing Order 78(3)(a) on the ground that the Government had not first consulted with the opposition parties to seek agreement under the provisions of sections (1) and (2) of the Standing Order. The Deputy Speaker ruled that the simple assertion that agreement could not be reached under the provisions of Standing Orders 78(1) or 78(2) was all that was required by the Chair, which would not inquire into the nature of the consultation.

**Wayne Easter** (Malpeque) rose on a point of order on April 9, 2014, in connection with Bill C 483, *An Act to amend the Corrections and Conditional Release Act (escorted temporary absence)*. Mr. Easter contended that amendments adopted in committee had in effect altered the scope of the Bill. A similar point of order was raised by Mr. Rathgeber on April 10, 2014, with regard to Bill C-30, *An Act to amend the Canada Grain Act and the Canada Transportation Act and to provide for other measures*. At the time of writing, the Speaker's rulings are pending.

#### *Questions of Privilege*

In relation to Bill C-23, on February 6, 2014, **Pierre-Luc Dusseault** (Sherbrooke) claimed that there was little or no interpretation provided at a technical briefing organized by the Government on the Bill had been inadequate or non-existent, thereby preventing francophone Members of Parliament from participating fully in subsequent debate on the Bill. The Speaker ruled, on March 3, 2014, that the question before the Chair was simple: does attending a departmental briefing that was delivered without full interpretation obstruct Members

in the discharge of their responsibilities in direct relation to proceedings in Parliament? The Speaker noted that a Member who is preparing to participate in the proceedings of the House, whether through a technical briefing or some other means, is not participating in the proceedings themselves. He concluded that Mr. Dusseault had not been obstructed in the discharge of his responsibilities in such a way as to support a finding of a *prima facie* case of privilege.

On February 25, Mr. Cullen claimed that **Brad Butt** (Mississauga—Streetsville) had misled the House when he stated on February 6, 2014, that he personally witnessed the inappropriate use of voter identification cards. Notwithstanding an admission and apology by Mr. Butt, the Speaker, on March 3, 2014, noting that "the House continues to be seized of completely contradictory statements," concluded that the matter merited further consideration and that it constituted a *prima facie* case of privilege, and he invited the House Leader of the Official Opposition to move the appropriate motion. After debate, the motion to refer the matter to the Standing Committee on Procedure and House Affairs was defeated. In a related question of privilege raised on April 10, 2014 by **Peter Julian** (Burnaby—New Westminster), it was alleged that **Pierre Poilievre** (Minister of State (Democratic Reform)) had made false claims about the misuse of voter identification cards and that he had subsequently contradicted himself. In his ruling, delivered on April 30, 2014, the Speaker emphasized the limits on what

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the Chair is authorized to do with respect to allegations such as those adduced in this question of privilege. It was, he said, clear to him that there was no compelling evidence that deliberate misrepresentations had been made to the House and that the question of privilege was, in effect, a dispute as to facts. Accordingly, he declined to find a prima facie case of privilege.

### Committees

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On February 5, 2014, the House adopted, private Member's Motion M-431, moved by **Brad Trost** (Saskatoon—Humboldt), asking the Standing Committee on Procedure and House Affairs to consider the election of committee chairs by means of a preferential ballot system by all the Members of the House of Commons, at the beginning of each session and prior to the establishment of the membership of the Standing Committees. A report is expected later this year.

On March 5, 2014, the House concurred in the Third Report of the Standing Committee on Procedure and House Affairs on the Board of Internal Economy (BOIE). While finding no reason to alter the structure, membership and general functioning of BOIE, the Report made a number of substantive recommendations, among these that the Members' Expenditures Report be enhanced by providing additional information. The Committee noted that the level of detail of information disclosed in the Members' Expenditures Report has continuously increased in recent years and encouraged the Board to take any further steps that would increase public

disclosure, while remaining mindful of privacy implications and administrative constraints. The Committee supported BOIE's considering putting into place proactive disclosure for Members in the same fashion as Ministers are currently doing for travel and hospitality. The Report also recommended that the Auditor General be invited by BOIE to conduct audits with greater frequency, and that BOIE, in consultation with the Auditor General, develop publicly-available guidelines with respect to audits of House of Commons' spending.

On March 27, 2014, pursuant to Standing Order 56.1(1), **K. Kellie Leitch** (Minister of Labour), seconded by **Tom Lukiwski** (Regina—Lumsden—Lake Centre) moved "That the Standing Committee on Procedure and House Affairs be instructed to consider the matter of accusations of the Official Opposition's improper use of House of Commons resources for partisan purposes; and that the Leader of the Opposition be ordered to appear as a witness at a televised meeting of the Committee to be held no later than May 16, 2014." The question was put on the motion and, fewer than 25 Members having risen to object, the motion was adopted.

### Other Matters

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#### *Members*

On February 4, 2014, a two-volume work titled *The Selected Decisions of Speaker Peter Milliken* was tabled in the House of Commons. Former Speaker **Peter Milliken** was present in the gallery of the House on the occasion of this tabling.

On February 5, 2014, the Speaker advised the House

that he had that day received a letter from the Chief Electoral Officer informing him that **James Bezan** (Selkirk—Interlake) had provided a corrected return as required by the *Canada Elections Act*. He further advised that he was making copies of the letter available to the Standing Committee on Procedure and House Affairs, which was studying a related question of privilege.

On February 26, 2014, the Acting Speaker (**Bruce Stanton**) informed the House that **Dominic LeBlanc** (Beauséjour) had been appointed a member of the BOIE to replace **Judy Foote** (Random—Burin—St. George's). On March 12, 2014, **Olivia Chow** (Trinity—Spadina) resigned as a Member of Parliament. **Jim Karygiannis** (Scarborough—Agincourt) resigned as a Member of Parliament on April 1, 2014.

On April 10, 2014, when news was received of the passing away earlier that day of **Jim Flaherty** (Whitby—Oshawa), there were brief consultations among the parties, following which, at 2:28 p.m., the House adjourned for the day. The following day, the House proceeded with tributes to Mr. Flaherty, observed a moment of silence, and transacted some urgent business. The House adjourned for the day at 10:38 a.m. Mr. Flaherty had resigned as Minister of Finance on March 19. He was replaced by **Joe Oliver**, previously Minister of Natural Resources.

On April 29, 2014, further to consultations among the parties, representatives of the various parties made statements in tribute to the late **Herb Gray** and observed a moment of silence in his memory.

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*Statements, Resolutions, Special Debates*

On February 5, 2014, the House held an emergency debate on grain transportation, and take-note debates were held on February 12 on the situation in the Central African Republic, on February 26 on the evolving situation in Ukraine, and on April 29, on the situation in the Republic of South Sudan.

The House adopted unanimously several resolutions in February, March and April. On February 28, 2014, the House adopted a resolution on violence in Venezuela. On March 3, 2014, the House adopted a resolution condemning Russia's military intervention in Ukraine. On March 26, 2014, the House again condemned Russia's intervention and denounced Russia's sanctions against the Speaker and Members of the House of Commons, a member of the Senate, public servants and the President of the Ukrainian Canadian Congress. The Speaker was instructed to convey the resolution to the Ambassador of the Russian Federation and a message was sent to the Senate. On March 26, 2014, the House resolved to call for an independent international inquiry into allegations of war crimes and crimes against humanity in Sri Lanka. Finally, on April 7, 2014, the House adopted a resolution calling for commemoration of the Rwandan genocide on its 20th anniversary and reflection upon the lessons learned from it.

His Highness the **Aga Khan** addressed Members of the Senate and of the House of Commons in the Chamber of the House of Commons on February 27, 2014.

**Gary Sokolyk**  
Table Research Branch



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**Dissolution of the Assembly, general election and composition of the Assembly**

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On 5 March 2014, at the request of Premier **Pauline Marois**, the Lieutenant-Governor dissolved the National Assembly, calling the next Assembly to meet on May 6 2014. The call for an election ended the 40th Legislature. At its dissolution, the Assembly was composed as follows: Parti Québécois, 54 Members; Québec Liberal Party, 49 Members; Coalition Avenir Québec, 18 Members; four independent Members (two under the banner of Québec Solidaire and two without any affiliation).

The provisional results indicate that the new composition of the Assembly following the general election of April 7 is the following: Québec Liberal Party, 70 Members; Parti Québécois, 30 Members; Coalition Avenir Québec, 22 Members; three independent Members elected under the banner of Québec Solidaire.

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**Debates on reports from committees, budget speech and passage of a bill**

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Between the adjournment of the parliamentary proceedings before the holiday season and the dissolution of the Assembly on March 5, the National Assembly sat from February 11 to 20. It should be noted that, during this period, before being able to

carry out any other business, the Assembly was required to hold six limited debates on standing committee reports containing recommendations.

On February 20, the last sitting of the 40th Legislature, the Minister of Finance and the Economy, Nicolas Marceau, delivered his budget speech. During the same sitting, the Assembly unanimously passed Bill 28, *An Act to establish the new Code of Civil Procedure*. This bill establishes the new Code of Civil Procedure, whose main objectives are to ensure the accessibility, quality and promptness of civil justice, the fair, simple, proportionate and economical application of procedural rules, the exercise of the parties' rights in a spirit of co-operation and balance, and respect for those involved in the administration of justice.

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**Standing committees**

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The Committee on Public Administration (CPA) carried out two orders during the first quarter of 2014. First, it heard the Auditor General on his annual management report and his financial commitments for 2012-2013. The Standing Orders of the National Assembly provide that this order must be carried out every year. Second, following the release of the Auditor General's report in autumn 2013, the CPA heard the Centre hospitalier de l'Université de Montréal on its administrative management and its governance. No report was published following these hearings.

Following a motion carried unanimously by the National Assembly, the Committee on Labour and the Economy (CLE) held special consultations and public hearings on the

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inappropriate use of public funds by Tourisme Montréal. The CLE tabled a report containing two recommendations concerning the training and terms of office of the members of the boards of directors of regional tourist associations.

The Committee on Institutions (CI) held 13 days of hearings during which it heard 69 groups and individuals who had submitted a brief within the framework of the general consultation on Bill 60, *Charter affirming the values of State secularism and religious neutrality and of equality between women and*

*men, and providing a framework for accommodation requests.* The CI also concluded the clause-by-clause consideration of Bill 28, *An Act to establish the new Code of Civil Procedure*, which had begun on October 8, 2013. In all, the Committee held 30 sittings, for a total of 106 hours.

The Committee on Health and Social Services completed the special consultations and public hearings within the framework of its order of initiative on the living conditions of adults staying in residential and long-term care centres. In this regard, 36 persons and groups came

forward to speak their views and 160 respondents participated in the on-line consultation questionnaire.

Before the general election was called, the Committee on Transportation and the Environment began special consultations and public hearings on Bill 37, *An Act to prohibit certain shale natural gas exploration and production activities*, during which 13 groups were heard.

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