



Senate

Legislation

The recent trend towards increased numbers of amendments to bills in the Senate, and consequential exchanges of messages between the houses, continued during this period. In April, the Commons agreed to three Senate amendments to Bill C-25, *An Act to amend the Canada Business Corporations Act and other Acts*. In May, the Senate agreed to 15 Commons amendments to Bill S-5, *An Act to amend the Tobacco Act and other Acts*.

Also in May, the Commons agreed with three Senate amendments to Bill C-49, *the Transportation Modernization Act*, amended three others and disagreed with another seven. On May 9, the Senate adopted a motion authorizing the Transport and Communications Committee to prepare the reasons for the Senate's insistence on two of its amendments, bringing into play the rarely-used provisions of rule 16-3, which requires that if the Senate insists on its amendments to a C-bill, a committee must develop the reasons for the insistence. The reasons were contained in the committee's 11th report, which the Senate adopted on May 10. The adoption of the report triggered the message returning the bill to the Commons, indicating that the Senate agreed to the

three Commons amendments, did not insist on five of its own amendments and insisted on two of them. When the Commons again disagreed with the two amendments, the Senate did not further insist on them.

During this quarter, the Senate continued to give considerable attention to Bill C-45, *the Cannabis Act*. The Social Affairs Committee proposed 34 amendments in a report that was presented and adopted on May 30. The following day, the Senate adopted a motion that structured debate at third reading. Proceedings on each of five specific sitting days were limited to a particular theme, with speeches or amendments not generally relating to a day's theme being out of order. Senators could speak on each of these days and propose amendments, although shorter speaking times were established. These thematic debates were followed by a general debate, with normal rules applying, on June 7. During these proceedings at third reading five additional amendments were agreed. In June, the Commons agreed to 23 Senate amendments and parts of two others, amended one amendment, and disagreed with 11 and parts of two other Senate amendments. The Senate agreed with the Commons amendment and did not insist on its amendments.

The following bills received Royal Assent by written declaration during this quarter: S-5, C-25 and C-49. In addition, several bills received Royal Assent during a

traditional ceremony on June 21: S-210 – amending *An Act to amend the Immigration and Refugee Protection Act and other Acts*; S-218 – the *Latin American Heritage Month Act*; C-24 – *An Act to amend the Salaries Act and another Act*; C-45 – the *Cannabis Act*; C-46 – *An Act to amend the Criminal Code (offences relating to conveyances) and other Acts*; C-50 – *An Act to amend the Canada Elections Act (political financing)*; C-66 – the *Expungement of Historically Unjust Convictions Act*; C-74 – the *Budget Implementation Act, 2018, No. 1*; C-80 – the *Appropriation Act No. 2, 2018-19*; C-211 – the *Federal Framework on Post-Traumatic Stress Disorder Act*; and C-309 – the *Gender Equality Week Act*.

Chamber, Procedure and Speaker's Rulings

On April 26, the Speaker made a statement reminding senators of a previous ruling establishing that a member who moves a motion to adjourn debate that is then rejected can no longer speak to the item in question. The senator whose attempt to speak led to this reminder requested and received leave to speak, and was, therefore, able to participate in debate.

A quite unusual – for the Senate – event took place on June 20, when, after consultation among the leaderships of the recognized parties and parliamentary groups, several committee-related items were ordered adopted as a package. These included one committee report on the Order Paper and four motions that were on the Notice Paper.

Committees

On April 24, the Senate adopted a motion to refer the subject-matter of different elements of Bill C-74, *An Act to implement certain provisions of the budget tabled in Parliament on February 27, 2018 and other measures*, to seven standing and special committees (Arctic; Banking, Trade and Commerce; Foreign Affairs and International Trade; Legal and Constitutional Affairs; National Security and Defence; Energy, the Environment and Natural Resources; and Agriculture and Forestry), in advance of the bill coming before the Senate. In addition, the National Finance committee was authorized to examine the subject matter of all of the bill. Each of the committees examining parts of the bill was to report to the Senate no later than May 31, 2018. The National Finance committee was authorized to take any of those reports into consideration during its study of the subject matter of all of Bill C-74.

On June 14, the Standing Joint Committee on the Library of Parliament presented its second report

to the Senate, recommending the approval of the appointment of **Heather Lank** as Parliamentary Librarian. The two houses adopted the report, and Ms. Lank's appointment took effect on June 21. She had previously worked with the Senate for 27 years, most recently as Principal Clerk of Chamber Operations and Procedure.

Committee of the Whole

On June 20, the Senate resolved itself into Committee of the Whole to receive **Yves Giroux**, the nominee for the position of Parliamentary Budget Officer, and subsequently adopted a motion to approve his appointment.

Senators

On May 11, Senator **Nancy Greene Raine** retired from the Senate. She was appointed by Prime Minister Stephen Harper on January 2, 2009. Senator Raine was the Olympic gold medalist in downhill skiing at the 1968 Winter Olympics. She was named Canada's female athlete of the 20th Century by the Canadian Press and Broadcast News. During her time at the Senate, she was an active member of many committees, including Aboriginal Peoples; Fisheries and Oceans; Legal and Constitutional Affairs; and Social Affairs, Science and Technology.

During this quarter, the Senate welcomed five new senators. **Mohamed-Iqbal Ravalia** was appointed on June 1, and represents the province of Newfoundland and Labrador. Senator Ravalia comes to the Senate with a background in medicine as a family physician, a senior medical officer at the Notre Dame Bay Memorial Health Centre and an associate professor of family medicine and the assistant dean of the Rural Medical Education Network at Memorial University.

Donna Dasko and **Pierre J. Dalphond** were appointed to the Senate on June 6 and represent the provinces of Ontario and Québec, respectively. Senator Dasko comes to the Senate following a career as a national pollster and a champion of women's rights as a member of the board of directors of the Women's Legal Education and Action Fund and former national chair of Equal Voice. Senator Dalphond devoted more than 30 years of his life to the public service as a lawyer, educator and former senior judge with the Court of Appeal of Quebec.

Colin Deacon was appointed on June 15 to represent the province of Nova Scotia. He spent his career

turning ideas into products and services that make life better for Canadians as founder of BlueLight Analytics and CEO of SpellRead.

Finally, on June 20, **Julie Miville-Dechéne** was appointed to represent the province of Québec. Senator Miville-Dechéne spent 25 years as an award-winning news and public affairs correspondent for Radio-Canada, following which she was appointed ombudsman for Radio-Canada and later served as chair of the Quebec government's *Conseil du statut de la femme*.

Max Hollins
Procedural Clerk



Ontario

Condolences

During the Third Session of the 41st Parliament, the House expressed its condolences on the passing of several former Members: **Ronald Van Horne**, Member for the electoral district of London North from June 9, 1977 to December 31, 1987; **Chris Stockwell**, former Speaker and Member for the electoral districts of Etobicoke West and Etobicoke Centre from September 6, 1990 to September 2, 2003; and **Peter L. Preston**, Member for the electoral district of Brant-Haldimand from June 8, 1995 to June 2, 1999.

New Parliamentary Officer

On April 18, 2018, an Order in Council was tabled appointing **Peter Weltman** as Financial Accountability Officer of Ontario for a fixed term of five years, effective May 7, 2018. Mr. Weltman brings several years of experience working at the Parliamentary Budget Office in Ottawa to his new role.

J. David Wake had held the position previously on a temporary basis since September 26, 2017, concurrently with his permanent role as the Integrity Commissioner of Ontario.

Dissolution and 2018 Ontario Election

The Ontario Legislature was dissolved by Proclamation on May 8, 2018, with the electoral writs being issued the following day.

With the passage of Bill 45, *Election Statute Law Amendment Act, 2016* in December of 2016, Ontario's election date is affixed to the first Thursday in June in the fourth calendar year following polling day in the most recent general election. Accordingly, Ontario's 42nd general election occurred on Thursday, June 7, 2018.

The election returned 76 Progressive Conservatives, 40 New Democrats, seven Liberals and one Green Party member to Ontario's newly expanded 124-seat Legislature. Of note is that **Mike Schreiner's** victory in Guelph represents the first seat won by a Green Party candidate in Ontario's history.

Committee Updates

Standing Committee on Social Policy

The Standing Committee on Social Policy met in April to consider Bill 3, *An Act respecting transparency of pay in employment*. The Bill establishes requirements relating to the disclosure of information about the compensation of employees and prospective employees. The Committee held two days of public hearings on the Bill, followed by one day of clause-by-clause consideration. The Bill was reported back to the House, as amended, and went on to receive Royal Assent on May 7, 2018.

Standing Committee on Justice Policy

The Standing Committee on Justice Policy met in April to consider Bill 6, *An Act to enact the Ministry of Community Safety and Correctional Services Act, 2018 and the Correctional Services and Reintegration Act, 2018, to make related amendments to other Acts, to repeal an Act and to revoke a regulation*. The Bill outlines the powers of the Minister and sets out parameters for the admittance and living conditions of inmates in correctional facilities. The Bill further codifies rules surrounding segregation, discipline, searches and investigations in those facilities, as well as setting out guidelines for the granting of parole and the appointment process and

duties of parole officers. The Committee held one day of public hearings, followed by one day of clause-by-clause consideration of the Bill. The Bill was reported back to the House as amended, went on to pass Third Reading and received Royal Assent on May 7, 2018.

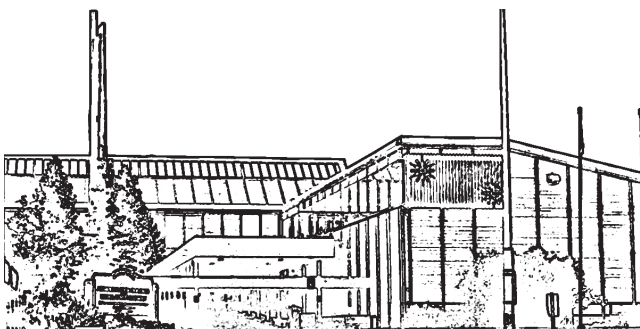
Standing Committee on General Government

The Standing Committee on General Government met to consider Bill 8, *An Act to amend the Consumer Reporting Act and the Technical Standards and Safety Act, 2000*. Among other initiatives, the Bill gives consumers a right to obtain disclosure of consumer scores and provides for the rules respecting such disclosures. It also allows regulations to be made which set out guidelines for the timely maintenance of elevating devices. Following one day of public hearings and one day of clause-by-clause consideration, the Committee reported the Bill back to the House with certain amendments. The Bill passed Third Reading on May 2, and received Royal Assent on May 7, 2018.

Standing Committee on Finance and Economic Affairs

The Standing Committee on Finance and Economic Affairs met to consider Bill 31, *An Act to implement Budget measures and to enact and amend various statutes*. Following one day of public hearings and one day of clause-by-clause consideration, the Committee reported the Bill back to the House with certain amendments. The Bill passed Third Reading and received Royal Assent on May 8, 2018.

Christopher Tyrell
Committee Clerk



Yukon

Spring Sitting

The 2018 Spring Sitting of the Second Session of the 34th Legislative Assembly began on March 1, and concluded on the 30th sitting day, April 24.

Government bills

During the 2018 Spring Sitting, the following government bills were introduced, passed by the House and assented to by Yukon Commissioner **Angélique Bernard**:

Bill No. 15, *Cannabis Control and Regulation Act*

Bill No. 16, *Technical Amendments Act, 2018*

Bill No. 17, *Gender Diversity and Related Amendments Act*

Bill No. 18, *Order of Yukon Act*

Bill No. 204, *Third Appropriation Act 2017-18*

Bill No. 205, *Interim Supply Appropriation Act 2018-19*

Bill No. 206, *First Appropriation Act 2018-19*

Private Member's bill

On April 24, a private member's bill – Bill No. 300, *Act to Amend the Taxpayer Protection Act* – was introduced by **Brad Cathers**, the Official Opposition's Finance Critic.

Final Report of the Electoral District Boundaries Commission

As noted in Yukon's preceding Legislative Report, on November 21, Speaker **Nils Clarke** tabled the *Interim Report of the Yukon Electoral District Boundaries Commission*, which proposed changing the boundaries of nine of the territory's 19 electoral districts, and the names of five ridings.

In order to receive Yukoners' views on the interim report's proposals, the Commission accepted written submissions and held public meetings across the territory. In the course of these travels the Commission held public hearings in 12 communities, including Whitehorse. Given feedback the Commission received on its interim report, the final report featured significant revisions. Most notably, the Commission's final report recommended a redistribution that would add a new rural riding, for a new total of 20 electoral districts in the territory.

The Commission's non-binding final report was submitted to the Legislative Assembly on April 19.

That day, Yukon Liberal Caucus Chair **Paolo Gallina** issued a statement indicating that the caucus had done a preliminary review of the final report, and expressing concerns about its proposed addition of a 20th riding.

Legislation regarding the boundaries recommended by the Commission must be introduced by the government during the 2018 Fall Sitting.

The Electoral Boundaries Commission was chaired by Senior Judge of the Supreme Court of Yukon, Justice **Ron Veale**. The other four members comprising the Commission were Yukon's Chief Electoral Officer, **Lori McKee**, one individual selected by the Liberal Party, one individual selected by the Yukon Party, and one individual selected by the NDP.

Chief Electoral Officer

On May 31, 2017, Ms. McKee, Yukon's Chief Electoral Officer since July 2014, gave the all-party Members' Services Board (MSB) of the Legislative Assembly notice that her final day in the position would be May 31, 2018.

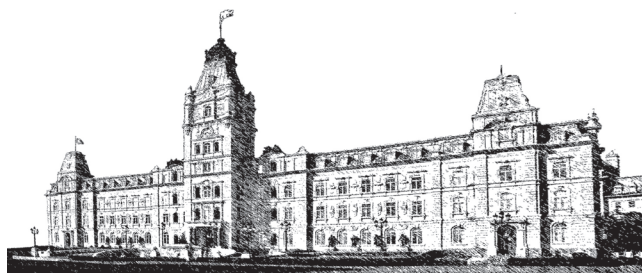
On May 31, 2018, the MSB issued a news release to announce its recommendation for Yukon's fourth Chief Electoral Officer. The release stated that the MSB had accepted the recommendation of a subcommittee tasked with recruiting a nominee for the position. The MSB recommended that **H. Maxwell Harvey** be appointed the next Chief Electoral Officer. The MSB is chaired by Speaker Clarke; the other members of the MSB are Premier **Sandy Silver**, Minister and Government House Leader **Tracy-Anne McPhee**, Official Opposition representative Mr. Cathers, and Third Party Leader **Liz Hanson**.

On June 26, Mr. Harvey joined Elections Yukon. His experience includes over 10 years with Elections Canada, initially as a returning officer and later as the federal liaison officer in Newfoundland and Labrador. Over the course of his career, Mr. Harvey had also served as an Assistant Deputy Minister of Marine Services and Transportation in the government of Newfoundland and Labrador, and as a senior officer in the Royal Canadian Navy.

Yukon's *Elections Act* requires that the Chief Electoral Officer be appointed by the Commissioner in Executive Council, on the recommendation of the Legislative Assembly made by at least two-thirds of all MLAs. The requisite motion will be considered by the Assembly during the 2018 Fall Sitting.

The Chief Electoral Officer is an independent officer of the Assembly who is responsible, per the provisions of the *Elections Act* and the *Education Act*, for the management of general elections and by-elections of MLAs, and of trustees of school boards and members of school councils.

Linda Kolody
Deputy Clerk



Québec

National Assembly proceedings

Extraordinary sitting

On June 14, 2018, at the request of Premier **Philippe Couillard**, the Assembly held an extraordinary sitting to conclude the consideration of Bill 400, *An Act to amend the Act respecting the estate of the Honourable Treffle Berthiaume and La Compagnie de Publication de La Presse, Limitée*. After a five-hour sitting, the bill was passed on the following division: Yeas 76, Nays 24, Abstentions 0.

Composition of the National Assembly

On April 8, 2018, owing to the prolonged convalescence of **Pascal Bérubé**, Official Opposition House Leader (Parti Québécois) and Member for Matane-Matapédia, the Leader of the Official Opposition, **Jean-François Lisée**, named **Carole Poirier**, Member for Hochelaga-Maisonneuve, as Official Opposition House Leader and **Mathieu Traversy**, Member for Terrebonne, as Deputy Opposition House Leader. These Members were reappointed to their previous offices upon Mr. Bérubé's return, on May 9, 2018.

In the spring, the Chair was informed that **Yves St-Denis**, Member for Argenteuil, and **Paul Busque**, Member for Beauce-Sud, were no longer members of the caucus of the parliamentary group forming

the Government (Québec Liberal Party), respectively since April 17 and May 10, 2018, and that they would henceforth sit as independent Members. Then, on June 15, 2018, the Chair was informed that the Member for Beauce-Sud had rejoined the Government caucus.

On June 15, 2018, the composition of the National Assembly was as follows: Québec Liberal Party, 67 Members; Parti Québécois, 28 Members; Coalition Avenir Québec, 21 Members; three Members sitting under the Québec Solidaire banner and six independent Members.

Estimates of expenditure and passage of Appropriation Act No. 2, 2018-2019

On April 17, 2018, the debate on the budget speech ended with recorded divisions on the Government's budgetary policy and on the motions stating a grievance moved within the framework of this debate. On May 3, 2018, following the committees' consideration of the estimates of expenditure, the Assembly examined the estimates of the National Assembly in Committee of the Whole and, at the sitting of May 8, adopted the 2018-2019 estimates and Bill 180, *Appropriation Act No. 2, 2018-2019*.

Bills passed

From April to June 2018, the National Assembly passed 28 bills, including seven private bills and one private Member's public bill. Of particular note are the following:

- Bill 128, *An Act to promote the protection of persons by establishing a framework with regard to dogs*;
- Bill 141, *An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions*;
- Bill 157, *An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions*;
- Bill 165, *An Act to amend the Highway Safety Code and other provisions*;
- Bill 171, *An Act to enact the Act respecting the implementation of the Canadian Free Trade Agreement and to bring measures relating to contracting by public bodies into compliance with that agreement, the Trade and Cooperation Agreement between Ontario and Québec and the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States*;
- Bill 173, *An Act mainly to introduce a basic income for persons with a severely limited capacity for employment*;

- Bill 176, *An Act to amend the Act respecting labour standards and other legislative provisions mainly to facilitate family-work balance*;
- Bill 187, *An Act to protect the confidentiality of journalistic sources*;
- Bill 1094, *An Act to proclaim Hispanic Heritage Month*.

Reports from the Ethics Commissioner for the Members of the National Assembly

On April 19, 2018, the Member for Groulx raised a matter of breach of privilege or contempt in which he alleged that the *ad hoc* Ethics Commissioner for the Members of the National Assembly, **Jacques Saint-Laurent**, had violated his rights and privileges in the report he tabled on November 30, 2017 regarding the Member. Note that on December 6, 2017, the Assembly concurred in the *ad hoc* Commissioner's report, which recommended that a sanction be imposed on the Member for Groulx.

The Chair having declared the point of privilege to be *prima facie* admissible (see ruling of May 10, 2018 under the heading "Rulings and directives from the Chair"), the Member for Groulx availed himself of his right to move a motion, pursuant to Standing Orders 324 to 327, impugning the *ad hoc* Commissioner's conduct. On May 16, during the debate on this motion, the Assembly carried a motion to mandate the Committee on the National Assembly (CNA) to investigate whether the *ad hoc* Ethics Commissioner stated that he wanted to scapegoat the Member for Groulx. The CNA thus mandated the National Assembly's jurisconsult to investigate the matter and, in a report tabled in the Assembly on June 11, it concluded that the *ad hoc* Commissioner had not violated the rights and privileges of the Member for Groulx and recommended that the Member publicly apologize.

On June 13, 2018, following a debate in the House, the Assembly concurred in the CNA's report (Yeas: 108, Nays: 0, Abstentions: 2), thus disposing of the motion on the breach of privilege or contempt standing in the name of the Member for Groulx.

On June 4, 2018, the President tabled the Ethics Commissioner's investigation report concerning the Member for Brome-Missisquoi with regard to a violation of the *Code of ethics and conduct of the Members of the National Assembly*. In this report, the Commissioner concluded that the Member had violated certain provisions of the *Code* pertaining to the use of the

allowance for accommodation expenses paid by the National Assembly and recommended that a sanction be imposed on the Member. On June 14, the report was negated on the following vote (Yeas: 45, Nays: 60, Abstentions: 2). The Member for Brome-Missisquoi had availed himself, pursuant to section 102 of the *Code of ethics and conduct*, of his right to make a statement in the Assembly after the tabling of the investigation report concerning him. Exceptionally, and stemming from a ruling from the Chair, this statement had been made in writing and tabled in the House on June 13 (see ruling of June 13, 2018 in the section “Rulings and directives from the Chair”).

Special events

Cancellation of an Assembly sitting

Owing to the activities surrounding the G7 Summit and so as to take a precautionary and responsible approach, the parliamentary proceedings schedule was changed to allow the Assembly and the committees to adjourn their proceedings earlier on June 7, and cancel their sittings on June 8, 2018. In return, the Assembly and committees sat on June 11, and the schedule of proceedings was changed on June 12, so that the total number of sitting hours for the period was maintained.

Rulings and directives from the Chair

Several rulings were handed down by the Chair of the National Assembly during the period covered by this article, a selection of which will be presented in more detail.

April 12, 2018 – Committing public funds and legislative authorization

On April 12, 2018, the Chair ruled on the point of privilege or contempt raised by the Official Opposition House Leader, in which the latter alleged that several ministers acted in contempt of Parliament by committing public funds without prior legislative authorization by foreseeing new expenditures for the fiscal year underway in the Québec Economic Plan of March 2017. The Chair recalled that it was not its role to determine whether Government expenditures were made in compliance with the law, which is the role of the courts, but rather to ensure that the Assembly’s role in the budgetary process was not ignored. The elements before the Chair did not *prima facie* show that this role had been bypassed. Consequently, the question was declared out of order.

However, the Chair recalled the importance of the role conferred on the Assembly and its Members to oversee the Government’s actions. It further expressed that, in this context, the more information the Government makes available to the Members, the more likely it is that debates and decision-making will be carried out in an informed manner. It therefore recalled that, although the communication of documents is at the Government’s discretion, it was desirable and even necessary that the Government cooperate so as to ensure that Members have the most complete information possible in order to exercise their parliamentary oversight role.

May 10, 2018 – Report from the ad hoc Ethics Commissioner regarding the Member for Groulx

On May 10, 2018, the President ruled on the point of privilege or contempt raised by the Member for Groulx on April 19, 2018, in which the latter alleged that the *ad hoc* Ethics Commissioner for the Members of the National Assembly, **Jacques Saint-Laurent**, had violated his rights and privileges during the investigation in his regard. The point of contempt concerns the content and conclusions of the *ad hoc* Commissioner’s report about the Member for Groulx as well as remarks the *ad hoc* Commissioner allegedly made to the Member affirming the Commissioner’s wish to scapegoat him.

With regard to the first aspect of the point of privilege or contempt, concerning the content and conclusions of the *ad hoc* Commissioner’s report, the Chair recalled that, in matters of ethics and professional conduct, the procedure adopted by the National Assembly under its *Code of ethics and conduct of the Members of the National Assembly* is clear: When the Commissioner receives a request for an investigation, he investigates, his report is tabled in the Assembly and, if he recommends the imposition of sanctions, the matter is put to a vote. The parliamentarians may not amend the report. Their power is limited to adopting or rejecting the report; they cannot modify the conclusions or sanctions it proposes.

Consequently, no Member can request review of a report produced by the Ethics Commissioner. The Chair cannot, therefore, rule on the allegations made by the Member for Groulx that relate directly to the factual elements of the *ad hoc* Commissioner’s investigation and their assessment.

The Chair then addressed the second aspect of the question, concerning the Member for Groulx’s

allegations that the *ad hoc* Commissioner told him he wanted to make the Member a scapegoat. This aspect of the point of privilege does not concern the report's content or conclusions but rather how the *ad hoc* Commissioner acted with regard to the Member for Groulx.

The Chair had to assess whether the facts submitted by the Member, which are supported by an affidavit from a lawyer, constituted a violation of section 55, paragraph 7 of the *Act respecting the National Assembly*. Unfortunately, the fact that the Member for Groulx did not bring these facts to the House's attention before the latter ruled on the report could not discredit the process and, alone, justify rejecting this point of privilege.

Despite the passage of the *Code of ethics* and the independence conferred on the Commissioner, there has never been any question of the Assembly waiving its rights and privileges. Moreover, no one is above a point of privilege from the Assembly.

Whether the Chair could, under these special circumstances, have called on individuals qualified in the area of investigations in order to determine whether the point raised by the Member for Groulx could, in fact, be considered *prima facie* admissible was not provided for in the procedure. The Chair specified that when Members decided to avail themselves of a point of privilege, no other recourse than that provided for in the Standing Orders could apply.

Given the state of parliamentary jurisprudence in matters involving threatening a Member that oblige the Chair to take the Member's word, as well as the sworn statement from a lawyer that appeared to corroborate the Member's word, the Chair declared the point of privilege to be *prima facie* admissible.

June 12, 2018 - Distribution of copies of a bill before its introduction in the Assembly

On June 12, 2018, the President ruled on the point of privilege or contempt raised by the Official Opposition House Leader, in which the latter alleged that the Minister responsible for Access to Information and the Reform of Democratic Institutions acted in contempt of Parliament, during a technical briefing session, by giving journalists copies of a bill with the mention "SOUS EMBARGO (under embargo)" on each page, almost one hour before the bill was introduced in the Assembly.

The Chair recalled that technical briefing sessions are held at other times in order to privately communicate information that is not yet officially tabled in the Assembly, for example, when reports from persons designated by the National Assembly are about to be tabled. This is another example of a practice where information is given to Members, who accept the procedure, allowing them to become aware of the key aspects of sometimes very lengthy documents before they are made public, thus enabling the Members to do their job properly.

In the past, the Chair has stated that, despite the fundamental role journalists play in our democracy, parliamentarians must be the first to receive all information needed to perform their legislative duties. The Chair has also recalled the importance of respecting this principle by calling on all parliamentarians, especially Cabinet Members and their staff, to be very careful when communicating information intended first and foremost for the Assembly, out of deference to the Assembly and its Members.

The Chair did not deny the Government's recognized right to inform the public about its policies and programs, or about the measures it intends to adopt. The Government may also hold technical briefing sessions to explain measures contained in a bill not only to journalists, but also to the Members. However, as indicated by the Chair, this briefing should take place after the bill has been introduced in the Assembly, not before, out of respect for the Members' role in the legislative process.

Contempt of Parliament is any act or omission that discredits or hinders the proceedings of the Assembly or its committees or the duties of its Members. In the case at hand, disclosing the bill before it was tabled in the Assembly discredited the Members' legislative role and could have hindered the Members' ability to do their job properly.

In the case in question, the Minister herself admitted that the bill's content had been disclosed before the Members could be informed and expressed her most sincere regrets regarding this situation in the Assembly.

Under the circumstances, despite the regret expressed by the Minister, the Chair had no choice but to conclude that the point raised by the Official Opposition House Leader constituted *prima facie* contempt of Parliament.

June 13, 2018 – Report from the Ethics Commissioner regarding the Member for Brome-Missisquoi

Lastly, on June 13, 2018, the President gave a ruling regarding a letter he had received from the Member for Brome-Missisquoi in reference to the report from the Ethics Commissioner in his regard, asking that he be permitted to be heard by means of a written argument, rather than in person, given that his health did not allow him to attend National Assembly proceedings. In his ruling, the President recalled that, when they passed the *Code of ethics and conduct of the Members of the National Assembly*, the legislators' intention was to allow a person targeted by an Ethics Commissioner's report to be heard, whether or not the person is a Member. That being said, when a Member targeted by an Ethics Commissioner's report is unable to attend Assembly proceedings, yet wishes to exercise his or her right to be heard by sending a written argument, the Chair deems its role to include ensuring that the Member's rights are respected and allowing the Member to do so. Consequently, the President tabled the document transmitted by the Member for Brome-Missisquoi as argument.

Retirement from politics

On June 15, 2018, at the last Oral Question Period of the 41st Legislature's parliamentary calendar, the President of the National Assembly, **Jacques Chagnon**, announced his retirement from politics.

Mr. Chagnon has been President of the National Assembly since 2011 and Member for the electoral division of Westmount-Saint-Louis (formerly Saint-Louis) since 1985. During his political career, he held the offices of Minister of Education and Minister of Public Security. He currently chairs the *Assemblée parlementaire de la Francophonie*.

At this last sitting of the 41st Legislature, 17 parliamentarians among those who had announced their retirement from politics at the end of the current term addressed the Assembly.

Committee proceedings

From April to June 2018, the committees carried out several mandates received by order of reference from the Assembly and many other types of mandates. It should be noted that two important periods of parliamentary work took place during these three months: the examination of the estimates of expenditure and the 41st Legislature's last period of extended hours of meeting.

Clause-by-clause consideration of bills

Over the course of this three-month period, seven committees gave clause-by-clause consideration to 13 public bills. Consideration of these bills took place during 52 sittings totalling over 180 hours of work. Among these bills, the Committee on Health and Social Services (CHSS) concluded, on May 30, 2018, the clause-by-clause consideration of Bill 157, *An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions*. Thirty-two sittings and over 136 hours were set aside for the consideration of this bill, which had begun in February 2018. This was the most hours set aside for this type of mandate during the 41st Legislature.

The Committee on Public Finance (CPF), for its part, concluded the clause-by-clause consideration of Bill 141, *An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions*, after having held 20 sittings representing close to 60 hours of work. This bill, among other things, enacts two new acts: the *Insurers Act* to replace the *Act respecting insurance*, and the *Trust Companies and Savings Companies Act* to replace the *Act respecting trust companies and savings companies*, which will be repealed.

The Committee on Labour and the Economy (CLE) concluded the clause-by-clause consideration of Bill 176, *An Act to amend the Act respecting labour standards and other legislative provisions mainly to facilitate family-work balance*, after four sittings and over 15 hours of work. This bill provides for several changes regarding employees' working conditions and an increase in the number of days of absence for family and parental responsibilities.

Statutory orders

Moreover, two committees initiated the examination of regulations. Certain legislative provisions provide for the examination of regulations or other documents by the competent committee. Thus, on April 12, 2018, the Committee on Culture and Education (CCE) examined the draft regulation on homeschooling, pursuant to section 36 of the *Act to amend the Education Act and other legislative provisions concerning mainly free educational services and compulsory school attendance*, adopted in November 2017. Under the *Act*, the examination of this regulation, lasting no more than three hours, was to be carried out before June 1, 2018.

On May 16, 2018, the Committee on Institutions (CI) examined the guidelines for dealing with requests for accommodations on religious grounds, as provided for in section 18 of the *Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies*. This Act, passed in October 2017, provides that the first guidelines must be examined by the competent committee of the National Assembly within 60 days of their publication. The members discussed the content of this document intended for bodies so that the *Act* may be consistently applied.

Orders of initiative

During this period, the CPF, the Committee on Citizen Relations (CCR) and the Committee on Planning and the Public Domain (CPP) tabled four reports stemming from orders of initiative. In order to be carried out, this type of mandate must be adopted by a majority of the members from each parliamentary group. Once the mandate has been adopted, the committee itself organizes the proceedings so the duration of the mandate may vary. At the end of the mandate, the committee tables its report in the Assembly, which report contains the minutes of its proceedings and its observations, conclusions and recommendations, if any. If recommendations are made, a two-hour debate on the report must be held in the Assembly, pursuant to Standing Order 94. This was the case for three of these reports, namely those of the CCR and that of the CPP.

More specifically, on April 26, 2018, the CFP tabled in the Assembly its report on the document entitled: “Tax Havens: Tax Fairness Action Plan” following the joint hearing with the Ministère des Finances du Québec and the Agence du revenu du Québec in February 2018. The Committee had initiated the examination of the document produced by both organizations in response to the recommendations contained in its previous report on the tax havens phenomenon tabled in the Assembly in April 2017. The most recent report proposes several actions to be implemented by the CPF in the next legislature.

The CCR tabled two reports in relation to two orders of initiative: a report on Aboriginal women’s living conditions as affected by sexual assault and domestic violence and a report on women’s place in politics. The first report was tabled on May 15, 2018 and contains five recommendations. During this mandate, the members travelled to Aboriginal communities to

get a better understanding of their reality. The CCR subsequently tabled its report, on May 31, 2018, on women’s place in politics. This report, which contains seven recommendations, stems from public consultations. Indeed, in addition to having heard several individuals and organizations, the Committee members also based their reflection on the results of an online questionnaire filled out by 507 individuals.

Finally, on June 11, 2018, the CPP tabled in the National Assembly its report on access to local financial services in the regions. After having heard four individuals and organizations, including Mouvement Desjardins, the members issued three recommendations including one aiming to ask Québec’s financial institutions to transmit to the Committee members, before August 31, 2018, the methods these institutions intend to use to increase access to local financial services as well as a protocol regarding the possible closing of points of service.

Tabling of the report from the Committee on Public Administration

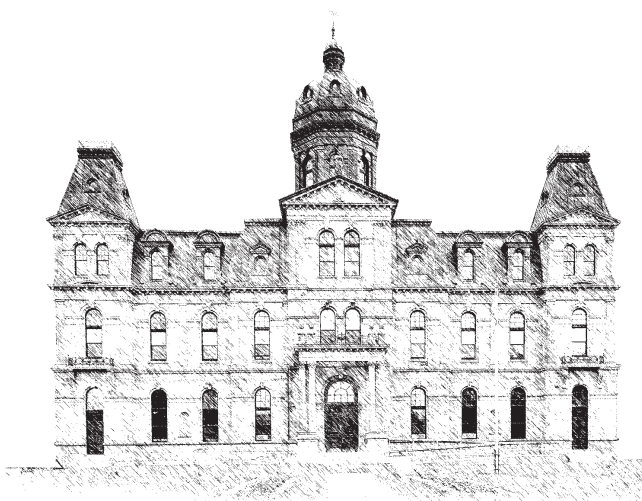
On June 12, 2018, the Committee on Public Administration (CPA) tabled its 38th report on the accountability of deputy ministers and chief executive officers of public bodies. This document details the seven public hearings held between February and May 2018. It also contains 16 recommendations to improve the administrative management of these departments and bodies. This report reflects the implementation of the new follow-up procedure for this Committee’s recommendations that was adopted in fall 2017. The steering committee thus examined the documents received from the departments and bodies as a follow-up to the Committee’s recommendations and their findings were forwarded to these entities.

Sylvia Ford

General Directorate for Parliamentary Affairs
Sittings Service

Sabine Mekki

General Directorate for Parliamentary Affairs
Committees Service



New Brunswick

Committees

The fourth session of the 58th Legislative Assembly adjourned on March 16. Dissolution of the Assembly is expected to occur in August, prior to the scheduled September 24 provincial general election. During the adjournment, certain committees were active.

On June 6 and 7, the Select Committee on Public Universities, chaired by **Chuck Chiasson**, held public hearings with the four publicly funded universities in New Brunswick (Mount Allison University, Université de Moncton, University of New Brunswick, and St. Thomas University) to discuss university administration, programming, performance measurement, accountability and transparency.

A joint meeting of the Standing Committee on Public Accounts, chaired by **Trevor Holder**, and the Standing Committee on Crown Corporations, chaired by Mr. Chiasson, was held on June 12. The committees considered Auditor General **Kim MacPherson's** *Report of the Auditor General of New Brunswick 2018, Volume I*. The volume presented performance audit reports on WorkSafeNB governance, and addiction and mental health services in provincial adult correctional institutions. The volume also presented concerns on the province's continuing fiscal decline and the Auditor General's eroding independence due to a lack of resources.

On June 20, the Commissioner of Official Languages for New Brunswick, **Katherine d'Entremont**, presented her 2017-2018 annual report to the Standing Committee on Procedure, Privileges and Legislative Officers, which is chaired by **Hédard Albert**. The report

recommended establishing an Official Languages Secretariat to support the Premier in carrying out the administration of the *Official Languages Act*. The report also presented the highlights of a study on the vitality of French and English in New Brunswick.

Webcast and Archive of Proceedings

In March, with the assistance of ISILive, the Legislature transferred its online webcasts to a more modern service with improved technical support. In addition, all House and committee proceedings are now permanently archived online.

Speaker

In April, Premier **Brian Gallant** announced that Speaker **Chris Collins** was suspended from the Liberal caucus pending an investigation into allegations of harassment. In response, Speaker Collins advised the Assembly's Legislative Administration Committee that he was relinquishing his administrative duties as Speaker pending the outcome of the investigation.

Student Parliament

The 28th Annual Student Legislative Seminar was held April 13 to 15. A total of 49 students from various high schools participated, representing all areas of the province. The seminar is a non-partisan program open to grade 11 and 12 students. The students were welcomed to the Assembly by Deputy Speaker **Bernard LeBlanc**. Throughout the weekend, the students attended various lectures. Former Lieutenant-Governor and Judge **Graydon Nicholas** spoke on his career; political science professor **Thomas Bateman** spoke on political parties and parliamentary government; Assistant Chief Electoral Officer **David Owens** spoke on the electoral process; and former Chief Judge **Leslie Jackson** spoke on the judicial branch.

Cabinet Shuffle

As a result of **Serge Rousselle's** decision not to reoffer in the next provincial general election, Premier Gallant allocated his ministerial responsibilities on May 11 as follows: **Andrew Harvey** became Minister of Environment and Local Government, Premier Gallant assumed the role of Attorney General, and **Benoît Bourque** was given the additional responsibility of Service New Brunswick. As well, **Wilfred Roussel** joined cabinet as Minister of Agriculture, Mines and Rural Affairs, which was Mr. Harvey's former portfolio.

Resignation

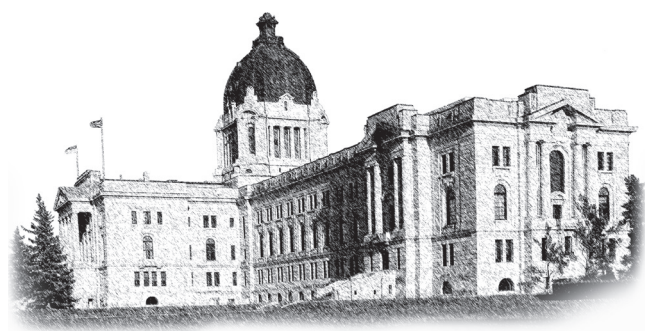
On July 1, **Madeleine (Mado) Dubé** resigned as the MLA for Edmundston-Madawaska Centre. First elected in the 1999 general election, Ms. Dubé was re-elected in 2003, 2006, 2010 and 2014. Ms. Dubé was the first person to win five consecutive elections in the Edmundston area riding, as well as the first Francophone woman in the history of the province to win as many consecutive elections. During her time at the Legislature, she served as Minister of Education, Minister of Family and Community Services, Minister of Health, and Minister of Social Development. Ms. Dubé was the first Francophone woman to serve as Minister of Education and Minister of Health. After the general election in 2014, she was appointed Opposition House Leader, the first woman to hold that position.

Standings

The standings in the House are 24 Liberals, 21 Progressive Conservatives, 1 Green, 1 Independent, and 2 vacancies.

Shayne Davies

Assistant Clerk and Clerk of Committees



Saskatchewan

Second Session of the Twenty-Eighth Legislature

Lieutenant Governor **W. Thomas Molloy** gave Royal Assent to 32 bills on May 30, 2018, and the spring sitting of the 28th legislature's second session concluded on May 31. To this date, 60 bills have received Royal Assent during the second session of the 28th legislature.

Humboldt Broncos Bus Tragedy

On April 6, 2018, a bus carrying the members of the Humboldt Broncos junior A hockey team was struck

by a tractor trailer, leaving 16 individuals deceased and 13 more injured. In light of the tragedy, motions of condolence were moved on April 9 and April 11, 2018. The Legislative Assembly of Saskatchewan is very grateful for the outpouring of support shown from across the country.

Budget Presentation

The 2018-19 budget, titled *On Track*, was tabled on April 10, 2018, by Finance Minister **Donna Harpauer**. "This budget sets the stage for a new decade of growth by keeping Saskatchewan's finances and our economy on track," she said. Highlights include a 2.5 per cent increase in funding for health care, including coverage of HIV drugs, hearing loss screening for infants, and supports for autistic children. Increased funding for social services and education, investments in infrastructure, and new business incentives are also of note. According to Ms. Harpauer, the budget keeps Saskatchewan on track in its second year of a three-year plan to reduce reliance on resource revenues and return to a balanced budget by 2019.

Finance critic **Cathy Sproule** countered that Saskatchewan's debt was on track to triple since 2008 and that the increases in education funding did not restore the cuts to education introduced in the previous budget. She cited citizens' struggle to keep up with the increased costs of living due to tax increases and cuts introduced in the previous year's budget, and she criticized the current budget's lack of hope and direction to create long-term growth. On April 11, 2018, she moved an amendment to the budget motion that the Assembly "... disagrees with the government for tabling a budget that fails to make smart investments to grow the economy, create jobs, prioritize education, and protect the most vulnerable."

The budgetary motion was passed by the Assembly on April 18, 2018.

Significant Legislation

Debate time devoted to each of three bills tripled the average time spent on debate per piece of legislation this session: *The Cannabis Control (Saskatchewan) Act*; *The Animal Protection Act, 2017*; and *The Vehicles for Hire Act*. Each of these bills received Royal Assent on May 30, 2018.

The Vehicles for Hire Act provides the framework for ridesharing services, such as Lyft and Uber, to operate in Saskatchewan. *The Animal Protection Act, 2017*

strengthens Saskatchewan's existing animal protection laws and expands the authority of animal protection officers. As a response to the federal government's decision to legalize cannabis, *The Cannabis Control (Saskatchewan) Act*, with nearly five hours of debate time, provides the framework for the legal distribution, sale, and use of cannabis in Saskatchewan.

In support of the Kinder Morgan Trans Mountain pipeline expansion, the Legislative Assembly passed *The Energy Export Act*. At the discretion of the minister, permits may be required for individuals or companies to import, export, or transport gas, oil, and refined fuel through Saskatchewan, and limits may be placed on the amount of gas, oil, or refined fuel to be moved.

Portrait Hanging

On July 28, former Speaker **Corey Tochor**'s portrait will join the collection of 29 portraits of former Speakers hanging in the Speaker's Gallery. The portraits date back to the 1800s with the oldest being that of **Herbert Charles Wilson** who served as Speaker of the North-West Territories from 1880 to 1890. Mr. Tochor, MLA for Saskatoon Eastview, was elected to serve as Speaker in May 2016 but resigned the role in January 2018 to seek a federal Conservative Party nomination.

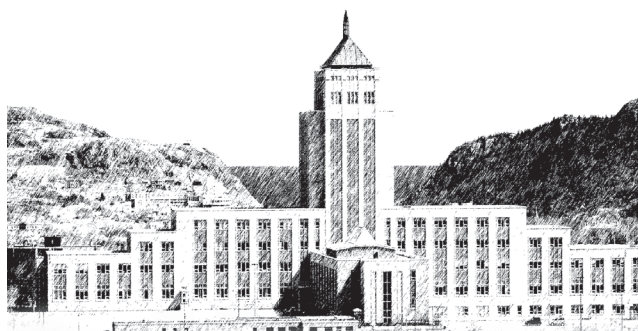
Candidates for Federal Election

Two Saskatchewan MLAs will run for the federal Conservative Party in the next federal election. Mr. Tochor was nominated as the candidate for the riding of Saskatoon-University on March 10, 2018, and **Warren Steinley**, MLA for Regina Walsh Acres, was nominated as the candidate for the riding of Regina-Lewvan on April 23. Both will continue their MLA responsibilities until the federal election expected in October 2019.

Sensitivity Training

As a result of the Board of Internal Economy directive passed in November 2017 to conduct a review of its existing anti-harassment policies and develop a best-practices framework, the Board has asked the Assembly administration to provide sensitivity training for members. Sensitivity training will begin in the fall, and sessions will include a special module for caucus staff. Work on the anti-harassment best-practices framework is ongoing.

Anne Drake
Committee Coordinator



Newfoundland and Labrador

The House reconvened, following the Easter break, on April 16 when they resumed debate on the Budget Speech which concluded on May 14. The Supply Bill and the total amount in the estimates of \$7,817,543,600 were carried on May 22.

On April 8 the New Democratic Party elected **Gerry Rogers**, MHA as their leader. Ms. Rogers represents the District of St. John's Centre in the House of Assembly.

On April 28 the Progressive Conservative Party elected **Chesley Crosbie** as their leader. Mr. Crosbie is not a Member of the House of Assembly.

On May 12th **Paul Davis**, MHA, former Leader of the Official Opposition, announced that he was stepping down from the position but would continue to represent the District of Topsail-Paradise. **David Brazil**, MHA for Conception Bay East – Bell Island was designated Leader of the Official Opposition in the House of Assembly.

During the Spring sitting two Cabinet Members were suspended from the Liberal caucus and now sit on the opposition side of the House as unaffiliated Members. Both Members have been accused of harassment by other Members and are under investigation by the Commissioner of Legislative Standards in accordance with the provisions of the Code of Conduct.

On May 2, **Tracey Perry**, MHA for Fortune Bay Cape - La Hune proposed a Private Member's motion calling on the House of Assembly to develop through the Privileges and Elections Committee a legislature-specific harassment policy, similar to that of the Nova Scotia House of Assembly. The Resolution was

passed unanimously. The Committee is charged with consulting Members and employees of the House, and independent groups having expertise in handling such complaints, as it carries out its mandate. The Committee comprising Members representing all parliamentary groups in the House has been meeting with the groups and individuals specified in the Resolution and expects to report to the House upon resumption of the Session in the Fall.

During the Spring sitting the House passed 24 Bills, including: *An Act Respecting Children And Families*, *An Act Respecting Tenancies Of Residential Premises* and *An Act Respecting The Control And Sale Of Cannabis* along with consequential amendments to the *Highway Traffic Act*, the *Smoke -Free Environment Act* and the *Liquor Control Act*

For the Spring sitting, the House instituted a provisional standing order permitting replies to Petitions. The practice appeared to be well received. The Standing Orders Committee will determine before the next sitting whether or not to recommend that the House adopt the practice permanently.

On May 3 the House adjourned following the granting of Royal Assent by the Lieutenant Governor **Judy Foote**. The House will resume sitting on November in accordance with the parliamentary calendar.

Elizabeth Murphy
Clerk Assistant



Manitoba

3rd Session of the 41st Legislature – Spring Sitting

The Third Session of the 41st Legislature resumed on March 7, 2018 with adjournment scheduled for June 4,

2018. During the Spring sittings, the House considered Specified Government Bills, Departmental Estimates in the Committee of Supply, and other steps of the budgetary process.

On June 4, the Premier sent the Speaker notice that, in accordance to the Rules of the Legislative Assembly of Manitoba, the House was recalled starting June 6 for an emergency session to consider financial matters. The Rules state that the Government can recall the House at any time for 21 calendar days.

On June 4, 18 Government Bills and five Private Members' Bills received Royal Assent, including:

- Bill 4 – *The Legislative Assembly Amendment Act (Member Changing Parties)*, repealing the provision of *The Legislative Assembly Act* that requires a Member of the Assembly elected as a member of a political party to sit as an independent if they cease to belong to that party;
- Bill 11 – *The Safe and Responsible Retailing of Cannabis Act (Liquor and Gaming Control Act and Manitoba Liquor and Lotteries Corporation Act Amended)* to authorize and regulate the retail sale of cannabis in Manitoba when such sales are permitted by the federal government;
- Bill 18 – *The Child and Family Services Amendment Act (Taking Care of Our Children)* to establish a legislative basis for supporting the provision of customary care to Indigenous children through agreements and living arrangements;
- Bill 20 – *The Employment Standards Code Amendment Act (2)*, which makes several changes to *The Employment Standards Code* including extending parental leave from 37 weeks to 63 weeks and raising the minimum age for employment to 13 years of age;
- Bill 25 – *The Non-Smokers Health Protection and Vapour Products Amendment Act (Prohibiting Cannabis Consumption in Outdoor Public Places)*, to prohibit the smoking or vaping of cannabis in outdoor public places and other places specified by regulation;
- Bill 300 – *The University of Manitoba Students' Union Amendment Act* which amends *The University of Manitoba Students' Union Act*.

Sessional Order

On June 25, two days prior to the scheduled ending of the emergency session, the House passed a Sessional Order requiring the Legislature to adjourn for the summer on that day instead of on June 27. The

Sessional Order also stipulated that certain actions happen in subsequent months.

The various provisions of the Sessional Order include:

- On June 25, 2018, all remaining questions necessary to conclude certain steps of the Main and Capital Supply Procedure had to be put;
- The Standing Committee on Rules of the House shall meet on September 6, 2018, to consider amendments to the Rules, Orders and Forms of Proceeding of the Legislative Assembly of Manitoba;
- *The Budget Implementation and Tax Statutes Amendment Act* is to be distributed intersessionally on August 15 and will be debated starting October 3 in accordance with the guidelines contained in the Sessional Order;
- The remaining steps to complete the Main and Capital Supply Procedure are to be concluded on October 11.

Committee of Supply

The Committee of Supply began consideration of the Estimates of the Departmental Expenditures on April 4th, completing the process on May 17th. On the last sitting day before the summer, the Committee completed consideration and adopted the motion to concur in all of the resolutions relating to the Estimates of Expenditure for the fiscal year ending March 31, 2019.

Before the House rose for the summer, the Committee of Supply also considered and passed supply resolutions dealing with temporary funding for operating and capital expenditures until the main supply bills are completed in the fall. The House also dealt with passing all stages of a second Interim Supply bill. As a result, Bill 19 – The Interim Appropriation Act, 2018 (2) received Royal Assent on June 20, 2018.

Standing Committees

During the Spring sittings, the Standing Committees on Social and Economic Development, Legislative Affairs, Private Bills, Human Resources, and Justice held a total of eight meetings receiving public presentations on legislation and completing consideration of clause-by-clause of several bills. In addition, the Standing Committee on Public Accounts met twice to consider several Auditor General's Reports covering issues relating to Manitoba Hydro Corporation and the

department of Finance, including the Public Accounts for the previous fiscal year.

Finally, after the House adjourned for the summer, the Standing Committee on Public Accounts met to consider annual reports of the Manitoba Hydro-Electric Board.

Award for the Chamber renovation project

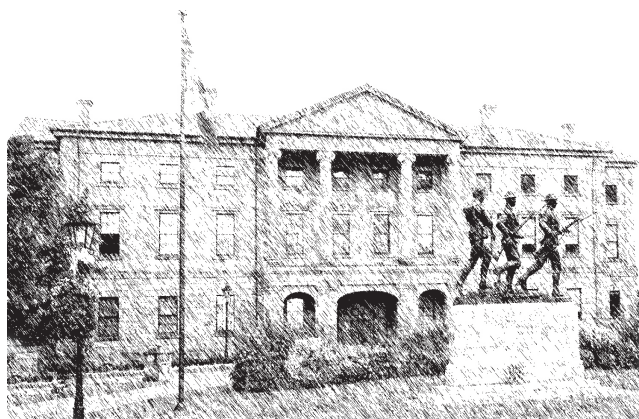
As noted in previous submissions, the Manitoba Chamber has undergone extensive renovations for two years to improve accessibility. Last February Heritage Winnipeg has awarded the renovation project with the 2018 Preservation Award for Excellence for sensitively adding barrier-free accessibility within the Chamber, including the restoration of character defining element such as marble flooring, bronze railings, the historic desks, and curtains.

Current Party Standings

The current party standings in the Manitoba Legislature are: Progressive Conservatives 39, New Democratic Party 12, five Independent Members, and one vacancy.

Andrea Signorelli

Clerk Assistant/Clerk of Committees



Prince Edward Island

Third Session, 65th General Assembly

The Third Session of the 65th General Assembly resumed on April 5, 2018, and adjourned to the call of the Speaker on June 12, 2018. This was an unusually long spring sitting; at 39 sitting days, it equaled the previous record set in 1999.

House Business

During the spring sitting, Government tabled a total of 18 bills. At adjournment, 15 Government bills had passed all stages and received Royal Assent; several of these were notable new pieces of legislation or significant amendments to existing Acts. Bill 29, *An Act to Respond to the Legalization of Cannabis*, made changes in the areas of cannabis control; established the Cannabis Management Corporation to manage the distribution and sale of cannabis and promote its responsible consumption; and updated the *Highway Traffic Act* and *Smoke-free Places Act*. The authority to enter into a cannabis taxation agreement with the Government of Canada was established through Bill 31, *Cannabis Taxation Agreement Act*. The *Freedom of Information and Protection of Privacy Act* received significant amendments through Bill 39, including making PEI's post-secondary institutions and major municipalities subject to the provisions of the *Act*. Bill 37 amended the *Election Expenses Act* to allow candidate and political party contributions to come only from individuals ordinarily resident in the province (whereas unions and corporations could previously make contributions) and set an individual's contribution limit at \$3,000 per calendar year. Finally, Bill 38, *Electoral System Referendum Act* established the referendum question on whether to move to a Mixed Member Proportional electoral system. This referendum will coincide with the next provincial general election. The bill also provides for public funding and advertising rules for proponents and opponents of MMP, which shall be overseen by a Referendum Commissioner in the lead up to the referendum. Debate on Bill 38 included debate on the principle of the bill at second reading, which is uncommon, and stretched over nine days in Committee of the Whole House, during which many sections of the bill were amended.

Eleven Private Members' Bills were introduced during the spring sitting by members of the Official Opposition, the Third Party, the independent member, and a private member of the governing party. Four Private Members' Bills passed all stages and received Royal Assent. Bill 116, *An Act to Amend the Employment Standards Act (No. 3)* provides for paid and unpaid leaves of absence for employees whom have been subjected to domestic violence, intimate partner violence or sexual violence. Bill 114, *Plastic Bag Reduction Act*, aims to reduce waste and environmental damage by prohibiting businesses from providing single-use plastic checkout bags to customers. It is believed to be the first such prohibition by a Canadian province. Bill 113, *An Act to Amend the*

Provincial Emblems and Honours Act, named the red fox (*Vulpes vulpes*) as the animal emblem of the province. The push for this designation started with elementary students at Montague Consolidated School, who first convinced the Standing Committee on Education and Economic Development through artwork, persuasive writing and testimony to recommend this designation to the Legislative Assembly. Finally, Bill 108, *An Act to Amend the Island Investment Development Act*, amended the parent *Act* to require that four members of the Island Investment Development Corporation's Board of Directors be representatives of the private sector chosen from PEI's business community.

Budget

Minister of Finance **Heath MacDonald** gave the Budget Address on April 6, 2018. Major investments in the 2018-2019 operating budget include a \$32.48 million increase in the health budget, with new measures such as student well-being teams and an increase of 100 long-term care beds over the next two years; and an additional \$17 million in education to be used for additional teachers and educational assistants, and new childcare spaces. The budget also entailed a 0.5 per cent decrease in the small business tax rate, and a \$1,000 increase to the Basic Personal Amount over two years. All told, revenues are estimated at \$1.985 billion, and expenditures just under \$1.984 billion.

Speaker's Rulings

During the spring sitting Speaker **Francis (Buck) Watts** made several rulings in response to Points of Order, addressing matters such as the *sub judice* convention, the admissibility of questions put to ministers outside their areas of responsibility, parliamentary language, whether misrepresentation or factual disagreement between members violates the rules of the Assembly, proper use of the routine "Responses to Questions Taken as Notice", and the means by which disorder in committee ought to be dealt with and reported.

On two occasions Speaker Watts issued rulings on matters raised as Points of Privilege. On April 11, 2018, Minister of Education, Early Learning and Culture and Justice and Public Safety **Jordan Brown** raised a Point of Privilege alleging that **S. Forrest (Bush) Dumville**, in questions posed during Oral Question Period, breached caucus confidentiality by referring to the content of confidential meetings. In his ruling on April 17, 2018, Speaker Watts found that the alleged breach of caucus confidentiality did not meet the

prima facie test of privilege as the meetings in question were, as reported by Mr. Dumville, meetings of a few members from the same caucus who were also members of a standing committee. As such they were not parliamentary proceedings to which privilege applies, and neither the Speaker nor the Assembly has a role in upholding any expectations that they remain confidential.

On April 20, 2018, **Darlene Compton** (Belfast-Murray River) and **Steven Myers** (Georgetown-St. Peters) both rose on Points of Privilege to assert that their privileges had been infringed upon after having received threats of legal action in response to questions asked in Oral Question Period by the former member and statements made by the latter member. Both members tabled social media comments from members of the public that were relevant to these Points of Privilege. The Speaker reviewed the matter, and on April 26 issued a ruling, in which he found that the social media comments were opinions, not threats that actually impinged on the ability of either member to do their jobs properly, and thus there was not a breach of privilege. The Speaker assured all members that he would defend the privileges of all members if an attempt were made to file a lawsuit based on the conduct of any member during parliamentary proceedings. He also reminded members that the protection of the privilege of freedom of speech in debate does not necessarily extend beyond parliamentary proceedings, and that this privilege also confers upon them a responsibility to avoid harming the reputations of individuals who have no legal redress available to them.

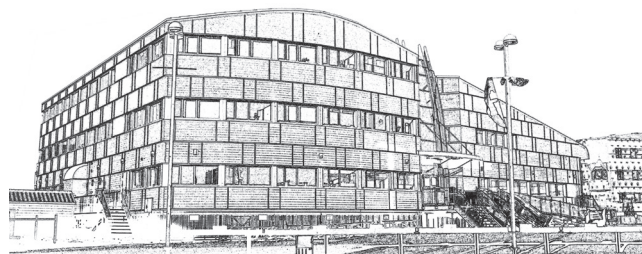
Report of the Standing Committee on Rules, Regulations, Private Bills and Privileges

On April 26, 2018, **Kathleen Casey** (Charlottetown-Lewis Point), Chair of the Standing Committee on Rules, Regulations, Private Bills and Privileges, tabled the committee's report entitled "Recommendations Regarding Rules Changes". The committee proposed rule changes to omit an outdated requirement that members participate in debate with "head uncovered"; to clarify the notice requirement for referring a matter to a committee; to discontinue a notice requirement for leave to introduce a Private Member's Bill; to require that the motion to adopt a committee report be moved on the sitting day following the day the report was tabled; and to require that written executive responses to committee reports be tabled during the next seasonal sitting. The committee also indicated its intention to publish a White Paper on the review of the Rules of the Legislative Assembly. This will

include suggestions for modernization of the rules in areas such as updates to the legislative process, the function of committees, petitions, sitting hours, and the parliamentary calendar. The committee intends to publish the White Paper and seek input from the public as well as Members of the Legislative Assembly. The Assembly adopted the committee's report.

Ryan Reddin

Clerk Assistant – Research and Committees



Nunavut

House Proceedings

The spring 2018 sitting of the 2nd Session of the 5th Legislative Assembly convened on May 24 and concluded on June 14.

The proceedings of the Committee of the Whole during the spring 2018 sitting were dominated by the consideration of the government's proposed 2018-2019 main estimates and departmental business plans.

On June 12, 2018, Chairperson of the Regular Members' Caucus and Arviat North-Whale Cove MLA **John Main** gave notice of a motion of non-confidence in Premier **Paul Quassa**. The motion was seconded by Gjoa Haven MLA **Tony Akoak**. The terms of the motion called for Mr. Quassa to be removed from the Executive Council. Under the *Legislative Assembly and Executive Council Act*, the Premier and other members of the Executive Council "hold office during the pleasure of the Legislative Assembly."

The motion was formally considered on June 14, 2018. All Members of the Legislative Assembly were present in the House for consideration of the motion. A total of nine Members spoke to the motion during debate. Sixteen Members, including six out of eight Ministers, voted in favour of the motion. Three Members, including one Regular Member, voted against the motion. Two Members abstained. The Speaker did not vote.

Immediately following passage of the motion, the House recessed at 12:40pm to allow for the convening of the Nunavut Leadership Forum, which consists of all Members of the Legislative Assembly. The Forum is used to conduct the selection process for the Speaker, Premier and members of the Executive Council of Nunavut. The Forum's proceedings were open to the public to observe from the Visitors' Gallery and were televised live across the territory.

Three Members accepted nominations to serve as Premier: Rankin Inlet South MLA **Lorne Kusugak**, Aivilik MLA **Patterk Netser** and Arviat South MLA **Joe Savikataaq**. Messrs. Kusugak and Savikataaq were both serving Ministers at the time of nomination. Each candidate was permitted to deliver a 10-minute speech. Members not standing for Premier were permitted to ask up to two questions to the candidates. In a secret ballot vote, Mr. Savikataaq was elected as Premier on the second round of balloting.

Iqaluit-Tasiluk MLA **George Hickes** was subsequently acclaimed to fill the vacancy on the Executive Council. Mr. Hickes, who had previously served as both a Regular MLA and a Minister during the 4th Legislative Assembly (2013-2017), was later appointed Minister of Finance by Premier Savikataaq.

Following the conclusion of the proceedings of the Nunavut Leadership Forum, the sitting of the House reconvened at 8:00pm. Formal motions to confirm the results of the leadership selection process were unanimously adopted.

Five bills received Assent during the spring 2018 sitting:

- Bill 3, *Cannabis Statutes Amendment Act*;
- Bill 4, *Appropriation (Operations and Maintenance) Act, 2018-2019*;
- Bill 5, *Supplementary Appropriation (Capital) Act, No. 1, 2018-2019*;
- Bill 6, *An Act to Amend the Judicature Act and Other Acts in Relation to Judges, 2018*; and
- Bill 7, *Cannabis Act*.

The fall 2018 sitting of the 2nd Session of the 5th Legislative Assembly is scheduled to convene on October 23, 2018.

Committee Activities

From April 30, 2018, to May 1, 2018, the Legislative Assembly's Standing Committee on Oversight of

Government Operations and Public Accounts held a televised hearing on the Auditor General of Canada's *Report to the Legislative Assembly on Climate Change in Nunavut*. The committee's report on its hearing was subsequently presented to the House during its spring 2018 sitting.

Order of Nunavut

On March 19, 2018, the Order of Nunavut Advisory Council, which is chaired by Speaker of the Legislative Assembly **Joe Enook**, announced that the 2017 appointments to the Order would be **Betty Brewster** and **Ludy Pudluk**. Ms. Brewster is a renowned interpreter-translator whose career has spanned several decades. In 2016, she was recognized by her peers for her lifetime of contributions to the profession with an Inuit Uqausinginnik Taiguusiliuqtiit Language Award. Mr. Pudluk served as a Member of the Legislative Assembly of the Northwest Territories from 1975 to 1995. During his many years of public service, Mr. Pudluk represented the communities of the High Arctic and was instrumental in the movement that led to the creation of Nunavut. The investiture ceremony for the recipients was held in the Chamber of the Legislative Assembly on June 5, 2018. The ceremony was televised live across the territory. Commissioner of Nunavut **Nellie Kusugak** presided over the ceremony in her capacity as Chancellor of the Order. Official tributes to the recipients were provided by Justice **Susan Cooper** of the Nunavut Court of Justice and Senator for Nunavut **Dennis Patterson**.

Recognition of Former Sergeant-at-Arms

On June 12, 2018, Speaker Enook presided over a ceremony held in the Chamber of the Legislative Assembly to honour recently-retired Sergeant-at-Arms **Simanek Kilabuk**. The ceremony was televised live across the territory. Speaker Enook's remarks noted that Mr. Simanek first carried the Mace into the Chamber on the occasion of the November 14, 2001, sitting of the House. Mr. Kilabuk officially retired from service at the dissolution of the 4th Legislative Assembly. At the conclusion of the ceremony, Speaker Enook presented Mr. Kilabuk with a commemorative gift incorporating a miniature rendition of the Legislative Assembly's Mace that was created by master artist **Jose Pitseolak** of Pond Inlet.

Alex Baldwin

Office of the Legislative Assembly of Nunavut



Northwest Territories

Mid Term Review

Early in the 18th Assembly, Members decided to hold a public mid-term review to demonstrate their commitment to greater transparency and accountability, to evaluate progress on the implementation of the Assembly's priorities and to provide a mechanism to evaluate the performance of the Executive Council. By way of motion, the matter was referred to the Standing Committee on Rules and Procedures for further consideration and to recommend a process, including terms of reference, for the mid-term review. The Standing Committee reported back to the Assembly in October of 2016.

On October 5, 2017 all 19 members of the Legislative Assembly participated in the Midterm Review process. The Premier was permitted 10 minutes to make a statement on the leadership and performance of Cabinet, and each Minister was permitted to make a statement up to five minutes on their leadership and performance. Following the statements by all Ministers, each Member was permitted two questions to each Minister, no longer than two minutes each. Once questions to Ministers were complete, Members were permitted up to two questions no longer than two minutes to the Premier. When all questions were concluded, the Members then cast a secret ballot vote of confidence or non-confidence in an open forum in the Chamber of the Legislative Assembly.

The outcome of the review: five Ministers and the Premier received a majority vote of confidence, and one Minister received a majority vote of non-confidence. When the third session convened on October 17, there was a notice of motion to revoke the appointment of Minister **Louis Sebert**. The motion was defeated on October 18 with a recorded vote of 7 in favour, 11 against, 0 abstentions.

October Sitting

On October 17, 2017, **Margaret M. Thom**, Commissioner of the Northwest Territories, gave her opening address for the third session of the 18th Legislative Assembly. Ms. Thom's focused on the Mandate of the Government of the Northwest Territories, as the 18th Assembly was the first to formally adopt a Mandate for improved transparency and accountability for the people it serves. The short four day sitting adjourned on October 20, 2017.

Legislation

On October 19, Bill 1: *Western Canada Lottery Act* received first reading, and Bill 2: *Supplementary Appropriation Act (Infrastructure Expenditures)*, No. 3, 2017-2018 received first, second, and third reading.

On October 20, Bill 1: *Western Canada Lottery Act* received second reading and was referred to standing committee for review. Bill 3: *Supplementary Appropriation Act (Operations Expenditures)*, No. 3, 2017-2018 and Bill 4: *Supplementary Appropriation Act (Infrastructure Expenditures)*, No. 1, 2018-2019 received first, second, and third reading. All three *Supplementary Appropriation Acts* received Royal Assent that same day.

Committee Activity

Three substantive Committee Reports were presented during this sitting:

On October 17, 2017 the Standing Committee on Government Operations, chaired by **Kieron Testart**, presented its Report on the Review of the 2015-2016 Public Accounts of the Government of the Northwest Territories. The Standing Committee on Rules and Procedures, chaired by **Kevin O'Reilly** presented its Report on the Chief Electoral Officer's Report on the Administration of the 2015 Territorial General Election, Supplementary Recommendations and the White Paper on the Independence and Accountability of Election Administration in the NWT. The Standing Committee on Social Development, chaired by **Shane Thompson**, presented its Report on Motion 32-18(2) Referral of Petition 6-18(2): Elimination of Time Change in the Northwest Territories to the Standing Committee on Social Development on October 19.

Retirement

On October 20, 2017, **Robert C. McLeod** presented a motion in the House: Expression of Gratitude to Deputy Clerk **Douglas Schauerte** for Dedicated and Exemplary Service. Mr. Schauerte provided devoted and exemplary public service to the Legislative Assembly for over 30 years, serving as Deputy Clerk since 1995. The members voted unanimously in favour of this motion to designate Douglas Schauerte as an honorary officer of this Legislative Assembly with entry into the Chamber and a seat at the Clerk's table. During his closing remarks, Speaker **Jackson Lafferty** said "Throughout his career, Doug has served this institution, our Legislative Assembly, all Members, and committees with dedication and professionalism. He has developed a wealth of knowledge that is second to none."

February-March Sitting

The Third Session resumed on February 7, when Premier **Robert R. McLeod** delivered a sessional statement with an emphasis on growing a strong and sustainable economy for the future of the Northwest Territories, which includes more jobs and financial security in all the communities and regions.

The next day, Finance Minister Robert C. McLeod, delivered the third budget address of the 18th Assembly. The 2018-2019 budget proposed operating expenditures of \$1.713 billion and \$1.75 billion in estimated revenues, leaving an overall surplus of \$23 million. The 2018-2019 budget continued the efforts set out at the beginning of the 18th Assembly by enhancing existing programs, while providing resources to update land and resource management alongside Indigenous governments and to work on a long-term energy and climate change plan. Over the next 12 sitting days, seven of the 11 regular Members delivered Replies to the Budget Address in which they offered their views on the budget, and some concerns such as a lack of increased investment on renewable or alternative energy, reductions in funding to the department of Education, Culture, and Employment, and the need to put more funding into addictions treatment, to name a few.

Over the next four weeks the budget was thoroughly discussed in Committee of the Whole, and on March 15 the Finance Minister presented Bill 12: *Supplementary Appropriation Act (Operations Expenditures)*, No. 1, 2018-2019 which increased the operations budget by \$1.1 million. This included an

increase for funding for the Arts Council, two new government service officer positions in Jean Marie River and Sambaa K'e, and two new land specialist positions.

Legislation

During this sitting, the following legislation was considered:

- Bill 1: *Western Canada Lottery Act*
- Bill 5: *An Act to Amend the Summary Conviction Procedures Act*
- Bill 6: *Cannabis Legalization and Regulation Implementation Act*
- Bill 7: *Chartered Professional Accountants Act*
- Bill 8: *Emergency Management Act*
- Bill 9: *Appropriation Act (Operational Expenditures)*, 2018-2019
- Bill 10: *Supplementary Appropriation Act (Infrastructure Expenditures)*, No. 4, 2017-2018
- Bill 11: *Supplementary Appropriation Act (Operations Expenditures)*, No. 4, 2017-2018
- Bill 12: *Supplementary Appropriation Act (Operations Expenditures)*, No. 1, 2018-2019

Bill 1 was reported to the House on March 1, had third reading on March 6, and received Royal Assent on March 13.

Bills 5, 6, 7 and 8 received first and second reading and were referred to Standing Committee for review. Bill 9 received first, second and third reading and received Royal Assent on March 13. Bills 10, 11 and 12 received first, second, and third reading and received Royal Assent on March 15.

Committee Activity

Two substantive Committee Reports were read in the House on February 27:

The Standing Committee on Social Development, chaired by Mr. Thompson presented its Report on Adult Residential Addictions Treatment Facilities Tour 2017. The Government of the Northwest Territories contracts with four adult residential treatment facilities in Alberta and British Columbia. The committee visited these four facilities from December 3-8, 2017 to better understand the options available to Northerners and develop recommendations for better addictions treatment in the territories. The report contained four recommendations:

- The Department of Health and Social Services (HSS) enhance its public communications on addictions treatment;
- HSS enhance community-based aftercare;
- HSS partner with its fellow social envelope departments and community governments to ensure Northerners are not discharged from programs into homelessness;

The Government of the Northwest Territories provide a comprehensive response to the report within 120 days.

The Standing Committee on Government Operations, chaired by Mr. Testart, presented its report on the Review of Bill 1: *Western Canada Lottery Act*. Bill 1 garnered much public feedback on the allocation of funding, mainly that there should be more funding for the arts as opposed to being allocated solely to physical activity/recreation. The report contained two recommendations:

- The Minister of Municipal and Community Affairs develop a funding policy which provides clear guidance as to funding eligibility requirements, to guide the disbursement of lottery funding under the new *Western Canada Lottery Act*; and
- The Minister of Municipal and Community Affairs make a submission to the Financial Management Board (FMB) requesting that the FMB establish a limit on any accumulated deficit or surplus in the fund, and that the limit be made public, shared with committee, and reported annually in the year-end report on the fund.

On March 14 the Standing Committee on Government Operations also presented its Report on the Review of the 2017 *Report of the Auditor General of Canada on Climate Change in the Northwest Territories*. The report contained 11 recommendations including endorsing the eight recommendations made by the Office of the Auditor General in its report. Among the recommendations, the Government of the Northwest Territories should: provide a copy of their action or implementation plan at the earliest opportunity, bring forward a draft of the Climate Change Strategic Framework, and provide a response to the report within 120 days.

May Sitting

The Third session of the 18th Legislative Assembly reconvened on May 24, 2018 for a short, but very

busy, seven-day sitting. Premier McLeod delivered a sessional statement emphasizing the importance of strategic engagement with the Government of Canada to help advance northern priorities and interests, particularly the Pan-Territorial vision for sustainable Development issued by the three Territories which forms the basis for the Arctic Policy Framework. Premier McLeod also spoke of the several pieces of proposed legislation being introduced, and the progress of the government's mandate commitments with two significant additions: a foundational review of Aurora College; and the legalization of cannabis in the Northwest Territories.

Legislation

During this seven-day sitting, the following legislation was considered:

- Bill 5: *An Act to Amend the Summary Convictions Procedures Act* which amends the *Act* to provide that the *Act* does not apply to the contravention of a municipal parking bylaw for which an administrative monetary penalty has been established;
- Bill 6: *Cannabis Legalization and Regulation Implementation Act* enacts two new statutes relating to the legalization and regulation of cannabis: the *Cannabis Products Act* and the *Cannabis Smoking Control Act*. The Bill also amends the *Motor Vehicles Act* to provide for prohibitions and enforcement measures related to persons who operate motor vehicles while their ability to do so is impaired by alcohol or a drug or by a combination of both, and to ensure consistency with the proposed amendments to the *Criminal Code* included in Federal Bill C-46, *An Act to amend the Criminal Code (offences relating to conveyances)*;
- Bill 19: *An Act to Amend the Revolving Funds Act* to increase the authorized limit of the Liquor Revolving Fund;
- Bill 21: *An Act to Amend the Northwest Territories Business Development and Investment Corporation Act* which allows the NWTBDIC to use money received by the Corporation in interest in a financial year if certain conditions are met; and correct an outdated reference to federal legislation in the definition of a "business enterprise";
- Bill 22: *Supplementary Appropriation Act (Infrastructure Expenditures)*, No. 2, 2018-2019
- Bill 23: *Supplementary Appropriation Act (Operations Expenditures)*, No. 2, 2018-2019

All of the aforementioned Bills received Royal Assent on June 1, 2018.

The following legislation was introduced, received second reading and referred to their respective Standing Committee for review:

- Bill 13: *An Act to Amend the Securities Act*
- Bill 14: *Miscellaneous Statute Amendment Law Act, 2018*
- Bill 15: *Document Formalization, Service and Notice Reform Statute Law Amendment Act*
- Bill 16: *An Act to Amend the Social Assistance Act*
- Bill 17: *An Act to Amend the Student Financial Assistance Act*
- Bill 18: *An Act to Amend the Cities, Towns and Villages Act*
- Bill 20: *Ombudsperson Act*

Committee Activity

The Government of the Northwest Territories decided to adopt its own framework for the upcoming federal legalization of Cannabis. Bill 6: *Cannabis Legalization and Regulation Implementation Act* creates two new Acts and makes amendments to the existing *Motor Vehicles Act*. Bill 6 had its first reading on February 28, 2018, second reading on March 1, and was referred to Standing Committee for review. The bill touches on many different areas, from cannabis control to road safety, and thus overlapped the mandates of multiple standing committees. To that end, both the Standing Committee on Government Operations and the Standing Committee on Social Development decided to work collaboratively to review of the bill.

Between April 23 and May 4, the committees travelled to 16 communities in the Northwest Territories to hold public meetings and to receive public feedback on the proposed legislation. The public clause-by-clause review was held on May 28, where the committee moved 22 motions, including nine developed by the Department of Justice and two developed by the Member for Frame Lake. The Minister concurred with 18 of these motions to amend the Bill during the clause-by-clause review. The four motions that the Minister did not concur with were moved on the floor of the House during consideration of the Bill in Committee of the Whole on May 31. Of the four motions presented, one was carried and three were defeated.

The substantive report on the Bill considered in Committee of the Whole on May 30 contained eight

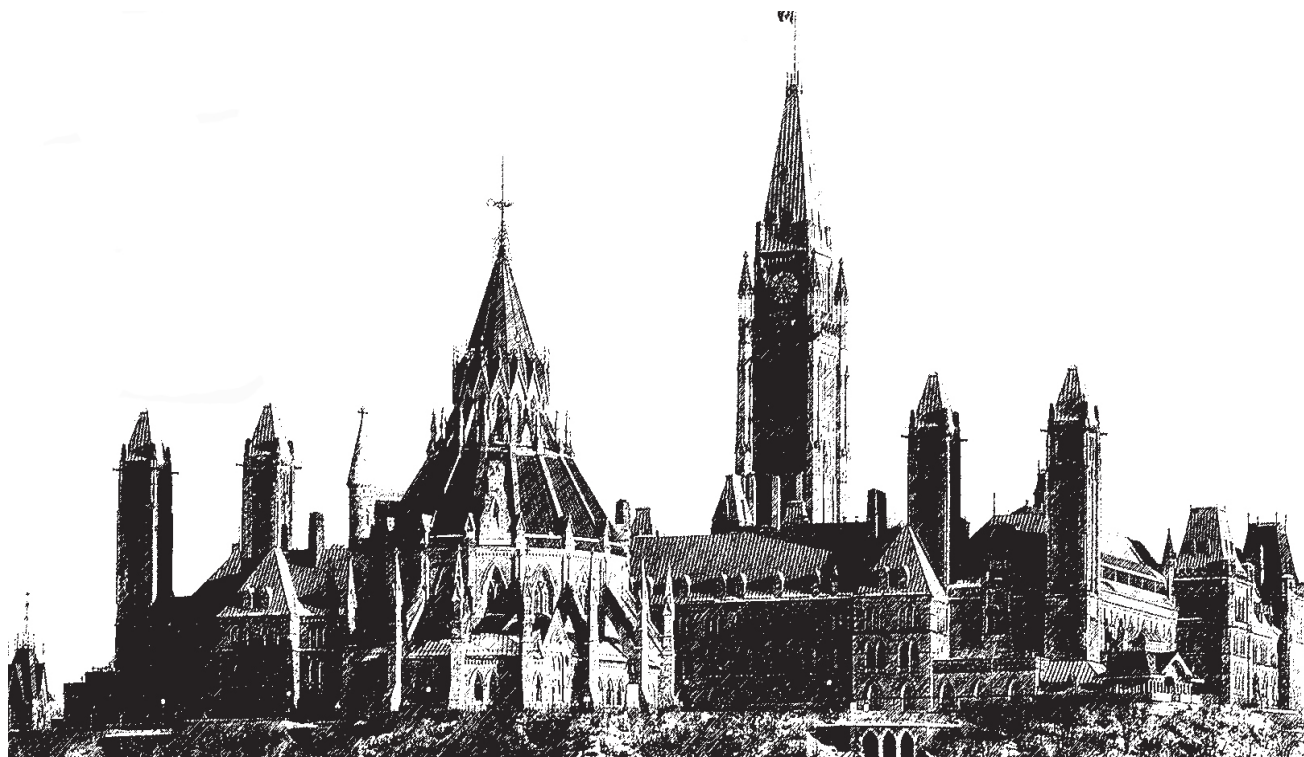
recommendations to the Government of the Northwest Territories, which included the development of a fully-costed implementation plan, development of curricula to deliver evidence-based health and safety education, consider specific targets for the disbursement of cannabis-related revenue, and to provide a response to the report in 120 days, to name a few.

In addition to the Bills referred to Standing Committee during this sitting, the Standing Committee on Government Operations is currently reviewing Bill 7: *Chartered Professional Accountants Act* and Bill 8: *Emergency Management Act*. Bill 7, which has a parallel statute to be introduced in Nunavut, establishes the Organization of Chartered Professional Accountants, which will be responsible for regulating the profession of accounting in Northwest Territories and Nunavut. Bill 8 repeals and replaces a former Act and reflects a new emergency management structure consistent with current operational territorial realities. The committee also presented its *Report on the Review of the 2016-2017 Public Accounts of the Government of the Northwest Territories* to the House on May 31. The report included eight recommendations to the Government of the Northwest Territories.

Live Streaming of Committee Meetings

Due to the remote nature of many communities in the Northwest Territories, the Assembly has undertaken to broadcast proceedings on available social media platforms to improve access by all residents of the Territories. Facebook Live streaming of committee meetings at the Legislative Assembly has been ongoing since early 2017. In November 2017, the Assembly began live streaming on Facebook, YouTube, Twitter and the Legislative Assembly Website simultaneously. The emphasis placed upon public engagement and transparency by the 18th Assembly has enabled the meetings to reach a broader audience. Outside of the Legislative Assembly based meetings, extensive public meetings on Bill 6: *Cannabis Legalization and Regulation Implementation Act* were conducted throughout the Northwest Territories. For the first time, meetings held in remote communities, such as Ulukhaktok and Deline (accessible only by plane and ice road), were broadcast via Video and/or Audio web streaming making the discussions available to other regions of the Northwest Territories and Canada.

Jennifer Franki-Smith
Committee Clerk Trainee



House of Commons

The First Session of the 42nd Parliament continued through the spring with the House adjourning for the summer break on June 20, 2018. The information below covers the period of March 28 to June 21, 2018.

Financial Procedures

On June 14, 2018, the final supply day in the period ending June 23, the House considered motions to concur in the Main Estimates for the fiscal year ending March 31, 2019. In an effort to encourage the Government to release a breakdown of the cost of carbon pricing to Canadians, the opposition parties put on notice no fewer than 197 opposed items in the Estimates. Similar to the events that transpired on March 22, 2018, the House continued sitting over two calendar days until such time that **Mark Strahl** (Chilliwack—Hope) sought and obtained unanimous consent that the remaining motions to concur in all opposed items be deemed adopted on division, and that the motion to concur in the unopposed Votes be deemed adopted on division. As per the usual practice, the House adopted the supply bill for the Main Estimates.

Legislation

In early 2018, Bill C-49, *An Act to amend the Canada Transportation Act and other Acts respecting transportation and to make related and consequential amendments to other Acts*, originally introduced in the House by the Minister of Transportation, **Marc Garneau** (Notre-Dame-de-Grâce—Westmount) on May 16, 2017, continued its passage through the Senate. The Bill, that proposes changes to the *Canada Transportation Act* and the Canadian Transportation Agency, gave rise to a volley of messages between the two Chambers. On April 16, 2018, a message was received from the Senate informing the House that the Senate had passed the Bill with amendments. Following debate on the Senate amendments on May 3, 2018, the House voted to accept certain amendments to the Bill, respectfully disagreed with 12 amendments and made a few further amendments to the Senate's original amendments. The Senate responded in kind with another message to the House insisting on two amendments. On May 22, 2018, the House agreed, by a vote of 163 to 123, to send a message to the Senate that the House respectfully rejected the Senate's amendments. Later that same day, the House was notified that the Senate did not insist on its amendments to which the House had

earlier disagreed. The Bill received Royal Assent on May 23, 2018.

Procedure and Privilege

Procedure

On May 29, 2018, the House adopted a motion which temporarily managed the business of the House until June 22, 2018. Amongst other provisions, the motion had the effect of extending the sitting hours of the House so that the hour of daily adjournment from Monday to Thursday would be 12 midnight, except in relation to a debate pursuant to Standing Order 52 or 53.1. As an outcome, a number of bills received Royal Assent before the House adjourned for the summer including Bill C-45, *An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts* and Bill C-50, *An Act to amend the Canada Elections Act (political financing)*.

Points of Order

On April 23, 2018, **Peter Julian** (New Westminster—Burnaby) rose on a point of order to request the application of Standing Order 69.1 to Bill C-74, *An Act to implement certain provisions of the budget tabled in Parliament on February 27, 2018 and other measures*. Mr. Julian maintained that the Bill was an omnibus bill that should be split for the purposes of voting on the motion at second reading, particularly as it relates to the section on carbon pricing which represents 215 of the 566 pages in the Bill. Immediately following Mr. Julian's intervention, a motion for time allocation in relation to Bill C-74 was moved by the Leader of the Government in the House of Commons, **Bardish Chagger** (Waterloo) and agreed to by the House in a vote of 164 to 114. The Parliamentary Secretary to the Leader of the Government in the House of Commons, **Kevin Lamoureux** (Winnipeg North), addressed the point of order by stating that the section in dispute was contained in the budget tabled in the House on February 27, 2018, and thereby the Standing Order would not apply. The same day, the Speaker reviewed the relevant sections of the Bill and the budget document to confirm that the provisions identified in the Bill related to carbon pricing were indeed announced in the budget. Given this, the Speaker concluded that Bill C-74 would not be divided.

On June 18, 2018, the Deputy Speaker ruled on a point of order raised on June 11, 2018, by **Matthew Dubé** (Beloeil—Chambly), regarding the applicability of Standing Order 69.1 in relation to the third reading

of Bill C-59, *An Act respecting national security matters*. Mr. Dubé argued that the omnibus bill contained different initiatives that, for the purpose of voting, should be divided. While the Chair was in agreement with Mr. Lamoureux that all measures contained within the Bill relate to national security, the Deputy Speaker concluded that the initiatives were sufficiently distinct to warrant dividing the question on the motion at third reading. It is worth noting that Mr. Dubé originally requested the application of Standing Order 69.1 on November 20, 2017, during debate of the motion to refer Bill C-59 to a committee before second reading. On that same date, the Speaker ruled that the Chair could not invoke the Standing Order as it can only be applied in relation to motions for second and third reading of a bill.

Questions of Privilege

On April 17, 2018, **Rob Nicholson** (Niagara Falls) rose on a question of privilege regarding the alleged premature disclosure of the contents of Bill C-75, *An Act to amend the Criminal Code, the Youth Criminal Justice Act and other Acts and to make consequential amendments to other Acts*. Mr. Nicholson argued that within eight minutes of Bill C-75 being introduced in the House, the CBC published an article on the Bill, suggesting that journalists were given advanced access to the contents of the Bill. Mr. Nicholson further argued that the details contained in the news article demonstrated that a leak had occurred and that the government had thus breached the privileges of the House. On April 23, 2018, Mr. Lamoureux intervened on the question of privilege to reaffirm that there was no advance disclosure of the Bill. In his ruling of May 7, 2018, the Speaker reminded Members that the right of the House to first access bills must be balanced with other considerations, such as the complex policy development process that accompanies the drafting of a piece of legislation. In this particular case there was a lack of irrefutable evidence to suggest that details regarding Bill C-75 were divulged before it was introduced, particularly since certain details of the article in question could have come from the summary of the Bill or from background information during the consultation process. After careful review of the arguments presented to the Chair, and assurance that the Government had not divulged the contents of the Bill before it was introduced in the House, the Speaker could not find a *prima facie* case of privilege in this matter.

On May 25, 2018, **Daniel Blaikie** (Elmwood—Transcona) rose on a question of privilege regarding

the rights of Members of Parliament to raise points of order if they suspect that proceedings of the House have been breached. Earlier the same day, Mr. Blaikie rose on a point of order concerning Vote 40 of the Main Estimates 2018-19 during which the Speaker, after some time, interrupted the Member to indicate that he had heard enough and would take the matter under consideration. In his question of privilege, Mr. Blaikie argued that the Speaker abrogated his privileges as a Member of Parliament by not being granted the opportunity to complete his discourse, despite repeated efforts to be recognized in the House. On the same question of privilege, **Candice Bergen** (Portage—Lisgar), noted that Mr. Blaikie had five points to his point of order of which only one was heard by the Chair before advancing to the next order of business. In his ruling of June 4, 2018, the Speaker explained that it is well established that Members, in their interventions on points of privilege or points of order, are expected to make brief presentations on the issue being raised. It is not the practice of the House to raise new points of orders once the Speaker has ruled or determined that sufficient information has been given and the Member has been informed accordingly. Moreover, the Speaker reminded the House that Members may not raise a point of order to discuss a ruling on a question of privilege or a point of order to ensure that the authority of the Chair is not casually nor repeatedly challenged.

On June 19, 2018, the Speaker ruled on a question of privilege raised on May 29, 2018, by **Glen Motz** (Medicine Hat—Cardston—Warner) concerning documents published on the website of the Royal Canadian Mounted Police (RCMP) in relation to Bill C-71, *An Act to amend certain acts and regulations in relation to firearms*. Mr. Motz contended that information published on the RCMP website would lead the public to believe that Bill C-71 had already been enacted because it omitted information regarding the parliamentary process and the fact that the Bill remained subject to parliamentary approval. The Member returned to the House the next day to argue that the RCMP had admitted its fault by updating its website to include a disclaimer regarding the proposed law. On June 1, 2018, Mr. Lamoureux responded to the question of privilege by stating that in his view the matter raised was simply one of debate as the RCMP made no presumption on its website respecting the Bill. In his ruling, the Speaker noted that while the Chair identified instances where some provisions of the Bill were in fact framed as legislative proposals, the vast majority of the information presented on the RCMP website, prior

to the addition of the disclaimer, suggested the new provisions of the Bill will definitely be coming into force or are already enacted. The Speaker added that he was disappointed by the oversight of the RCMP regarding the absolute authority of Parliament in the scrutiny and adoption of legislative proposals; “any hint of this parliamentary role and authority being passed or usurped is not acceptable.” Concluding that the matter constituted a *prima facie* question of privilege, the Speaker invited Mr. Motz to move a motion. Mr. Motz moved that the matter be referred to the Standing Committee on Procedure and House Affairs. After a short intervention, the motion was agreed to by unanimous consent.

Private Members’ Business

On March 19, 2018, the Standing Committee on Procedure and House Affairs presented its 56th Report to the House recommending that Bill C-385, *An Act to amend the Navigation Protection Act (certain lakes and rivers in British Columbia)*, standing in the name of **Wayne Stetski** (Kootenay—Columbia), be designated non-votable. On March 20, 2018, Bill C-281, *An Act to establish a National Local Food Day* was placed in the Order of Precedence in substitution of Bill C-385.

Other Matters

Emergency Debates

On April 16, 2018, the House held an emergency debate on the Trans Mountain Pipeline Expansion project.

Royal Assent

On June 21, 2018, the House was recalled for the sole purpose of granting Royal Assent to certain bills. Royal Assent was granted in Her Majesty’s name by Her Excellency the Governor General to 10 bills including two Private Members’ Bills, one appropriation bill and the budget implementation bill.

Time Allocation

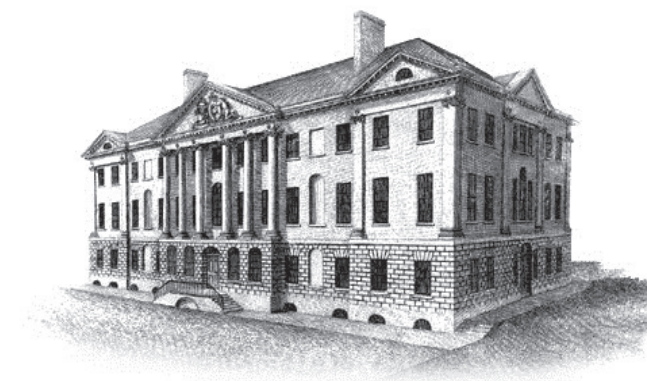
Time allocation was moved and adopted 11 times on 10 different bills during the period of March 28 to June 20, 2018; four times at second reading stage of a bill, six times at report stage of a bill, and once at third reading of a bill.

Resolutions

On May 31 and June 11, 2018, the House adopted resolutions to strongly oppose the illegitimate tariffs imposed by the U.S. government against Canadian workers and communities that directly or indirectly depend on trading relationships with the United States of America including the Canadian steel and aluminum workers and Canadian farmers and supply management.

Danielle Widmer

Table Research Branch



Nova Scotia

Resignation of Leader of the Official Opposition

On January 24, 2018, **Jamie Baillie** resigned as the MLA for Cumberland South and as the leader of the Official Opposition. A by-election for the constituency of Cumberland South was held on June 19, 2018 and the PC party retained the seat by electing **Tory Rushton** as the new MLA.

Spring sitting 2018

The Spring sitting commenced on February 27, 2018 and continued until April 18, 2018.

Twenty bills and the budget were passed during the sitting, including the *Education Reform (2018) Act*. The bill reforms the education system on many levels, including the elimination of all the English language school boards in the province and the removal of school principals and vice-principals as members of the Nova Scotia Teachers Union.

Government Motion 1082 and amendments to the House of Assembly Act

On March 27, 2018, the Legislature adopted a Government Notice of Motion constituting a select committee of the House of Assembly to determine the composition of an independent electoral boundaries commission and to determine the terms of reference for the commission. The *House of Assembly Act* requires the appointment at least once every 10 years of an independent electoral boundaries commission.

The last commission was created in 2011 and issued its report on September 24, 2012; however, a reference to the Nova Scotia Court of Appeal regarding the legislation passed subsequent to the commission's report was the subject of a court decision rendered on January 24, 2017. In response to the court decision on April 28, 2017, an Order in Council (OIC 2017-158) was issued establishing a commission to inquire into certain matters concerning effective electoral representation for Acadian and African Nova Scotians in Nova Scotia. The Commission on Effective Electoral Representation of Acadians and African Nova Scotians issued its report on November 1, 2017 (more information is available at <https://novascotia.ca/representation/>). On establishing the Commission, the Government indicated that it would take steps to establish a Select Committee necessary to set the terms of reference for the appointment of an Electoral Boundary Commission by January 31, 2018. This date was extended by OIC 2018-8 to the end of the first sitting of the House of Assembly in 2018.

The bill amending the *House of Assembly Act* legislates the terms of reference for the future boundary commission in keeping with the recommendations of the Commission on Effective Electoral Representation of Acadians and African Nova Scotians.

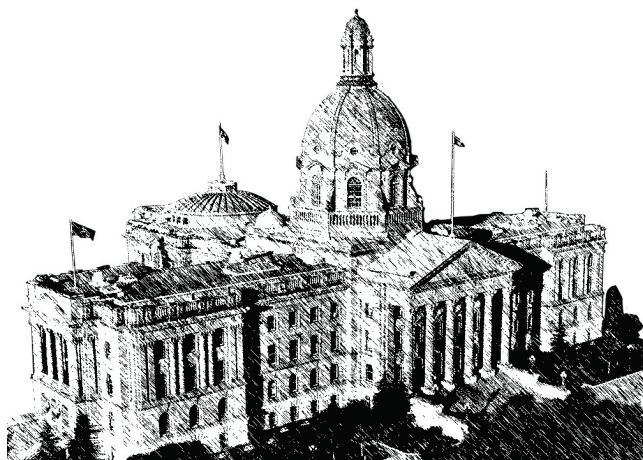
The Acadian Federation objected to the amendments giving the select committee the ability to include in the terms of reference for the boundary commission: 1) the possibility of having non-contiguous electoral districts, and 2) determining the minimum and maximum number of electoral districts that the commission may consider in formulating its recommendations. The Federation presented these concerns to the Law Amendments Committee; however the bill was not amended.

Resolution 1157

On April 6, 2018, Resolution 1157 was made and received the unanimous endorsement of the House without debate. The Resolution enacts a new Rule 14 (1) and (2) in the *Rules and Forms of Procedure* of the House of Assembly. These rules excuse an MLA from attending the services of the House when the member is taking pregnancy leave, parental leave, leave for illness or leave for a similar purpose if notice of the nature and expected length of the leave is given to the House or the Speaker within 10 days of commencing the leave.

Under the former Rule, the permission of the Speaker was necessary before the leave could be taken. However, Rule 14(2) clearly states that if an MLA is absent without first obtaining permission of the House or the Speaker or notice has not been given as required in the previous paragraph, the MLA may be subject to censure of the House.

Annette M. Boucher
Assistant Clerk



Alberta

Fourth Session of the 29th Legislature

The Fourth Session of the 29th Legislature, which commenced on March 8, 2018, adjourned on June 7, 2018. During the spring sitting 18 Bills received Third Reading and one was referred to a Legislative Policy Committee for review.

Among the Bills debated was Bill 12, *Preserving Canada's Economic Prosperity Act*, which received Royal Assent on May 18, 2018. The new legislation arose within the context of the debate over the construction of the Trans Mountain pipeline extension project. It

empowers the Minister of Energy to require energy exporters to obtain a licence and meet a variety of terms and conditions prior to sending products such as natural gas, crude oil or refined fuel out of Alberta. The new legislation contains a "sunset provision" under which it will cease to have effect after two years. The Attorney General of British Columbia has filed a Statement of Claim in Alberta's Court of Queen's Bench challenging the constitutional validity of the legislation.

Bill 9, *Protecting Choice for Women Accessing Health Care Act* was also passed by the Assembly and received Royal Assent on June 11, 2018. The Bill authorizes the creation of "no-protest zones" around abortion clinics and other offices or homes of clinic doctors and staff. During deliberations on the Bill, nine amendments were proposed, of which two were accepted, including one introduced by Independent Conservative Member **Derek Fildebrandt**, MLA (Strathmore-Brooks). Members requested a recorded vote on most votes pertaining to the Bill, including the motion for Second Reading, all proposed amendments, and the motion for Third Reading. Following an initial statement by **Angela Pitt**, MLA (Airdrie), the Official Opposition (United Conservative Party) chose not to participate in the debate on the Bill and were not present in the Chamber for any of the recorded votes.

Governor General Visit

Her Excellency the Right Honourable **Julie Payette**, visited the Alberta Legislature on May 15, 2018, and was welcomed with a public ceremony on the Legislature Grounds during which she received military honours, including a 100-person guard of honour, the Vice-Regal salute and a 21-gun salute. Later in the day she addressed the Assembly, becoming only the third Governor General to do so. During her remarks she shared personal anecdotes about her previous visits to the province, noted the province's contributions as "the economic powerhouse of Canada" and commented on the role of a strong Alberta in the country's future.

By-Elections

Two by-elections were held in Alberta on July 12, 2018. In Innisfail-Sylvan Lake the United Conservative Party (UCP) candidate **Devin Dreeshen** won by a significant margin, and in Fort McMurray-Conklin the UCP candidate, **Laila Goodridge**, was also victorious. If the results of the by-elections are not challenged, the composition of the Legislative Assembly will be

54 seats for the New Democratic Party, 27 seats for the United Conservative Party, three seats for the Alberta Party, and one seat each for the Alberta Liberal Party and the Progressive Conservative Party; there is also one Independent Conservative Member.

New Officer of the Legislature

Bill 32, *An Act to Strengthen and Protect Democracy in Alberta*, which was passed during the fall 2017 session, included a number of amendments to election legislation in Alberta. The *Act* also established the position of Election Commissioner, a new Officer of the Legislature, and provided that the Standing Committee on Legislative Offices be tasked with identifying a suitable candidate to recommend for the position. The Committee completed the recruitment process and tabled its report on April 10, 2018, recommending that **Lorne Gibson** be appointed as Election Commissioner effective May 15, 2018. Mr. Gibson previously served as the Chief Electoral Officer in Alberta for a single term from 2006 to 2009. The committee members representing the Official Opposition expressed concern about the recruitment process and the final recommendation. For the first time in Alberta, a minority report was submitted following completion of a committee's search process. In the Assembly, Government Motion 16 to concur in the recommendation of the Committee was debated over several days and three amendments were introduced but defeated. Ultimately, time allocation was used to limit all remaining debate on the motion to one hour, and on May 10, 2018, the Assembly agreed to the Motion through a recorded vote.

Committee Activity

On March 19, 2018, the Legislative Assembly referred Bill 201, *Employment Standards (Firefighter Leave) Amendment Act, 2018*, to the Standing Committee on Alberta's Economic Future for review. If passed, Bill 201 would provide employment protection for part-time firefighters. The Committee has received a presentation from **Wayne Anderson**, MLA (Highwood), sponsor of the Bill, a technical briefing on the province's *Employment Standards Code* and 40

written submissions on the proposed legislation. The Committee has agreed to invite oral presentations as the next stage of the review process.

The Standing Committee on Families and Communities completed its review of the *Missing Persons Act* and tabled its report on May 9, 2018. The Committee made 17 recommendations to amend the *Act* and update related regulations, and to improve its administration including: clarifying the standards required to produce records, streamlining the application process, interjurisdictional cooperation, and improving education regarding information disclosure under all privacy legislation.

On April 16, 2018, the Assembly referred consideration of a Private Member's motion ("Motion 501") by Wayne Anderson, MLA (Highwood), to the Standing Committee on Privileges and Elections, Standing Orders and Printing. Motion 501 proposes a change to the Standing Orders to permit Legislative Policy Committees to undertake "a hearing or inquiry during the same period of time that a matter stands referred to the Committee by the Assembly if the hearing or inquiry does not interfere with the work of the Committee on the matter referred to it." At a meeting of the Standing Committee on Privileges and Elections, Standing Orders and Printing on June 11, 2018, after considering written submissions on the matter, a motion recommending the implementation of Motion 501 was defeated. The Committee released its report on June 18, 2018.

Auditor General of Alberta

Merwan Saher completed his term and retired as Auditor General on April 28, 2018. His successor, **Doug Wylie**, has been sworn in as Alberta's 11th Auditor General. Mr. Wylie has 28 years of experience working in the Office of the Auditor General and has served as Assistant Auditor General for the past 14 years.

Jody Rempel
Committee Clerk