

## Budget, copyright, justice and immigration bills top House agenda

**Expect heightened partisanship and political jockeying in the Commons as election posturing continues until March budget.**

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Published January 31, 2011



The budget will be the most important item to be introduced and debated in the House of Commons when MPs return from their six-week break, say political observers. But copyright, justice, and immigration reform bills will also be front and centre in this winter session and expect heightened partisanship and political jockeying in the Commons as the election posturing continues until the expected March budget.

"The real purpose of Parliament is to review the spending and approve the spending of the government. The budget is the focal point and I think there's no more important item that's going to be before the House right now than that budget," said Public Policy Forum president David Mitchell. "It's so eagerly anticipated and, of course, whether the opposition parties can and will support it is going to be the one big suspenseful issue that dominates this session."

Although Conservative strategist Tim Powers, vice-president of Summa Strategies, told The Hill Times last week that there will be no surprises in the budget, it continues to be the main battleground for rhetoric surrounding a potential spring election. The budget is expected to be delivered the last week of March.

"I think as the Prime Minister and the Finance Minister telegraphed, it's going to be a pretty straightforward budget. I don't believe there'll be any sort of surprises there," Mr. Powers said, noting there will most likely be measures reflecting what the government has already said around tax structures, the end of stimulus spending, and minor investments, "because you still do have to spend."

"I think it will be reasonably predictable, living up to its billing. I don't see it being a controversial budget other than the controversy that those who are pushing for an election are trying to falsely create around it," Mr. Powers said, referring to the opposition parties' demands that the government repeal its scheduled corporate tax breaks.

The Liberals have said that the government must eliminate the corporate tax breaks and invest in other social areas in order for them to support the budget.

The NDP last week also said they would not support a budget containing corporate tax breaks. Insiders say the Conservatives will have to rely on the Bloc Québécois support on the budget, which will likely contain HST transfer payments to the province of Quebec, as well as a "slight of hand" on the Québec City arena funding.

One political insider said if the Conservatives honestly do not want an election this spring, the government will have to come up with a way to gain support from the Bloc Québécois.

"I think that what the Conservatives are clearly going to have to do is come up with some sort of mechanism that looks like it could fund it, but not exclusively. It has to apply to other jurisdictions that meet the same criteria. This

will be some kind of fancy slight of hand that might be part of the HST transfer. Who knows?" the insider said, noting that since the Quebec Conservatives were photographed in Québec Nordiques jerseys, it became a "critical" political issue in their ridings. "The only way out for the Conservatives is to put in place options that will allow them to say it's possible without looking as if it's an exclusive deal for Quebec. And believe me they will find a way to do that."

NDP House Leader Libby Davies (Vancouver East, B.C.) told The Hill Times last week that the budget will be a key focus not only in the House, but for her party. She said that the NDP are looking for measures that will help Canadians, such as issues surrounding pensions, guaranteed income supplements, help for seniors, the high cost of home heating and health care among others.

"It becomes a challenge to Stephen Harper. I think many of us feel that he's been so out of touch with what's happening as we approach a federal budget, what choices is he going to make?" she said. "Is he going to make choices that will actually help people in their everyday needs or is he going to continue on this course of corporate taxes and basically denying that people are hurting with their pensions, their unemployment, their housing and so on?"

Legislatively, insiders said "it's thin gruel" for significant policies. When Parliament broke in December, there were still 48 bills on the Order Paper. Political observers last week said the Legislative Committee on Bill C-32, the Copyright Modernization Bill, headed by Conservative MP Gord Brown (Leeds-Grenville, Ont.) will be the one to watch.

"Some of them are important legislative initiatives, such as the copyright bill. It certainly will become a heated debate with parties taking different positions," Mr. Mitchell said.

Mr. Powers said the copyright file has always been controversial and will continue to be as MPs hear from witnesses from all sides of the debate. "The thing with copyright is that it's a tough, arduous, thorough process and I expect it to continue to be," he said. "[Industry Minister Tony] Clement and [Heritage Minister James] Moore have been generally fairly clear on the need to ensure that there's consumer protection in there and so forth and I think you'll continue to see that that's the prime motivator for the government, while at the same time trying to achieve a balance with the needs of the creators."

There are around 15 justice-related bills still on the Order Paper, which insiders say the government will continue to talk about, but not necessarily bring forward for debate.

Ms. Davies said the Conservatives are "deliberately holding back" the justice and crime bills "so they can use it as leverage" against the opposition.

"If it weren't so serious it would be funny that they have this tactic that's so worn now, that they hold back their own bills so that they can use it as a whipping machine when they want to trot it out to the media. Nobody buys this anymore," she said. "So we will obviously be contending with some of those bills again. Some of them we have serious concerns about, some of them we've approved."

The government announced last week that it would also introduce a bill to make citizens' arrests easier soon.

Insiders also noted that immigration reforms will also be controversial in the House.

Liberal House Leader David McGuinty (Ottawa South, Ont.) said last week that while he doesn't know what the government's legislative agenda will be, they are indeed using some issues, such as justice legislation and Bill C-49, Preventing Human Smugglers from Abusing Canada's Immigration System Bill, as wedge issues for a potential election.

"They continue to persist with an immigration and refugee bill which they know, they absolutely know is unconstitutional, they know it will not meet with success, they have not brought it forward despite repeated attempts," Mr. McGuinty told The Hill Times recently. "We've told them, we've attempted to say to them bring this to the floor so we can have a meaningful debate and we'll show up and say why this bill is faulty. 'No, no, we're not going to do that,' they say because, 'We want to reserve this issue this bill as a potential instrument to be used to justify an election.' That's what they're really doing on that bill."

The political insider said that immigration issues will also be big because of the political considerations all parties have to face.

"I think there's a lot of soul searching that I think will have to go on in government ranks, if they want to govern this country and not just a sector of this country," the insider said. "The reason we're talking about this now is because clearly the Conservatives have embarked on a well-planned-out, finance strategy to court the new Canadian vote away from the Liberals who had the strategy to court them. Political issues can swing ridings now. This is why these things, all of a sudden, have a disproportionate amount of attention."

Government House Leader John Baird (Ottawa West-Nepean, Ont.) was unavailable for an interview last week, but his communications director, Chris Day, told The Hill Times that the government will focus generally on budget and economic issues as well as bills that "keep people safe."

Legislatively, Mr. Day said that the government plans to prioritize and pass bills that are already at an advanced stage, such as report stage and third reading, in order to move them along quickly.

Some of these bills include S-6, Serious Time for the Most Serious Crime Bill; C-8, Canada-Jordan Free Trade Agreement; C-20, An Action Plan for the National Capital Commission; C-21, Sentencing for Fraud; C-42, International Flight Information; and C-46, Canada-Panama Free Trade Agreement.

Mr. Day also said that the government is "serious about getting things done" and "focusing on making Parliament work" despite the opposition rhetoric that there could be an election at some point this spring.

It's expected that the opposition will continue to press the government on the tendering of the F-35 jets during Question Period. Other issues, such as the case of the leaked draft House Finance Committee report will also continue to be probed, as will be the \$9-million West Block contract for renovations and the departure of former Integrity Commissioner Christiane Ouimet. Access to Information issues will also be a hot topic this winter.

One political insider said as MPs come back this week to work, "the major focus of the House will be this shadow-boxing to figure out whether or not this election momentum is serious." Mr. Mitchell said while there is a 50-50 chance of an election, no one can know for sure.

"I really do think the budget is the single legislative initiative that supercedes all others right now as we get ready for the House to resume," he said. "I think there's a realistic chance that the confidence of the House may be lost on the budget."

All of this election speculation, however, could heighten the partisanship in the House and make for an unruly and raucous session.

"Because we seem to be in a kind of pre-election mode, my guess is that we can expect, if anything, heightened partisanship and political posturing. That doesn't auger well for civility at a time when our neighbour to the South, the United States, especially after the terrible Arizona shooting incident, the United States is trying to demonstrate more civility," he said. "We don't really see any signs of that here in Canada. If anything, as we get closer an inevitable election, I think we can unfortunately see an even higher ramping up of the testosterone factor in the House of Commons."

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## **STATUS OF GOVERNMENT BUSINESS**

### **HOUSE OF COMMONS**

- C-4 Youth Criminal Justice Act Amendments Bill (committee)
- S-4 First Nations Matrimonial Rights Bill (second reading)
- C-5 International Transfer of Offenders Bill (committee)

- S-6 Serious Time for the Most Serious Crime Bill (third reading)
- S-7 Deterring Terrorism Bill (second reading)
- C-8 Canada-Jordan Free Trade Agreement Bill (report)
- C-10 Senate Term Limits (second reading)
- S-10 Penalties for Organized Drug Crime Bill (second reading)
- C-12 Increasing Seats in the House of Commons Bill (second reading)
- S-12 Federal Law-Civil Law Harmonization Act, No. 3 (second reading)
- C-15 Civil Liability and Compensation for Damage in Case of a Nuclear Incident (second reading)
- C-16 Restricting Conditional Sentences Bill (committee)
- C-17 Investigative Hearing and Recognizance with Conditions Bill (committee)
- C-18 Increasing Voter Participation Bill (second reading)
- C-19 Accountability with Respect to Political Loans Bill (second reading)
- C-20 An Action Plan for the National Capital Commission Bill (report)
- C-21 Sentencing for Fraud Bill (third reading)
- C-25 Nunavut Planning and Project Assessment Act Bill (second reading)
- C-26 Amendments to the International Boundary Waters Treaty Act and the International River Improvements Act (second reading)
- C-27 Canadian Wheat Board Bill (second reading)
- C-29 Safeguarding Canadians' Personal Information Bill (second reading)
- C-32 Copyright Bill (committee)
- C-33 Railway Safety Amendments Bill (committee)
- C-37 Citizenship Act Amendments Bill (second reading)
- C-38 RCMP Civilian Review Body Bill (second reading)
- C-39 New Parole Rules Bill (committee)
- C-41 Military Justice Bill (committee)
- C-42 International Flight Information Bill (report)
- C-43 RCMP Labour Relations Bill (second reading)
- C-46 Canada-Panama Free Trade Agreement Bill (report)
- C-48 Protecting Canadians by Ending Sentence Discounts for Multiple Murders Bill (committee)
- C-49 Preventing Human Smugglers from Abusing Canada's Immigration System Bill (second reading)
- C-50 Interception of Private Communications and Related Warrants and Orders Bill (second reading)

- C-51 Investigative Powers for the 21st Century Bill (second reading)
- C-52 Investigating and Preventing Criminal Electronic Communications Bill (second reading)
- C-53 Fair and Efficient Criminal Trials Bill (second reading)
- C-54 Protecting Children from Sexual Predators Bill (committee)
- C-55, An Act to amend the Canadian Forces Members and Veterans Re-establishment and Compensation Act and the Pension Act (second reading)
- C-56 Preventing the Trafficking, Abuse and Exploitation of Vulnerable Immigrants Bill (second reading)
- C-57 Canada-Jordan Free Trade Agreement Bill (second reading)

#### **SENATE**

- S-8 Selection of Senators Bill (second reading)
- S-11 Safety of Drinking Water on First Nation Lands (second reading)
- S-13 An Act to implement the Framework Agreement on Integrated Cross- Border Maritime Law Enforcement Operations between the Government of Canada and the Government of the United States of America (committee)
- C-14 Fairness at the Pumps Bill (second reading)
- C-22 Mandatory Reporting of Internet Child Pornography by ISPs Bill (second reading)
- C-23B Reforming the Pardon System Bill (second reading)
- C-30 Response to the Supreme Court of Canada Decision in R. v. Shoker Bill (second reading)
- C-35 Crooked Immigration Consultants Bill (second reading)

#### **ADOPTED/ROYAL ASSENT**

- C-2 Canada-Colombia Free Trade Agreement Bill
- S-2 Protecting Victims From Sex Offenders Bill
- C-3 Gender Equity in Indian Registration Bill
- S-3 Tax Conventions Implementation Bill
- S-5 Ensuring Safe Vehicles Imported from Mexico for Canadians Bill
- C-6 2009-2010 Supplementary Estimates C Implementation Bill
- C-7 2010-2011 Interim Supply Implementation Bill
- C-9 2010-2011 Budget Implementation Bill
- S-9 Auto Theft and Trafficking in Property Obtained by Crime Bill
- C-11 Immigration and Refugee Protection Act Amendments Bill
- C-13 Fairness for Military Families on Employment Insurance Bill
- C-23A Limiting Pardons for Serious Crimes Bill
- C-24 First Nations Certainty of Land Title Bill

- C-28 Fighting Internet and Wireless Spam Bill
- C-31 Eliminating Old Age Entitlements for Prisoners Bill
- C-34 Museums Act Amendments Bill
- C-36 Consumer Products Safety Bill
- C-40 National Seniors Day Bill
- C-44 2010-2011 Main Estimates Bill
- C-45 2010-2011 Supplementary Estimates A Bill
- C-47 Second Budget Implementation Bill
- C-58 2010-2011 Supplementary Estimates B Bill

—Updated to Dec. 16

### **Week Ahead in Parliament**

#### **MONDAY, JAN. 31**

- House debates Bill C-393, Drugs for International Humanitarian Purposes, at report stage.
- House debates bills S-6, Serious Time for the Most Serious Crime Bill, at third reading; C-48, Protecting Canadians by Ending Sentence Discounts for Multiple Murders Bill, at report stage; C-8, the Canada-Jordan Free Trade Bill, at report stage; C-42, International Flight Information Bill, at report stage; C-46, Canada-Panama Free Trade Bill, at report stage; C-20, An Action Plan for the National Capital Commission Bill, at report stage.
- House National Defence Committee travels to Gander, Nfld., for its study on search and rescue response times.
- House Access to Information, Privacy and Ethics Committee begins "open government" study, hears from David Eaves.
- International Trade Minister Peter Van Loan appears before the Canadian Heritage Committee to discuss cultural diversity and the anti-counterfeiting trade agreement.
- House Justice and Human Rights Committee studies Bill C-54, the Sexual Offences Against Children Bill.

#### **TUESDAY, FEB. 1**

- House Aboriginal Affairs Committee meets in camera to discuss a draft report on Nutrition North Canada.
- House Environment Committee studies Bill C-469, the Canadian Environmental Bill of Rights Bill, clause by clause.
- House Finance Committee studies tax evasion and offshore bank accounts.
- House Official Languages Committee studies Volume II of the Commissioner of Official Languages' 2009-2010 Annual Report.
- House Legislative Committee on Bill C-32, the Copyright Modernization Bill, hears from the Canadian Conference of the Arts and Creators Copyright Coalition.
- House Fisheries and Oceans Committee meets in camera to discuss a draft report on the snow crab industry in Atlantic Canada and Quebec.

- House Subcommittee on International Human Rights studies the situation of North Korean Refugees in China.
- House Health Committee studies healthy living.
- House Access to Information, Privacy and Ethics Committee continues study on open government.
- Senate Energy, the Environment and Natural Resources Committee continues study of the current state and future of Canada's energy sector, including alternative energy.

### **WEDNESDAY, FEB. 2**

- Senate Banking, Trade and Commerce Committee studies Bill S-206, the Gender Parity on Boards Bill and hears from Mouvement d'éducation et de défense des actionnaires, Réseau des femmes d'affaires du Québec and The Mustard Seed.
- Senate Social Affairs, Science and Technology Committee continues study on current social issues pertaining to Canada's largest cities.
- Senate Legal and Constitutional Affairs Committee hears from the Public Prosecutive Service of Canada for its study on the production of records in sexual offence proceedings.
- Senate Transport and Communications Committee continues study of emerging issues related to the Canadian airline industry.
- Senate Aboriginal Peoples Committee studies Bill S-11, Safety of Drinking Water on First Nation Lands Bill.

### **THURSDAY, FEB. 3**

- House Environment Committee continues studying Bill C-469, the Canadian Environmental Bill of Rights Bill, at clause by clause.
- Former Liberal Minister Donald James Johnston appears before the House Finance Committee as it continues its study of tax evasion and offshore bank accounts.
- Legislative Committee on Bill C-32, the Copyright Modernization Bill, hears from the Business Coalition for Balanced Copyright, the Canadian Chamber of Commerce, the Retail Council of Canada, Howard Knopf and Union des consommateurs.
- House Agriculture Committee studies the biotechnology industry and hears from University of Florida professor Andrew Schmitz, the Saskatchewan Pulse Growers, Réseau québécois contre les organismes génétiquement modifiés (OGM) and McGill University professor Richard Gold.
- Senate Energy, the Environment and Natural Resources Committee hears from the Canadian Gas Association and Enbridge Gas Distribution for its study on the current state and future of Canada's energy sector including alternative energy.
- Senate Foreign Affairs and International Trade Committee continues study on the political and economic developments in Brazil and the implications for Canadian policy and interests in the region.
- Senate Legal and Constitutional Affairs Committee continues study on the production of records in sexual offence proceedings.
- Senate Social Affairs, Science and Technology Committee studies social inclusion and cohesion in Canada's largest cities.