

Canada - United States
Inter-Parliamentary Group
Canadian Section



Groupe interparlementaire
Canada - États-Unis
Section canadienne

**Report of the Canadian Parliamentary Delegation
respecting its participation at the Council of State
Governments - Annual Conference**

Canada-United States Inter-Parliamentary Group

**La Quinta, California, United States of America
November 12-15, 2009**

Report

From November 12-15, 2009, the Honourable Wayne Easter, P.C., M.P., Vice-Chair of the Canada-United States Inter-Parliamentary Group (IPG), led a delegation to the 2009 Annual Conference of the Council of State Governments (CSG) in La Quinta, California. The other members of the delegation were Senator Janis Johnson, Vice-Chair, Senator Jim Munson, Mr. Rick Dykstra, M.P., Vice-Chair and Mr. Luc Malo, M.P. At the conference, members of the Canadian Section had the opportunity to speak with Governors Manchin (West Virginia) and Rounds (South Dakota) as well as with legislators from a number of states.

The Council of State Governments serves all three branches of state government and provides regional fora – the western, midwestern, southern and eastern regional conferences – through which ideas and insights are exchanged with a view to shaping public policy. The organization has a Governing Board and Executive Committee as well as national standing committees and task forces. The Governing Board is comprised of the governors of the 50 US states as well as the US territories and the Commonwealth of Puerto Rico, two legislators from each state, territory and Puerto Rico, and all members of the national Executive Committee.

The CSG's national standing committees and task forces consider issues in the following areas:

- public safety and justice
- energy and environment
- health policy
- education
- suggested state legislation
- intergovernmental affairs
- international affairs.

At the 2009 Annual Conference, the following plenary sessions were held:

- Common Humanity: Finding Our Place in the World
- A Discussion on the Future of Fair and Impartial State Courts
- Get Connected: Exploring Cutting Edge Communications in the Digital Age
- America: An Evolving Nation.

The interaction with governors and state legislators enables members of the Canadian Section of the IPG to achieve better the aim of finding points of convergence in respective policies, initiating dialogue on points of divergence, encouraging exchanges of information and promoting better understanding on shared issues of concern. Moreover, the meetings with governors and state legislators provide members of the Canadian Section with an important means to give input to, and gather information about, state-level issues that affect Canada. From this perspective, it is important to

note that bilateral trade totalled \$710 billion in 2007, or more than \$1.7 billion traded in goods and services each day. As well, an estimated 7.1 million US jobs depend on Canada-US trade, and 35 US states have Canada as their primary foreign export market. Finally, in a recent 12-month period, more than 13 million Americans visited Canada, spending about US\$6.5 million, while more than 24 million Canadians travelled to the United States and spent more than US\$10.5 million. In light of the nature, scope and importance of the bilateral relationship, it is anticipated that the Canadian Section of the IPG will continue its participation at CSG meetings.

This report summarizes the discussions that occurred at the plenary and selected concurrent sessions.

LOOKING OVERSEAS TO DRIVE AMERICA'S RECOVERY: WHAT ROLE CAN TRADE PLAY? Translation Relations as well as Global Connections and State Recovery

Mattias Sundholm, *European Commission*

- with the European Union (EU)-United States (US) transatlantic relationship strongly affecting the global economy, it should be recognized that the relationship is about more than trade; together, the EU and the US promote peace, stability, democracy and prosperity, and work to combat climate change, poverty and the spread of infectious diseases
- the EU and the US have the largest bilateral trade and investment relationship in the world, representing about 40% of world trade and 60% of world gross domestic product; EU investment flows represent more than 40% of total foreign direct investment in the US, and more than 50% of all private direct investment outflows from the US are directed to the EU
- the EU is the primary foreign investor in 45 US states
- either the US or the EU is the largest trade and investment partner for almost every other country in the world
- not all legislation is enacted in Washington, D.C. and not all decisions are made there

Carlos Valderrama, *Los Angeles Chamber of Commerce*

- a significant number of US jobs depends on international trade
- a significant proportion of the goods imported to the US come through the Los Angeles and Long Beach ports
- international trade can contribute to the economic recovery in the United States
- the costs and skills needed to export goods from the US are beyond the reach of most small and medium-sized enterprises
- US exporters will have to adjust to what other countries are doing and to what customers want

- in order to export effectively, the US needs to go beyond "promotion" and traditional promotional methods
- government agencies, chambers of commerce, trade associations, etc. lack either the qualifications or the global market expertise or both to provide small and medium-sized enterprises with sound and practical counselling regarding exports
- exporters need basic counselling in such areas as:
 - in-depth analysis and segmentation of markets
 - adaptation and localization of products and services for foreign markets
 - negotiation of international agreements
 - protection of intellectual property rights
- exporters need to understand joint ventures, international banking, etc.
- the starting point for exporting is re-tooling business plans to be competitive domestically; if a company is successful domestically, then it may be successful internationally
- businesses should expand one market at a time, and be successful there before moving to the next market
- small and medium-sized businesses that want to export need to use:
 - industry clusters
 - corporate sponsors
 - universities
 - law firms
 - accounting firms
 - customs brokers and freight forwarders
 - banks
 - consultants

COMMON HUMANITY: FINDING OUR PLACE IN THE WORLD

Spencer Wells, *National Geographic Explorer-in-Residence*

- in terms of explaining the patterns of human diversity, consideration should be given to origin – are we all related and, if so, how closely – and journey – how did we come to occupy every corner of the globe
- from a paleoanthropological perspective, there are lots of possibilities about our origins, but there are few probabilities
- a question about our origins is actually a question about genealogy

- when tracing our heritage, we eventually "hit a brick wall," and deoxyribonucleic acid (DNA) allows us to see beyond "the brick wall" since it provides our "blueprint"
- there are 100 mutations in every generation as DNA is passed on; these changes become markers of descent
- patterns of genetic variation from are the world can be assessed, and markers can be examined to determine who is related
- the longest branches of the human family around found in Africa; at some point, Africans left Africa and populated the rest of the world
- we are all much more closely related than expected, notwithstanding differences on the surface
- the Genographic Project is comprised of three elements:
 - scientific effort through DNA testing, especially of indigenous and traditional peoples
 - public participation through testing kits
 - a legacy fund for indigenous and traditional peoples
- a language is being lost every two weeks
- since we tend to speak the language of our parents, we generally inherit language in the same way as we inherit DNA
- there is a need to preserve the knowledge acquired over thousands of years
- cultural diversity defines us as a species
- migration is often driven by climate change, which will continue to affect where people move and when; for example, after Hurricane Katrina, many individuals left New Orleans and may never return
- historical events, such as the Crusades and Hurricane Katrina, have a genetic impact

BROADBAND: IF YOU BUILD IT, WILL THEY COME?

Emmitt Carlton, *Federal Communications Commission*

- broadband has a direct impact on, and helps to address the challenges of, health, education, economic development, etc.
- regarding broadband, there are at least three important considerations:
 - deployment
 - adoption
 - use
- in the United States, governments have a shared responsibility regarding broadband, which can be defined in a number of ways

- regarding deployment, it is important to determine how to increase supply to unserved and underserved areas and populations; in this regard, it is important to determine who and where they are, and the incentives that are needed to support deployment
- regarding adoption and use, it is important to determine how to increase demand and the incentives that might bring out this result
- broadband can be used to improve government service delivery
- social engagement between policy makers and citizens can be improved with broadband
- private-public sector partnerships can be used to facilitate broadband deployment, adoption and use

JUSTICE MATTERS: INSIGHTS FROM THE BENCH – A DISCUSSION ON THE FUTURE OF FAIR AND IMPARTIAL STATE COURTS

Chief Justice Shirley Abrahamson, *Wisconsin Supreme Court*

Chief Justice Sue Bell Cobb, *Alabama Supreme Court*

Chief Justice Paul De Muniz, *Oregon Supreme Court*

Chief Justice John Minton Jr., *Kentucky Supreme Court*

Question: How did you get to where you are?

Chief Justice Cobb

- became a judge at age 25

Chief Justice Minton

- practised law for 15 years before being elected as a justice on a non-partisan ticket
- in Kentucky, the chief justice is elected by the other justices

Chief Justice Abrahamson

- elected in a non-partisan election, and have had an opponent in each election
- in Wisconsin the chief justice attains that rank through seniority

Chief Justice De Muniz

- was a lawyer in private practice for 15 years before being elected
- in Oregon, the chief justice is elected by his or her peers

Question: What is the relationship between and among the branches of government and how is the independence of judges as decision makers safeguarded?

Chief Justice Abrahamson

- in Wisconsin, people do not want a judge who is in anyone's "hip pocket"

- cases should be decided on the basis of facts and the law rather than with a view to making a "popular" decision

Chief Justice De Muniz

- chief justices both preside over the Supreme Court and act as the administrative head of the judicial branch of government
- in general, the courts want to be a responsible and responsive governmental partner
- the state court system needs to be, and needs to be seen to be, accessible, transparent, accountable and engaged with the public

Chief Justice Cobb

- there is lots of variation from chief justice to chief justice and from state to state
- judges are gatekeepers

Chief Justice Minton

- while the policies underlying legislation "belong to" the legislative branch, judges have experiences they should share, and they should provide input where and when they can

Question: How are financial constraints affecting the courts?

Chief Justice Cobb

- there is a distinction to be made between troublemakers and lawbreakers
- in thinking about costs, there is a need to consider the core essential functions of government
- service reductions can hurt the public; for example, a Monday-to-Thursday work week may mean that someone is unable to get a domestic restraining order on a Friday

Chief Justice De Muniz

- as goes the justice in our state courts, so goes the justice in our nation
- the courts are not faucets that can be turned on and off at will; stability is needed
- the courts should not be forced to prioritize cases in a way that compromises civil cases
- it is hard to attract high-quality lawyers from private practice to the bench if they would only try criminal cases and be involved with self-represented litigants
- there is a need to innovate and to increase efficiency
- the courts must be viewed as part of the public safety system, and that system should be funded in balance

Chief Justice Abrahamson

- the judicial branch is aware of the fiscal problems faced by the legislative branch, and realizes that the justice system must do its part to reduce costs
- the courts must be kept running for the benefit of the people
- for those who commit minor offences, it should be determined if the cause is a mental health disorder, addiction, etc; if so, offenders should receive the help that they need, and it should be determined whether the answer is treatment or incarceration

Chief Justice Minton

- better use must be made of technology in order to work more efficiently

Question: Over the next five to ten years, what will be the most significant challenges facing the judiciary?

Chief Justice Abrahamson

- a great deal of money is being spent on judicial elections
- a system that elects judges is a merit system
- the independence of the judiciary must be supported by the legislative and executive branches of government as well as by the court system and the citizens

Chief Justice Minton

- the rise in the proportion of self-represented litigants will have important implications

Chief Justice Cobb

- there is unlikely to be a significant increase in financing for state governments
- flexibility is needed in order to equalize the average caseload of judges

Chief Justice De Muniz

- investments in technology will permit better use of judicial resources, since technology leverages efficiencies
- the most experienced judges should be used where they are needed the most

TRANSPORTATION REAUTHORIZATION AND STATE GOVERNMENT

Janet Oakley, *American Association of State Highway and Transportation Officials*

- transportation is a real generator of jobs
- user fees may have to rise in order to increase revenues
- the US Senate is more rural-centred, while the US House of Representatives is more urban-driven

A CONVERSATION ABOUT BRIDGING THE RURAL/URBAN DIVIDE IN THE WEST

Kate Brown, *Oregon Secretary of State*

- in most states, more than 50% of the land is owned by the federal government
- rural and urban communities differ in terms of lifestyle, economic opportunities, challenges faced, etc.
- technology can be used to bridge the urban-rural divide
- for a period in history, rural areas subsidized urban areas; the reverse is now true
- sustainability can be a tool for "healing" the rural-urban divide

Glenda Humiston, *United States Department of Agriculture*

- bridging the urban-rural gap is largely a matter of people starting to feel "community" again, and focusing on partnerships and win-win solutions
- preservation and exploitation are not the only two options
- the rural economy is "hugely changed," but so too is the global economy
- agriculture provides our food, and the agricultural sector does not have to justify its existence
- "know your farmer, know your food"
- some inner cities are a food "desert"

David Conine, *United States Department of Agriculture*

- the urban-rural divide is, in many ways, an artifact; the economies in rural and urban areas are more interdependent than we realize
- until the Second World War, the rural economy was almost totally agricultural; now, about 4% of the rural economy is related to agriculture
- the rural West is becoming more of a service-based economy
- resource-based economies have been in decline for a number of reasons, most of which are outside the control of resource-based regions
- diversification of rural economies is very important for sustainability
- ranches are historic artifacts and should be treated as heritage buildings
- "local foods" reduce transportation and fossil fuel costs, diversify the agricultural economy, etc.; consumers are increasingly interested in locally and regionally produced foods, and local production is a niche market
- increased broadband will level the playing field for rural economies

GET CONNECTED: EXPLORING CUTTING EDGE COMMUNICATIONS IN THE DIGITAL AGE

Ben Self, *Blue State Digital*

- regarding President Obama's campaign for president, at the end of the day, it was not about the candidate: it was about the people and building online relationships
- people expect to have a different type of engagement online
- during the Obama campaign, there were more than 1,800 online videos, and more than one billion minutes were spent watching them; these videos allowed unfiltered "reaching out" to voters
- more than \$500 million was raised online during the Obama campaign, and the average donation was less than \$100
- during the Obama campaign, there were three important elements: money, message and mobilization
- one key to success involves making it really easy for people to get involved and be engaged, whether through donating, volunteering, etc.; it should be easy to engage, and there should be lots of ways to engage
- since email is the most important campaign tool, it is important to "get it right"
- when there is great content, people will pay attention; "content is king," and people like to hear stories rather than policies
- something fundamentally changes when people give money; those who give money will work hard to ensure that they did not throw their money away
- non-donor activists must be turned into donor activists
- connections should be made between and among voters so that they can support each other's passion
- candidates should push back against rumours and fight the "smears"
- in terms of mobilization, it is important to give people meaningful tasks; there is a pyramid of engagement, and expectations should be raised so that people move up the "engagement pyramid"
- trial and error works: lots of things should be "thrown against the wall" in order to see what "sticks"
- people want to have faith in their government, and they want accountability, transparency and communication
- while the tactics might change, the fundamentals of building relationships do not; relationships are built through regular and relevant communication
- step one is to build a list; step two is to use email effectively to activate it
- portals should be created to bring people together and to talk to them

- candidates should be authentic, and should not email press releases or newsletters; people like to read emails that are personal, with an appropriate subject line

NEW MEDIA: CONNECTING WITH YOUR CONSTITUENTS

Representative Laura Brod, *Minnesota House of Representatives*

- Twitter and Facebook should be used differently, since they may have different followers; it is important to match the message to the audience
- social media can be used by politicians to communicate that they are a real person, to spark debate, to advocate a particular policy position, to learn things about people, to learn things from people, etc.
- relationships can be built using social media; in some sense, social media are tools in the toolbox to communicate with constituents
- people should be careful what they say online, since what is said will not go away: it is there for eternity

Assemblyman Marcus Conklin, *Nevada Assembly*

- politicians should take care to control their message, including when they use new media; that being said, it is important to recognize that, on social networking sites, some control is lost
- with social media, you can control your message but you cannot control how people respond to it
- 500,000 people per day are opening a Facebook account
- when using social media, it is important to be organized, have a plan for content and remember that everything is public, all of the time and forever

ACCESSING THE DREAM: HIGHER EDUCATION IN AMERICA

Scott Barton, *The Preuss School, University of California at San Diego*

- The Preuss School is a college-campus-based public charter school that prepares low-income students for post-secondary admission
- students who attend The Preuss School must be from a low-income family, have a parent or guardian who has not graduated from a four-year college, have motivation and the potential to succeed, and be selected by lottery
- The Preuss School has longer classes, school days, school weeks and school years; it takes longer to educate these students
- the curricula at The Preuss School is rigorous, students are provided with academic and social supports to assist their learning, and there is a reduced student-teacher ratio
- The Preuss School's teachers are highly qualified, are chosen for their expertise in their subject area, believe in the potential of urban youngsters, are willing to innovate and are provided with two hours of staff development per week

- the parents of students at The Preuss School are highly involved; there are monthly parent meetings, and parents must provide service hours
- The Preuss School students do very well on state tests and have high rates of admission to post-secondary schools

Thad Daise, *National Education Association*

- when they are provided with opportunities to take more rigorous courses, students often "rise to the occasion"
- all other things being equal, high school students who take college courses have relatively higher college graduation rates

AMERICA: AN EVOLVING NATION

Jon Meacham, *Newsweek*

- things were one way before 2008, they are another way now
- we are living in an unsettled ideological age; the Democratic President does not support gay marriage and has centrist cultural positions, while the Republicans support nationalized banks and big spending
- the United States is essentially a centre-right country and will soon be a majority "minority" nation in the sense that the majority of the population will be visible minorities
- every action produces a reaction
- the millennial generation is the same size as the boomer generation
- there is no reason for race, class, geography, partisanship, etc. to drive people apart; that being said, there has always been class warfare in the United States

Respectfully submitted,

Hon. Wilfred P. Moore, Q.C., Senator
Acting Co-Chair
Canada-United States
Inter-Parliamentary Group

Gord Brown, M.P.
Co-Chair
Canada-United States
Inter-Parliamentary Group

Travel Costs

ASSOCIATION	Canada-United States Inter-Parliamentary Group
ACTIVITY	Council of State Governments - Annual Conference
DESTINATION	La Quinta, California, United States of America
DATES	November 12-15, 2009
DELEGATION	
SENATE	Hon. Janis Johnson, Senator, Vice- Chair Hon. Jim Munson, Senator
HOUSE OF COMMONS	Hon. Wayne Easter, P.C., M.P., Vice- Chair Mr. Rick Dykstra, M.P., Vice-Chair Mr. Luc Malo, M.P.
STAFF	Mr. Chad Mariage, Executive Secretary Ms. June Dewetering, Advisor
TRANSPORTATION	\$9,921.13
ACCOMMODATION	\$3,517.58
HOSPITALITY	\$Ø
PER DIEMS	\$2,743.59
OFFICIAL GIFTS	\$Ø
MISCELLANEOUS/REGISTRATION FEES	\$3,882.01
TOTAL	\$20,064.31