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OFFICIAL REPORT
(HANSARD)

Friday, December 11, 2015

The Honourable GEORGE J. FUREY
Speaker

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(Daily index of proceedings appears at back of this issue).

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THE SENATE

Friday, December 11, 2015

The Senate met at 9 a.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

VANIER CUP 2015

CONGRATULATIONS TO THE UNIVERSITY OF BRITISH COLUMBIA THUNDERBIRDS

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, today I rise as a proud alumnus of the University of British Columbia, class of '87, to congratulate the UBC Thunderbirds in winning the Vanier Cup on November 28, 2015. The Thunderbirds beat the Montreal Carabins 26-23 in a suspenseful and exciting match. This year's win is the Thunderbirds' fourth Vanier Cup, long awaited since their last win in 1997, which ties them for the most championship victories in Western Canada.

The victory was certainly a successful team effort, led by quarterback Michael O'Connor, who was named this year's Vanier Cup MVP. I wish to acknowledge also Anthony Blackwell, whose interception with less than two minutes left in the final quarter gave UBC a second chance to break the tie, and Quinn Van Gylswyk for his 20-yard field goal in the final play of the game to give UBC the three-point edge and the coveted Vanier Cup. I commend head coach Blake Nill and the staff for the team's outstanding season, and applaud the entire team whose countless hours of practice, teamwork, sweat, blood and tears all paid off.

Winning the Vanier Cup is all the more significant and timely for UBC as it began its one hundredth anniversary year in September 2015.

UBC opened its doors in 1915 with just 379 students in attendance. One hundred years later, the university boasts nearly 60,000 students and a vast network of over 300,000 alumni around the world. UBC has offered Canada and the world a century of well-educated leaders and global citizens who are making a difference in every sector of society. The university is also a global centre for research, contributing to innovation and various studies that have advanced knowledge in multiple disciplines. UBC has become a world-renowned university, consistently ranking among the 40 best universities in the world.

Currently, my daughter Kiana Martin is a third-year science student of developmental biology at UBC, volunteering in a laboratory with micro-organisms and trying to balance the holy trinity of university life: sleep, study and social life. She insists it is impossible to maintain all three, so she is perpetually sleep-deprived.

A magnificent new Robert H. Lee Alumni Centre was built in time to house various Year of the Alumni events to mark this important milestone. I was honoured to attend the Faculty of Education's celebration during the writ period where I was named among the Top 100 Alumni along with a fellow alum, Justin Trudeau, our new Prime Minister.

Honourable senators, 'tis the season of love, peace, hope and joy. What joy it is to share the excitement and pride of the UBC Thunderbird's fourth Vanier Cup, underscoring UBC's century of success.

[*Translation*]

FOOD BANKS

Hon. Percy Mockler: Honourable senators, I want to talk to you this morning about food banks and tell you about an activity that took place in my region, northwestern New Brunswick. On Friday, December 4, Senator Ringuette and I participated in Turkey Day 2015 for the benefit of the Atelier R.A.D.O. food bank, in cooperation with CFAI-FM community radio.

Atelier R.A.D.O. is a non-profit organization that was founded in 1983 to alleviate poverty in low-income families.

[*English*]

However, as people say to us, "Thank you for coming to Canada," we should be reminded that we do have challenges in our country when it comes to the most vulnerable.

[*Translation*]

With the holidays approaching, the people in the Madawaska region and northwestern New Brunswick have been very generous, and in our capacity as senators, Senator Ringuette and I want to thank Stéphane Bourgoin, the General Manager of Atelier R.A.D.O.

In just one day, the organization collected $8,000 and over 200 turkeys, for a total of $14,000 in donations. Thanks to those donations, the organization will be able to add a turkey to the 450 boxes of food that will be distributed to low-income families before Christmas. Senator Ringuette and I know how much joy and hope a box of food can bring to people at Christmastime.

We received a lot of support on the sixth annual Turkey Day in the form of both messages and phone calls. Food banks help the most vulnerable people in our country.

Giving.

[*English*]

What does it mean to give? I want to share with you what it means to give in the spirit of Christmas 2015. Food banks help Canada's most vulnerable, as we have seen constantly from

province to province. Donations make us feel good. The majority of food bank support comes from people like all of us, and we have a role to play as leaders. Donations have a measurable benefit for communities. Making a donation is very simple, and we create hope and generosity. Let's continue to show that Canadians are generous.

[*Translation*]

ROUTINE PROCEEDINGS

THE SENATE

RULES OF THE SENATE OF CANADA—DECEMBER 2015 VERSION TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table the December 2015 edition of the *Rules of the Senate*, which includes the index prepared by the Clerk of the Senate.

[*English*]

Copies are being prepared, honourable senators, and will be distributed to offices as soon as possible.

SPEAKER OF THE SENATE

PARLIAMENTARY DELEGATION TO THE UNITED KINGDOM, MARCH 19-21, 2015—REPORT TABLED

The Hon. the Speaker: With leave of the Senate, I would like to table a document entitled: *Visit of the Honourable Pierre Claude Nolin, Speaker of the Senate and a Parliamentary Delegation, United Kingdom, March 19-21, 2015*.

Is leave granted, honourable senators?

Hon. Senators: Agreed.

APPROPRIATION BILL NO. 4, 2015-16

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-3, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2016.

(Bill read first time.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

Hon. Joseph A. Day: Honourable senators, with leave of the Senate and notwithstanding rule 5-6(1)(f), I move that this bill be placed on the Orders of the Day for second reading later this day.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

(On motion of Senator Day, bill placed on the Orders of the Day for second reading later this day.)

• (0910)

CRIMINAL CODE

BILL TO AMEND—FIRST READING

Hon. Lillian Eva Dyck introduced Bill S-215, An Act to amend the Criminal Code (sentencing for violent offences against Aboriginal women).

(Bill read first time.)

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

(On motion of Senator Dyck, bill placed on the Orders of the Day for second reading two days hence.)

THE SENATE

COMMITTEES AUTHORIZED TO MEET DURING ANY SUSPENSION OF TODAY'S SITTING AND ON THE MONDAY OF THE FIRST SITTING WEEK IN 2016

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

> That all committees be authorized to meet during any suspension of today's sitting, with rule 12-18(1) being suspended in relation thereto; and
>
> That, pursuant to rule 12-18(2)(b)(i), all committees be authorized to meet on the Monday of the first week the Senate sits in 2016, even though the Senate may then be adjourned for a period exceeding one week.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

[*Translation*]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

COMMITTEE AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): Honourable senators, with leave of the Senate, I move:

> That, pursuant to rule 12-18(2)(b)(i), the Standing Committee on Internal Economy, Budgets and Administration be authorized to meet in December 2015 and January 2016, even though the Senate may then be adjourned for a period exceeding one week.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

THE SENATE

MOTION TO PHOTOGRAPH ROYAL ASSENT CEREMONY ADOPTED

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(j), I move:

> That photographers be authorized in the Senate Chamber to photograph the next Royal Assent ceremony, with the least possible disruption of the proceedings.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

ABORIGINAL PEOPLES

STUDY ON CHALLENGES AND POTENTIAL SOLUTIONS RELATING TO FIRST NATIONS INFRASTRUCTURE ON RESERVES—NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO REQUEST A GOVERNMENT RESPONSE TO TWELFTH REPORT OF THE COMMITTEE TABLED DURING THE SECOND SESSION OF THE FORTY-FIRST PARLIAMENT

Hon. Lillian Eva Dyck: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I give notice that, later this day, I will move:

> That, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the Government to the Twelfth Report of the Standing Senate Committee on Aboriginal Peoples, entitled *On-Reserve Housing and Infrastructure: Recommendations for Change*, tabled and adopted in the Senate on June 23, 2015, during the Second Session of the Forty-first Parliament, with the Minister of Indigenous and Northern Affairs being identified as minister responsible for responding to the report.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

(Motion agreed to.).

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Joseph A. Day: Your Honour, the Appropriation Bill No. 4, Bill C-3, has been distributed. However, I believe it is not complete. I'm not sure that honourable senators have before them the Bill C-3 that we'd like to deal with.

Some Hon. Senators: We have it.

Senator Day: You don't have the schedule attached to it. There should be a schedule attached.

The Hon. the Speaker: Thank you, Senator Day. We're verifying the document. I understand there is a schedule that was supposed to be attached.

Senator Day: Thank you, Your Honour. I'm prepared to proceed, but, if you wish, we could suspend until we have the proper bill before us.

The Hon. the Speaker: Thank you, Senator Day. With the consent of the chamber, we'll suspend for a couple of minutes until we're sure that the complete bill is before the chamber for debate.

We will suspend for five minutes?

Hon. Claude Carignan (Leader of the Opposition): Your Honour, we have it.

The Hon. the Speaker: The schedule to the bill isn't attached, so, in order to have the complete bill before the chamber before debate begins, we'll suspend for five minutes.

Is it agreed, honourable senators?

Hon. Senators: Agreed.

(The sitting of the Senate suspended.)

(The sitting of the Senate resumed.)

• (1110)

SPEAKER'S STATEMENT

The Hon. the Speaker: Honourable senators, I would first like to read a statement just made by the Speaker of the House of Commons:

[*Translation*]

> I wish to inform the House that a number of administrative errors occurred with respect to Bill C-3, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2016.

[*English*]

> Due to these administrative errors, the copy of the bill that was circulated at the opening of yesterday's session did not contain the usual schedule that reflects how the global amount for the supplementary estimates is allocated amongst the various votes. As is the usual practice on the final supply day, the House considered and concurred in the supplementary estimates followed by the supply bill based upon these estimates.
>
> I have instructed the Acting Clerk and his officials to take the necessary steps to ensure that a corrected copy of Bill C-3, one that accurately reflects the will of the House, is forwarded to the other place.

[*Translation*]

> I thank hon. members for their attention.

[*English*]

Let me begin, honourable senators, by thanking Senator Day for identifying the issue with Bill C-3.

Hon. Senators: Hear, hear!

The Hon. the Speaker: Senator Day's usual attentiveness, acuity and attention to these bills are always appreciated by this house.

[*Translation*]

Thank goodness for bicameralism!

[*English*]

We have ascertained, colleagues, that the Senate received a defective version of the bill. I would therefore suggest that proceedings on the bill thus far be declared null and void. If we do this, we could then read the corrected message and give the corrected bill first reading. Subsequent proceedings would then depend upon the will of the Senate.

While it is not our place to look into the functioning of the House of Commons, I am appalled that we received a defective bill. If it is the wish of the house, I would be prepared to write to my counterpart in the House of Commons to seek his assurance that this will not happen again.

• (1120)

Hon. Senators: Hear, hear!

The Hon. the Speaker: Is it agreed, honourable senators, that we declare proceedings thus far on Bill C-3 null and void?

Some Hon. Senators: Agreed.

Hon. Anne C. Cools: Excuse me, Your Honour. It would take a motion declaring it null and void; it is not just a simple assertion. Somebody should move the motion. I am sure everybody here will happily agree to it.

Hon. Joan Fraser: If it is required, I will move the motion.

APPROPRIATION BILL NO. 4, 2015-16

MOTION TO WITHDRAW BILL AND DECLARE ALL PROCEEDINGS TO DATE NULL AND VOID

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): Honourable senators, I move:

> That all proceedings to date on Bill C-3, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2016, be declared null and void.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

Senator Cools: Let the record show the motion was adopted unanimously.

(Motion agreed to and bill withdrawn.)

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, we will now proceed to the introduction of Bill C-3.

APPROPRIATION BILL NO. 4, 2015-16

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-3, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2016.

(Bill read first time.)

SECOND READING

The Hon. the Speaker: Honourable senators, when shall this bill be read the second time?

Hon. Joseph A. Day: Honourable senators, with leave of the Senate and notwithstanding rule 5-6(1)(f), I move that this bill be placed on the Orders of the Day for second reading forthwith.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Senator Fraser.

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): On a point of information. The copies we have received are stamped at the top of the title page, "temporary parchment" — misspelled. I wonder if we could have an explanation of what a temporary parchment is.

The Hon. the Speaker: I'm sorry, Senator Fraser. That was for the record, I'm assuming?

Senator Fraser: No, it was a genuine request for information, Your Honour. I don't know what a temporary parchment is.

The Hon. the Speaker: I understand from the table, Senator Fraser, that the usual practice is that the House of Commons will forward a temporary parchment and, in due course, the official parchment follows.

Senator Fraser: Thank you, Your Honour.

The Hon. the Speaker: It was moved by the Honourable Senator Day, seconded by the Honourable Senator Mercer, that this bill be read a second time.

Honourable Senator Day, on debate.

Senator Day: Thank you, honourable senators. This has been a great day for the Senate, and I think that we will want to remind our honourable colleagues, as the Speaker has said, that this is a fine example of bicameralism and the role that the Senate has to play as a body of sober second thought and review.

Honourable senators, there are three documents that you will want to be aware of. We're dealing with Bill C-3, but Bill C-3 has a bit of history. Part of this is the Supplementary Estimates (B) that our Standing Senate Committee on National Finance has dealt with for the last three days, and we generated a report that was debated in this chamber yesterday.

The supplementary estimates, the report that reflects the study that was done on those supplementary estimates, has resulted in this Bill C-3. What we do is compare what's in Bill C-3 to what we have studied, and if it's the same, then that's in effect a pre-study of a bill that we didn't have before us. That was the error that we noted — that it wasn't the same; so we've now had that rectified, and I think we're in a position to proceed with this supply bill, Bill C-3.

I wanted to remind honourable senators that this supply bill, which calls for the expenditure of $810 million, is the top amount. The terminology in the bill itself in paragraph 2 is "not exceeding," and that provides for lapsing. That provides for funds not being used at a particular time.

As honourable senators will see in the schedule that's attached to the bill, the House of Commons is asking to reinstate or allow them to spend money that they were unable to spend last year. They still come back to us and ask for the permission to spend that money that was allocated last year at this time but that they were unable to spend. That's part of the House of Commons' $9.5 million that they're looking to spend.

Of the $810 million, honourable senators, $277 million is for Citizenship and Immigration, and our report gives detail on where that is to go and to be used. As we said yesterday, that's only the Citizenship and Immigration side of things. There are 15 to 20 other departments that will be looking for funds, and there will be another supplementary estimate before the end of this financial year.

Then there is the Parliamentary Protective Service, newly formed in June of this year. They're asking for $3 million to take them to the end of this fiscal year, and then they anticipate somewhere around $40 million to $50 million on an ongoing basis. They haven't been able to work that out yet; they're still in their first year.

Finally, there is Treasury Board supplementing or topping up the $750 million that they hold in reserve to use in times when Parliament is not sitting but money is needed on a very short-term basis. But it must be according to the very tight rules that our Finance Committee and this Senate Chamber participated in establishing with respect to how the contingency vote 5 under Treasury Board can be used. It must be for established programs. The government can't come along and say, "We thought of something new; we need some money for this." That has to come before Parliament and be approved. The contingency vote is for established programs that need a little bit more money to keep going until Parliament can come back and approve or otherwise.

That, honourable senators, is what's in this particular bill. You're voting for a little in excess of $810 million.

Thank you, honourable senators.

Hon. Terry M. Mercer: Honourable senators, I know you've missed me terribly in my absence while I was recovering from my stroke, but I'm sure the Minister of Finance in the previous government and this new Minister of Finance will not be happy with the fact that I'm back. Again, every time since I've been here, no matter which government that we've been dealing with — when I first came here when it was the Martin government, then the Harper government and now the Trudeau government — I've given this similar speech.

Here we are on the brink of leaving for the break over the holidays, here we are on a Friday morning, ready to go. Flights are being cancelled by people in this place and perhaps even in the other place because they didn't plan to do this properly. I'm not talking about the error that was made.

By the way, it galls me, Your Honour, that they talk about an administrative error. That's passing the error off onto the staff. I'm sorry; the members of Parliament voted on this; it is their fault and they alone take the blame.

• (1130)

When I sign a document on my desk and it goes off into officialdom somewhere and there's an error in it, it is not my assistant's fault. It may indeed have been his or her fault in the preparation of the document, but I signed it. If I signed it, it's my document.

If they voted for it, it's their problem. I'm not allowed to use some of the words that I want to use.

Some Hon. Senators: Go ahead.

Senator Mercer: So to come back and give us this BS about "administrative errors," passing the buck off to someone in the administration of the House of Commons doesn't wash with me, and it shouldn't wash with anybody and it shouldn't wash with Canadians. I want this to be notice to the Minister of Finance and to our colleagues in the other place that this place will not put up with this anymore.

The problem is they always do this. They jam us. They get us here when we want to go. We all want to leave. We all have plans because we were told this is what the schedule was. They will do it to us again in June. Guaranteed, in June we'll be back at this same spot with a bill that has to do with the finances of the country, that they need in order to operate, and we will be sitting and standing here trying to debate it, waiting for something to come down the hall.

This should be due notice to our colleagues. Lord knows I'm a huge supporter of the new government, but it doesn't matter which government has been there. Whether it's been the Conservatives or the Liberals, they do it time and time again, jamming us with this type of legislation at the last minute.

Mr. Speaker, I support your efforts in writing to the Speaker of the other place, and I think you should underscore the attitude that all of us here have, that enough is enough.

Some Hon. Senators: Hear, hear.

Senator Fraser: In my view Senator Mercer is dead right, but I don't think he went quite far enough.

Senator Mercer: Oh! That never happens.

Senator Fraser: This is not the first time that we have received bills from the House of Commons that were in defective form, and it hasn't only happened when we were in the end-of-season crunch, Each time the statements or explanations or letters that we get from the other place are — how shall I say this — less than fully informative and could be interpreted by a skeptic as being self-serving.

I do not think this is a good way to run a parliament. It seems to me that there is something wrong with the system down there. When you write to the Speaker of the other place, Your Honour, I urge you to recall that this is not the first time we have received a defective bill — a seriously defective bill — and suggest that perhaps, in order to avoid these wildly inappropriate events, they examine their system and that perhaps they might even one day consider apologizing to us.

Some Hon. Senators: Hear, hear.

Hon. Denise Batters: Your Honour, I would also ask you to point out in the letter that you were right: not only was this a bill with significant error, but it was a government bill, of a brand new government, and the transition team would have been working on this legislation for quite some time. It's their first piece of legislation, their marquee legislation. This was not a private member's bill with MPs toiling away with limited resources. This was a bill that had the full resources of the Government of Canada behind it, and I would ask you to underscore that too.

Hon. Nicole Eaton: Perhaps you might add a finish to what Senator Fraser and Senator Mercer are proposing by saying that we will not always be as patient, and perhaps in future we will rise without giving it Royal Assent.

Hon. Larry W. Campbell: Could I ask a question of Senator Day?

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Anne C. Cools: Your Honour, I think what you should do, because people obviously want to say something, is that before we actually move into second reading debate — because I have a speech — perhaps we should allow a few minutes for people to make these statements.

Senator Campbell: The question that I have —

The Hon. the Speaker: Senator Campbell, is it on debate?

Senator Campbell: On debate. I have a question, and I don't know who, quite frankly, can answer it, but my question is this: Was this schedule attached to this bill when it went through the house on December10? Can anybody answer that?

I would propose that if this schedule was not attached to this bill, how would those people who were voting on it know what they were voting on?

The Hon. the Speaker: We're into a little bit of an unusual circumstance, but I see Senator Baker rising. I'm going to recognize Senator Baker and then —

Hon. Yonah Martin (Deputy Leader of the Opposition): On a point of order, Your Honour.

The Hon. the Speaker: Point of order, Senator Martin.

Senator Martin: As the Deputy Leader of the Opposition, I thought we were currently on second reading of this bill, and Senator Day has just spoken, correct?

Senator Day: Yes.

Senator Martin: There are questions to you and comments to you, Your Honour. I wanted to clarify, because I know we have a senator who wishes to speak to this bill, but right now are we still on Senator Day's time?

The Hon. the Speaker: No. We're on debate, and I allowed Senator Campbell to speak on debate. He raised a question. It's a rather unusual circumstance, but I saw Senator Baker rise. Perhaps he has some information. If it's the wish of the house, we can ask Senator Baker to rise and perhaps respond, and then we'll continue with debate.

Senator Martin: Thank you.

Hon. George Baker: Yes, Your Honour. I have, early this morning, read all of the speeches that were given and all of the comments made regarding this supply bill in the other place over the past three days. Perhaps one could conclude, from reading the debates, the questions and answers of the ministers responsible— the Treasury Board minister in particular — that the questions that were asked involved matters that would be contained in the schedule. However, it was not brought up in any of the debate in the House of Commons that the wording of the bill — and I refer senators to clause 3(2) of bill that says:

> The provisions of each item in the schedule are deemed to have been enacted by Parliament on April 1, 2015.

That's the first reference to the schedule within the bill.

Then the second reference is at paragraph 5, clause 5. It says "as appropriation that is granted by this or any other Act and referred to in the schedule of the bill," which is a part of the bill.

From reading the debates questions and answers, one would have to conclude that the schedule was not a part of the bill. However, regardless of whether or not the schedule was a part of the bill — which it is, obviously, because the bill refers to the schedule as a part of the bill — how we would receive a bill that is incomplete is beyond me, how something like that could be passed.

However, Mr. Speaker, here's the main point: the Senate's jurisdiction — as was pointed out yesterday in this chamber— only relates to what is referred to us by the House of Commons. We now have a reference from the House of Commons which includes the part of the bill that was missing — namely, the schedule — which was referenced at two places within the bill.

• (1140)

My point, Your Honour, is that our jurisdiction is only to deal with matters that are referred to us by the other place. We do not have the jurisdiction to look into what has transpired in the other place, whether or not it was legal or had standing in law . We've made sufficient note of it here, but now we have before us the bill, which includes the schedule. We have examined the estimates and are now bound by tradition in this place to deal with the bill and dispose of it in a very quick fashion.

Senator Day: I want to ask Senator Baker if he also noted, at page 2 of the bill, just before the figures that appear there in section 2, reference to the schedule, "as contained in the schedule to this act." I just wondered if the honourable senator had overlooked that.

Senator Baker: No, Your Honour, I didn't overlook that, because when reference is made to the schedule, and it's clear that the bill says "as outlined in the schedule" in two separate places, and then makes a distinction as to what is contained in the schedule, as he has pointed out, it is assumed that the bill has attached to it the schedule.

I mean, schedules are sometimes contained in regulatory motions, but this is a bill that contains the schedule in two distinct places within the bill.

I recognize what he has pointed out, but I think that we would have to say that we show deference to the exact wording of sections 2 and 5, as I outlined.

Senator Day: Thank you, honourable senator. The other point I wanted to clarify for the record was your reading this morning, when you were reading the proceedings in relation to this in the House of Commons. My information is that for the Supplementary Estimates (B), which the Senate's Finance Committee studied over three days, and then the bill, which we're now studying, the House of Commons spent a grand total of 15 minutes, including Committee of the Whole, on all of that work. Is that correct?

Senator Baker: Yes, Your Honour, that's correct.

The Hon. the Speaker: On debate.

Hon. Larry W. Smith: Just to add a couple of comments to finish off the discussion led by Senator Day and to thank Senator Day, because I'm not sure if colleagues realize that he's been the chair of the National Finance Committee for a decade.

[*Translation*]

Before that, he was deputy chair of the committee for three years.

[*English*]

Three years as deputy chair and ten years as chair: You've done an outstanding job. The last point that Senator Day left with us that we are going to try to implement with the new Finance Committee is that we will hold people's feet to the fire. This is something to share with all committee chairs and participants. When we want feedback from various departments, we're not going to sit and wait for feedback. We want to make sure that they give us the feedback because, if you've experienced what we have in our committee, very often the departments do not give feedback when they're required to. We think we deserve to have the feedback because the work that we do is important. Thank you very much, Senator Day, for that.

Just a quick review. As you know, I give the 30-second fast ones after Senator Day speaks, but our Supplementary Estimates (B) for 2015-16 now seeks Parliament's approval to spend $810 million in voted expenditures and $2.7 million in statutory.

I have a couple of points to add. One, when we met with the Treasury Board for the $519.6 million, we asked questions about the allocation to Citizenship and Immigration. We were not necessarily given what I call accurate answers in terms of the questions that we asked, which led us to understand that there was some fluidity in the way the project was being handled, and this is not a criticism of the government. This is a government department of which we have the expectation that they will deliver the results required. So that brought up some uncertainty in terms of our group.

Two, when we looked at protective services, so that everyone understands — Senator Day was very clear on this — this department will go from 100 people to 500 people, with a budget of approximately $50 million as a separate, stand-alone budget, which is the result of what happened to us last October.

My last point on Citizenship and Immigration, I want to make sure as an opposition member and involved with the Finance Committee. As Canadians, we're excited to deliver hope to a new generation of immigrants, but it must be done in a way that respects the cost to taxpayers. It's important to note that government spending must be carefully managed. Deferring debt to future generations is not a viable solution. As senators, we need to speak on behalf of hard-working Canadians to demand that spending be balanced with foreseeable revenues.

Let's just talk as citizens here. As a Canadian, I have an expectation that things are going to be done right because people throughout not only Canada but also the world are looking at us to make sure that we deliver this program in the best possible way we can. We know it's a fluid situation. We respect the government for acting quickly. It's a tremendous project, but we have the obligation, especially as the Finance Committee, when we bring people in, to get the right answers.

Senator Day, again, thank you very much.

We wish you all a Merry Christmas.

Hon. Anne C. Cools: Honourable senators, I rise to speak to Bill C-3, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2016.

I would like to begin by stating that I agree with those who say that these errors, whatever errors they are, respecting Senator Day's detection and discovery of them, are not administrative errors.

I suppose some could even view them as typographical errors. It depends on the imagination. But I think it is a very serious error. I would go so far as to suggest that the leaders of this house should have a meeting with the leaders of the other house because we have been very generous and very positive in how we are approaching it, but it is an extremely serious thing to the extent, too, that the other house may have been voting on the bill absent these documents. I do not know the facts enough. But I just try to say it is a serious matter and I think it should occasion a serious discussion between the leadership of both houses.

Honourable senators, this is the fourth — and I am here to praise the government, by the way — and December supply bill of our annual supply cycle for the fiscal year April 1, 2015 to March 31, 2016. But, first, I wish to note Senator George Furey's appointment to the high office that is the Speaker of the Senate. I congratulate him. I wish him well. I also wish him and his family the very best in this important endeavour. As public men and women, public service demands much of us, but it also demands much of our families, who give and give unstintingly. I uphold all senators' families.

Honourable senators, I also thank our outgoing Senate Speaker, Senator Leo Housakos, for his service. I note, again, that the high officer of state that is the Senate Speaker is of the nature and character of a viceregal. The Americans retained this feature in their Senate. The Vice President of the United States of America is the president of the U.S. Senate. Some falsely describe our upper house, the Senate, as the second chamber, but we are not the second chamber. We are the first. In fact, we are the house of the Parliaments in which Parliament is assembled as the Queen, the Senate and the House of Commons.

Unlike the House of Commons Speaker, who is the mouth of that house, our Senate Speaker is not the mouth of this house. He may participate in all debates from his floor seat and may vote on all questions, but he must vote first. He may only speak from the Speaker's chair when senators invite him to, as in a senator's Point of Order. Unlike the Commons Speaker he has no casting or tie-breaking vote. The Senate Speaker, appointed by Her Majesty's commission and letters patent, is a wholly different

constitutional being from the Commons Speaker, who is not appointed — a very important point — by Her Majesty's commission.

• (1150)

He is appointed solely by the will of the House of Commons members. He is the only high officeholder of this kind. I also congratulate our new Prime Minister Justin Trudeau and his Liberals on their stunning electoral success. I wish them well. I thank and congratulate our own Senators Cowan, Carignan, Martin and Fraser for their diligence and work. I especially thank Senator Joseph Day for his diligence.

Honourable senators, many of you may not know this, but for years I was the deputy chairman of the Standing Senate Committee on National Finance. In fact, Senator Day replaced me on that. If you look through the records and annals of this committee's work and study, you will find phenomenal diligence and attention to the minutia that so many people overlook, and I think both houses are indebted to Senator Day.

Senator Day, I thank you very personally, because we have that particular tie.

If you ever have a chance, go back and read some of the great studies this committee has done.

Honourable senators, as I said, this is the third supply bill in this financial year ending March 31, 2016. In this appropriation act, Canada's government has come to the newly assembled houses of parliament for supply and appropriation of sums for the public expenditure. I am pleased that this new government has chosen wisely not to resort to Governor General's Special Warrants to finance any public service expenditures, choosing instead the proper constitutional course of action, being to come to the houses of parliament.

For long, senators on the Standing Senate Committee on National Finance have been alert and firm on the Government's improper use of Governor General's Special Warrants to draw down money on the Consolidated Revenue Fund to finance the public expenditure.

Honourable senators, back in 1989 our Standing Senate Committee on National Finance, of which I was a member, during its examination of the Main Estimates studied the government's use of Governor General's Special Warrants. I shall read from the Committee's third report, recorded in Senate Journals May 17. It said, at page 113:

> In 1989 the executive government used special warrants in January, February, March and April to make payments for carrying on the public service even although the new Parliament had met and even although supply estimates had been presented to the House of Commons.
>
> The executive government states that it relied on the written opinion of its law officers that section 30(1) of the Financial Administration Act permits a government, using special warrants, to pay out public money for any purpose set forth (a) in supply estimates or (b) that ordinarily would be included in supply estimates if there were supply estimates as well as for dealing with accidents and other genuine emergencies touching the public good provided only that Parliament is not in session and that there is no other appropriation for that purpose. The government contends that it may use special warrants in the same way when Parliament is not in session as special warrants have been used when there is no Parliament by reason of dissolution.

So you see we have come a long way on this issue and the government has amended its ways. Remember, in 1997 there was a bill that limited it all to dissolutions.

> The committee was told that there is no limit either on the total amount of public money that may be paid out by means of special warrants or on the time period for which a special warrant may be used.

That was the then-President of the Treasury Board. He answered a question and said there was no limit to the quantum of the amount that could be used for special warrants.

> The Committee rejects the interpretation placed on the Financial Administration Act, section 30, by the executive government. It finds that interpretation invalid.
>
> First, that interpretation leads immediately to the proposition that it would be lawful and constitutional for the executive government to govern Canada without meeting Parliament to obtain supply, a proposition manifestly contrary to the principles of responsible government and parliamentary democracy.

Honourable senators, maybe the process was flawed, but this government has chosen to meet Parliament to obtain its supply, and I think we should all commend and uphold that.

Our Senate committee report quote was clear on the large constitutional interests and roles of the two houses of parliament in the national and public finance. During dissolution, when the houses are unavailable, a government's actions to resort to Governor General's Special Warrants is ever a thorny matter. This is so because such resort engages the constitutional problem that the government is obtaining money without the two houses' opinion and agreement; that is to say the government is acting without a parliamentary appropriation, the proper and good way to obtain supply and money. Canadian constitutional practice is that governments, anticipating an expected and imminent dissolution, as the recent dissolution was, should ask the houses prior to the dissolution to appropriate sufficient funds to avoid the thorny use of Governor General's Special Warrants to draw down on the Consolidated Revenue Fund.

Honourable senators, 10 years ago, on November 29, 2005, when Liberal Paul Martin was Prime Minister, the Governor General dissolved Parliament in consequence of a vote of confidence in the Martin government. The general election of January 23, 2006, yielded the minority government of Conservative Prime Minister Stephen Harper. On April 4, 2006, Parliament was summoned and assembled for the Governor General's Throne Speech. A month later on May 3, 2006, the supply bill, Appropriation Act No. 1 2006-07, was adopted in the Commons, and adopted in the Senate on May 10. It was given Royal Assent May 11.

Honourable senators, in these four months both Prime Minister Martin and Prime Minister Harper used Governor General Special Warrants to withdraw monies from the Consolidated Revenue Fund, to a grand total of $15.6 billion.

The point I am making is that this government has indicated interest in meeting the houses in search of appropriation, and perhaps this has happened and it is very unfortunate, but I think we should greet that as a good foot forward on the part of the new government. I am very pleased because you know we would have had something to say on this.

Honourable senators, my particular interest in this appropriation act is the government's request to the houses of Parliament to appropriate monies to assist in the Syrian refugee crisis. I speak of the 25,000 Syrian refugees expected in Canada soon. This bill appropriates for the Department of Citizenship and Immigration the sum of $277.9 million to this noble cause. I laud and praise this initiative. It is a fitting and humane cause, justifiable in law, in morality and in conscience. Not to do this is unconscionable and barbaric.

Honourable senators, the situation in Syria is a tragedy of epic proportions. It is catastrophic, even cataclysmic. Syria, like Egypt, has always been an important country. In the Arab Empire, the Arabs called ancient Syria "Al-Sham." Until World War I, Syria was a part of the Ottoman Empire, and included modern Syria, Jordan, Lebanon, Palestine, and that part of Palestine renamed Israel. The World War I Paris Peace Conference partitioned Syria, as it partitioned most of the Ottoman Empire.

Honourable senators, Syria and Syrians were the first Christians and the first peoples to fully receive Jesus Christ and Christianity, which developed as the region accepted the huge transformation that was monotheism. In his *History of Syria including Lebanon and Palestine*, the great scholar, Philip Hitti, wrote at page 329:

> The Syrian Christians were the first to give the world an effective world outlook. Their appraisal of the world was not that of an asset to be treasured but of a liability. Their society had no worldly ambition. Throughout, the emphasis was on the duty of unselfish devotion to God and service to man, inward spirituality instead of ritualism and ceremony.

He also wrote, at page 330:

> Slowly but surely this Syrian religion worked its way into a position of spiritual predominance. Through it Syrian culture consummated its third and greatest contribution to world progress. The civilized world does not always appreciate that it was in the Christian literature of Syria that its highest idealism had its primary expression.

• (1200)

He also wrote at page 335:

> Organized Syrian Christianity had its first headquarters in Antioch. The church of Antioch became in a special sense the mother of the churches established in gentile lands. From it Paul and other early propagators of the Christian faith set out on their missionary campaigns; to it they returned to report. After the destruction of its rival Jerusalem by the Romans in A.D. 70, Antioch became the sole capital of Christendom.

Honourable senators, Damascus, the capital of Syria, is the oldest city in the world. It was founded by Uz. Uz was the son of Aram, who was the son of Shem. Shem was the son of Noah. The words "Semite" and "Semitic" are derived from "Shem." Abraham, the father of the Semitic peoples, was Aramean.

Colleagues, Aram was the biblical name for Syria, and Aramaic, the same language as Syriac, was the language of the Arameans who were literate and became the clerks and recorders of the empires. Aramaic was also the language of Jesus Christ and the vernacular of the time. The Old Testament book, Isaiah, tells of the Assyrian Empire's defeat of Aram and Israel. Israel was the 10 tribes in the north, and Judah was the kingdom of the two tribes, which later became the Kingdom of David. The prophet Isaiah gave us the most beautiful and sacred words about Emmanuel. These words, found in the King James Bible, were employed by Charles Jennens for George Frideric Handel's oratorio *Messiah*, a beloved and much performed Christmas masterpiece. These Isaiah 9:6 words say:

> For unto us a child is born, unto us a son is given: and the government shall be upon his shoulder: and his name shall be called Wonderful, Counsellor, The mighty God, the everlasting Father, the Prince of Peace.

The Hon. the Speaker: Excuse me, Senator Cools. Are you asking for more time?

Senator Cools: Yes.

The Hon. the Speaker: Can we have five more minutes for Senator Cools?

Hon. Senators: Agreed.

Senator Cools: I need less, usually.

When you hear *Messiah* in the next few days and you hear those words, this is where it comes from.

Peace, the Prince of Peace. Christmas and the Christ child herald rebirth, regeneration and renewal in the healing and redemptive power of love. Christianity is the promise of complete human redemption, through Jesus Christ, the new and eternal covenant.

Her Majesty's Canadian First Minister Trudeau and Her Canadian government's actions on behalf of these suffering, war-weary and war-torn displaced human beings are truly remarkable. This government's actions are outstanding and exceptional among human endeavours. I thank them. I praise them. I Praise God for this mercy to these suffering people.

To all of you, I say, *Gloria in excelsis deo*. Glory to God in the highest, and on earth peace to men. Merry Christmas.

Remember the Syrians. It was such a great and beautiful country. It is the greatest catastrophe that has hit the modern era, I do believe. We know that we are right on this one because churches all across this country are following the government's lead and moving to sponsor refugee families widely. I thank you.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

Senator Martin: On division.

(Motion agreed to and bill read second time, on division.)

THIRD READING

The Hon. the Speaker: When shall this bill be read a third time?

[*Translation*]

Hon. Joseph A. Day: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(b), I move that Bill C-3 be now read the third time.

An Hon. Senator: Now. Indeed!

[*English*]

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Senator Carignan, on debate.

Hon. Claude Carignan (Leader of the Opposition): Honourable senators, the supplementary estimates and the related appropriation bill demonstrate that the government does not have a coherent plan for spending, and it is evident that Canadians can expect deficits to be far higher than the platform commitment of $10 billion per year.

[*Translation*]

Honourable senators, the reasons are understandable. The first is a matter of discipline. I know that the Prime Minister very much enjoys boxing. As a boxer, he must know that we have to keep our guard high and be prepared. Obviously, this government is letting its guard down from the outset. This lax attitude to diligent and disciplined government management sends a message to the public service and the bureaucracy that deficits are tolerated and accepted. They are even desirable and the stuff of election promises. The message to the bureaucracy suggests that we can spend however much we want.

Deficits therefore don't really matter, since the Liberals can make an election promise to run one. Letting our guard down like this will result in increased spending in the public service and will have an impact on the size of the deficit.

Furthermore, this issue has been raised before. For example, C. Scott Clark wrote an opinion piece about it in the *Globe and Mail*. Mr. Clark is a former deputy minister of finance.

[*English*]

And also Peter Devries, a former director of federal fiscal policy. They noted the confusion surrounding the Liberal government's fiscal plan.

[*Translation*]

It turns out that it's not enough to have a plan. The plan has to be tangible, structured, realistic, and achievable. Magical thinking, honourable senators, is not a feasible ingredient in a recipe for successful budget planning.

[*English*]

To achieve a balanced budget by 2019, which the Liberals promised during the election, would require nominal GDP to be $100 billion higher than it currently is, which they state "is not going to happen."

Despite the pledge to run deficits not in excess of $10 billion per year, the Parliamentary Budget Officer's medium-term forecast for the deficit is between $15 billion and $20 billion per year.

• (1210)

To quote directly from Mr. Clark and Mr. DeVries:

> Every time the Finance Minister says he will balance the budget by 2019-20, his fiscal credibility evaporates a bit. Everyone knows the deficit is going to be much higher than the $10-billion campaign commitment. Some election promises can be delayed, but there is little room for more cuts, and tax increases are out of the question.

[*Translation*]

As you know, honourable senators, the Supplementary Estimates (B) provide about an additional $280 million for the Department of Immigration, Refugees and Citizenship in relation to the commitment to welcome and settle Syrian refugees. However, the Liberal Party's platform indicated an investment of $250 million, including $100 million this fiscal year, in order to improve the process to welcome refugees. We see that, for this year alone, the envelope is more than $280 million, and this does

not include the expenses of other departments, such as National Defence and Foreign Affairs, which will have to pay these expenses out of their current budget.

[*English*]

So the reality is we do not know the true costs, and even the costs we are aware of greatly exceed the original Liberal costing. So this alone indicates that the government does not have a coherent fiscal plan for this important refugee resettlement initiative, nor others.

Included in the Citizenship and Immigration estimates is $10 million for the United Nations High Commissioner for Refugees. However, in late November the Minister of International Development, the Honourable Marie-Claude Bibeau, announced $100 million in funding for the UNHCR.

[*Translation*]

In addition, there are many other government departments and agencies that have made commitments, including Transport Canada, the Canada Border Services Agency, National Defence and a multitude of other organizations. We still don't know the magnitude of the costs these departments and agencies will pass on to the government or what reimbursements the provinces, territories and community organizations will receive. There will be the bills for social services and education, and there don't seem to be any guidelines.

What will be reimbursed, honourable senators? We must be careful. We have seen recent media reports that Montreal's mayor is paying a former colleague $1,800 a day to coordinate Montreal's efforts with respect to welcoming refugees. That amounts to about $110,000 for only three months' work. Will this type of salary expenditure, which is difficult to imagine in the public sector, be reimbursed by the federal government with no restrictions or oversight? Will there be an automatic payout or will there be controls on the expenses to be reimbursed, in order to avoid abuses?

Honourable senators, although we support the government's efforts to welcome a certain number of refugees — that is actually what the previous government did to improve the lives of these people in need — it remains clear that this government has proven itself to be incapable of effectively managing a plan and a budget to serve Canadians and welcome these refugees.

[*English*]

Barely one month after the new government was sworn in, we are, unfortunately, witnessing a fiscal chaos that can only be expected to worsen. Perhaps knowing that their election prediction of a return to balance in 2019 is now unrealistic, as recently as Monday, the Minister of Finance began altering expectations.

On Monday he told reporters: "We also promised to lower our net debt-to-GDP during the course of our mandate."

This is a cause for concern as Canada has made excellent strides in the recent years to lower the tax burden on our families, while returning our budget to balance after the worldwide economic recession.

The new government promises modest deficits but, just weeks into power, are poised to place Canada's financial well-being in jeopardy. We cannot afford the risk.

[*Translation*]

When deficits accumulate, honourable senators, so does our debt. I know the Prime Minister is also the Minister of Youth. By taking on the youth portfolio, he is trying to show that he is sensitive to the reality facing the next generation.

As parents and grandparents, we all care about the future of our young people. By racking up deficits that will increase the debt, we are also increasing the burden on our young people. We are adding to the weight of the ball and chain they will have to carry around, which could keep them from achieving their dreams.

Honourable senators, I think we need to act conscientiously in order to avoid running up deficits that will automatically be transferred to the debt, which will be passed on to the next generation. We need to manage our public finances carefully. I am appealing to the government to get its act together and present us with a coherent plan that will help Canada stay on track, since the track we were on was one of prosperity, wealth and fiscal discipline.

Honourable senators, this is why I cannot support Bill C-3.

[*English*]

Senator Day: Honourable senators, we're at third reading of government supply Bill C-3. The total amount that you're being asked to vote on is $810,104,813. I believe, honourable senators, that the bill is now in proper shape for your consideration.

• (1220)

I'd like to thank the Finance Committee that worked on this over the last three days, and to thank all of you for your support of the Finance Committee over the years. Merry Christmas.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: It was moved by the Honourable Senator Day, seconded by the Honourable Senator Mercer, that the bill be read the third time.

Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

Some Hon. Senators: On division.

(Motion agreed to and bill read third time and passed, on division.)

[*Translation*]

ROYAL ASSENT

NOTICE

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

December 11th, 2015

Mr. Speaker,

I have the honour to inform you that the Right Honourable David Johnston, Governor General of Canada, will proceed to the Senate Chamber today, the 11th day of December, 2015, at 1:00 p.m. for the purpose of giving Royal Assent to a certain bill of law.

Yours sincerely,

Stephen Wallace
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

THE SENATE

MOTION TO STRIKE SPECIAL COMMITTEE ON SENATE MODERNIZATION—DEBATE SUSPENDED

On the Order:

Resuming debate on the motion of the Honourable Senator Cowan, seconded by the Honourable Senator Fraser:

That a Special Committee on Senate Modernization be appointed to consider methods to make the Senate more effective within the current constitutional framework;

That the committee be composed of fifteen members, to be nominated by the Committee of Selection, and that five members constitute a quorum;

That the committee have the power to send for persons, papers and records; to examine witnesses; and to publish such papers and evidence from day to day as may be ordered by the committee;

That the committee be authorized to hire outside experts;

That, notwithstanding rule 12-18(2)(b)(i), the committee have the power to sit from Monday to Friday, even though the Senate may then be adjourned for a period exceeding one week; and

That the committee be empowered to report from time to time and to submit its final report no later than June 1, 2016.

Hon. Claude Carignan (Leader of the Opposition): Honourable senators, I am pleased to speak today about the motion to create a Special Committee on Senate Modernization. The motion was moved yesterday by my colleague, the Honourable Senator Cowan.

I would like to comment on the two main elements of this motion: first, the modernization framework; and second, the pursuit of a more effective Senate.

I would like to begin by emphasizing that we agree on the need to modernize the Senate within the existing constitutional framework.

[*English*]

We know that, pursuant to the Constitution Act of 1982, substantial changes in the Senate would require the agreement of seven provinces, representing 50 per cent of the population of Canada.

However, important changes to the Senate can be made without resorting to constitutional amendments.

Let me quote John B. Stewart, who said that "the House is master of its own proceedings. . . . what the House does while in session, and how it does . . . are matters to be decided by the House itself."

[*Translation*]

In other words, honourable senators, the special committee would be an outgrowth of the Senate's power to change its own rules and conventions to reflect our modern era and enable us to adapt to it. This would not require any legislative measures, just the agreement of the Senate.

[*English*]

To make the Senate more effective, this special committee should consider ways to make the Senate transparent and cost-effective.

How can transparency be addressed in the 21st century?

[*Translation*]

Technological developments are proliferating, and we must find new ways to enhance our institution's presence in the digital era. We need to think about how digital technology can help us innovate.

We also have to come up with new ways to let people know about the excellent work done by senators, who are often forgotten.

I would also like to point out that, after what happened this morning, thanks to social media, CBC reported this on its website:

[*English*]

> Liberals' 1st money bill sent to Senate missing essential information.

[*Translation*]

In her introduction, the reporter wrote:

[*English*]

> For Canadians who think of the Senate as a sleepy old place where nothing gets done, today might change their minds.
>
> This morning, an eagle-eyed senator discovered that the House of Commons passed a key money bill yesterday that was deeply flawed.

Bravo, eagle eyes. That's good.

New technologies should be used to ensure that Canadians understand more clearly the important role the Senate plays in Parliament and in the country. Voices from the various regions of Canada must continue to be heard in the legislative process, as the Senate has always represented concerns and issues from minority groups and the far-flung regions of Canada.

[*Translation*]

Having ministers come to the Senate for Question Period to answer our questions, as set out in the motion that I moved and the Senate adopted this week, will enable senators to get more up-to-date information.

Should we incorporate this new procedure into the Rules? Should we, as Senator Joyal suggested, invite officers of Parliament to come answer our questions, particularly when they present important reports on government activities?

We should again reflect on the best way to improve transparency, which will contribute to boosting public confidence in the Senate and raising the profile of the important work done by senators.

[*English*]

Cost-effectiveness is also essential to sustain public confidence in our Parliament. This special committee must do its work through the lens of cost-effectiveness and the responsible use of taxpayers' money. An effective Senate must be an institution that handles money in a prudent manner.

[*Translation*]

I want to thank Senator Cowan for moving this motion to modernize the Senate. I also want to acknowledge the work of our previous speakers, Senator Nolin and Senator Housakos, who undertook the challenge of reforming the Senate.

• (1230)

Let's live up to the legacy we've inherited from them.

[*English*]

Let me conclude by quoting John B. Stewart, when he said:

> . . . a body's procedures — how it works — are means; no matter how old and hallowed, they need reviewing and evaluation from time to time to ascertain that they are fostering, not deterring, the performance of the body's function."

[*Translation*]

In other words, procedures must sometimes be reviewed and evaluated in order to strengthen the performance of the institution they serve.

Honourable senators, I would like all of us to support this motion so that we can transform the Senate into a modern, effective 21st century institution that will restore Canadians' confidence in this legislative body.

[*English*]

Hon. John D. Wallace: Will Senator Carignan accept a question?

Senator Carignan: Yes.

Senator Wallace: Thank you for your comments, Senator Carignan. As with you, I want to congratulate Senators Massicotte and Greene for the initiative they took to bring forward these ideas, which we'll see more of in the near future, about modernization. But there is one particular aspect of Senator Cowan's motion that you support that is of particular interest to me: that the special committee would consist of 15 members.

As you may recall — you weren't in the chamber; maybe you wouldn't recall — I brought a motion earlier this week dealing with the representation of all members of this chamber on committees and, in particular, independent members.

This is a 15-member committee, and I am concerned about what representation will be provided to independents to serve on that committee. The majority control in this chamber, of course, resides with the Conservatives members and, as a result, you're able to have considerable influence, if not total influence, over who is able to sit on committees and chair committees and so on. That's a reality.

It's sort of ironic the way this happened, but I presented my motion on Wednesday dealing with the motion to consider how members of this chamber would be represented on committees, and not an hour before I made that motion the Committee of Selection presented its list of suggested appointees to the various committees.

"Interesting" probably don't describe it, but I was interested and then some to see that, of independents — the most recent independents — other than Senator McCoy and Senator Cools, none were represented on any committees, including me.

Again, I realize that the control over these issues, where all of that resides, is a major concern.

In my own situation, I had sent a letter to all the members of the Selection Committee this Monday indicating my preference. I realize that, just because you have your preference, doesn't mean you necessarily are accepted, but I indicated my preference to be a member of the Legal Committee and the Energy Committee. Perhaps my qualifications and professional background didn't match up to what was needed.

In any event, what was pretty clear from all of that is that the most recent independents, if I can call them that, were not given representation on any committee.

Having said that, I think the warning signs are out there to be concerned about how the independents are going to be represented on this special committee.

Maybe I will just, very quickly, give you these facts. I think they're quite relevant to what I'm talking about. At present, there are 45 Conservative senators in this chamber — not present today, but there are 45 — 29 Liberals and 9 independents. By June 30 of this year, when you consider additional retirements that will occur and the new appointments for the 22 vacancies that exist, it will then be 44 Conservatives, 27 Liberals, and 34 independents. Potentially that could happen. So the number of independents would exceed even the number of Liberals. When you extend that out and look to a little bit over a year down the road, 2017, potentially the number of independents in this chamber will exceed even the number of Conservatives. The number of independents could well represent the majority in this chamber.

So my question for you, Senator Carignan, is: faced with those realities, what would your thoughts be as to how the independents should be represented on this special committee that Senator Cowan has proposed?

[*Translation*]

Senator Carignan: I would like to thank the senator for his question. Perhaps we should remember that senators don't get their first choice just because they belong to a parliamentary group. I remember very well that when you were part of our group, you didn't necessarily get placed where you wanted. That is the case in this situation.

Senators make their wishes known, but obviously there are only a certain number of spots on each committee. If we chose committee members based exclusively on senators' wishes, then we would have too many people on some committees and not enough people or none at all on others. Establishing and creating committees requires a certain amount of coordination.

With regard to the Selection Committee, you saw the motion that gives the Selection Committee the mandate to nominate 15 people. I could see independent senators sitting on the special committee, particularly independent senators who have been in that position for many years and who have had the opportunity to actually experience being independent. They know some of the obstacles that go along with that, and they have had experiences that will allow them to identify areas for improvement.

I realize that you have been through a difficult situation, but I am certain that the independent senators have experienced many difficulties.

I must nevertheless point out that, unlike the other place, the Senate attributes much more importance to the role of independent senators in committees and in this chamber. In the other place, as we saw from the newspaper headlines, 10 Bloc Québécois members were elected. They are considered to be independents, like the elected members of the Green Party, and they don't have the right to sit on a committee. Those are their rules. Things are different here.

With regard to the procedural details of the Selection Committee insofar as they pertain to what was adopted here this week, I would remind you that there is a formality — which, in my opinion, the special committee on Senate modernization should examine — whereby an individual who is a member of a parliamentary group and is appointed to a committee can be replaced by decision of the group's leadership.

However, if an independent senator is appointed, the decision is irrevocable, and that person cannot be replaced and cannot switch to another committee.

This can result in certain inconsistencies in the management and composition of the committees, hence the decision and the practice to have the Selection Committee fill the positions and then to assign independent senators to the committees through substitution rather than appointment in due form from the outset in the motion to create committees.

• (1240)

That is one technical aspect that definitely needs to be modernized, and perhaps our modernization committee could examine that. As I said, I hope that some independent senators will be on that committee, especially those with a great deal of experience.

[*English*]

Senator Wallace: Would Senator Carignan accept one further brief question?

Senator Carignan: Yes.

Senator Wallace: Thank you. I was interested in everything you had to say, but one comment in particular caught my attention. You seem to differentiate between independent senators — and I would take from that you mean Senators McCoy and Cools, who have been here for some time — and distinguish them on some basis from others, which would include me — those who have been of a more recent vintage.

That's an interesting proposition, because there are 22 vacancies to be filled; there will be 22 new senators to enter this chamber. I would hope you're not suggesting that we're going to

have at least three different categories of senators, and somehow all of that gets factored into it.

I wonder if you have any further comments on that.

[*Translation*]

Senator Carignan: In my view, all senators are senators. Some are affiliated with caucuses governed by rules that have existed, in some cases, since this Parliament was created. The purpose of this motion is to create a special committee whose membership would be determined by the selection committee. What I would hope for, as a senator, is that there would be a certain number of members who, I hope, would sit on this special committee to modernize the Senate rules.

Furthermore, I think it is worth pointing out the importance of the enormous contribution that could be made by some of our senators with the most seniority, particularly Senator McCoy and Senator Cools, who have been affected by this independence, which is not without its irritants. Their rich experience within the Senate could certainly help us improve the conditions and the rules governing independent senators.

Hon. Paul J. Massicotte: Honourable senators, first of all, I would like to congratulate our Speaker on his appointment. I truly believe that you are exactly the right person for the job, Mr. Speaker.

[*English*]

Before I address Senator Cowan's motion to create a special committee in pursuance of our continued necessary efforts for the modernization of the Senate, I would like to speak to you about our three-day meeting, the working sessions on Senate modernization, that took place in late October and that were led and organized by Senator Greene and me, assisted by Senator Tannas and Senator Campbell.

[*Translation*]

Thirty-eight senators accepted our invitation to take part in these sessions. Conservative, independent, and independent Liberal senators all shared a desire to improve the operation and the practices of this legislative body. All senators were invited to participate about four months before the event.

The purpose of our working sessions was to share different ideas and approaches to make the Senate more effective in carrying out its constitutional responsibilities and in better fulfilling the reasonable expectations of Canadians.

To prepare for these meetings, in early August we gave all senators a detailed 12-page questionnaire on the modernization of the Senate, which basically guided our discussions. The answers to these questions helped us identify 10 common threads for which non-constitutional changes could potentially be made, with the consent of a strong majority of participants.

Over the course of the three-day meeting, the participants thoroughly debated 10 topics focused on democracy and the operation of the Senate.

[*English*]

These discussions led to 11 recommendations supported by a strong majority of the sessions' participants. Those recommendations were then presented to our respective leadership and caucuses. I should add that the independent Senate Liberal caucus largely supported these recommendations by consensus. I understand the Conservative caucus recently met to also discuss these recommendations. I look forward to hearing about their results and their commitment to a better Senate.

Having said such, in spite of possible minority opposition, I urge our Senate leaders to seriously undertake the necessary steps to formally have the Senate approve and implement most, if not all, of those recommendations. There is no reason to further delay or to subject these recommendations to further committee study. No excuses, please. For far too long we have remained inactive and we have let down ourselves, our government and, foremost, Canadians when faced with difficult and pressing issues. Our inability to address these concerns has greatly compromised the reputation and legitimacy of this chamber.

[*Translation*]

I do recognize that it may be quite possible to take the modernization of the Senate beyond the recommendations issued from our working sessions, and indeed we will have to do so in order to improve our efficiency. It makes sense to delve into certain important issues, such as holding free votes on all bills for all senators, preventing senators from participating in their national caucuses, and addressing other structural issues that we did not discuss or on which we failed to reach the necessary consensus during our working sessions.

There is much work to be done, and we must act now. Time is of the essence. We cannot allow provisions of the Rules or supposed obstacles to delay or impede our progress. With a majority vote in this place, nothing like that can stand in our way.

[*English*]

We senators who have worked in this chamber and who have seen its worst and best have the ability and are most capable of developing and implementing the necessary measures to improve its operations and procedures. We must remain vigilant and tireless in order to achieve meaningful results toward a better Senate.

[*Translation*]

We realize that change is never simple or easy. There is a strong desire to maintain the status quo, which we must overcome, and we need to examine and debate a number of opinions, options and nuances.

With that perspective, I support and I encourage you to support the motion moved by Senator Cowan to strike a special committee on Senate modernization in order to study

unresolved points of discussion and what is needed for modernization. This initiative should be a priority and the committee should receive the necessary cooperation to accomplish its mandate.

[*English*]

In closing, now that all senators and Senate caucuses have received and been fully briefed on the working sessions and their results, and now that the sessions have been mentioned on numerous occasions in the Senate chamber, allow me, with the Senate's permission, to deposit the document of the working sessions in this chamber. It respects the Chatham House Rule of discussion as undertaken with the participants.

• (1250)

This report on the working sessions contains the questionnaire that was used to determine opinions and issues in advance of the sessions, an analysis in chart form of the answers to the questionnaire, a list of the 10 issues that deserved detailed discussion and debate, and finally a list of consensus resolutions that came out of the sessions as recommendations for all senators, leaders and caucuses.

As you are aware, all senators have had this information for some time; I note without any leaks to the media.

The Hon. the Speaker: Senator Massicotte, did you wish leave to table the document?

Senator Massicotte: Yes.

The Hon. the Speaker: Is leave granted?

Hon. Senators: Agreed.

The Hon. the Speaker: Honourable senators, is it your pleasure that the sitting now be suspended during pleasure to await the arrival of His Excellency the Governor General?

Hon. Senators: Agreed.

(The Senate adjourned during pleasure.)

[*Translation*]

• (1300)

ROYAL ASSENT

His Excellency the Governor General of Canada having come and being seated at the foot of the Throne, and the House of Commons having been summoned, and being come with their Speaker.

The Honourable Geoff Regan, Speaker of the House of Commons, then addressed His Excellency the Governor General as follows:

> May it Please Your Excellency:
>
> The Commons of Canada have voted supplies to enable the Government to defray certain expenses of the public service.
>
> In the name of the Commons, I present to Your Excellency the following bill:
>
> An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2016 (*Bill C-3, Chapter 42, 2015*)
>
> To which bill I humbly request Your Excellency's Assent.

His Excellency the Governor General was pleased to give the Royal Assent to the said bill.

The Commons withdrew.

His Excellency the Governor General was pleased to retire.

(The sitting of the Senate was resumed.)

• (1310)

[*English*]

THE SENATE

MOTION TO STRIKE SPECIAL COMMITTEE ON SENATE MODERNIZATION ADOPTED

On the Order:

> Resuming debate on the motion of the Honourable Senator Cowan, seconded by the Honourable Senator Fraser:
>
> That a Special Committee on Senate Modernization be appointed to consider methods to make the Senate more effective within the current constitutional framework;
>
> That the committee be composed of fifteen members, to be nominated by the Committee of Selection, and that five members constitute a quorum;
>
> That the committee have the power to send for persons, papers and records; to examine witnesses; and to publish such papers and evidence from day to day as may be ordered by the committee;
>
> That the committee be authorized to hire outside experts;

That, notwithstanding rule 12-18(2)(b)(i), the committee have the power to sit from Monday to Friday, even though the Senate may then be adjourned for a period exceeding one week; and

That the committee be empowered to report from time to time and to submit its final report no later than June 1, 2016.

Hon. Stephen Greene: Honourable senators, I wish to express my congratulations to our new Speaker and also to the excellent work that Senator Housakos performed while he was here. His work here defined, in my view, short but sweet, and I appreciate his work very much.

I also thank Senator Massicotte for his speech in support of Senator Cowan's motion. I want to begin by saying that with regard to organizing an event like the working sessions, Senator Massicotte makes the ideal dance partner. He is a person of impeccable integrity, and he's always open to new ideas.

I want to also express my thanks to Senator Tannas and Senator Campbell.

My initial comment in response to Senator Massicotte is to praise the motion put forward by Senator Cowan, which is similar if not identical to the motion proposed by Senator Nolin. As good and welcome as the motion is, I have three pieces of advice.

My first advice about the motion is that it projects a report by June 1. I would like to see a report well in advance of that date and urge a report, if the committee can manage it, by April 1 at the latest. The problem with the June 1 date is that it lands in a typically busy month and only a few weeks before we adjourn. There probably won't be time to have much debate, much less any implementation. April, on the other hand, is not such a busy month. There is no clock that is ticking, and there would be time to debate and implement a few things. If the working sessions could do all it did in three days, then I think that we can proceed a little bit quicker on our committee.

My second bit of advice is that I hope the committee will be made up of at least one fully independent senator appointment, and I wish to thank Senator Carignan for his remarks in this regard.

• (1320)

My third advice is that the committee take into account the views of all senators in writing its report. Whether this is done via questionnaire, individual meetings, group meetings or all of these is not for me to say at this time, but it shouldn't be just the collected wisdom of the committee members. In other words, we shouldn't treat this as just a normal committee in which we rely on the opinions of outside experts. Senators, the people in this room, are the experts. To achieve buy-in, all of us must participate.

I was glad to hear from Senator Massicotte on the endorsement of the independent Liberal caucus for the working session. The Conservative caucus has spent one meeting so far devoted to discussion of the ideas developed by the working sessions. This caucus meeting served to separate where there was agreement from what required more discussion. We will have another caucus meeting planned for when we return in January, when we will continue with these discussions.

I am confident that much of what the working sessions have produced will inform the subject matter of the proposed committee. I am also encouraged by several of the initiatives begun in the Senate this week that would see implementation of reforms agreed to already by the working sessions.

In closing, I ask the powers that be to take note of my advice and I urge the swift passage of Senator Cowan's motion.

Merry Christmas and God bless.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY THE INCREASING INCIDENCE OF OBESITY AND REFER PAPERS AND EVIDENCE FROM SECOND SESSION OF FORTY-FIRST PARLIAMENT TO CURRENT SESSION

Leave having been given to revert to Notices of Motions:

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the increasing incidence of obesity in Canada: causes, consequences and the way forward, including but not limited to:

(*a*) food consumption trends;

(*b*) specific elements of diet;

(*c*) the processed food industry;

(*d*) lifestyle;

(*e*) provincial and federal initiatives; and,

(*f*) international best practices.

That the papers and evidence received and taken and work accomplished by the committee on this subject during the Second Session of the Forty-First Parliament be referred to the committee; and

That the committee submit its final report no later than March 31, 2016 and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

AIR CADET LEAGUE OF CANADA

Leave having been given to revert to Senators' Statements:

Hon. Joseph A. Day: Honourable senators, from November 18 to 21 of this year, just two weeks ago, 40 air cadets from across Canada were in Ottawa to attend the leadership symposium with the Air Cadet League of Canada.

[*Translation*]

The Air Cadet League of Canada is celebrating its 75th anniversary this year.

[*English*]

Honourable senators, the Air Cadet League comprises a huge network of civilian volunteers, including parents, veterans, former cadets, local business sponsors, service clubs and town councils from across Canada, working with the Department of National Defence personnel, both regular and reserve cadet instructors.

There are over 2,000 volunteers in the Air Cadet League, and currently across Canada there are approximately 26,000 air cadets enrolled in programs. Since its inception in 1940, the Air Cadet Program has seen more than 1 million young Canadians take part in this prestigious program helping to develop future leaders for Canada.

As part of this symposium, on November 20 I had the opportunity to welcome the 40 air cadets in this very Senate Chamber and to tell them more about Canadian democracy and the responsibility that we have as parliamentarians. I heard their comments and answered their questions about the Senate and our democratic system. Their questions encompassed various areas, from what are the red buttons on the table, to the paintings surrounding us in this chamber, to the Senate procedure and the role of the Speaker and senators. I was glad to witness how impressed they were by our Red Chamber, and I was pleased to see how curious and interested they were about our function here in the Senate.

On November 21, I also took part in a panel discussion with Lieutenant-General Charlie Bouchard, Brigadier-General Hunter and Colonel Tattersall. We had wonderful questions from the cadets. This time the questions focused on the attributes of leadership. The discussions, I am sure, will help them to shape their future and develop as contributing Canadians.

Colleagues, this is why the Air Cadet Program, which began 75 years ago, is so vital. The program continues to help young Canadians understand the value and importance of integrity, loyalty, courage, stewardship and excellence.

[*Translation*]

The symposium wound up with a gala the evening of November 21, in which I had the pleasure of participating.

[*English*]

I commend the Air Cadet Program for having trained more than 1 million young Canadians since inception. The program, no matter the obstacles over the years, continues to be relevant today because, as time passes, the air cadets and citizens of Canada will be expected to make Canada an even greater country than that which they have inherited from our fathers and mothers. The Air Cadet Program, honourable senators, is designed to help our Canadian youth fulfill their potential by providing them with the necessary tools to not only succeed but to excel.

[*Translation*]

THE SENATE

MOTION TO INVITE THE GOVERNMENT TO OBTAIN COMPENSATION FOR VOLUNTEERS AND CIVILIAN MEMBERS OF NATIONAL DEFENCE WHO PARTICIPATED IN THE CONSTRUCTION OF THE CHALK RIVER NUCLEAR REACTOR—DEBATE ADJOURNED

Hon. Céline Hervieux-Payette, pursuant to notice of December 8, 2015, moved:

> That the Senate of Canada call on the government to establish a program similar to the Atomic Veterans Recognition Program in order to offer $24,000 in compensation to the civilian volunteers and employees who assisted in decontamination work at the nuclear reactor in Chalk River, Ontario, in 1952 and 1958 and who were excluded from the Program, which was available only to the personal of the Canadian Armed Forces and the Department of National Defense.

She said: Honourable senators, I would like to remind my friends that I looked after veterans and other Atomic Energy of Canada Limited staff and that I have been meeting with them and supporting them for several years.

[*English*]

• (1330)

I must say, so that full justice will be carried out, that I think it would be vital that the government be informed about the history of the Atomic Veterans Recognition Program. This group was ill-named, and there was a deliberate attempt by a ministry to exclude the Atomic Energy workers. I must remind you that there was an accident at the Atomic Energy plant, and there was some

grave contamination. The employees of Atomic Energy had the right to be volunteers for the cleanup, but they could go just for a limited number of minutes in order to avoid contracting any kind of illness so they needed a big crowd of people to go and do the cleanup of this incident.

Just to remind you, they had to work under very severe conditions, and many people since then have died because, of course, it is not necessarily a place where you would keep a healthy future.

The program, at one point, provided that, at the end of the whole process, there should be a reward to the people who participated in the decontamination process. There was an amount of $24,000 given to DND personnel who helped because there were not enough volunteers, while 102 AECL applications were denied. Since then, and for many years, they have tried to be compensated at the same level, for the same task, under the same circumstances, because everybody was a volunteer. Nobody was obliged to go; it was not part of their duties as employees.

So I am going to push and ask for the support of my colleagues here to make sure that the people who are now deceased — so their inheritance — will have this bonus. Also, those who are still alive are in the range of 80 years old. As far as I'm concerned, it's not because it's a small number and it's not because they are aging: I think justice should be done. At that time, the Chalk River atomic energy plant was under full jurisdiction of the federal government.

So my request to the government and the support I'm asking for from you is to have the same support, the same financial reward, that was given to National Defence personnel. I'm not talking in terms of millions of dollars. National Defence had about 129 people, and AECL had 102. It's even a smaller amount of money. But I think justice should be done, and I'm asking for your support.

(On motion of Senator Martin, debate adjourned.)

BANKING, TRADE AND COMMERCE

MOTION TO AUTHORIZE COMMITTEE TO STUDY EXPORT PERFORMANCE—DEBATE ADJOURNED

Hon. Céline Hervieux-Payette, pursuant to notice of December 9, 2015, moved:

> That the Standing Senate Committee on Banking, Trade and Commerce, when and if it is formed, be authorized to examine and report on Canada's export performance as compared to international best practices in order to provide recommendations to improve Canada's current export performance, the worst in 30 years according to the OECD;
>
> That the committee make a preliminary report on the current export performance to the Senate no later than April 14, 2016; and
>
> That the committee make to the Senate a final report on the implementation of an integrated policy for all partners to improve Canadian exports to all countries, especially those with which Canada has a free trade agreement, no later than December 16, 2016.

She said: Honourable senators, this week the price of oil fell to $37 on the West Texas index. Our own currency also fell below 74 cents American; the lowest level in 11 years. My dear colleagues, Canada's economy is certainly not in the best shape. However, this is nothing new. As you have been listening to me over the past year — as I'm sure Mr. Carignan remembers — as you have been reading in the news and as you have heard in the economic reports, there is a major problem with Canada's export performance. We must ask ourselves the following question: Is the low price of oil and commodities solely to blame? Classical economic theory would say that if our dollar falls our exports should go up.

Unfortunately, honourable senators, it has been over a year since our dollar fell, but where is Canada's export recovery? We've signed and ratified several new free trade agreements, but where is Canada's export recovery? The American economy is growing and adding jobs. Again, where is Canada's export recovery? "Nowhere," is the answer. According to the OECD economic survey of 2014, Canada is experiencing its worst export recovery in more than 30 years. Despite favourable conditions, our companies are unable to secure success on the world stage.

Dear colleagues, if you have been watching Canada's export performance, as I have over the past decade, you will know that these problems are not new. They have grown to the point that we can no longer ignore them. Almost two years ago with regard to these issues I asked a young economist, trained by the World Trade Organization, to join my team to get to the bottom of these problems. Over a year-long process, we reviewed, catalogued and coldly analyzed our performance, our agencies, our programs and provincial programs. We even employed modern analysis methods, which are little-known in Canada but which provide other nations with a serious competitive edge.

It was one of these new methods, known as global value-chain analysis, that uncovered a tectonic shift in Canada's export prospects. These same results can be found in a recent report published this past September — many months after my own report — by the Conference Board of Canada. If you want to compare the two reports, my report is available on my website, *Review of Trade Agreements and Trade Policies of Canada 2006 - 2015*. You can have access and you can study both reports: the one from the Conference Board and the one that was prepared with my staff.

These economic changes are called structural shifts, and they are a long transitions that alter the fabric of an economy. In my report we uncovered a whole list of issues. Instead of reinventing the wheel, I chose to identify appropriate solutions taken from international best practices and I proposed seven recommendations.

When I released our findings earlier this year in May, I was met with the same tired advocacy, such as, "Oh, there's nothing wrong with Canada's exports," and "the government's current policies

are solving the problems." Unfortunately, honourable senators, if you missed last week's economic update, allow me to tell you that Canada's trade deficit increased. This was due to a fall in Canada's exports this past October.

Now, I don't mind if you disagree with the findings of my team. I would ask you to note Statistics Canada's economic update. I don't believe this chamber should remain ignorant or complacent regarding Canada's export performance. Dear colleagues, we live at a time when the barrier between our domestic markets and global markets has almost completely evaporated. We live at a time when our largest trading partner, the United States, has implemented free-trade agreements with 20 countries, and this number does not include their current negotiations, such as the European Union and the Trans-Pacific Partnership.

• (1340)

The days of our exclusive access to the United States are over. The same can be said for any market where our companies sell. Wherever Canadian products are present, they will be competing against the products of the world for purchase by a foreign consumer. This is our new reality, and this is the situation of all countries. This is the reality of global competition.

Some countries have adapted by developing appropriate strategies. It is evident from our own results that we have not achieved the same. Perhaps we have something to learn from the world. Perhaps we can come up with our own way of doing things, but without putting in the effort to develop some plan and without making an effort to understand our situation, then the only thing we commit ourselves to is disaster, plain and simple.

This is why I have tabled a motion for the Standing Senate Committee on Banking, Trade and Commerce to examine Canada's export performance. This should not be limited solely to consulting with the regular groups. We must ensure this process notes the international best practices. International trade takes place on a global playing field. Ignoring the successful strategies of our competition is not wise. I don't mind if we develop made-in-Canada policies, but those policies, when implemented, will have to take on the best policies in the world.

Honourable senators, Canada's export success is not something that is partisan. All parties present should want to see improvements and success. I encourage all of you to support this motion and to let the Banking, Trade and Commerce Committee conduct a thorough review of Canada's global prospects.

I think it could be done in two stages. The first, to be completed and reported on in the spring, should be a thorough economic assessment. This economic assessment will act as the basis for the second stage, and that stage will assess our current policy strategy. It will identify where the weak points are, and it will consider the solutions of other countries to resolve these issues.

The second report will provide a strategic framework to compete. It is likely that this will include major reforms of our policies. We must not shy away from being bold. A bold strategy starts with a bold intent to drastically enhance our performance.

Honourable senators, I fully encourage all of you to support my motion, to take the time to read my report and the one from the Conference Board of Canada before you give permission to the Banking Committee to study this question. Let's use our experience and knowledge to help forge a new future for Canada in global markets.

Thank you.

[*Translation*]

Hon. Diane Bellemare: Would the senator take a question?

Senator Hervieux-Payette: Yes.

Senator Bellemare: The issue you raised is very broad. I am wondering about the regional or provincial aspect of the study. Do you want to take a particular angle? Do you want to meet with representatives from different regions across the country to understand the difficulties each region has experienced? Surely the difficulties are different in the West, which must export its oil, and in the East, which primarily exports seafood products. What are your objectives in that respect?

Senator Hervieux-Payette: In order to conduct a study that reflects the entire Canadian economy, the committee will have to meet people where they live. I am talking about business people, people from the academic community, chambers of commerce and the groups really affected by this issue, across the entire country.

We don't currently have an integrated policy, and efforts are being made at the provincial level. The provinces have organized economic missions, but not only are we no better off, we are increasingly falling behind internationally.

If you look at my report and some of the recommendations, you'll see that I looked at the model in Germany, a world export leader. This also includes workforce training. If we don't have the workers we need to move our companies forward and increase our productivity, we won't be able to sell our products. Our country is one that must use its knowledge to be able to succeed on the world stage.

(On motion of Senator Bellemare, debate adjourned.)

[*English*]

ABORIGINAL PEOPLES

STUDY ON CHALLENGES AND POTENTIAL SOLUTIONS RELATING TO FIRST NATIONS INFRASTRUCTURE ON RESERVES—NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO REQUEST A GOVERNMENT RESPONSE TO TWELFTH REPORT OF THE COMMITTEE TABLED DURING THE SECOND SESSION OF THE FORTY-FIRST PARLIAMENT

Hon. Lillian Eva Dyck, pursuant to notice earlier this day, moved:

> That, pursuant to rule 12-24(1), the Senate request a complete and detailed response from the Government to the Twelfth Report of the Standing Senate Committee on

Aboriginal Peoples entitled *On-Reserve Housing and Infrastructure: Recommendations for Change*, tabled and adopted in the Senate on June 23, 2015, during the Second Session of the Forty-first Parliament, with the Minister of Indigenous and Northern Affairs being identified as minister responsible for responding to the report.

She said: Honourable senators, I just want to say a few words. I think it's a fairly standard procedure. The report that we tabled in June 2015 was chaired by my honourable colleague Senator Patterson, and our report was an outstanding report. We're eager that the new minister is required to appear before us and take this excellent report into consideration.

Therefore, we have put this before the chamber in order to expedite the process of review.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

PHYSICIAN-ASSISTED DYING

APPOINTMENT OF SPECIAL JOINT COMMITTEE— MESSAGE FROM COMMONS

The Hon. the Speaker: Honourable senators, a message has been received from the House of Commons which reads as follows:

By unanimous consent, it was resolved, —

That a Special Joint Committee of the Senate and the House of Commons be appointed to review the report of the *External Panel on Options for a Legislative Response to Carter v. Canada* and other recent relevant consultation activities and studies, to consult with Canadians, experts and stakeholders, and make recommendations on the framework of a federal response on physician-assisted dying that respects the Constitution, the *Charter of Rights and Freedoms*, and the priorities of Canadians;

That five Members of the Senate and ten Members of the House of Commons be Members of the Committee with two Chairpersons of which the House Co-Chair shall be from the governing party and the Senate Co-Chair from the Official Opposition party; and, that one additional Member of the third party be a Member of the Committee without voting privileges;

That the House of Commons membership be determined by the whip of each party by depositing with the Clerk of the House a list of his or her party's Members of the Committee no later than five sitting days after the adoption of this motion;

That changes in the membership of the Committee, on the part of the House of Commons, be effective immediately after a notification signed by the Member acting as the chief Whip of any recognized party has been filed with the clerk of the Committee;

That the Committee be directed to consult broadly, take into consideration consultations that have been undertaken on the issue, examine relevant research studies and literature and review models being used or developed in other jurisdictions;

That the Committee have the power to sit during sittings and adjournments of the House;

That the Committee have the power to report from time to time, to send for persons, papers and records, and to print such papers and evidence as may be ordered by the Committee;

That the Committee have the power to retain the services of expert, professional, technical and clerical staff, including legal counsel;

That the quorum of the Committee be eight Members whenever a vote, resolution or other decision is taken, so long as both Houses and all officially recognized parties are represented, and that the Joint Chairpersons be authorized to hold meetings, to receive evidence and authorize the printing thereof, whenever six Members are present, so long as both Houses and all officially recognized parties are represented;

That the Committee have the power to appoint, from among its Members such sub-committees as may be deemed appropriate and to delegate to such sub-committees, all or any of its powers, except the power to report to the Senate and House of Commons;

That the Committee have the power to adjourn from place to place within and outside Canada;

That the Committee have the power to authorize television and radio broadcasting of any or all of its proceedings;

That the Committee make its final report no later than February 26, 2016; and

That a Message be sent to the Senate requesting that House to unite with this House for the above purpose and to select, if the Senate deems advisable, Members to act on the proposed Special Joint Committee.

ATTEST

Acting Clerk of the House of Commons

When shall this message be taken into consideration?

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): With leave of the Senate, now.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

THE SENATE

MOTION TO STRIKE A SPECIAL JOINT COMMITTEE ON PHYSICIAN ASSISTED-DYING ADOPTED

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): Honourable senators, as we all know, this is a topic of extreme importance, and there are also time pressures arising out of the Supreme Court ruling. It has been agreed jointly on both sides that we should, as a Senate, participate in this joint committee, and it is expected that the committee would be doing some of its work during our break period.

• (1350)

Therefore, with leave of the Senate, I move, seconded by Senator Martin,

> That a Special Joint Committee of the Senate and the House of Commons be appointed to review the report of the *External Panel on Options for a Legislative Response to Carter v. Canada* and other recent relevant consultation activities and studies, to consult with Canadians, experts and stakeholders, and make recommendations on the framework of a federal response on physician-assisted dying that respects the Constitution, the *Charter of Rights and Freedoms*, and the priorities of Canadians;
>
> That five Members of the Senate and ten Members of the House of Commons be Members of the Committee with two Chairpersons of which the House Joint-chair shall be from the governing party and the Senate Joint-chair from the Official Opposition party; and, that one additional Member of the third party in the House of Commons be a member of the Committee without voting privileges;
>
> That, notwithstanding Rule 12-2 of the Rules of the Senate, the Honourable Senators Cowan, Joyal, P.C., Nancy Ruth, Ogilvie and Seidman be appointed to serve on the Committee;
>
> That the House of Commons membership be determined by the whip of each party by depositing with the Clerk of the House a list of his or her party's Members of the Committee no later than five sitting days after the adoption of this motion;
>
> That changes in membership of the Committee on the part of the Senate be made in accordance with Rule 12-5 of the Rules of the Senate;
>
> That changes in the membership of the Committee, on the part of the House of Commons, be effective immediately after a notification signed by the Member acting as the chief Whip of any recognized party has been filed with the clerk of the Committee;
>
> That the Committee be directed to consult broadly, take into consideration consultations that have been undertaken on the issue, examine relevant research studies and literature and review models being used or developed in other jurisdictions;
>
> That the Committee have the power to sit during sittings and adjournments of the Senate;
>
> That the Committee have the power to sit during sittings and adjournments of the House of Commons;
>
> That the Committee have the power to report from time to time; to examine witnesses; to send for persons, papers and records, and to print such papers and evidence as may be ordered by the Committee;
>
> That the Committee have the power to retain the services of expert, professional, technical and clerical staff, including legal counsel;
>
> That the quorum of the Committee be eight Members whenever a vote, resolution or other decision is taken, so long as both Houses and all officially recognized parties are represented, and that the Joint Chairs be authorized to hold meetings, to receive evidence and authorize the printing thereof, whenever six Members are present, so long as both Houses and all officially recognized parties are represented;
>
> That the Committee have the power to appoint, from among its Members such sub-committees as may be deemed appropriate and to delegate to such sub-committees, all or any of its powers, except the power to report to the Senate and House of Commons;
>
> That the Committee have the power to adjourn from place to place within and outside Canada;
>
> That the Committee have the power to authorize television and radio broadcasting of any or all of its proceedings;
>
> That the Committee make its final report no later than February 26, 2016; and
>
> That a Message be sent to the House of Commons to acquaint that House accordingly.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

MEMBERS OF PARLIAMENT RETIRING ALLOWANCES ACT

MOTION TO REINSTATE PENSIONABLE SERVICE FOR THE HONOURABLE PAMELA WALLIN ADOPTED

Leave having been given to revert to Notices of Motions:

Hon. Leo Housakos: Honourable senators, with the leave of the Senate and notwithstanding Rule 5-5(j) I move:

> THAT, in accordance with section 2.9 of the *Members of Parliament Retiring Allowances Act*, the entitlement to accrue pensionable service for Senator Wallin be reinstated as of August 3, 2015.

He said: Honourable senators, this is a matter of clerical business, honourable senators. When Senator Wallin's suspension lapsed on August 3, 2015, with the drop of the writ, she was reinstated as per the rules, but according to the procedural rules of Parliament, the motion requires unanimous support of the Senate and/or the House of Commons in order to reinstate the pension plan of the suspended senator.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

BUSINESS OF THE SENATE

FELICITATIONS

The Hon. the Speaker: As we come to the end of the sitting, I would like to wish senators and their families, as well as Senate staff and their families, a very happy holiday and a safe, healthy and prosperous New Year.

Hon. James S. Cowan (Leader of the Senate Liberals): Honourable senators, may I add my words to your good wishes to all the members of our Senate family, both those in the chamber and those who have had urgent business elsewhere over the last couple of hours and are unable to be here, and of course to all of the people who support us every day.

I'm sure that the last few days have been a bit more eventful than we had anticipated when we looked forward to coming back after the election, but a lot has happened, and as is usual and as we've often said, the Senate adapts. We adapt to meet changing circumstances even when they are beyond our control, and I think we've all acted very appropriately to deal with important matters.

It would have been unfortunate if the appropriation bill, which obviously was mishandled in the House of Commons, had come to the Senate and not been corrected and the money that is so desperately needed by so many new Canadians was not available. I thank my colleagues on all sides of the house for coming together to find a way to handle it and get it done.

I also look forward to the work that we've all agreed to do in order to create the kind of parliamentary institution that we can all be proud of, that Canadians can be proud of. We know we can do it. There are many good ideas that we need to explore when we come back, and I hope we return refreshed and renewed and ready to take on the important work that lies ahead.

Happy holidays to everyone, and we look forward to seeing everyone back here at the end of the January.

[*Translation*]

Hon. Claude Carignan (Leader of the Opposition): Mr. Speaker, I would like to join you and Senator Cowan in thanking all senators, employees of the Senate administration and pages for their excellent work.

• (1400)

The year 2015 has been an extremely difficult year, but as the saying goes, "to win without risk is to triumph without glory." This year, I think, we can triumph with glory. Since Parliament resumed, I have noticed a certain willingness to turn over a new leaf and even put some things from our past behind us — certain things that had some negative aspects — and to start a new chapter, ensuring that we, as senators, can work together to carry out our good work and share it with all Canadians, so as to restore the essential bond of trust between our institution and the public.

I want to wish all senators, the members of the Senate administration and the entire team a wonderful holiday season and a very happy new year. I encourage everyone to use this time to recharge and come back at the end of January ready to work hard and pursue the good work we have begun.

In light of this morning's imbroglio, I also want to point out that Senator Cowan and I received a letter during the course of today's proceedings from the Leader of the Government in the House of Commons, and I would like to read it to you now:

> Dear Senator,
>
> I am writing to express my gratitude towards the Senate for how well it handled the procedures regarding the appropriations bill and the Supplementary Estimates (B).
>
> I discussed the critical nature of this file with the President of the Treasury Board and I can assure you that a new process will be put in place in order to ensure that this situation does not happen again.
>
> I greatly appreciate the gracious approach taken by the honourable senators regarding this situation.
>
> Cordially,
>
> The Honourable Dominic Leblanc, PC, MP,
> Leader of the Government in the House of Commons

The members of the House of Commons also appreciate the cooperation of both sides of the chamber. This is a good example of cooperation that could continue in the future.

I wish all of you a Happy New Year and an excellent holiday season. I look forward to seeing you again in good health at the end of January.

[*English*]

ADJOURNMENT

MOTION ADOPTED

Leave having been given to revert to Government Notices of Motions:

Hon. Joan Fraser (Deputy Leader of the Senate Liberals): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, January 26, 2016, at 2 p.m.

The Hon. the Speaker: Is leave granted, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, January 26, 2016, at 2 p.m.)

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