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OFFICIAL REPORT
(HANSARD)

Thursday, November 27, 2014

The Honourable PIERRE CLAUDE NOLIN
Speaker

CONTENTS

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

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THE SENATE

Thursday, November 27, 2014

The Senate met at 1:30 p.m.

SPEAKER OF THE SENATE

COMMISSION APPOINTING
HONOURABLE PIERRE CLAUDE NOLIN

The Honourable Pierre Claude Nolin, having taken the Clerk's chair, rose and informed the Senate that a commission had been issued under the Great Seal of Canada, appointing him Speaker of the Senate.

The said commission was then read by the Clerk.

The Hon. the Speaker then took the chair at the foot of the Throne, to which he was conducted by the Honourable Claude Carignan, P.C., and the Honourable James S. Cowan, the Usher of the Black Rod preceding.

[Translation]

The Hon. the Speaker: Colleagues, before proceeding to prayers, I am taking the liberty to say a few words. Honourable senators, if I may, I would like to take this opportunity to speak to you briefly.

I suspect that many of us are familiar with the tradition in the House of Commons when a new Speaker takes the chair for the first time. The Speaker always expresses reluctance or resistance. The practice in the Senate is somewhat different.

[English]

While I was escorted by my friends, the two leaders, there was no pretence or reluctance. You have always known me to be frank, and I haven't changed this morning. I willingly accepted the commission of the Governor General to serve as Speaker of the Senate.

[Translation]

It is important to note that my mandate is essentially no different than the mandate we were all given when we were appointed to the Senate. That is why I see us all as equals.

[English]

As appointed parliamentarians, as senators, we should treat each other with the same dignity and respect, whether we sit with the government, the opposition, as an independent or as the Speaker.

[Translation]

In that way, we will be better able to work together and discharge our common responsibility to carry out the constitutional mandate of the Senate, which is to provide sober second thought in the important work that we do here.

[English]

My goal as Speaker is to work with all of you so that the Senate can continue to fulfill its parliamentary duties effectively for the good of our great nation. This is my pledge to you.

Thank you.

Hon. Senators: Hear, hear!

Prayers.

• (1340)

[Translation]

SENATORS' STATEMENTS

THE HONOURABLE PIERRE CLAUDE NOLIN

CONGRATULATIONS ON APPOINTMENT AS SPEAKER

Hon. Claude Carignan (Leader of the Government): Honourable senators, today, I am very pleased to acknowledge the appointment of our friend and colleague, the Honourable Pierre Claude Nolin, as the Speaker of the Senate of Canada.

Yesterday, we paid tribute to the Honourable Noël Kinsella, who has retired from his position as a senator and the Speaker of our institution. We talked about his many wonderful qualities. In a way, what we did was to point out just how big the shoes are that he left to fill.

Now that Senator Nolin has been appointed, we know that the right person was picked to take over for Senator Kinsella. Senator Nolin has many years of experience in the Parliament of Canada — both in the House of Commons and in the Senate — and has acquired a great deal of parliamentary knowledge that will surely help him to rise to the challenge of presiding over our chamber.

Senator Nolin is a man of great stature. He is very knowledgeable, of course, but he is also very wise. He is guided by unwavering progressive values of social justice, equality and democracy. He has proven his dedication and devotion to the Senate. By way of evidence, one need only reread the speeches he gave over the past year on the history of the Senate.

On behalf of all my fellow senators, I would like to assure you, Mr. Speaker, of our utmost consideration and cooperation.

As you know, the Senate is at a crossroads, and I am convinced that His Honour Speaker Nolin is the right person for the position and that he will do an exemplary job of modernizing our chamber and the way it operates. It is a new challenge and you are equal to it, Mr. Speaker. I hope with all my heart that it will bring you great happiness.

I congratulate you on your appointment and thank you for all the work you have done here to date and for all that you will do as the Speaker of the Senate of Canada.

Hon. Senators: Hear, hear!

[English]

Hon. James S. Cowan (Leader of the Opposition): Colleagues, I'm delighted to add my voice to that of Senator Carignan in welcoming our friend Senator Nolin as the new Speaker of the Senate.

Senator Nolin brings a wealth of experience to his new position, acquired over 20 years in this place and as our Speaker *pro tempore*, after we unanimously elected him to that position just about a year ago.

It is not often that I enthusiastically support an appointment by Prime Minister Harper, but this is one that I welcome enthusiastically and with great pleasure.

Hon. Senators: Hear, hear!

Senator Cowan: I spoke yesterday of our newly retired Speaker, Senator Kinsella's profound respect for the institution of the Senate and his appreciation of its role within our bicameral, Westminster-style parliamentary system. I know that you, sir, share that understanding and respect.

We have all benefited from the inquiries that you launched on the role of the Senate in our parliamentary system. Your own contributions to those debates demonstrated your commitment to this place and your understanding of each of our roles within that system, which has served Canada so well for so long.

Just as I remarked about your predecessor, so for you, this is not just theory. In 2002, you spearheaded one of the leading policy studies ever produced in this chamber and I refer, of course, to the Special Committee on Illegal Drugs, which you chaired. The study and the four-volume report entitled, *Cannabis: Our Position For a Canadian Public Policy*, was a prime example of the thoughtful, serious, in-depth policy studies that the Senate can do so well.

Senator McCoy's amazing website, which I commend to all of you, notes that your report, which is now universally known as "the Nolin report," has been downloaded over 49,000 times since 2006.

It is with pleasure that, on behalf of all of us on this side, I welcome you to your new position. All of us on this side — and I'm sure I speak for all of us in the house — are anxious to work with you. We wish you every success, and we look forward to working with you in your new role.

Hon. Senators: Hear, hear!

HOMELESSNESS

Hon. Asha Seth: Honourable senators, as the holiday season approaches, we must remember the importance of giving back. A significant portion of our population is experiencing homelessness or insecure housing arrangements at some point in their lives. Recent data suggests that as many as 1.3 million Canadians have been homeless within the past five years and, on any given night in Canada, it is estimated that approximately 30,000 individuals do not have a residence to call home.

I wanted to bring awareness to this hidden crisis and reach out to those in need, and I'm so thankful to the Shepherds of Good Hope for giving me the opportunity to sponsor a holiday lunch today where we fed more than 500 people from the Ottawa community.

I would also like to thank all parliamentarians who came to support me: Senator Enverga, Senator Munson and Joe Daniel, Member of Parliament for Don Valley East.

Our government is working with communities in all provinces and territories, as well as with Aboriginal, rural and remote communities across Canada, to help them to address their obstacles. One of these efforts, called the Homelessness Partnering Strategy, was renewed under Economic Action Plan 2013, with nearly \$600 million in total funding over five years, using a housing-first approach.

Since its implementation, this strategy has already placed over 80,000 people in more stable housing and created more than 5,700 new permanent shelter beds to address immediate needs. It has helped over 34,000 Canadians to pursue education and assisted more than 30,000 people to find employment.

Honourable senators, during this special time of the year, we cannot let our most vulnerable citizens suffer, hungry, cold and alone. Join me in supporting these initiatives and speak on behalf of our homeless Canadians.

MEMORIAL UNIVERSITY

CONGRATULATIONS ON WINNING 2014 G20 GLOBAL BUSINESS CHALLENGE

Hon. Elizabeth (Beth) Marshall: Honourable senators, the G20 Global Business Challenge is a unique and highly innovative competition that attracts top graduate students from leading business schools and universities. It is a business-case competition to design sustainable solutions that incorporate innovative technologies and business models to address a global challenge. It encourages collaboration between business schools, universities, the research community and industry in formulating proposed solutions to address the challenges.

For the 2014 G20 Global Business Challenge, teams were asked to develop an innovative solution to help fight the global freshwater shortage. The objective was to create opportunities

for economic development in regional and remote communities through better management of increasingly-scarce water resources. Water and its increasing scarcity have emerged as a key challenge for governments, industries and communities.

• (1350)

Honourable senators, Team Memorial from Memorial University of Newfoundland and Labrador has been crowned the best in the world, taking the top prize at the 2014 G20 Global Business Challenge, the prestigious international graduate business competition that wrapped up in Australia on November 6, 2014.

Earlier this year, Team Memorial passed the preliminary round of the challenge, where they competed against 40 other groups from 18 countries around the world before being chosen as one of the top 6 finalists. Team Memorial faced stiff competition from teams that included members from institutions such as the University of California, Warsaw School of Economics, the University of Nottingham, among others.

Team Memorial was comprised of alumni Dave Winsor, Daan Goossens, Janine Brophy and Lica Christensen, along with faculty advisor Dr. Peggy Coady, Associate Dean, Faculty of Business Administration, Memorial University. Team Memorial beat out the other five finalists to win.

Honourable senators, please join me in congratulating Team Memorial for showcasing what a team from Canada, in particular from Newfoundland and Labrador, can do. This competition is a testament to Memorial's high calibre of students, graduates and faculty. Congratulations Team Memorial!

ROUTINE PROCEEDINGS

CANADA REVENUE AGENCY

REDUCING PARTICIPATION IN THE UNDERGROUND ECONOMY, 2014-15 TO 2017-18—DOCUMENT TABLED

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, a document entitled: *Reducing Participation in the Underground Economy, Canada Revenue Agency 2014-2015 to 2017-2018*.

ECONOMIC ACTION PLAN 2014 BILL, NO. 2

EIGHTH REPORT OF ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES COMMITTEE ON SUBJECT MATTER TABLED

Hon. Richard Neufeld: Honourable senators, I have the honour to table, in both official languages, the eighth report of the Standing Senate Committee on Energy, the Environment and

Natural Resources, which deals with the subject matter of those elements contained in Divisions 3, 28, and 29 of Part 4 of Bill C-43, A second Act to implement certain provisions of the budget tabled in Parliament on February 11, 2014 and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of the Senate of October 30, 2014, the report will be placed on the Orders of the Day for consideration at the next sitting of the Senate, and the Standing Senate Committee on National Finance is simultaneously authorized to consider the report during its study of the subject matter of all of Bill C-43.

SIXTEENTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE ON SUBJECT MATTER TABLED

Hon. Kelvin Kenneth Ogilvie: Honourable senators, I have the honour to table, in both official languages, the sixteenth report of the Standing Senate Committee on Social Affairs, Science and Technology, which deals with the subject matter of those elements contained in Divisions 5, 7, 17, 20, and 24 of Part 4 of Bill C-43, A second Act to implement certain provisions of the budget tabled in Parliament on February 11, 2014 and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of the Senate of October 30, 2014, the report will be placed on the Orders of the Day for consideration at the next sitting of the Senate, and the Standing Senate Committee on National Finance is simultaneously authorized to consider the report during its study of the subject matter of all of Bill C-43.

SIXTH REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE ON SUBJECT MATTER TABLED

Hon. Irving Gerstein: Honourable senators, I have the honour to table, in both official languages, the sixth report of the Standing Senate Committee on Banking, Trade and Commerce, which deals with the subject matter of those elements contained in Divisions 9, 12, 18, 22, 26, and 27 of Part 4 of Bill C-43, A second Act to implement certain provisions of the budget tabled in Parliament on February 11, 2014 and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of the Senate of October 30, 2014, the report will be placed on the Orders of the Day for consideration at the next sitting of the Senate, and the Standing Senate Committee on National Finance is simultaneously authorized to consider the report during its study of the subject matter of all of Bill C-43.

[Translation]

EIGHTH REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE ON SUBJECT MATTER TABLED

Hon. Dennis Dawson: Honourable senators, in light of Senator Nolin's appointment as Speaker of the Senate, I am both honoured and deeply moved to table, in both official languages, the eighth report of the Standing Senate Committee on

Transport and Communications, which deals with the subject matter of those elements contained in Divisions 2, 6, 10, 11, 16 and 21 of Part 4 of Bill C-43, A second Act to implement certain provisions of the budget tabled in Parliament on February 11, 2014 and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of the Senate of October 30, 2014, the report will be placed on the Orders of the Day for consideration at the next sitting of the Senate, and the Standing Senate Committee on National Finance is simultaneously authorized to consider the report during its study of the subject matter of all of Bill C-43.

THE ESTIMATES, 2014-15

SUPPLEMENTARY ESTIMATES (B)—THIRTEENTH REPORT OF NATIONAL FINANCE COMMITTEE Tabled

Hon. Joseph A. Day: Honourable senators, I too am very pleased that Senator Nolin has been appointed as Speaker of the Senate, and I have the honour to table, in both official languages, the thirteenth report of the Standing Senate Committee on National Finance, which deals with the expenditures set out in the Supplementary Estimates (B) for the fiscal year ending March 31, 2015.

(On motion of Senator Day, report placed on the Orders of the Day for consideration at the next sitting of the Senate.)

AVIATION INDUSTRY INDEMNITY ACT

BILL TO AMEND—NINTH REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE PRESENTED

Hon. Dennis Dawson, Chair of the Standing Senate Committee on Transport and Communications, presented the following report:

Thursday, November 27, 2014

The Standing Senate Committee on Transport and Communications has the honour to present its

NINTH REPORT

Your committee, to which was referred Bill C-3, An Act to enact the Aviation Industry Indemnity Act, to amend the Aeronautics Act, the Canada Marine Act, the Marine Liability Act and the Canada Shipping Act, 2001 and to make consequential amendments to other Acts, has, in obedience to the order of reference of Wednesday, October 8, 2014, examined the said bill and now reports the same without amendment.

Respectfully submitted,

DENNIS DAWSON
Chair

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

(On motion of Senator Martin, report placed on the Orders of the Day for third reading at the next sitting of the Senate.)

[English]

CRIMINAL CODE CANADA EVIDENCE ACT COMPETITION ACT MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT

BILL TO AMEND—SEVENTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE PRESENTED

Hon. Bob Runciman, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, November 27, 2014

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

SEVENTEENTH REPORT

Your committee, to which was referred Bill C-13, An Act to amend the Criminal Code, the Canada Evidence Act, the Competition Act and the Mutual Legal Assistance in Criminal Matters Act, has, in obedience to the order of reference of Wednesday, November 5, 2014, examined the said bill and now reports the same without amendment.

Respectfully submitted,

BOB RUNCIMAN
Chair

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

(On motion of Senator McInnis, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

ECONOMIC ACTION PLAN 2014 BILL, NO. 2

EIGHTEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ON SUBJECT MATTER Tabled

Hon. Bob Runciman: Honourable senators, I have the honour to table, in both official languages, the eighteenth report of the Standing Senate Committee on Legal and Constitutional Affairs, which deals with the subject matter of those elements contained in Division 4 of Part 4 of Bill C-43, A second Act to implement certain provisions of the budget tabled in Parliament on February 11, 2014 and other measures.

The Hon. the Speaker: Honourable senators, pursuant to the order of the Senate of October 30, 2014, the report will be placed on the Orders of the Day for consideration at the next sitting of the Senate, and the Standing Senate Committee on National Finance is simultaneously authorized to consider the report during its study of the subject matter of all of Bill C-43.

• (1400)

STATUTE LAW AMENDMENT PROPOSALS

NINETEENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE Tabled

Hon. Bob Runciman: Honourable senators, I have the honour to table, in both official languages, the nineteenth report of the Standing Senate Committee on Legal and Constitutional Affairs entitled: *Proposals to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain provisions that have expired, lapsed or otherwise ceased to have effect*, tabled in the Senate on May 15, 2014, which was referred to the committee on Wednesday, May 28, 2014.

[Translation]

QUESTION PERIOD

FINANCE

BUDGET—CHILDREN AND YOUTH

Hon. Céline Hervieux-Payette: Honourable senators, the Leader of the Government in the Senate will be happy to know that I am coming back to a topic that we talked about last Thursday when I asked him about children in Canada. He responded that their situation had improved, in spite of the financial crisis. He also quoted David Morley, the president and CEO of UNICEF Canada, who said that Canada is doing better than other Western countries. I was obviously eager to read the comments, which probably came from the same document my colleague was quoting. That was the positive aspect of the leader's response.

However, that same individual said that although Canada is doing better than other countries, the child poverty rate remains very high at nearly 21 per cent. In Norway, the rate is 5 per cent; in Finland, it is 8 per cent; in Sweden it is 12 per cent; and in Australia, which is similar to Canada, the rate is 13 per cent. I remind senators that our rate is 21 per cent.

I also want to share another part of Mr. Morley's report card, which says that the good news is that between 2008 and 2012, 180,000 children were lifted out of poverty in Canada. The bad news is that the situation deteriorated for the poorest families. The number of poor children did not increase, but the poorest children slid deeper into poverty.

With a child poverty rate at 21 per cent and a situation that has gotten worse for the poorest families, we need to be cautious

about the government's policies, in light of these announcements. I don't need the leader to list all of the tax credits and new cheques that families will get every month. We are well aware of all of that.

I'd like to know whether you're prepared to appoint a children's commissioner to ensure that national policies make children a priority during periods of economic turmoil. Is your government prepared to accept David Morley's recommendation?

Hon. Claude Carignan (Leader of the Government): Senator, I understand your question and the fact that you don't like my answers because they put the spotlight on our government's attributes and efforts. Given the partisan spirit that sometimes moves you, I understand that you don't like that kind of answer. However, that is the reality.

You quoted what Mr. Morley said during his interview or in his statement. However, you left out some of the quote, when he says the following about Canada:

I think that's really impressive. It's better than the majority of other countries did during the recession.

He made those remarks to the Canadian Press on October 28, 2014.

Consequently, senator, we will continue to invest in and give money to families and children, even if it upsets you. Every Canadian family with children will benefit from our latest tax breaks, including the improved and expanded Universal Child Care Benefit, which will be worth nearly \$2,000 a year for every child under 6 and \$720 a year for every child between 6 and 17, as well as lower taxes for families. Low- and middle-income families will benefit the most from these measures.

I don't understand why you rise in this chamber and say, "Whatever you do, don't talk about the good things you're doing for families."

Senator Hervieux-Payette: To come back to the question, are you or are you not in favour of appointing a commissioner for children?

Senator Carignan: Our government believes that children have the right to live, learn and play without being victims of violence, exploitation or mistreatment. We believe that children have the right to good health. That is why our international development priority is to improve the health of mothers and children around the world. We are helping developing countries with their health care systems.

As far as Canada is concerned, I repeat that Canadian families are wealthier thanks to our government and its tax cuts, tax measures and various improvements, such as the universal benefits we implemented. That is what we will continue to do to protect our children and ensure that they live in a positive and economically-viable environment.

Senator Hervieux-Payette: Mr. Leader, we know that you've given almost \$2,000 to families with one child. However, I would like to remind you that the Canadian Centre for Policy Alternatives just released a study that lists the cities with the

most affordable child care and the cities with the least affordable child care in Canada. For example, in Gatineau, parents pay roughly \$150 a month per child. Multiply that number by 12 and apply your measures to get the annual amount.

However, I am reading in the papers that the government is wondering whether parents in Quebec will be able to use the same tax deductions and tax credits, when in Toronto a family with one child pays \$1,675 a month in child care. If you multiply that number by 12, you can see that \$2,000 does not go very far.

A large proportion of women in Canada pursue post-secondary studies and have access to a career. Providing accessible child care services to everyone is an initiative in Quebec that has not been attempted in the rest of Canada.

The OECD has also published some data on this. Out of 39 countries, Canada ranks 35th. Bulgaria, Romania, Korea, Hungary, Latvia, Lithuania and other countries contribute more to child care services at this time. In Canada, however, there have been threats from the outset that Quebecers will not have the same access.

I would like to know why an intelligent person in Canada might think that Quebecers, who have a good child care system — which is improving — should be penalized compared to the rest of Canada because the current government does not understand or support Quebec's policy.

• (1410)

Senator Carignan: Once again, senator, this isn't the place for that discussion. The National Assembly would probably be the best place to ask that question. According to media reports, the program you are referring to will be undergoing major reforms.

We'll keep working to make sure Canadian families keep more of their money in their pockets. We have increased transfers to the provinces and territories by over \$4 billion through the Canada Social Transfer. I can see that you don't like what I'm telling you, but back in the day, the Liberals cut provincial transfers.

Senator Hervieux-Payette: Mr. Leader, I hope you're not thinking that when you send families a cheque, they can't use it to pay for daycare. I think that is up to families, but I think that most Quebec families choose to send their kids to daycare when there is a space available. That is not a provincial or federal policy. That is a family policy.

I am well aware of the jurisdictions that apply here, but we're talking about the federal government's contribution. Twice, I read in *Le Devoir* that Quebec might not get the same tax credit as the other provinces because of its daycare system. Can you explain to me why anyone would even consider not giving Quebec families the same help that families in the rest of Canada get?

Senator Carignan: Senator, I wouldn't want to denigrate media such as *Le Devoir*, but if you want to know more about our government's policies, I encourage you to read the Economic Action Plan that we adopt every year.

TARGET BENEFIT PENSION PLANS

Hon. Pierrette Ringuette: Mr. Speaker, you have no idea how happy your words made me. Honourable senators, this question came to me in response to our invitation to Canadians to send Liberal senators any questions they would like to ask the government.

My question is for the Leader of the Government in the Senate. It was sent to us by Brian Leclerc from Greenfield Park, Quebec. Mr. Leclerc asks the following question:

Why is the Conservative government determined to introduce a bill to convert defined benefit pension plans into target benefit pension plans for federally regulated companies? It is shameful for the government to target workers' pension plans for the companies' benefit. These pension plans were negotiated in good faith by the parties and should remain intact. Otherwise, the middle class and seniors will become impoverished and that sad reality will destroy the quality of life of millions of workers.

Hon. Claude Carignan (Leader of the Government): As I said in response to a similar question that was asked by another Canadian, it would be nice if you posted the government's responses to people's questions on your website, particularly questions about target benefit pension plans.

As I have said before, to ensure that the target benefit framework is the best possible reflection of the opinions of employees and employers, our government held public consultations for 60 days. Those consultations brought together pension experts, defined contribution and benefit plan sponsors, unions, actuaries, lawyers and groups of retirees. Everyone was invited to share their comments and recommendations on target benefit pension plans.

Canadians are invited to go to the Finance Canada website to read dozens of presentations that were submitted during our consultations. We received many comments on the proposed target benefit plan framework, which aims to increase the number of employers that can offer their employees an affordable workplace pension plan with a predictable pension in retirement.

We have been very clear that the target benefit plan will be a voluntary option based on consent — I want to emphasize the words “voluntary” and “consent” — and we look forward to presenting our proposal. I would ask that the opposition wait until the framework has been presented before senators start criticizing it.

Senator Ringuette: I congratulate the government for holding consultations, which has not always been the case when it comes to other subjects.

I can confirm that the replies we receive to the questions asked by Canadians are posted on our website. You said that you are going to introduce a bill. Can you tell us approximately when you plan to do that? Is it a bill that will set out a certain measure that will have to be taken in the private sector?

Senator Carignan: As I said, the target benefit plan will be a voluntary program and will depend on the consent of all parties. I am pleased to hear that you are posting the replies you get to the questions from Canadians. I hope you will underscore the following on your website: the target benefit plan is a new and innovative option that will provide federally-regulated private sector companies and Crown corporations with a third pension option.

Target benefit plans would offer a new, sustainable and flexible pension option in which pension benefits and contributions can be adjusted to respond to the financial position of the plan and would provide a high probability of benefit security for plan members and retirees through both favourable and adverse market conditions. As I said, the contents of the plan proposed to the parties will be released in the coming months.

Senator Ringuette: Mr. Speaker, I am really trying to get an answer to this individual's questions. Is this a program or a bill? Have you scheduled a date for introducing this program or bill in order to allay the concerns of Canadian workers?

Senator Carignan: If you want to allay the concerns of Canadian workers, then post the answers we're giving you on your website. The program —

[English]

Senator Cowan: We are.

[Translation]

Senator Carignan: — is optional and will require consent.

[English]

ABORIGINAL AFFAIRS AND NORTHERN DEVELOPMENT

FIRST NATIONS FINANCIAL TRANSPARENCY ACT COMPLIANCE

Hon. Lillian Eva Dyck: Thank you, Your Honour, and I offer my warmest congratulations.

My question is for the Leader of the Government in the Senate, and it has to do with Bill C-27, the First Nations Financial Transparency Act, which came into effect in July of this year.

• (1420)

Just to refresh your memory, this act requires First Nations to post on the AANDC website their audited consolidated financial statements, including their own-source revenues, that is, money that they themselves generate that they don't get from the government.

At the time, the government's main push for this bill was based on the misinformation that band members couldn't get this information when, in fact, they could if the department had released it to them.

When we studied this bill at committee, Chief Roland Twinn, who was then the Grand Chief of Treaty 8, said to our committee:

The approach taken by Bill C-27 simply reinforces the great-white-father-knows-best syndrome rather than releasing the potential of our people. It will cause great resentment rather than build relationships.

He went on to say that, in fact, indigenous treaty nation governments are more accountable, with annual audits and the onerous reporting requirements that they already supplied to the minister each year without the need for Bill C-27.

Recently, Bill Curry in *The Globe and Mail* recounted that last night at midnight was the deadline for First Nations to comply with the First Nations Financial Transparency Act. At press time, 521 of 582 First Nations had complied. Only 61 were not compliant, and yet Minister Valcourt said that starting Thursday "definitely [for] those that do not comply, we will start withholding funds immediately."

How can the minister justify withholding funds immediately for the 61 non-compliant First Nations, when we know that all First Nations are underfunded and when we know that it wasn't even necessary to enact the First Nation Fiscal Management Act in order for band members to access their band's financial information? The act was redundant, so how can the minister justify withholding funds?

[Translation]

Hon. Claude Carignan (Leader of the Government): I am always a bit disappointed when I hear the senator speak out against a law that promotes transparency. With the comments that she made earlier this week about the bill on unions and the ones she made today, that makes twice this week. I am always a bit disappointed by that.

With regard to the First Nations Financial Transparency Act, our government expects First Nations band councils to use public funds responsibly in a way that serves the interests of all members of the community. This legislation was implemented to ensure that First Nations band members have access to the information they need and are entitled to regarding the basic financial management practices of their chiefs and councils. It applies the same principles of transparency and accountability to First Nations governments as those that already exist for other governments in Canada.

We are therefore pleased that over 90 per cent of First Nations band councils have complied with the act. We expect all of the band councils to comply, and we want to be very clear: from now on, the government will suspend any non-essential funding for bands that do not comply with the act.

[English]

Senator Dyck: Honourable senators, CBC News obtained a letter sent by the Department of Aboriginal Affairs to First Nations and it outlines the range of measures that the government

will take against those 61 First Nations that didn't comply as of midnight last night. It's really a series of increasingly severe sanctions or threats.

For example, today they're going to immediately start cutting funding, but starting on December 12, the government could choose not to provide for new or additional non-essential program services and activities. In other words, they'll increase the cuts. Also on December 12, the government could either halt funding or terminate funding agreements altogether. Now, that is really a draconian measure.

My question to the Leader of the Government, and I promise I will continue to disappoint you in my questioning, is: How can the minister justify such severe sanctions as terminating funding to First Nations who refuse to post their financial information online when the government full well knows that the band members can get that information from AANDC itself?

[Translation]

Senator Carignan: Senator, the good news is that 90 per cent of the First Nations band councils have complied with the act, and we expect all of the band councils to comply. You alluded to this in your question. For us, it is clear that from now on, the government will suspend any non-essential funding for bands that do not comply with the act.

[English]

Senator Dyck: I think I'll skip to my last question.

You say 90 per cent of the bands have complied with the law and a small percentage have not. The news today is that Chief Wallace Fox from the Onion Lake First Nation, Treaty 6 territory, has filed a \$50 million lawsuit against the Government of Canada, saying that this act is unconstitutional; that this act is not what you say it is.

If you go to page 18 of the lawsuit, which is actually posted on APTN website, what happened with Bill C-27 — and this was pointed out when we dealt with it at third reading — was that it actually contravenes the Access to Information Act of 1985 that says that the government is not allowed to release private financial information. That is exactly what Bill C-27 is going to do. It's forcing First Nations to release their own-source revenue, money that belongs to them that has not come from the taxpayers, that has not come from the department. Bill C-27 contradicted another act, so Chief Fox is taking the government to court.

How can the government possibly continue to threaten sanctions when you know that Bill C-27 itself is unlawful?

[Translation]

Senator Carignan: Senator, I don't want to comment on a case that is currently before the courts. In addition, I was chastised last week for giving a lecture on politics and then on history. It is not my intention to now give you a lecture on interpreting laws to know which one has precedence over another.

What is important here is that First Nations members, like all Canadians, are entitled to transparency and accountability from their leaders. Our government passed the First Nations Financial Transparency Act to enable First Nations members to demand accountability and be kept informed of the financial management of their communities. This act helps ensure that First Nations governments are more effective, more transparent and more accountable, which will help create stronger, more autonomous and more prosperous Canadian communities.

[English]

Senator Dyck: You know, it's interesting about the way the government is posting the financial information with regard to salaries for chief and band councillors. If you look at the salary for Chief Clarence Louie, who is often brought out as a model leader because he has taken the Osoyoos First Nation from being almost in third-party management to a very prosperous First Nation with very high employment — he is often trotted out as a model citizen for that, and I congratulate him — but if you look on the website it says his salary was \$146,369. In fact, that is highly misleading. Mr. Louie said his pay as chief is only about \$18,000 a year. The rest of that money, some \$120,000-odd, is money that he gets from other jobs that he does.

The way the government is posting salaries is misleading Canadians. Will the government go back to its website and, if it's going to post salaries, that's fine, but make sure that it breaks the salaries down so that it lists the money that comes from the Aboriginal Affairs and monies that come from elsewhere, instead of lumping them all together, so that people like the Canadian Taxpayers Federation don't come out and say, "This man is earning an enormous amount of money. It's taxpayers' money." It is not all taxpayers' money.

• (1430)

[Translation]

The Hon. the Speaker: I don't think there was a question.

Senator Carignan: I didn't hear the question mark. I don't know if that was a question.

[English]

Senator Dyck: I asked if you would change the way the salaries are posted.

[Translation]

Senator Carignan: Our government expects First Nations band councils to manage public funds responsibly in a way that serves the interests of all community members. We also expect them to comply with the act and follow the rules. Our government will be suspending non-essential funding for bands that do not comply with the act.

[English]

ORDERS OF THE DAY

IMMIGRATION AND REFUGEE PROTECTION ACT CIVIL MARRIAGE ACT CRIMINAL CODE

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Ataullahjan, seconded by the Honourable Senator Beyak, for the second reading of Bill S-7, An Act to amend the Immigration and Refugee Protection Act, the Civil Marriage Act and the Criminal Code and to make consequential amendments to other Acts.

Hon. Elaine McCoy: Thank you, Your Honour. May I take my first opportunity to congratulate you on your appointment as Speaker of this house? I want to say thank you to the Leader of the Government and the Deputy Leader of the Government, who were kind enough to give me a call earlier and ask if I would join in the statements with the two leaders to speak on behalf of the independents to ensure that we have unanimous delight in your appointment. I'm sorry that I had another commitment and could not be here. This is my first opportunity.

I was pleased that you spoke as being one of many and pointed out the difference with the House of Commons. I was hoping you would tell the story, because some might not know it. Those of us who were MLAs, or in my case also a minister, know the story well. It goes back to the dark old days in our British tradition when the king was not always the friend of Parliament, the House of Commons in particular.

With the House of Lords, there was a sort of easy-uneasy relationship, but they were more equals with the royal personage. But the Commons had no such defence, and so it was not unusual for the king to swoop in and pick one of them up and execute them. So it was a bit of a damage control move.

The commoners got together and said, well, if one of us has to go, let's just make it one; we will designate one person as Speaker, and we will only speak through that person. In the House of Commons, it is improper — in fact, will not be tolerated — for one MLA, MP or MPP to address another directly. You must always go through the Speaker. But the reason why the Speaker is somewhat reluctant to be elected is because he or she is expected to be the scapegoat if there is any such lethal activity. Whereas our Speaker is one amongst equals, as you said, and very pleased to be. Your dedication to and love for this institution is indeed what puts us all in good hands. Thank you very much.

I had an opportunity to quickly review the comments of both Senator Carignan and Senator Cowan, and I do fully endorse them. And thank you, Senator Cowan, for your compliment on my website. I appreciate that very much.

Speaking now to Bill S-7, in picking up the thread from where orderly proceedings had been interrupted yesterday, I want you to know that I did reach out to Senator Eaton and Senator Jaffer today. I wanted to ensure that Senator Eaton had another opportunity to finish her line of questions. Senator Jaffer and she are working together again, as you would say, appropriately, given the dignity of this institution. They will pursue their conversation and interchange, and so I am not called upon to facilitate that anymore.

I will say, while I'm on my feet on this bill, that I notice that the conversation began to move in the direction of polygamy, for example, and it does not surprise me in some ways because that topic is quite current. It was only two weeks ago that many of us probably noticed in the *New York Times* an article that said the Mormon church had put on its website the story that their founder, Joseph Smith, had in fact had 40 wives, at least one under the age of 14 or 15. This brought alive the speculation, I suppose, about practices that were rooted in that particular tradition and some of which we see here in Canada, still allegedly proliferating. Like many of us, we would not be too happy about that.

But what I'm really distressed about, knowing and having known, as most of us do, many active members of the Mormon church, that somehow they are being characterized as a barbaric culture. There is something about the title of this act that is really below the dignity of this chamber. It is characterizing and demonizing groups without specification or justification, if I may say so. It smacks of rabid emotionalism. It frankly smacks of extremism.

It's unwonted, for sure. Talk about impulse control — as in the provocation defence — there is no impulse control behind that title. It is the worst kind of name-calling that you see in the lowest form of political rancour. It is not what you would expect a senior chamber like the Senate of Canada to endorse.

What are we saying? Is polygamy a legacy of a barbaric culture? The only example we have of that in our country comes from the Mormon church. Is the Mormon church a barbaric culture?

This bill also addresses honour killing. The example that leaps to my mind comes out of Pakistan, where I read most of the stories about honour killing.

Senator Ataullahjan, who is the sponsor of this bill, is she saying Pakistan is a barbaric culture? She is a Pakistani; she is an immigrant. Is she really saying that that's what I or others are being encouraged to think? This is name-calling at its worst.

Now, it is also missing the issue. I think the issue is protecting innocents, often women and children — boys and girls, mostly girls — from harmful behaviour for which we as Canadians have a zero tolerance.

• (1440)

I'm all behind it; I'm there, absolutely. Let's match the title to the evil that we are addressing. Let's call it the "Harmful Practices Act." Let's call it the "Protection of Women and Children Act." Let's zero in on the issue and do it in a dignified manner. Let's

not, ourselves, become an echo of extremists here in Canada or anywhere else in the world. Let us be our chamber of second sober thought. Let us play our role as a council of elders and let us at least address the title of this act, which I encourage the committee to do.

I also have some grave concerns about the substance of the bill. I honestly don't know that the attempt to criminalize some of these activities is indeed going to address the very evil that is being identified. It won't correct the evil or to help the victims of such evil behaviour.

Under provocation, for example, Senator Jaffer said it.

I'm a lawyer as well, although this is not my area of practice. Honour killings have not in the past and will not in the future, in our system, condone murder. They are no excuse for murder. You get convicted of murder for an honour killing. This is already precedent on the books for that. So please, senators, there may be Canadians out there who are misled by erroneous information being somewhat cavalierly bruted about by some people, but once again our role here is to give sober second thought and to give rational, considered thought to these measures.

Again, I trust our Legal Committee will thoroughly canvass the proposed legislation and call in the witnesses who will share their expertise and opinions, as normally happens, and bring this matter back to the house with some well-considered amendments. Thank you.

Hon. Salma Ataullahjan: May I ask a question? Senator McCoy, I just wanted to clarify that nowhere have I called any country barbaric. I have called the act of honour killing barbaric.

Senator McCoy: The question? Your question? I will comment; I'm happy to comment, and I am pleased to hear that. I said and I will say this, too: I have no doubt that you didn't name this bill. I'm sure it was handed to you by some politician or maybe, even worse yet, a political aide who is more used to the rambunctious and somewhat insalubrious name calling that goes on in certain political circles.

Senator Ataullahjan, I am sure as a Pakistani immigrant that you would not want to see your traditions characterized in that way. But the danger of it is what I was pointing out, and I'm sure you would rather remove that danger of it being misunderstood by Canadians beyond this chamber. Thank you.

The Hon. the Speaker: Senator Ataullahjan, I think I understood you had a question, but it was a comment, and the rules do not allow that. Senator Ataullahjan has already spoken. If she speaks it will terminate the debate on second reading, and that is probably not what the house wishes, unless the house is ready for the question, which I am ready to entertain.

Senator Martin: Question.

The Hon. the Speaker: Is the house ready for the question? It was moved by Honourable Senator Ataullahjan, seconded by the Honourable Senator Beyak, that this bill be read the second time.

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

Some Hon. Senators: No.

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

The Hon. the Speaker: The motion is adopted on division.

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

REFERRED TO COMMITTEE

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

Hon. Salma Ataullahjan: I move that this bill be referred to the Standing Senate Committee on Human Rights.

Hon. James S. Cowan (Leader of the Opposition): I wish to ask Senator Ataullahjan a question on her motion.

The Hon. the Speaker: I heard "Human Rights." Did the honourable senator say "Human Rights" or "Legal"?

Senator Ataullahjan: It was the Human Rights Committee.

Senator Cowan: I was wondering if the honourable senator might explain the choice of committee. This is an amendment to the Criminal Code. Why would it go to the Human Rights Committee rather than the Legal Committee?

The Hon. the Speaker: Senator Ataullahjan, that is a fair question put to you.

Senator Ataullahjan: I think some of the issues we are dealing with are human rights issues. We are talking about honour killings and rights of women. I think those are human rights issues, and it should go to the Human Rights Committee.

Senator Cools: I would vote against that.

An Hon. Senator: Yes.

The Hon. the Speaker: Colleagues, I've already allowed one question, and I thought it was fair, but we cannot debate the motion. Honourable senators can vote against, definitely.

Senator Cools: Perhaps Your Honour could solve the problem by Senator Ataullahjan closing the debate formally and telling us those things.

The Hon. the Speaker: The debate is formally closed. The bill was read the second time. We are now in the motion to send the bill to a committee. If honourable senators don't agree, you can always vote against the motion; and if you agree, you can always vote in favour.

Those honourable senators in favour of the motion will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Those honourable senators who are opposed to the motion will please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “yeas” have it.

And two honourable senators having risen:

The Hon. the Speaker: Whips, will you instruct me on the time, please?

Please, colleagues, order.

Hon. Jim Munson: Mr. Speaker, there are committees going on, so we will agree to a 30-minute bell.

The Hon. the Speaker: Is 30 minutes agreeable? The vote to send the bill to the committee will be held at 3:17.

Call in the senators.

• (1510)

Motion agreed to on the following division:

YEAS
THE HONOURABLE SENATORS

Ataullahjan
Batters
Bellemare
Beyak
Black
Boisvenu
Carignan
Dagenais
Doyle
Eaton
Enverga
Frum
Gerstein
Greene
Housakos
Lang
LeBreton
MacDonald
Manning
Marshall
Martin

McInnis
Meredith
Nancy Ruth
Neufeld
Ngo
Ogilvie
Oh
Patterson
Plett
Poirier
Raine
Rivard
Runciman
Seidman
Seth
Smith (*Saurel*)
Stewart Olsen
Tannas
Wallace
White—41

NAYS
THE HONOURABLE SENATORS

Chaput
Charette-Poulin
Cools
Cordy
Cowan
Dawson
Day
Downe
Dyck
Eggleton
Fraser
Hervieux-Payette

Jaffer
Joyal
Lovelace Nicholas
McCoy
Merchant
Mitchell
Moore
Munson
Ringuette
Rivest
Sibbeston
Tardif—24

ABSTENTIONS

Nil.

• (1520)

Senator Munson: Your Honour, a point of order on those numbers: Did I hear those numbers right?

Senator Downe: Recount.

The Hon. the Speaker: It’s not exactly a point of order, but you want it very clear. So people can have the numbers repeated.

The Clerk: Yeas 41, nays 24, abstentions nil.

Senator Munson: I thought he had said 44. That’s what I was hoping.

ADJOURNMENT

MOTION ADOPTED

Hon. Yonah Martin (Deputy Leader of the Government), pursuant to notice of November 26, 2014, moved:

That when the Senate adjourns today, it do stand adjourned until Tuesday, December 2, 2014 at 2 p.m.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: On division.

(Motion agreed to, on division.)

[The Hon. the Speaker]

BLACK APRIL DAY BILLNINTH REPORT OF HUMAN RIGHTS
COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Ataullahjan, seconded by the Honourable Senator Meredith, for the adoption of the ninth report of the Standing Senate Committee on Human Rights (Bill S-219, An Act respecting a national day of commemoration of the exodus of Vietnamese refugees and their acceptance in Canada after the fall of Saigon and the end of the Vietnam War, with amendments), presented in the Senate on November 20, 2014.

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

Hon. Senators: Agreed.

(Motion agreed to and report adopted.)

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

(On motion of Senator Ngo, bill placed on the orders of the day for consideration at the next sitting of the Senate.)

DIVORCE ACTBILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Cools, seconded by the Honourable Senator Segal, for the second reading of Bill S-216, An Act to amend the Divorce Act (shared parenting plans).

Hon. Yonah Martin (Deputy Leader of the Government): Honourable senators, I have received a message regarding the fact that Senator McCoy does not intend to speak to this. I'd like to adjourn this motion in my name.

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

Hon. Senators: Agreed.

(On the motion of Senator Martin, debate adjourned.)

• (1530)

[Translation]

THE SENATEMOTION TO RECOGNIZE THE SECOND WEEK OF MAY
AS INTERNATIONAL MATERNAL, NEWBORN, AND
CHILD HEALTH WEEK ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Seth, seconded by the Honourable Senator Plett:

That the Senate recognize the second week of May as “International Maternal, Newborn, and Child Health Week,” with the goal of engaging Canadians on the health issues affecting mothers, newborns, and children in Canada and around the world; reducing maternal and infant mortality; improving the health of mothers and children in the world’s poorest countries; promoting equal access to care to women and children living in households of lower socioeconomic status, those with lower levels of education, those living at or below the low-income cut-off, those who are newcomers, and those groups who live in remote and sparsely populated areas of Canada; and preventing thousands of mothers and children from unnecessarily dying from preventable illnesses or lack of adequate health care during pregnancy, childbirth and infancy.

Hon. Céline Hervieux-Payette: Honourable senators, I too would like to tell our Speaker that I am delighted he was appointed as Speaker of the Senate, and I am equally delighted that he is still here to preside at this hour because his deputy is not yet in office. We are making you work more than usual.

Honourable senators, I rise today to ask you to support the motion moved by my colleague, the Honourable Asha Seth, to recognize the second week of May as international maternal, newborn and child health week.

I would like to take this opportunity to wish her a very healthy, happy retirement filled with interesting projects, and to thank her for her excellent service here in the Senate. Maybe it will bring a smile to her face when she sees me because I know she has been expecting this speech for some time. Celebrating the health of mothers and children, the world’s most vulnerable people, is a goal we should all take to heart.

To begin, let’s talk about maternal health. According to UNICEF, a woman dies from complications in childbirth every minute, and 99 per cent of them live in developing countries. That means that more than half a million women die each year giving birth. Many of the other women who survive suffer from birth-related disabilities and don’t receive any of the treatment required for their condition.

Those disabilities can include injuries to pelvic muscles and organs or the spinal cord. In the United States, even today, approximately 15 women die during pregnancy or childbirth for every 100,000 live births. That rate is still too high. However, just

a century ago, the rate was closer to 600 women for every 100,000 live births. During the 17th and 18th centuries, the mortality rate was twice as high.

The current figures in Canada are essentially the same as those in the United States. Our maternal mortality rates are now among the lowest in the world, even lower than the Americans'.

Honourable senators, there are no fatalities. In a westernized world, we have managed to see a dramatic drop in maternal mortality over the past 70 years, notably thanks to modern obstetrics, prenatal care, blood banks, antibiotics, improvements in surgical techniques and better nutrition for women, as well as birth control. Reliable, safe and legal forms of contraception have enabled women to control and plan their pregnancies. That has resulted in fewer illegal abortions, which has always been one of the leading causes of death among pregnant women. This would be a fitting moment to point out that my paternal grandmother died during her 14th pregnancy.

It is therefore impossible to talk about maternal and child health in developing countries without talking about family planning, contraception and safe and legal access to abortion, as former Secretary of State Hillary Clinton pointed out in 2010 during the press conference held at the conclusion of the G8 Foreign Ministers Meeting.

However, Prime Minister Harper deliberately decided not to fully respect women's rights. In a news release dated May 10, 2010, the Fédération des femmes du Québec indicated, and I quote:

Every year, approximately 35 million abortions are performed in poor countries, most of them in unsanitary and unsafe conditions. . .

I have seen this in countries like Haiti.

. . . Five million women are hospitalized each year for complications related to an unsafe abortion, and 70,000 women die from them. By refusing to fund abortion services in its maternal health initiative, the Conservative government is undermining the rights of women in the poorest countries and the rights of women here in Canada. This refusal mirrors former President Bush's anti-choice policies.

It is not up to the government to decide what is moral and what is not, or to get involved in a man or woman's most intimate choices. Governments do not have to take on the role of churches. In Canada, we elect a prime minister, not a pope. The Conservatives like to portray themselves as defenders of individual liberty and freedom of religion. This is what I have to say to them: join the Liberals in defending freedom of conscience.

Canadian organizations working in the field of sexual and reproductive health have also criticized the government's lack of consistency regarding women's health. The Abortion Rights Coalition of Canada is of the opinion that the government cannot take a stand against the forced marriage of young girls or against rape as a weapon of war while refusing to provide access to abortion in developing countries, where young girls are more likely to die in childbirth than adult women.

This brings me to children's health. According to the report entitled *Because I am a Girl*, produced by an NGO called Plan, which supports social justice for children in developing countries, 71 per cent of girls in West Africa, 55 per cent of girls in Asia, 48 per cent of girls in East and Southern Africa, and 42 per cent of girls in Central and South America cannot decide if they get pregnant. Girls in all regions do not receive any sexual education and do not know how to protect themselves. Teens must quit school as a result of pregnancy or forced marriage, and they end up living in extreme poverty.

The number of young girls who die as a result of unsafe abortions is worrisome. We need to consider these injustices in our fight to improve maternal health, and we must not ignore the options of family planning, abortion and contraception.

According to the World Health Organization, UNICEF and the World Bank Group, new estimates in *Levels and Trends in Child Mortality 2014* show that in 2013, 6.3 million children under five died from mostly preventable causes. That represents 17,000 child deaths every day as a result of mostly preventable causes. The leading causes of under-five deaths are pre-term birth complications, complications during labour and delivery, and under-nutrition, which contributes to nearly half of all under-five deaths.

During her speech last May, Senator Seth spoke about some maternal and child health issues, pointing out that motherhood at a young age is more common in low-income, immigrant and Aboriginal communities. She said that there were added considerations and risks, and that the Canadian Perinatal Surveillance System reported that young mothers are at an increased risk for physical abuse and are also more likely to smoke. Senator Seth also spoke about the challenges of a later pregnancy and delivery, as well as the health of mothers and children in the First Nations.

Allow me to add an aside here. The report series titled *A Statistical Profile on the Health of First Nations in Canada*, on Health Canada's website, was archived on June 24, 2013. It has not been updated since. It still presents the same page on funded health programs provided to members of First Nations living on reserve and to the Inuit in the Far North.

This page included the Maternal and Child Health program — I know a little bit about it because my daughter worked in that sector — the effectiveness of which is commended by the Aboriginal communities. The purpose of the program was to support pregnant First Nations women and families with infants and young children, who live on reserve, so they could reach their fullest developmental and lifetime potential.

This program was cut by the Conservative government. That is rather odd behaviour for a government that claims that Canada is a world leader when it comes to maternal and child health. In fact, the child mortality rate in Manitoba is twice as high among First Nations as it is for the rest of the population.

On its website, Health Canada now talks about a federal government strategic plan to support First Nations and Inuit health, but its effectiveness cannot be measured for lack of statistical data.

If our Prime Minister were truly concerned about Aboriginal women and mothers, he would have agreed to hold a national inquiry into their murders and disappearances. So ends my aside.

• (1540)

In her speech, Senator Seth also emphasized the fact that children living in households of lower socio-economic status, those living below the low-income cut-off and those with lower levels of education reported maternal experiences like abuse, high levels of stress, symptoms of postpartum depression and higher proportions of at-risk behaviours such as smoking and the use of street drugs prior to and during pregnancy.

Let's pause for a moment and talk about abuse. Just as it is impossible to ignore women's sexual and reproductive health when we are talking about maternal health, so it is also impossible to ignore the issue of corporal punishment as a form of discipline when talking about children's health.

Once again, the Conservatives are responding to the problem of child-rearing violence with ideology. Once again, the government is claiming to be some sort of master of morals based on religious beliefs, instead of listening to facts and science, and particularly the Canadian medical community.

Health care professionals have been crystal clear about the psychological and physical consequences of child-rearing violence and the toxic environment it creates, in which the child grows up. That is why I introduced Bill S-206 aimed at protecting children from standard child-rearing violence. I hope this chamber will look at the bill for what it is, which is one more tool in the fight to improve children's health.

On September 12, 2014, there was an article in *Le Journal de Montréal* that indicated that the number of incidents of corporal punishment used as a form of child discipline reported to youth centres in Montreal, Laval and Longueuil had more than doubled since 2007, rising from 778 reported in 2007-08 to 1,956 in 2013-14.

Honourable senators, you may not like the approach I am advocating, which is not to strike children as a form of discipline, because you do not have the same convictions I do. I'm simply saying that it is important to respect children's rights, just as it is important to respect women's rights.

In closing, I am in favour of making the second week of May International Maternal, Newborn, and Child Health Week, but I am also in favour of examining this important subject without involving our beliefs and ideologies.

We must continue to act to improve women's health, including by allowing them to have access to sexual and reproductive health services that are tailored to their needs. We must continue to act to improve children's health, including by ensuring that they are raised without violence.

For me, International Maternal, Newborn, and Child Health Week will be an opportunity to point that out. I hope to be able to continue studying this issue in depth.

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.)

DISTINGUISHED VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of our former colleague, the Honourable Lucie Pépin.

On behalf of all senators, I welcome you to the Senate of Canada.

Hon. Senators: Hear, hear!

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

MOTION TO AUTHORIZE COMMITTEE TO STUDY THE TEMPORARY FOREIGN WORKERS PROGRAM—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Ringuette, seconded by the Honourable Senator Jaffer,

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to:

Review the temporary foreign workers program and the possible abuse of the system through the hiring of foreign workers to replace qualified and available Canadian workers;

Review the criteria and procedure to application assessment and approval;

Review the criteria and procedure for compiling a labour market opinion;

Review the criteria and procedure for assessing qualifications of foreign workers;

Review interdepartmental procedures and responsibilities regarding foreign workers in Canada;

Provide recommendations to ensure that the program cannot be abused in any way that negatively affects Canadian workers; and

That the Committee submit its final report no later than March 31, 2015, and retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

Hon. Diane Bellemare: Honourable senators, I would first like to congratulate His Honour the Speaker for taking on this role and acknowledge the presence of the Honourable Lucie Pépin.

[English]

It was with great interest that I listened to Senator Ringuette's speech concerning the Temporary Foreign Worker Program. She often raised significant issues. Most of us, and Senator Ringuette as well, are preoccupied by the question of employment, and with reason.

[Translation]

Although Canada's unemployment rate is 6.5 per cent, there is a significant amount of underemployment in most Canadian regions, and especially in the Maritimes, Quebec and Ontario, as the Governor of the Bank of Canada recently pointed out when he appeared before the Standing Senate Committee on Banking, Trade and Commerce.

Senator Ringuette moved this motion regarding temporary foreign workers in order to protect the available jobs in Canada for Canadians. The motion calls on the Social Affairs Committee to study this issue.

More specifically, this motion would authorize the committee to, and I quote:

Review the temporary foreign workers program and the possible abuse of the system through the hiring of foreign workers to replace qualified and available Canadian workers.

[English]

In the following minutes at my disposal, I will comment on this motion in light of the big picture of international labour mobility and conclude that it is rendered obsolete by the new reform adopted recently by the Minister of Employment and Social Development, the Honourable Jason Kenney. I will then explain why it appears necessary for me that the Senate commit itself to an in-depth study on issues related to employment, regional labour market diversity and manpower.

[Translation]

Let's talk about temporary foreign workers. I was very surprised to hear Senator Ringuette say that there are 338,000 temporary foreign workers in Canada because I was under the impression that the total number of temporary foreign workers who arrived under the program that has received so much coverage in the papers was much lower.

A review of the facts paints the following picture. I looked for the source of the data Senator Ringuette shared. The data are from a C.D. Howe Institute study by Dominique M. Gross entitled *Temporary Foreign Workers in Canada: Are They Really Filling Labour Shortages?*

[English]

The summary of the study mentions that, "By 2012, the number of employed TFWs was 338,000, up from 101,000 in 2002 . . ." The specific sources of these data were not quoted by the author, but looking at the general references, I believe they come from Citizenship and Immigration Canada.

[Translation]

In July 2014, Employment and Social Development Canada publicly released a document entitled *Overhauling the Temporary Foreign Worker Program — Putting Canadians First*. It includes detailed statistics about temporary foreign workers and all temporary foreign residents.

[English]

These recent data give an overall picture of temporary foreign residents who have a work permit. Out of the total of foreign residents with work permits, we can find those involved in the Temporary Foreign Worker Programs.

[Translation]

According to Employment and Social Development Canada's data, 221,273 new temporary residents obtained work permits in Canada in 2013. This number excludes international students who do not have full work permits, as well as people who are temporary residents for humanitarian reasons. Since some of these residents have work permits that last longer than 12 months, these new recruits raised the number of temporary residents in Canada to 386,406 in 2013. That is pretty close to the number Senator Ringuette gave us, and that was for 2012. Those are big numbers that account for two per cent of the labour force.

[English]

However, don't panic, because only a third of the temporary residents come from the temporary worker programs involving specific enterprises and subjected to a labour market opinion, or LMO, and only 10.3 per cent come from those programs we hear about in the newspapers.

[Translation]

• (1550)

I repeat: you can rest assured that only one-third of temporary residents, 32.8 per cent, come from temporary foreign worker programs used by businesses to meet their labour needs and are the subject of a labour market opinion. What is more, only 10.3 per cent come from the specific program we hear about in the newspapers.

We must put things into perspective.

In reality, the vast majority of temporary residents — two-thirds or 67.2 per cent — are temporary residents who are here as a result of international agreements like NAFTA or agreements that serve Canadian interests and have a social, cultural or economic benefit for Canada.

These temporary residents obtain a temporary work permit that is not specific to one company or job. These individuals are not included in the labour force survey, while permanent residents are.

It is important to note that the number of these temporary foreign residents has increased significantly in recent years, rising from 52,577 in 2002 to 259,590 in 2013, an increase of 394 per cent. This is due in large part to globalization, which involves greater international mobility of the labour force. In short, the labour market in Canada, like everywhere else, is increasingly open to the world.

Canadians also go and work in temporary jobs around the world. The exact figures on this phenomenon are difficult to determine. However, we do know, for example, that under NAFTA, in 2011, some 12,000 Americans worked in Canada, and the number of Canadians working in the U.S. under the same agreement was three times higher, or 39,000, according to the departmental document.

All categories of temporary residents have increased in the past 10 years, except for those in the live-in caregiver category, which has decreased.

That being said, the issue of temporary residents resulting from international agreements or exchanges is very different from that of foreign workers who have a specific contract with a given employer and are subject to an impact study.

According to the department's analyses, the latter are on the rise because many employers rely on hiring foreign workers as part of their business model. To illustrate that point, I would like to quote from a department document titled *Overhauling the Temporary Foreign Worker Program*:

For example, of the 12,162 employers who used the TFWP in 2013, 2,578 employers have a workforce of over 30 percent temporary foreign workers. Perhaps most striking, 1,123 employers have a workforce composed of 50 percent or more temporary foreign workers.

These numbers clearly show that the TFWP is no longer being used as it was intended to be used — as a last and limited resort to allow employers to bring foreign workers to Canada on a temporary basis to fill jobs for which qualified Canadians are not available. Reforms are needed to end the growing practice of employers building their business model on access to the TFWP.

Minister Jason Kenney launched a thorough reform, which is ongoing. The department's document describes the components of the reform, which will produce results in the coming months and years.

[English]

I invite you all to read this document.

[Translation]

In that context, it would be inappropriate to conduct a study of this issue while changes are being made. That is why I will be voting against Senator Ringuette's motion.

All the same, I'm sure you will agree that the relative extent of this phenomenon in all regions, even those with high unemployment, is problematic when there are Canadians and permanent residents who are actively searching for work.

Some employers in regions with low unemployment and others in regions with abundant labour say that they cannot find the workers they need. That's why employers use this program. Can that be true? Are employers prepared to train local people to do available jobs? Do employers have unreasonable expectations considering Canadian labour market values and practices? Are Canadian workers willing to take these jobs? In short, employers' and workers' behaviours and attitudes have countless ramifications.

One thing is clear: Canadians place great value on work. My team and I carried out a national survey to find out what Canadians think about certain strategic aspects of the labour market.

CROP surveyed 1,700 people on our behalf from March 12 to 16, 2014. We have results for Canada as a whole and broken down by major region. There are connections between the results of our survey and temporary foreign worker issues.

Yes, according to the results of our survey, the work ethic is alive and well among Canadians. For example, 72 per cent of Canadians said they agreed with the following statement: "I believe that all adult men and women who are able to work should be obliged to work to earn a living." Our survey also found that there are more Canadians who believe that all adults who are able to work should be obliged to work to earn a living than who would like to be able to live without being obliged to work.

These are important questions that we asked in the survey, and the results are consistent with the results of similar surveys that were conducted 30 years ago.

I would like to say that again.

[English]

More Canadians believe that all adults who are able to work should be obliged to work than people who would like to be able to live without being obliged to work.

[Translation]

However, two of the most important concerns for Canadians are that the job be interesting and that it be stable. Earning a high salary was rated as the least important concern.

Another thing to note is that 50 per cent of Canadians would be willing to accept a job that would require them to move within their province. However, this percentage drops to 42 per cent if the job involved a move to another region of Canada.

The results of this survey, which presents the data by region, will soon be posted online.

Dear colleagues, I think that it is high time that we considered the state of Canada's different labour markets so that we can examine their respective issues and challenges.

The startling figures regarding the total number of temporary residents who have a work permit show that workers have become more internationally mobile. This reality certainly reflects the fact that both the nature of jobs and the labour force have changed significantly over the past few years.

Increased globalization is certainly one of the reasons behind these changes. The globalization of the economy requires businesses and the labour force to adjust and adapt in the short-, medium- and long-term. That is why it is important for Canada's economic prosperity to understand the ins and outs of labour market issues.

I believe that the Senate is well positioned to consider these issues from a medium- and long-term perspective, given the diversity of Canada's labour markets. This is consistent with the Senate's mandate. Employment is a strategic issue for all of our provinces. People can earn an honest living by participating in paid work. Promoting employment is a matter of economic prosperity and social justice. That is why I believe that it is imperative and urgent for the Senate to create a forum where matters related to employment and the labour force can be discussed in depth, as Senator Ringuette suggested in her motion.

I would like us to soon consider the possibility of creating a committee to examine employment and human resources issues. The House of Commons created such a committee in 1994. Our government's priorities are job creation and prosperity. Employment is a key issue for Canadians and a major challenge for unemployed youth.

• (1600)

The Hon. the Speaker: Senator Bellemare, your time is up. Are you asking for a few more minutes?

Senator Bellemare: I would like to have five more minutes.

Employment is a federal issue, but also a provincial one.

Our survey shows that 59 per cent of Canadians think that employment policy is coordinated between the two governments according to their respective jurisdictions.

Our government has put in place the macroeconomic conditions necessary for creating jobs, thanks to free trade agreements, a competitive tax system, an accommodative monetary policy and many other things.

Regional employment is another problem that has to be examined. The Senate can play a role in addressing these different problems by clarifying where the need is greatest at the regional level and proposing solutions.

A long time ago, the Economic Council of Canada, which was a federal organization, played that role. The Senate, with all its expertise, could play that role through its committees.

[Senator Bellemare]

Honourable senators, I invite you to contact me if these issues interest you.

Thank you.

The Hon. the Speaker: Senator Ringuette, I presume you have a question?

Hon. Pierrette Ringuette: I have a question. I want to thank Senator Bellemare for her excellent presentation and for her support for creating a standing Senate committee to study ways of improving job opportunities at any level.

The research we could do would be necessary for strategies for the different levels of government and educational authorities.

Don't you think that temporary foreign workers would be a key issue for this committee to examine?

Senator Bellemare: The issue of temporary foreign workers exists in every country in the world. I have done some research in the past, and this issue exists everywhere. These workers are also needed to help developing countries gain skills. In Canada, this program has long existed in the agricultural sector, for one. People come from Mexico to work in all kinds of jobs, whether as live-in caregivers or in specialized positions. There will be an increasing number of temporary foreign workers with all sorts of skills.

However, problems sometimes arise when companies use this as their business model. In the document produced in July, our government sets out all the measures it will take to ensure that this does not become a business model. Companies must create jobs for Canadians, but in the very short term they may need a foreign worker, either to fill a high tech job or to pick tomatoes, for example. That is an integral part of the labour market and, in particular the motion you moved, which, in the current context of the reform being conducted, seems more relevant because it is about the larger picture of the labour market. We have to look at the big picture — youth unemployment, for example, and many other things.

Senator Ringuette: I have a supplementary question. I completely agree with Senator Bellemare's comments. As for the Temporary Foreign Workers Program, I recognize that there is also a need to allow for temporary arrangements, but this program is part of a national job creation and economic development strategy.

The Hon. the Speaker: Senator Ringuette, your time is up. I will allow you to put a question mark at the end of your comments so that Senator Bellemare has the opportunity to give you a quick answer, but I must end it there.

Senator Ringuette: Would Senator Bellemare agree with forming a standing Senate committee on human resources whose first task would be to examine the whole issue of employment, be it permanent, temporary or seasonal?

Some Hon. Senators: No.

Senator Bellemare: It isn't up to me to determine the committee's mandate, first of all; it is up to all of us to do that. There are some urgent issues. If I could have one wish, it would be to talk about youth unemployment. I think that is crucial. These days, the more education people have, the lower the rate of unemployment, but now there is a trend that worries me: the unemployment rate can be higher for young university grads than for those with less education.

Something is going on, and young people are our future. I think that looking at what is happening in the lives of our youth in every region, recognizing their value and examining how they are integrating into the workforce should be a priority.

(On motion of Senator Fraser, debate adjourned.)

[English]

EASTERN SYNOD OF THE EVANGELICAL LUTHERAN CHURCH IN CANADA ACT

MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-1001, An Act to amend the Eastern Synod of the Evangelical Lutheran Church in Canada Act, and acquainting the Senate that they had passed this bill without amendment.

THE SENATE

MOTION TO AWARD HONOURARY CITIZENSHIP TO MS. ASIA BIBI—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator Joyal, P.C.:

That, the Senate of Canada calls on the Government of Pakistan to immediately release Ms. Asia Bibi, a Christian woman who is being arbitrarily detained due to her religious beliefs;

That, the Senate of Canada declare its intention to request that Ms. Asia Bibi be granted Honourary Canadian Citizenship, and declare its intention to request that Canada grant her and her family asylum, if she so requests; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

Hon. Stephen Greene: Honourable senators, I would first like to honour our new Speaker. It is a role I think that you were born into a long time ago, and I'm sure you will have an easy time of it here — at least that's my hope.

Ladies and gentlemen, first of all I would like to read the motion in question because I refer to it a few times. It reads:

That, the Senate of Canada calls on the Government of Pakistan to immediately release Ms. Asia Bibi, a Christian woman who is being arbitrarily detained due to her religious beliefs;

That, the Senate of Canada declare its intention to request that Ms. Asia Bibi be granted Honourary Canadian Citizenship, and declare its intention to request that Canada grant her and her family asylum, if she so requests; and

That a message be sent to the House of Commons requesting that House to unite with the Senate for the above purpose.

Honourable senators, as you can see, this is not a motion that seeks to move one thing. This motion has several distinct objectives. The best way to proceed is to offer some opinion on each part of the motion, so I will treat them separately as I proceed.

The first part of the motion is that the Senate of Canada call on the Government of Pakistan to immediately release Ms. Asia Bibi. Of course, I agree with this. What is happening, to acquaint my colleagues with Ms. Asia Bibi's circumstances, is that a Christian woman in Pakistan, Ms. Bibi, currently sits on death row. Her crime, we are told, is a result of an allegation of blasphemy brought on by her coworkers. We are told they had a fight over being allowed to use the water well, as it is forbidden for Muslims to share this water well with non-believers.

• (1610)

Such ignorance and inhumanity have been problems for a long time in many parts of the world, as we know. As well as failing to organize how its citizens share drinking water, the Government of Pakistan is unable to provide its citizens with the tenets of fundamental justice, such as fair trials. As a result of spurious allegations of blasphemy, a woman is waiting on death row. For these reasons, my heart goes out to Ms. Bibi; and I wish to urge all Canadians to let the President of Pakistan know that he must do the right thing.

I also agree with the second part of the motion insofar as it would underline Parliament's intent that this woman, in the event that she is freed, be offered asylum in Canada. This is important because, if she is freed, there will still be a risk to her life as an outspoken person in a hostile land. There have been several cases of vigilante justice in Pakistan recently all centered on alleged blasphemy. Blasphemy is a terrible problem in Pakistan. Unproven allegations often prompt mob violence. Anyone convicted or even accused of insulting Islam risks a violent and bloody death at the hands of vigilantes. In early November, an enraged mob beat a Christian couple to death and burnt their bodies in the brick kiln where they worked for allegedly desecrating a copy of the Quran.

While we should not underestimate the danger to Ms. Bibi, it is unlikely, however, that the Pakistani government will execute her. There has been a de facto moratorium on government executions

since 2008. Moreover, it is important to note that no one in Pakistan has ever been executed by the government for blasphemy. However, executions by fanatic civilians are another matter. This does not change Ms. Bibi's need for outspoken support; and I think the Senate of Canada could offer its voice in this matter. Putting out the asylum welcome mat and pressuring the President of Pakistan are two offers I could support.

The problem I have with the motion is the objective to bestow honorary citizenship on Ms. Bibi. Honorary citizenship has been bestowed by Canada on only six people throughout our history: Raoul Wallenberg, the Swedish diplomat who saved tens of thousands of Jews during World War II; Nelson Mandela, for obvious reasons; the Aga Khan; the Dalai Lama; and Nobel peace prize winners Aung San Suu Kyi and Malala Yousafzai. It seems that we bestow honorary citizenship when we wish to recognize some historic accomplishment that advances freedom but we don't use it as a tool to influence a foreign judiciary or government in its proceedings.

Moreover, if we adopt this as a principle or reason to offer honorary citizenship, not only would we depart from practice but also we would need to engage in a substantial national debate as to the meaning of "honorary citizenship" as we would have to consider how many potential honorary Canadian citizens there are in this crazy world. Moreover, I think Canadians should be upset about Ms. Bibi's plight regardless of whether she is an honorary citizen.

As to the other parts of the motion that we urge the President of Pakistan to release her, that Canada open its doors to offer her and/or her family asylum and that we acquaint the other place with her plight, I am in agreement and would support such a modified motion. I cannot support the motion at this time because of its provision of honorary citizenship.

Hon. Céline Hervieux-Payette: I thank my colleague for his exact analysis of the situation. I would add a small detail: From the beginning of this story of Ms. Asia Bibi, the minister at the regional level who took her side and wanted to protect her was assassinated. At the national level, the minister for the Government of Pakistan was also executed after the judgment of the first level of court that found her not guilty. We are not dealing with a very regular matter when it comes to justice.

MOTION IN MODIFICATION

Hon. Céline Hervieux-Payette: Therefore, honourable senators, I move that the motion be modified by replacing the third paragraph with the following:

That, the Senate of Canada declare its intention to request that Canada grant her and her family asylum, if she so requests; and

The Hon. the Speaker: Honourable senators, is leave granted to modify that paragraph of the motion?

Hon. Senators: Agreed.

(On motion of Senator Seidman, debate adjourned.)

HUMAN RIGHTS

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Mobina S.B. Jaffer, pursuant to notice of November 26, 2014, moved:

That the Standing Senate Committee on Human Rights have the power to sit at 1 p.m. on Wednesday, December 10, 2014, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

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

Hon. Senators: Agreed.

(Motion agreed to.)

BUSINESS OF THE SENATE

Hon. Yonah Martin (Deputy Leader of the Government): Your Honour, if I may, we adjourn, I wish to say what an honour it is to share this first sitting with you as the Speaker of the Senate. I echo everyone's sentiments in their full support and endorsement of you in your new position. Thank you for all that you have done.

Hon. Senators: Hear, hear!

Hon. Joan Fraser (Deputy Leader of the Opposition): Your Honour, everybody in this chamber has had a chance to say, "Congratulations." I feel deprived. Therefore, I wish to exercise my right to say that I, like all of us here, am absolutely delighted to see you in your new position. Welcome. I know it will be a pleasure to work with you.

Hon. Senators: Hear, hear!

(The Senate adjourned until Tuesday, December 2, 2014, at 2 p.m.)

CONTENTS

Thursday, November 27, 2014

	PAGE		PAGE
Speaker of the Senate		Economic Action Plan 2014 Bill, No. 2 (Bill C-43)	
Commission Appointing Honourable Pierre Claude Nolin.		Eighteenth Report of Legal and Constitutional Affairs Committee on Subject Matter Tabled.	
Hon. Pierre Claude Nolin	2526	Hon. Bob Runciman	2529
<hr/>			
SENATORS' STATEMENTS		Statute Law Amendment Proposals	
The Honourable Pierre Claude Nolin		Nineteenth Report of Legal and Constitutional Affairs Committee Tabled.	
Congratulations on Appointment as Speaker.		Hon. Bob Runciman	2530
Hon. Claude Carignan	2526	<hr/>	
Hon. James S. Cowan	2527	QUESTION PERIOD	
Homelessness		Finance	
Hon. Asha Seth	2527	Budget—Children and Youth.	
Memorial University		Hon. Céline Hervieux-Payette	2530
Congratulations on Winning 2014 G20 Global Business Challenge.		Hon. Claude Carignan	2530
Hon. Elizabeth (Beth) Marshall	2527	Target Benefit Pension Plans.	
<hr/>			
ROUTINE PROCEEDINGS		Hon. Pierrette Ringuette	2531
Canada Revenue Agency		Hon. Claude Carignan	2531
Reducing Participation in the Underground Economy, 2014-15 to 2017-18—Document Tabled.		Aboriginal Affairs and Northern Development	
Hon. Yonah Martin	2528	First Nations Financial Transparency Act Compliance.	
Economic Action Plan 2014 Bill, No. 2 (Bill C-43)		Hon. Lillian Eva Dyck	2532
Eighth Report of Energy, the Environment and Natural Resources Committee on Subject Matter Tabled.		Hon. Claude Carignan	2532
Hon. Richard Neufeld	2528	<hr/>	
Sixteenth Report of Social Affairs, Science and Technology Committee on Subject Matter Tabled.		ORDERS OF THE DAY	
Hon. Kelvin Kenneth Ogilvie	2528	Immigration and Refugee Protection Act	
Sixth Report of Banking, Trade and Commerce Committee on Subject Matter Tabled.		Civil Marriage Act	
Hon. Irving Gerstein	2528	Criminal Code (Bill S-7)	
Eighth Report of Transport and Communications Committee on Subject Matter Tabled.		Bill to Amend—Second Reading.	
Hon. Dennis Dawson	2528	Hon. Elaine McCoy	2534
The Estimates, 2014-15		Hon. Salma Atallahjan	2535
Supplementary Estimates (B)—Thirteenth Report of National Finance Committee Tabled.		Referred to Committee.	
Hon. Joseph A. Day	2529	Hon. Salma Atallahjan	2535
Aviation Industry Indemnity Act (Bill C-3)		Hon. James S. Cowan	2535
Bill to Amend—Ninth Report of Transport and Communications Committee Presented.		Hon. Jim Munson	2536
Hon. Dennis Dawson	2529	Adjournment	
Criminal Code		Motion Adopted.	
Canada Evidence Act		Hon. Yonah Martin	2536
Competition Act		Black April Day Bill (Bill S-219)	
Mutual Legal Assistance in Criminal Matters Act (Bill C-13)		Ninth Report of Human Rights Committee Adopted	2537
Bill to Amend—Seventeenth Report of Legal and Constitutional Affairs Committee Presented.		Divorce Act (Bill S-216)	
Hon. Bob Runciman	2529	Bill to Amend—Second Reading—Debate Continued.	
		Hon. Yonah Martin	2537
		The Senate	
		Motion to Recognize the Second Week of May as International Maternal, Newborn, and Child Health Week Adopted.	
		Hon. Céline Hervieux-Payette	2537

	PAGE		PAGE
Distinguished Visitor in the Gallery		The Senate	
The Hon. the Speaker	2539	Motion to Award Honourary Citizenship to Ms. Asia Bibi—Debate Continued.	
Social Affairs, Science and Technology		Hon. Stephen Greene	2543
Motion to Authorize Committee to Study the Temporary Foreign Workers Program—Debate Continued.		Hon. Céline Hervieux-Payette	2544
Hon. Diane Bellemare	2540	Motion in Modification.	
Hon. Pierrette Ringuette	2542	Hon. Céline Hervieux-Payette	2544
Eastern Synod of the Evangelical Lutheran Church in Canada Act (Bill S-1001)		Human Rights	
Message from Commons	2543	Committee Authorized to Meet During Sitting of the Senate.	
		Hon. Mobina S. B. Jaffer	2544
		Business of the Senate	
		Hon. Yonah Martin	2544
		Hon. Joan Fraser	2544

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