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THE HONOURABLE SHIRLEY MAHEU
SPEAKER *PRO TEMPORE*

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THE SENATE

Thursday, May 19, 2005

The Senate met at 1:30 p.m., the Speaker *pro tempore* in the chair. [Translation]

Prayers.

SENATORS' STATEMENTS

NATIONAL SPEECH AND HEARING AWARENESS MONTH

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, Canadians are known for their dedication to others through generous gifts of time and monetary donations to some 78,000 charities across the country. According to a 2000 National Survey of Giving, Volunteering and Participating, more than 6.5 million Canadians volunteered just over 1 billion hours of their time to charitable and voluntary organizations. This is the equivalent of 549,000 full-time jobs. If those organizations had to hire people to do the work undertaken by volunteers, an estimate of their total payroll cost would be over \$17 billion.

Honourable senators, it is the dedication of volunteers that enables organizations such as the Canadian Association of Speech-Language Pathologists and Audiologists to celebrate May as National Speech and Hearing Awareness Month. With 5,000 volunteers across the country dedicated to the philanthropic efforts of the organization, they are able to promote understanding, prevention and research that could not be done without the efforts of their vivacious volunteers. As Vanessa Astraitis, a parliamentary intern from Ohio State University observed, "People often take for granted their gift of communication." Therefore, it was wise that the National Speech and Hearing Awareness Month was established.

Spoken language is an important foundation of the communication network that links us as human beings. It is within this network that we develop a sense of self and community. Furthermore, the functions of speaking and listening are of primal importance to the interaction of citizens in a successful society. These basic human abilities also provide us the power to affect the lives of our fellow citizens.

A communication disorder induces static into the life of the individual, thereby negatively affecting the enjoyment that a person obtains out of life. According to the University of Toronto, one in 10 Canadians has a speech or hearing problem. However, there are many speech and hearing problems, especially in children, that go undiagnosed. It is never too early to be tested. Early diagnosis and treatment can make the difference between a slightly inconveniencing communication disorder and a life-altering one.

QUEBEC BLACK MEDICAL ASSOCIATION

Hon. Lucie Pépin: Honourable senators, on Friday evening, May 13, in Montreal, I had the privilege of attending the scholarship award ceremony of the Quebec Black Medical Association.

For the past 14 years, this association, under the leadership of Dr. E.C. Tucker, has provided assistance to hundreds of Black students in pursuing careers in the health field. These scholarships have made it possible for top Black health sciences students at the college or university level to complete their studies or research projects.

[English]

This initiative must be lauded and supported. The Quebec Black Medical Association does more than enable talented young people from the Black community to pursue careers as health professionals. Through this initiative, the association also helps to advance medical practice and research in Quebec and contributes to the vitality of the health care system that is so important to us.

I was delighted to attend the awards evening with all those young people who are determined to follow in the footsteps of eminent Black members of Quebec's medical community.

[Translation]

This year's recipients are: Makena Hope Jane, Afekwo Mbonu-Affy, Chandeia Walker, Bianca Moyo, Sabrina Fowlkes, Ony Nnorom, Amamda Beyde, Bheka Sithenbinkosi, Yolanda Penalba, Leslie Ann Stewart, Latoya Campbell, Tamara Gafoor, Kamya Petrin, Summer Marie Joseph, Jacob Cookey, Freda Omaswa, Sonja Damika Lue, Sophia Koukoui, Shari Ann Webley and Tiffany Alexander.

These young doctors and researchers in training are the future of our country and at the same time ambassadors of their community in these times when racial prejudice is still with us.

I am sure that these young people will be the next generation of health professionals and, as I told them during the ceremony, I will be able to sleep soundly now that I know replacements are on the way. I congratulate all these future leaders and wish them much success.

[English]

NOVA SCOTIA

BILL NO. 213—INJUSTICES COMMITTED AGAINST PEOPLE OF AFRICVILLE

Hon. Donald H. Oliver: Honourable senators, a new bill introduced in the Nova Scotia legislature on Monday will help to address one of the worst historic injustices in my province's history.

Bill No. 213, to Address the Historic Injustices Committed against the People of Africville, also known as the Africville Bill, was introduced by Maureen MacDonald, the opposition critic for African-Nova Scotian affairs in the provincial legislature.

Ms. MacDonald represents the riding of Halifax-Needham, which encompasses the location where Africville used to exist before it was bulldozed by the City of Halifax over 40 years ago.

Bill No. 213 calls on the provincial government “to issue a public apology to former residents of Africville for the destruction of their community.” It also proposes to “restore and preserve the land where Africville once was,” and to “develop infrastructure to benefit the social development of former residents of Africville and their descendants.”

According to a press release issued on Tuesday by Halifax Mayor Peter Kelly, the bill has been “positively received by provincial politicians, including African-Nova Scotian Affairs Minister Barry Barnett, and Premier Hamm.”

• (1340)

Honourable senators, the story of this community is about one century old. A thriving Black community of about 80 families happened to be situated on some lucrative commercial real estate. For decades, even though the residents were law-abiding citizens, avid church-goers, and taxpayers, the City of Halifax provided no services — no water, no sewer, no public lighting, no electricity. The one dirt road passing through Africville was neither paved, ploughed nor cared for by the City of Halifax.

In 1964, Halifax City Council passed a motion authorizing the destruction of Africville. The motion did not contain an obligation for the city to provide any form of continuing assistance to the 80 families that had their community expropriated and destroyed to make way for the MacKay Bridge.

By apologizing for this historic injustice, memorializing the land where Africville once stood and teaching Nova Scotians about Africville's rich history, perhaps the passage of this bill can provide some closure to one of the worst chapters in my province's history.

THE CALDWELL PARTNERS

CONGRATULATIONS TO TOP 40 UNDER 40 AWARD RECIPIENTS, SARAH DENNIS AND GLEN LEBLANC

Hon. Terry M. Mercer: Honourable senators, Canada's Top 40 Under 40 is a national program funded and managed by The Caldwell Partners that celebrates young Canadian leaders who have achieved great success but who have not yet reached the age of 40.

Two of the award recipients announced this year are Sarah Dennis, Vice-president and Director of The Halifax Herald Limited, and Glen LeBlanc, Vice-president of Finance and Comptroller of Aliant, Atlantic Canada's telephone company.

Sarah Dennis leads The Halifax Herald Limited, a family-owned company and the largest independent daily newspaper in Canada. A graduate of Dalhousie University and a holder of an MBA from Saint Mary's University, Ms. Dennis was the inspiration behind the Herald's redesign and rebranding. She is also a leader in the volunteer community, sitting on the board of the Isaac Walton Killam Health Centre. In fact, from 2001 to 2003, she was the youngest chair of the board and was the first chair to have a baby while on the job.

A native of Sydney, Cape Breton, Glen LeBlanc completed his Bachelor of Commerce in 1989 at Saint Mary's University and received his Certified Management Accountant designation in 1994. Currently, Mr. LeBlanc sits on the board of CMA Magazine. Also an active member of his community and the volunteer sector, Glen is involved in various community events. He received UNICEF's Champion for Children award for outstanding community contribution in 2004.

Honourable senators, in choosing over 35 recipients, the board of The Caldwell Partners considers the nominees' achievements in the areas of vision in leadership, innovation and achievement, and community involvement and contribution. Both Sarah and Glen have accomplished much success in all of these areas and truly embody the meaning of the word “leader.” I congratulate them and wish them both even greater success in the future.

HALIFAX REGIONAL HERITAGE FAIR

Hon. Jane Cordy: Honourable senators, on May 7, 2005, I had the privilege of attending the fourth annual Halifax Regional Heritage Fair. It was fitting that the fair was held on the same weekend as our Canadian veterans were being honoured in the Netherlands for the work they did 60 years ago.

It was a pleasure to talk with participants. They have developed a strong understanding of their heritage, as was evident when they told their stories. I spoke with students about such topics as pit ponies, curling, Lucy Maud Montgomery and their own family histories. I had a wonderful discussion with Jennifer Melissa Brace, who was born in China and adopted by Canadian parents. Her project was on Canada-China links. Jennifer Melissa has a wonderful understanding of the diversity and uniqueness of her own heritage and that of our country.

I was particularly delighted to see and talk with a former student, Tim Kennedy, who did his project on Hope Cottage. Tim was in my grade two class five years ago when I was appointed to the Senate. It was such a pleasure to see him and his family again.

Honourable senators, the Heritage Fair's program is a wonderful opportunity for students to tell their stories and to better inform us all about Canadian history — our ancestors, our heroes, our milestones, our achievements and our character.

The young people at the fair chose to study our history and to share it in a public forum. The celebration of the heritage of our great country provides a lasting impact, not only for the participants but also for those of us who were fortunate enough to be present.

Honourable senators, understanding our roots and our history allows us to move more confidently into the future. I was pleased to be a part of this community celebration.

Steve Davidson was honoured for the work that he has done in promoting and organizing the first heritage fairs in Nova Scotia. I congratulate him and all who were involved in the Halifax Regional Heritage Fair — the students who worked so hard on their projects, the teachers who provided resources and encouragement, the organizers who worked on the logistical aspects of the event, and the parents and caregivers who supported the students. I encourage all honourable senators to attend heritage fairs in their provinces.

THE SENATE

BILL TO AMEND MIGRATORY BIRDS CONVENTION ACT AND CANADIAN ENVIRONMENTAL PROTECTION ACT— COMMENTS IN MEDIA

Hon. Tommy Banks: Honourable senators, I wish to respond to some comments that were made in newspapers and on radio and television with regard to Bill C-15, which we passed yesterday. Those comments implied that the Senate and the Standing Senate Committee on Energy, the Environment and Natural Resources considered and passed that bill in response to pressure from elsewhere, including from environmental groups and members of the other place.

It was well known to all members of that committee that it was planned for some time that clause-by-clause consideration would be given to Bill C-15 on Tuesday. Despite that, some members of the other place decided to convene a press conference on Monday to comment upon the progress of the legislation in the Senate, to which press conference they failed to invite the sponsor of the bill in the Senate or any senator, so far as I am aware, of the committee studying the bill.

As a result of that press conference, despite the fact that the committee reported the bill properly to the Senate and the fact that the Senate dealt with it properly yesterday, comments have been made that the Senate “caved in to pressure.” That is not so, honourable senators. There were comments that we fast-tracked the approval of the legislation as a result of pressure from others. That is not so, honourable senators.

Since comments have been made elsewhere, I feel obliged to discuss who fast-tracked what. The committee in the other place had two and a half meetings on this bill. Their first meeting was convened at 9:06 a.m. and the first half of it was spent on clause-by-clause consideration of Bill C-7. They then began consideration of Bill C-15, and the meeting concluded at 11:09 a.m. At their second meeting, they heard witnesses. At their third meeting, they considered the bill clause by clause and amended it.

The Senate committee considered this bill carefully during 13 meetings. We heard 42 witnesses.

I will leave it to others to decide who fast-tracked what.

ROUTINE PROCEEDINGS

ANTI-TERRORISM ACT

ANNUAL REPORT ON INVESTIGATIVE HEARINGS AND RECOGNIZANCE WITH CONDITIONS AND ANNUAL REPORT ON USE OF ARRESTS WITHOUT WARRANT TABLED

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table a copy, in both official languages, of a document entitled “The Anti-terrorism Act — Annual Report concerning Investigative Hearings and Recognizance with Conditions, December 24, 2003-December 23, 2004.”

Also, pursuant to the Anti-terrorism Act and to subsection 83.31(3) of the Criminal Code, I have the honour to table, in both official languages, a document entitled “Annual Report on the Use of Arrests without Warrant.”

THE ESTIMATES, 2005-06

SECOND INTERIM REPORT OF NATIONAL FINANCE COMMITTEE TABLED

Hon. Donald H. Oliver: Honourable senators, I have the honour to table the eleventh report of the Standing Senate Committee on National Finance, a second interim report on the Main Estimates 2005-06, which deals with foundations.

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

• (1350)

THIRD INTERIM REPORT OF NATIONAL FINANCE COMMITTEE TABLED

Hon. Donald H. Oliver: Honourable senators, I have the honour to table, in both official languages, the twelfth report of the Standing Senate Committee on National Finance, a third interim report on the Main Estimates 2005-06, which deals with the Officers of Parliament.

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

STUDY ON PRESENT STATE AND FUTURE OF AGRICULTURE AND FORESTRY

REPORT OF AGRICULTURE AND FORESTRY COMMITTEE TABLED

Hon. Joyce Fairbairn: Honourable senators, I have the honour to table, in both official languages, the seventh report of the Standing Senate Committee on Agriculture and Forestry entitled *Cattle Slaughter Capacity in Canada*.

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

[Translation]

STUDY ON GOVERNMENT POLICY FRAMEWORK FOR MANAGING FISHERIES AND OCEANS

INTERIM REPORT OF FISHERIES COMMITTEE TABLED

Hon. Gerald J. Comeau: Honourable senators, I have the honour to table the third report of the Standing Senate Committee on Fisheries and Oceans entitled *Interim Report on Canada's New and Evolving Policy Framework for Managing Fisheries and Oceans*.

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

[English]

EXPORT AND IMPORT OF ROUGH DIAMONDS ACT

BILL TO AMEND—FIRST READING

Hon. Bill Rompkey (Deputy Leader of the Government) presented Bill S-36, to amend the Export and Import of Rough Diamonds Act.

Bill read first time.

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

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

CRIMINAL CODE CULTURAL PROPERTY EXPORT AND IMPORT ACT

BILL TO AMEND—FIRST READING

Hon. Bill Rompkey (Deputy Leader of the Government) presented Bill S-37, to amend the Criminal Code and the Cultural Property Export and Import Act.

Bill read first time.

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

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

[Translation]

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

SECOND PART OF 2005 ORDINARY SESSION OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE, APRIL 25-29, 2005—REPORT TABLED

Hon. Lise Bacon: Honourable senators, pursuant to rule 23(6), I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-Europe Parliamentary Association on its participation in the second part of the 2005 Ordinary Session of the Parliamentary Assembly of the Council of Europe held in Strasbourg, France, from April 25 to 29, 2005.

[English]

CANADIAN NATO PARLIAMENTARY ASSOCIATION

ANNUAL SPRING SESSION, MAY 28-JUNE 1, 2004—REPORT TABLED

Hon. Jane Cordy: Honourable senators, I have the honour to table the report of the Canadian NATO Parliamentary Association concerning the delegation to the annual spring session of the NATO Parliamentary Assembly from May 28 to June 1, 2004, in Bratislava, Slovakia.

FIFTIETH ANNUAL SESSION OF NATO PARLIAMENTARY ASSEMBLY, NOVEMBER 12-16, 2004—REPORT TABLED

Hon. Jane Cordy: Honourable senators, I have the honour to table the report of the Canadian NATO Parliamentary Association concerning the delegation to the fiftieth annual session of the NATO Parliamentary Assembly from November 12 to 16, 2004, in Venice, Italy.

JOINT MEETING OF DEFENCE AND SECURITY, ECONOMICS AND SECURITY AND POLITICAL COMMITTEES, FEBRUARY 20-21, 2005— REPORT TABLED

ANNUAL ECONOMICS AND SECURITY COMMITTEE CONSULTATION WITH OECD, FEBRUARY 22, 2005—REPORT TABLED

Hon. Jane Cordy: Honourable senators, I have the honour to table the report of the Canadian NATO Parliamentary Association concerning the delegation to the joint meeting of the Defence and Security, Economics and Security and Political Committees, as well as the Annual Economics and Security Committee Consultation with the OECD from February 20 to 22, 2005, in Brussels, Belgium and Paris, France.

THE SENATE

NOTICE OF MOTION TO AMEND RULE 96, CLAUSE-BY-CLAUSE CONSIDERATION

Hon. Tommy Banks: Honourable senators, I give notice that, two days hence, I will move:

That the *Rules of the Senate* be amended in rule 96 by adding, in subsection (7), the following:

In particular, clause-by-clause consideration of legislation shall not be dispensed with unless with leave.

SPEAKER'S GALLERY IN HOUSE OF COMMONS

The Hon. the Speaker *pro tempore*: To ensure that senators are given priority, I would like to remind honourable senators that the seats in the Speaker's Gallery of the House of Commons are primarily for the use of senators.

TRIBUTE TO DEPARTING PAGES

The Hon. the Speaker *pro tempore*: Honourable senators, it is my pleasure to introduce the last three pages who will be leaving us this year.

Allison Button, from Edmonton, Alberta, has thoroughly enjoyed her experience as a Senate page. She will soon be returning to the University of Alberta to complete the last year of her degree in political science and English. After finishing her degree, Allison hopes to get into law school and will be busy preparing to write her LSAT in the fall. Allison would like to thank all honourable senators and Senate staff who have made working here such a pleasure.

Agnes Jung-Min Kim is from Vancouver, B.C. As the first ever Korean-Canadian Senate page, she is grateful to have had the unique opportunity to share her values and culture with the program. Although her time as a Senate page is ending, Agnes hopes that this is only the beginning of her exciting and ambitious journey in the Senate of Canada. She would like to thank all honourable senators and Senate employees as well as her fellow pages for putting a big smile on her face every time she came to work.

• (1400)

[*Translation*]

Davy Coyle was born in Winchester Springs, Ontario, but attended primary and secondary schools in the Franco-Ontarian region of Embrun.

[*English*]

He is finishing his third year as a Senate page, and most recently this last year as Chief Page. Davy will be graduating from the University of Ottawa this June with a double major in political science and philosophy.

[*Translation*]

Davy's interest in the Senate is such that he hopes to come back next year as a committee clerk.

[*English*]

On behalf of the Senate pages, Davy wishes to thank all senators, parliamentary officials and staff, but most notably Terrence Christopher, Usher of the Black Rod, for his guidance and support of the Senate Page Program, and the individuals within the program over the past year.

[*Translation*]

QUESTION PERIOD

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I have the honour to table four delayed answers to oral questions raised in the Senate. The first is in response to an oral question raised by Senator Kinsella on May 16, 2005, concerning the Minister of Justice and a representative of the Vatican. The second is in response to an oral question raised by Senator Johnson on May 11, 2005, concerning a review of museums policy.

[*English*]

The third delayed answer is in response to the Honourable Senator Michael Forrester's question of March 22, 2005, regarding training of the Palestinian Authority security forces. The fourth delayed answer is in response to an oral question raised on March 23, 2005, by the Honourable Senator Marjory LeBreton regarding the Canada Education Savings Grant Program. The last delayed answer is in response to an oral question raised on May 12, 2005, by the Honourable Senator Donald Oliver regarding universities — application of goods and services tax to student meal plans.

JUSTICE

SAME-SEX MARRIAGE BILL—SUPPORT OF VATICAN

(*Response to question raised by Hon. Noël A. Kinsella on May 16, 2005*)

In January of this year the Minister of Justice had a frank and open conversation on the issue of same-sex marriage with Vatican representative Archbishop Monsignor Giovanni Lajolo, Secretary for the Relations with States.

HERITAGE

STATE OF NATIONAL ART GALLERY—REVIEW OF MUSEUMS POLICY—REQUEST FOR UPDATE

(*Response to question raised by Hon. Janis G. Johnson on May 11, 2005*)

The Government of Canada is committed to the protection and promotion of cultural heritage.

Museums benefit significantly from a number of the programs renewed under the heading "Tomorrow Starts Today". For example, 40 per cent of the investment made in the first three years of the Cultural Spaces Canada program went to heritage institutions.

While the museum community has applauded the renewal of the existing programs, they have also identified new needs in terms of competing for audiences, volunteers and community support as well as increased challenges in caring for collections.

The Department of Canadian Heritage is currently working with the Canadian Museums Association and other stakeholders to develop a new policy that will address these new needs.

PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

TRAINING OF PALESTINIAN SECURITY FORCES

(Response to question raised by Hon. J. Michael Forrestall on March 22, 2005)

Interdepartmentally, the Government of Canada is currently assessing the security sector reform needs of the Palestinians, in conjunction with other donors and the Palestinian Authority.

Over the past several months, we have dispatched several interdepartmental fact finding teams to the region to study this question.

At this point, the Government has not made any decision on whether we will contribute Canadian Forces personnel to the training of the Palestinian Authority security forces.

Similarly, no decision has been made regarding the involvement of Canadian police in the security sector.

FINANCE

EFFICACY OF CANADA EDUCATION SAVINGS GRANT PROGRAM

(Response to question raised by Hon. Marjory LeBreton on March 23, 2005)

- Budget 2004 indicated that RESP savings among low- and middle-income families have been relatively modest and introduced measures to deal with that concern: the creation of the Canada Learning Bond (CLB) and the enhancement of the Canada Education Savings Grant (CESG) programs.
- The CLB program is designed to kick-start education savings for children in low-income families.
- The CLB will provide up to \$2,000 in education savings by age 16 for children (born after 2003) in families entitled to the National Child Benefit supplement. If invested in a registered education savings plan (RESP), this money could grow to \$3,000 by the time a child reaches age 18.

- The enhanced CESG program will strengthen assistance for low- and middle-income families that wish to save for their children's post-secondary education. Starting in 2005:

- For a child of a family with income up to \$35,595, the CESG matching rate is 40 per cent on the first \$500 annual contributions to an RESP.

- For a child of a family with income between \$35,595 and \$71,190, the CESG matching rate is 30 per cent on the first \$500 annual contributions to an RESP.

- All other eligible RESP contributions, up to \$2,000 annually, continue to qualify for the 20 per cent matching rate.

- Bill C-5, the Canada Education Savings Act (CESA), which received Royal Assent on December 15, 2004, gives the Minister of Human Resources and Skills Development the authority to deliver these two programs.

- HRSDC is currently working with RESP promoters as they update their administrative and operational systems in order for them to deliver the CLB and enhanced CESG. While it is planned that both programs will be operational by July 2005, CLB entitlements have been accumulating since January 2004, and eligible contributions made to RESPs since January 2005 will attract the enhanced CESG.

NATIONAL REVENUE

UNIVERSITIES—APPLICATION OF GOODS AND SERVICES TAX TO STUDENT MEAL PLANS

(Response to question raised by Hon. Donald H. Oliver on May 12, 2005)

- Meals provided under a meal plan are exempt from GST/HST when the plan is:

Purchased for a single amount;

For at least 10 meals a week;

For at least one month; and

The meals are provided at a restaurant or cafeteria on campus.

- When a plan allows for meals off campus, all meals under the plan are subject to GST/HST.

- On January 31, 2005, the Canada Revenue Agency (CRA) released a draft discussion paper for comment on the application of GST/HST to meals provided under a university or college meal plan.

- The CRA is considering the comments received and is determining the best course of action to ensure that all interested parties understand the application of GST/HST to meals provided under a meal plan.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I would like to call first Bill C-40, followed by Bill C-13, and then by Bill S-33.

CANADA GRAIN ACT CANADA TRANSPORTATION ACT

BILL TO AMEND—THIRD READING

Hon. Grant Mitchell moved third reading of Bill C-40, to amend the Canada Grain Act and the Canada Transportation Act.

The Hon. the Speaker *pro tempore*: Is the house ready for the question?

Hon. Senators: Question!

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

Hon. Senators: Agreed.

Motion agreed to and bill read third time and passed.

CRIMINAL CODE DNA IDENTIFICATION ACT NATIONAL DEFENCE ACT

BILL TO AMEND—THIRD READING

Hon. Landon Pearson moved third reading of Bill C-13, to amend the Criminal Code, the DNA Identification Act and the National Defence Act.

The Hon. the Speaker *pro tempore*: Is the house ready for the question?

Hon. Senators: Question!

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

Hon. Senators: Agreed.

Motion agreed to and bill read third time and passed.

AERONAUTICS ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. Jim Munson moved second reading of Bill S-33, to amend the Aeronautics Act and to make consequential amendments to other Acts.

He said: Honourable senators, I like to talk about things that begin with “S”, such as the Special Olympics and SOS Children’s Villages. My subject matter today starts with “S” — it is about safety.

Keeping with the theme of flying high, honourable senators, it gives me great pleasure to rise today to speak to Bill S-33, to amend the Aeronautics Act, which establishes the responsibility of the Minister of Transport for the development and regulation of civil aeronautics and the responsibility of the Minister of National Defence for military aeronautical activities. These amendments will modernize legislation and provide Transport Canada with tools to maintain and enhance safety for travellers. Modernization of the Aeronautics Act will provide greater consistency between it and other transport legislation that has recently undergone legislative overhauls.

In 2003, Canada joined the world in celebrating 100 years of powered flight. It is hard to believe that only a century ago no Canadian had ever flown an airplane, not even a senator. Today, Canada has one of the best civil aviation programs in the world, and our aviation products and services are second to none. In a country of such huge distances, it is important to remember the value of air travel to the strength of our nation. It is also important to remember safety.

Honourable senators, today I wish to recall some of the history behind the Aeronautics Act and to speak to specific aspects of the bill before us. The Aeronautics Act has been in place since 1919 and last underwent a major overhaul in the early 1980s. Many of the amendments made at that time were aimed at enhancing the compliance and enforcement provisions of the act, including the establishment of the Civil Aviation Tribunal, which later became the Transportation Appeal Tribunal of Canada. The act was further amended in 1992 to authorize the making of interim orders by the Minister of Transport and the making of agreements with provincial land use authorities for airport zoning, and to strengthen the compliance provisions of the act. Other amendments were also made to improve civil aviation security. Please note that it has been nearly 20 years since these improvements were made.

That is why, in 1998, Transport Canada announced plans to review the Aeronautics Act to reflect the current needs of the aviation community and to take into consideration current government directions. The amendments proposed in this bill are the result of extensive consultations that began in 2000 with stakeholders through the Canadian Aviation Regulation Advisory Council. Stakeholders, including all major organizations and associations, have been involved in this consultation and are generally supportive of the amendments.

The changes being considered reflect new strategies to regulate aviation safety, including new safety management provisions, the designation of industry bodies to certify certain segments of the aviation industry, voluntary non-punitive reporting programs, and a number of housekeeping amendments to clarify relationships and ministerial authorities between the Aeronautics Act and other legislation.

• (1410)

[Translation]

Honourable senators, Canada's air transport system is one of the world's safest. As the aeronautics community represents a significant component of Canada's economy, responsibility for air safety is shared among regulatory groups, operators and manufacturers, on the ground or in the air.

[English]

Everybody knows their roles, responsibilities and accountabilities to manage safety proactively within the air transport system. To reduce further an already low rate, the amendments proposed establish a number of voluntary and non-punitive safety data-reporting programs. Transport Canada will work with stakeholders to analyze this data and make adjustments to aviation safety requirements. There will be more emphasis on managing safety from an organizational perspective, as suggested by leading experts and international bodies. The proposed amendments require aviation operators to establish integrated management systems, to include such matters as risk-management practices and internal-audit requirements.

Many of the proposed amendments relate to expanded and enhanced regulation-making authorities. The amendments would allow, for example, that regulations limit the hours of work of air traffic controllers. Amendments also allow regulations to require airport operators to carry liability insurance. A new regulatory authority in the act would enable the department to designate industry bodies to certify certain segments of the aviation industry and would set standards for that segment of the industry.

Many of the amendments being recommended relate to compliance and enforcement authorities. Penalty levels, for example, are proposed to be more consistent with those contained in the Canada Shipping Act, 2001. In addition, the act clarifies relationships and ministerial authorities between the act and other legislation, such as the Canadian Transportation Accident Investigation and Safety Board Act and the Civil Air Navigation Services Commercialization Act.

The proposed legislation will also provide the Canadian Forces Airworthiness Authority with powers and duties to investigate military aviation accidents or incidents that involve citizens. For the Canadian Forces, this is very important. They have not had this. These new powers and duties would be comparable to those exercised by the Canadian Transportation Safety Board investigators who look into civilian accidents.

Over the past number of years, civilians have become increasingly more involved in military air operations, maintenance and training. Under the current legislation, the Canadian Forces simply do not have the necessary powers to conduct flight safety investigations of military aircraft accidents that may involve civilians, civilian organizations or contractors associated with military aviation. I cannot help but emphasize the importance of this part of the amendment.

[Senator Munson]

In essence, these new powers will ensure that the Department of National Defence and the Canadian Forces have all the necessary authority and power to conduct full and proper investigations into such situations, while also promoting openness, independence and integrity in military flight safety investigations.

Honourable senators, the aviation industry, like all others, is changing, and both the regulator and the regulated have to work together to keep ahead of the changes. The amendments proposed to the Aeronautics Act today are aimed at ensuring that the required tools are in place to maintain and enhance the safety of Canada's aviation system for the future.

On motion of Senator Stratton, debate adjourned.

BANKRUPTCY AND INSOLVENCY ACT

BILL TO AMEND—SECOND READING— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Phalen, for the second reading of Bill S-28, to amend the Bankruptcy and Insolvency Act (student loan).
—(Honourable Senator Robichaud, P.C.)

Hon. Wilfred P. Moore: If no one wishes to speak to this bill, I move that the bill be referred to the Standing Senate Committee on Banking, Trade and Commerce.

The Hon. the Speaker *pro tempore*: Is the house ready for second reading of the bill?

Hon. Terry Stratton (Deputy Leader of the Opposition): I would ask Senator Moore if he would be patient until we come back. There are two bills on our Order Paper that seek to amend the Bankruptcy and Insolvency Act — Order No. 4, which is Bill S-30, and Order No. 8, which is Bill S-28. I want to take a look at the two, if I may, to ascertain the differences between these two bills. I should like to speak to these bills when we come back.

Senator Moore: Honourable senators, I did consult with colleagues on the other side. Senator Meighen, who was on the Banking Committee with us when we brought in that report, canvassed his colleagues. If the honourable senator wishes to wait until we return, that is acceptable to me.

The Hon. the Speaker *pro tempore*: It is agreed that the order stand?

Hon. Senators: Agreed.

Order stands.

**STUDY ON DEVELOPMENT AND MARKETING
OF VALUE-ADDED AGRICULTURAL, AGRI-FOOD
AND FOREST PRODUCTS**

**REPORT OF AGRICULTURE AND FORESTRY
COMMITTEE ADOPTED**

On the Order:

Resuming debate on the consideration of the second report of the Standing Senate Committee on Agriculture and Forestry, entitled: *Value-added Agriculture in Canada*, tabled in the Senate on December 14, 2004.—(Honourable Senator Rompkey, P.C.)

Hon. Joyce Fairbairn: Honourable senators, on a day that we in the Standing Senate Committee on Agriculture and Forestry have just released our report entitled “Cattle Slaughter Capacity in Canada,” I should like to put perhaps the final words on the record a report that has been on the Order Paper for some time, a report on which quite remarkable speeches have been delivered by members of our committee.

The report I refer to, honourable senators, is entitled “Value-Added Agriculture in Canada.” This report — with its, to some, dull-sounding name — surprised us all; it has had a notable response from producers all across this country. All of us have no doubt that farmers face constant difficulties in trying to forge a living from their land and their livestock. In recent times, they have withstood a tremendous number of painful blows. I am certainly referring to the heart-wrenching impact of the closed United States border to our cattle.

Also, Western Canada, along with other parts of Canada, has experienced a series of grave droughts. Last summer, when things were looking absolutely wonderful in Alberta and Saskatchewan, when grain was as high as an elephant’s eye, we were hit with killing hailstorms. Fortunately, our farmers believe more strongly than any other workers in this country that next year will be better time.

I want to say some words about our report on value-added, because it is critical to our future in agriculture in Canada. The difficulties that we have had have been against a backdrop of transformations in agriculture. These changes span the entire scope of the sector, from the brisk expansion of multinational trade and the resulting concentration of ownership within the agri-food industry to an increasingly segmented consumer base. Furthermore, we have seen advances in technology that have led to very exciting innovations in the food and non-food uses of agricultural products.

• (1420)

In this context, many people are talking about value-added agriculture as a means for farmers to adapt and find opportunities in emerging agricultural and agri-food fields. Many farmers have been successful, but many more face regulatory obstacles for lack of information and opportunities to succeed in value-added ventures.

On December 15, 2004, the Standing Senate Committee on Agriculture and Forestry, which I am proud to currently chair, released a report on value-added agriculture in Canada. On this occasion, I would like to recognize the excellent direction, the input and the commitment of Senator Oliver, who served as the chair of that committee during the hearings that formed the substance of the report. I also want to thank Senator Gustafson, who was a very strong supporter of this study.

I want to talk about the findings of that report, but first let me explain what I mean by “value added.” Value added is product branding. It is niche marketing. It is a movement up in the food chain. It is making pasta from wheat, wine from grapes, boxed beef, agri-tourism and organic products. In short, value added is exactly what the words suggest; it is the process of adding value to primary commodities.

In many ways, value added begins with food safety. Today, more than in any other previous period, consumers are more knowledgeable and discerning when it comes to their food purchases. This means that on-farm food safety systems and informing consumers about these systems are a first step in increasing value for the farmer and for the industry.

Trust is everything. One of the issues of the BSE crisis was that Canadians continued to regard Canadian beef as a safe and high-quality product. This was evident when the consumption of domestic beef actually increased during the months that initially followed the BSE discovery. It has continued.

Honourable senators, I do believe, that Canada is the one country that has been besieged by this issue, yet consumers have decided that our beef is the best and are determined to hang in there and buy it and eat it.

It is absolutely critical that the government and the industry ensure that this trust is maintained. Further, we must work to ensure that people outside our borders come to have the same high regard as we do for our food products.

The new cases of BSE that were found in Canada showed us that constant efforts will be required, not only from the Minister of Agriculture and Agri-Food, but also from all parliamentarians, to get the story out about how Canada has dealt with this issue. It was one of the reasons our committee travelled to Washington to meet with our counterparts in Congress, with people from the industry and with some of the think tanks there. It did a lot of good, and it is something we must keep on doing.

One way to add to Canada’s reputation in export markets is to continue developing programs that ensure quality standards which serve to recognize production practices and procedures that are differentiated on the basis of quality and services from other products. They can help farmers tap into higher product premiums.

National quality standards help position Canadian products in global markets. Product branding can be used to highlight the distinctive taste and quality of particular food products by linking those to unique attributes of a region. A lot of that has gone on in Atlantic Canada, in the province of Nova Scotia.

However, it takes persistent marketing efforts and funds to attract made-in-Canada premium label recognition beyond our borders. There is a need for a long-term strategy and increased federal funding in that area.

Another key aspect of value added in agriculture is organic products, a sector which has shown remarkable growth in recent years. These products appeal to an increasing number of consumers who are concerned about the environment, food safety and nutrition, and agricultural production systems. Organic agriculture expands the scope of business opportunities available to farmers. Consumers' willingness to pay a higher premium for organic products creates valuable returns for the farmer despite the increased cost and lower yields associated with organic farming.

While the consumption of organic products has been visibly increasing in Canada, the growth in certified organic farms has flattened in recent years. This is a cause for concern, since Canada is one of the countries best suited to organic farming in the world due to its fertile and varied land base and cooler climate.

Canada's lack of national regulations specific to the labelling of organic products may be contributing to that slow growth in organic farms. Granted, a national standard for our organic agriculture is in place, but the system is voluntary, which means that it is not mandatory for a product to be certified before it can be sold as an organic product. This creates problems for our exporters.

Furthermore, trade in organic products may be interrupted if Canada does not adopt national regulations. The committee recommended that such regulations be put in place no later than the end of this year, 2005.

During the committee proceedings, I was pleased to hear examples of farmers working together and forming what are called "new generation cooperatives" in efforts to move up the value chain. These cooperatives give farmers a larger stake in the processing of farm commodities. Membership in the cooperatives usually comes with a contractual right and obligation to deliver farm input at a contracted price. These cooperatives help bridge the expertise and the high level of capital needed for transition in the processing of food products.

The committee recommends that the federal government investigate options such as loan guarantees and other measures that would increase access to capital for farmers who are considering the purchase of shares in these new generation cooperatives.

Of course, not all farmers choose cooperatives. Some instead have alliances with large processing corporations as a means to spread the risk and generate value-added benefits. The committee supports all types of viable financial arrangements that serve to reduce the risk and increase income stability for farmers.

One area in which Canada has great potential to excel is in agricultural research. This is a key driver in value-added agriculture. The emergence of new commodities and new applications of existing commodities is made possible through our excellent and world-regarded research in this country. It is at the forefront of efforts to initiate new crops or livestock systems, and it can exist in environmental health and safety fields.

• (1430)

Canada's well-educated workforce, significant research and technological facilities, food distribution infrastructure, respected safety and quality enforcement and regulatory systems, and its competent public sector and stable economy have put this country in an excellent position to develop competitive advantages in the agricultural value-added sector. It is therefore important that Canada pursue international trade negotiation strategies that aim at reducing higher tariffs on our processed products. It is also important to facilitate trade within Canada and to ensure that producers and processors have fair access throughout the domestic market. This committee supported funding in areas specific to the public interest, such as food safety and the environment. The committee also supported the fostering of an environment that attracts both domestic and foreign private investment in research and development.

Finally, honourable senators, value added on the farm is born out of a necessity to adapt to a changing environment. It is a way to rejuvenate primary agricultural sectors and provide a means of adapting to the various forces that affect agriculture. The strong social and economic importance of farming activities within the rural communities across this country increases the significance of value-added agricultural initiatives, because the benefit will spill out far beyond the farm. Those benefits are substantial and far reaching. Value-added agriculture can help to increase employment and revitalize those communities, reduce the economic risk associated with trade, diversify the economic base of rural communities, increase the financial stability of farmers, promote a culture of research and innovation, reduce dependency on the world price of commodities and, perhaps most important, offer a way to attract and retain a new generation of farmers. Value added is, in the truest sense, the future of farming in Canada.

Honourable senators, we are proud of this report. It has been widely accepted across the country. It is just a report, though. It must be followed up on, and, as a committee, we will continue to keep our eye on this issue. We will continue to give both the industry and the government a good push, because that is the way ahead for our agricultural community.

Hon. Senators: Hear, hear!

Senator Fairbairn: Honourable senators, if there are no further speakers, I should like to move the adoption of this report.

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

Hon. Senators: Agreed.

[Translation]

Motion agreed to and report adopted.

PROVINCE OF ALBERTA

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Mitchell calling the attention of the Senate to the Province of Alberta and the role it plays in Canada.
—(Honourable Senator Prud'homme, P.C.)

Hon. Marcel Prud'homme: Honourable senators, I am passionate about the Quebec-Alberta relationship. Those provinces have so much in common and so much to learn from each other. However, having just said goodbye to a delegation from Saudi Arabia, I am not in the mood to make a passionate speech of my understanding, as a French Canadian from Quebec, of what Alberta is all about. Therefore, with your permission, I would like to adjourn the debate while retaining the remainder of my speaking time.

On motion of Senator Prud'homme, debate adjourned.

INTER-PARLIAMENTARY UNION

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Fraser calling the attention of the Senate to the work of the IPU.—(Honourable Senator Prud'homme, P.C.)

Hon. Marcel Prud'homme: Honourable senators, although I have not actually been excluded from the executive of the IPU, I have not been included, because they changed the rules and I no longer exist. Senator Kinsella wants me to take his place, but the executive refuses that. They have not met since the election, and there is still a vacant spot on the IPU, that being the former position of Senator Kinsella. I will include that matter in my speech, when I make it.

I still think the IPU is an unbelievable association. They had a successful meeting this morning, although only four of the 19 executive members attended, and I attended as an intruder. There was a successful, frank and courteous exchange.

Honourable senators do not want to hear a passionate speech on the IPU, which is the pearl of my life. Therefore, I ask that this matter be adjourned.

On motion of Senator Prud'homme, debate adjourned.

INFLUENCE OF CULTURE

INQUIRY—DEBATED ADJOURNED

Hon. Viola Léger rose pursuant to notice of Monday, May 16, 2005:

That she will call the attention of the Senate to the importance of artistic creation to a nation's vitality and the priority the federal government should give to culture, as defined by UNESCO, in its departments and other agencies under its authority.

She said: Honourable senators, during my term in the Senate, I have stood before you as an artist and as a woman who feels very strongly about promoting culture. I share this status of an artist and this passion for culture with a number of you, honourable senators, whether you are actual artists or devoted lovers of the arts.

I rise today to speak about something I have addressed in the past. This is another opportunity for me to further stress the importance of artistic creation to a nation's vitality, and also to emphasize the importance that the Senate and federal institutions should accord to culture. Works of art bring people closer together and stimulate dialogue. The arts play an indispensable role in our mutual understanding.

Artistic creation awakens our consciousness. It is a source of meditation, inspiration, reflection and comfort. The arts help balance us, elevate our souls, and allow us to breathe, to live.

• (1440)

We cannot live without beauty, without laughter and tears. The arts define us and, above all, help us understand who we are as Canadians and what our society is all about.

[English]

The role of artists is not merely to reflect the values of their society but to ponder the issues that society must examine in order to better understand itself. These same artists present us to the world and help project our country's image internationally. We have Céline Dion at centre stage in Las Vegas and Cirque du Soleil captivating Parisians, and Stephen Low transports audiences around the world with IMAX films. Canadian musicians Paul Anka, the Tragically Hip and Avril Lavigne and filmmaker Denys Arcand criss-cross the globe. I was especially impressed by our Governor General, Her Excellency the Right Honourable Adrienne Clarkson, who invited artists to accompany her on her trip to the northern circumpolar countries. The arts are a necessary ingredient in promoting a modern image of Canada around the world. This task is not up to artists alone but also to government bodies.

Honourable senators, I should like very much for us to examine more carefully the various facets of artistic creation in order to support the artistic process, create favourable conditions for artists to do their work and to increase the general public's access to their works.

The arts boost our economic performance. In addressing the Canadian Club of Toronto recently, the Minister of Canadian Heritage, the Honourable Liza Frulla, reminded us that Canada's culture sector accounts for 600,000 jobs and close to \$40 billion in the economy. It is quite natural for culture to be closely linked with the creation, production, distribution and consumption of artistic products. The creative efforts made by talented Canadians in theatre, culture, music, painting, literature, dance or digital art are an integral part of culture. The important role this industry plays is not merely to satisfy consumers' needs. Entertainment is not the primary purpose of these works of art.

I am delighted the current Minister of Canadian Heritage, herself a woman of arts, has a deep sensitivity to culture. I am pleased that she has stabilized funding for the arts and culture. I wish her success in tackling the tremendous challenge of gaining recognition for the vital role culture plays.

[Translation]

Yes, art expresses the individual's soul, but culture expresses the soul of the people. Art and culture are two concentric realities. If art represents hope for humanity, culture is the vehicle for that hope. Culture goes beyond artistic production alone. Culture is the soul of a nation because it reflects how its people think and behave. Culture is the sum of the traditions, beliefs, values, knowledge, experience, customs and institutions that characterize a specific group of people. My idea of culture is consistent with the definition UNESCO adopted at the World Conference on Cultural Policies, held in Mexico in 1982. The UNESCO definition reads as follows, and I quote:

Culture may now be said to be the whole complex of distinctive spiritual, material, intellectual and emotional features that characterize a society or social group. It includes not only the arts and letters, but also modes of life, value systems, traditions and beliefs.

Canadian culture is the product of the mixing of different cultures and traditions, one as rich as the other. Our distinctive features are enriched by the contribution of Aboriginal cultures and other cultural customs that have gradually been added. Our way of life is Western, North American, but at the same time Aboriginal, Ukrainian, Pakistani, Senegalese, Acadian, Irish, and so forth. Our spirituality has multiple expressions. Buddhism, Hinduism, Catholicism and Islam stand harmoniously with other religions.

We are a Nordic country with extreme cold and many seasons. Our intellectual life draws on the tremendous synergy of the men and women who have come from all continents; men and women who, through their contributions, play a role in building the great community we call Canada. We are not homogeneous. We are diversity itself, and we stand united in our attachment to our values, which are an important dimension of our culture.

[English]

As a nation, we cherish tolerance, equity, democracy, freedom, respect for human rights and responsibility. Respect for others and respect for our environment are sacred principles in Canada. The equitable redistribution of wealth is important to us. The

[Senator Léger]

values and principles at the heart of Canadian identity are the integrating forces of our society and the glue that holds our nation together.

The challenge of protecting our culture and promoting our shared identity should not rest entirely on the shoulders of Canadian Heritage, the Canada Council for the Arts, the National Film Board, the Canadian Broadcasting Corporation and our other cultural institutions. Each federal department and Crown corporation should contribute to this mission of expressing and asserting our identity. It is in our interests for all government institutions to consider our culture as an essential piece of our mosaic. John Ralston Saul was right when he stated the following:

Only Canadian culture can express the uniqueness of our country, which is bilingual, multicultural, and deeply influenced by its Aboriginal roots, the North, the oceans, and its own immensity.

During my four years in the Senate, I have noted that this has not been sufficiently reflected in the official discourse.

[Translation]

In his recent essay, *Quel cirque! Ma théorie générale de la réalité*, Jean David launches a harsh attack on the education system, political parties and the media. He bases this criticism on his observation that:

These three spheres are devoid of creativity, and citizens no longer identify with them.

I will leave it to the press and educators to criticize their own work. As to politicians, it is up to you, honourable senators, to rediscover creativity as Jean David has challenged you to do.

[English]

My speech today could be my last in this chamber.

• (1450)

Some Hon. Senators: No, no!

Senator Léger: My hope in entering the Senate was that the cultural dimension would be given greater consideration in our review of programs and policies. As I leave this chamber, I hope to see a new Senate committee on cultural affairs created.

Some Hon. Senators: Hear, hear!

Senator Léger: Such a committee would have the mandate to carefully examine the various facets of artistic creation in order to find a way to support artists. Such a committee would ensure that our laws help strengthen our Canadian identity, bring the various components of Canadian culture closer together and stress the values and underlying principles we agree on.

I will venture even further in my suggestions. The culture portfolio could be taken out of Canadian Heritage and assigned to a new department that would be responsible for all facets of Canadian culture. This federal department of culture would be responsible for developing and implementing a national plan for culture. I consider it essential that all policies and programs that support culture in Canada be brought together under a true cultural policy. This department would thus have an overview of the expenditures on culture made by the 30 or so federal cultural departments and agencies. It is not a question of meddling, but rather of efficiency.

[Translation]

My experience in the Senate has been tremendously rewarding. I have learned a great deal from you, my honourable fellow senators. I leave this institution with a better understanding of and an even stronger attachment to Canada. I am grateful for what I have learned through your discussions about our vast, complex and beautiful country. It is a country where all the constituent parts are equally important. Thank you for helping me love it even more. As Senator Laurier LaPierre said, "Long live Canada!"

I cannot leave without reading something that might help you explore creativity in politics. It is the international message by Ariane Mnouchkine, the great director of the Théâtre du Soleil, in Paris.

Help!

Theatre, come to my rescue!
 I am asleep. Wake me
 I am lost in the dark, guide me, at least towards a candle
 I am lazy, shame me
 I am tired, raise me up
 I am indifferent, strike me
 I remain indifferent, beat me up
 I am afraid, encourage me
 I am ignorant, teach me
 I am monstrous, make me human
 I am pretentious, make me die of laughter
 I am foolish, transform me
 I am dominating and cruel, fight against me
 I am pedantic, make fun of me
 I am vulgar, elevate me
 I no longer dream, call me a coward or a fool
 I have forgotten, throw Memory in my face
 I feel old and stale, make the Child in me leap up
 I am heavy, give me Music
 I am sad, bring me Joy
 I am agitated, let Wisdom rise within me
 I am weak, kindle Friendship
 I am blind, summon all the Lights
 I am dominated by Ugliness, bring in conquering Beauty
 I have been recruited by Hatred, unleash all the forces of Love.

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, I should like to move that the debate be adjourned. I wonder if any other honourable senator wishes to speak to this inquiry. A vote will be taken in the other place this afternoon. I

believe this kind of farewell speech to be somewhat premature, and I am a bit perplexed because, on the one hand, I would like to wrap things up this evening but, on the other hand, I would like to have the opportunity to hear more fine words spoken about our colleague the Honourable Senator Léger.

Senator Léger: Honourable senators, I had an inquiry on culture, and I hope that someone will pick up from where I left off. As far as farewell speeches are concerned, there is no need to worry. We are all aware of what is going on in the other place, so I thought I would make my speech today, just in case it was my last chance to do so. Mind you, that may not be the case!

Hon. Marcel Prud'homme: Has Senator Kinsella moved to adjourn the debate?

Hon. Senators: Yes.

Senator Prud'homme: Honourable senators, Senator Léger's words have evoked in me some wonderful memories of my days as the arts critic in the other place. At that time, I gave two 40-minute speeches on the importance of culture. My speech is therefore ready to go, and I would have a lot to add. If Senator Kinsella is moving adjournment, then I will have an opportunity to take part in the debate.

[English]

Hon. Tommy Banks: Honourable senators, it is most appropriate that Senator Kinsella should take the adjournment of this debate when it comes, because there is no more cultured person here than he.

However, I know, Senator Léger, that I am speaking with great confidence for all honourable senators to say that it is we who learned from you rather than the other way around. Every time you spoke in this place, you brought a new view of things to us, even those of us who have the honour to have dabbled, at least on the fringes, in creative art, at which you have been at the centre and of which you are a wonderful example. I know we all hope the speech you just made will not be your last one here, but I also know, particularly because the Leader of the Opposition will take the adjournment of this debate, that the flame you have lit will continue. I hope we will respond to your challenge in this place by rising, at least in some degree, to the very high bar you have set, both in your professional life and here, and in the remarks you have just made, for which we are all very grateful.

• (1500)

Hon. Jim Munson: Honourable senators, I never thought I would rise for a few moments only to talk about the Honourable Senator Léger. I know this is not goodbye, because in New Brunswick it is never goodbye. I am an English New Brunswicker who is most fortunate to have married an Acadian Brunswicker, Ginette Hébert, from Northern New Brunswick.

Senator Léger, what both you and my wife have taught me is that in the province of New Brunswick we have something special, something I wish the rest of the country could see, in terms of love, languages and acceptance. A moment ago, you moved me to tears; it is wonderful to sit in the Senate and hear your words.

Unfortunately, time seems to go by so quickly. Just 18 months ago, sitting in front of you was Senator Thelma Chalifoux, from whom I learned so much in only a month and a half. From Senator Morin, I learned much in 12 months, and I keep learning from you. Having spent this time with you in the Senate, and looking forward to seeing you in the province of New Brunswick, I am reminded of how fortunate I am to have shared these moments with a person such as you. I hope to continue to share them with the Acadians of New Brunswick, which is truly a special place.

On motion of Senator Kinsella, debate adjourned.

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO STUDY CRIMINAL CODE AS IT RELATES TO ISSUES OF MENTAL HEALTH

Hon. Bill Rompkey (Deputy Leader of the Government), for Senator Bacon, pursuant to notice of May 16, 2005, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to invite, when appropriate, the Minister of Justice and Attorney General for Canada, the Minister of Health, their officials, as well as other witnesses to appear before the committee for the purpose of examining the provisions of the *Criminal Code* related to mental disorder, and in particular to consider the increasing use of the criminal justice system to address issues of mental health; and

That the committee continue to monitor developments on the subject and submit a final report to the Senate no later than May 19, 2006.

Hon. Noël A. Kinsella (Leader of the Opposition): Honourable senators, I should like the record to show that this side supports the motion. It may be of some help to members of the Legal and Constitutional Affairs Committee to know that the Standing Senate Committee on Social Affairs, Science and Technology is doing an in-depth study of mental health and mental illness. Several issues might have been canvassed already by senators on that committee. It is my hope that the researchers and honourable senators on the two committees will learn from one another, should there be a convergence of the work from the two studies.

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

Hon. Senators: Question!

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

Motion agreed to.

BUSINESS OF THE SENATE

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, we are finished the items on our Order Paper. Royal Assent will take place at 4 p.m. today.

The House of Commons is still sitting. Bill S-25, to amend the act of incorporation of The General Synod of the Anglican Church of Canada, is before members. There is all-party support

to pass the bill today, but the House has not reached that item on the Order Paper yet. Senators may recall that I sponsored the bill, supported by Senator Meighen. It is our wish that Bill S-25 be included in Royal Assent today, if possible.

Hence, I would suggest that the Senate do now adjourn during pleasure, at the call of the chair, and return when the House of Commons has reported the adoption of Bill S-25. In that way, the bill could receive Royal Assent today, and the house could return to Business of the Senate briefly, for the reading of the documents.

I move that the Senate do now adjourn during pleasure to reassemble at the call of the chair.

Hon. Noël A. Kinsella (Leader of the Opposition): This side agrees. A 10- or 15-minute bell would be appreciated by senators.

Senator Rompkey: A 15-minute bell would be fine.

The Hon. the Speaker *pro tempore*: Honourable senators, is it your pleasure to adopt the motion?

[Translation]

Hon. Marcel Prud'homme: Honourable senators, if by chance the House of Commons has not yet passed this bill, but luck is on your side in tonight's vote, the bill will certainly be passed eventually. Given that the bells will start ringing in the House of Commons at 5:30 p.m., they will not be in a position to pass the bill. Can you confirm that we will be called back before 5:30 p.m., and not after?

[English]

Senator Rompkey: Honourable senators, I hope the House of Commons will get to Bill S-25 on its Order Paper. If it does not, Royal Assent will proceed as planned at four o'clock today for other bills. I ask only for an opportunity to see whether the House of Commons proceeds to Bill S-25 on its Order Paper today, so that, if so, the bill can receive Royal Assent this afternoon.

Motion agreed to.

The Senate adjourned during pleasure.

• (1530)

The sitting was resumed.

GENERAL SYNOD OF THE ANGLICAN CHURCH OF CANADA

PRIVATE BILL TO AMEND ACT OF INCORPORATION—MESSAGE FROM COMMONS

The Hon. the Speaker *pro tempore* informed the Senate that a message had been received from the House of Commons returning Bill S-25, to amend the act of incorporation of The General Synod of the Anglican Church of Canada, and acquainting the Senate that they had passed this bill without amendment.

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, we find ourselves in the same position. I move, with leave, that the Senate do now adjourn at pleasure to reassemble at the call of the chair. If it is agreed, we can have another 15-minute bell.

The Hon. the Speaker *pro tempore*: Is it agreed, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker *pro tempore*: I do now leave the chair.

The Senate adjourned during pleasure.

• (1630)

[*Translation*]

The sitting was resumed.

ROYAL ASSENT

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

RIDEAU HALL

May 19, 2005

Mr. Speaker,

I have the honour to inform you that the Honourable Morris Fish, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy of the Governor General, signified Royal Assent by written declaration to the bills listed in the Schedule to this letter on the 19th day of May, 2005, at 4:05 p.m.

Yours sincerely,

Barbara Uteck
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

Bills assented to Thursday, May 19, 2005:

An Act to amend the Criminal Code (mental disorder) and to make consequential amendments to other Acts (*Bill C-10, Chapter 22, 2005*)

An Act to amend the Migratory Birds Convention Act, 1994, and the Canadian Environmental Protection Act, 1999 (*Bill C-15, Chapter 23, 2005*)

An Act to amend the Canada Grain Act and the Canada Transportation Act (*Bill C-40, Chapter 24, 2005*)

An Act to amend the Criminal Code, the DNA Identification Act and the National Defence Act (*Bill C-13, Chapter 25, 2005*)

An Act to amend the Act of incorporation of The General Synod of the Anglican Church of Canada (*Bill S-25*)

[*English*]

ADJOURNMENT

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

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(h), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, May 31, 2005, at 2:00 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, May 31, 2005 at 2 p.m.

THE SENATE OF CANADA

PROGRESS OF LEGISLATION

(indicates the status of a bill by showing the date on which each stage has been **completed**)

(1st Session, 38th Parliament)

Thursday, May 19, 2005

(*Where royal assent is signified by written declaration, the Act is deemed to be assented to on the day on which the two Houses of Parliament have been notified of the declaration.)

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-10	A second Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law	04/10/19	04/10/26	Legal and Constitutional Affairs	04/11/25	0 observations	04/12/02	04/12/15	25/04
S-17	An Act to implement an agreement, conventions and protocols concluded between Canada and Gabon, Ireland, Armenia, Oman and Azerbaijan for the avoidance of double taxation and the prevention of fiscal evasion	04/10/28	04/11/17	Banking, Trade and Commerce	04/11/25	0	04/12/08	05/03/23*	8/05
S-18	An Act to amend the Statistics Act	04/11/02	05/02/02	Social Affairs, Science and Technology	05/03/07	0	05/04/20		
S-31	An Act to authorize the construction and maintenance of a bridge over the St. Lawrence River and a bridge over the Beauharnois Canal for the purpose of completing Highway 30	05/05/12							
S-33	An Act to amend the Aeronautics Act and to make consequential amendments to other Acts	05/05/16							
S-36	An Act to amend the Export and Import of Rough Diamonds Act	05/05/19							
S-37	An Act to amend the Criminal Code and the Cultural Property Export and Import Act	05/05/19							

GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-3	Bill, C-3, An Act to amend the Canada Shipping Act, the Canada Shipping Act, 2001, the Canada National Marine Conservation Areas Act and the Oceans Act	05/03/21	05/04/14	Transport and Communications					

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-4	An Act to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment	04/11/16	04/12/09	Transport and Communications	05/02/15	0	05/02/22	05/02/24*	3/05
C-5	An Act to provide financial assistance for post-secondary education savings	04/12/07	04/12/08	Banking, Trade and Commerce	04/12/09	0 observations	04/12/13	04/12/15	26/04
C-6	An Act to establish the Department of Public Safety and Emergency Preparedness and to amend or repeal certain Acts	04/11/18	04/12/07	National Security and Defence	05/02/22	0	05/03/21	05/03/23*	10/05
C-7	An Act to amend the Department of Canadian Heritage Act and the Parks Canada Agency Act and to make related amendments to other Acts	04/11/30	04/12/09	Energy, the Environment and Natural Resources	05/02/10	0	05/02/16	05/02/24*	2/05
C-8	An Act to amend the Financial Administration Act, the Canada School of Public Service Act and the Official Languages Act	05/03/07	05/03/21	National Finance	05/04/14	0	05/04/19	05/04/21*	15/05
C-10	An Act to amend the Criminal Code (mental disorder) and to make consequential amendments to other Acts	05/02/08	05/02/22	Legal and Constitutional Affairs	05/05/12	0 observations	05/05/16	05/05/19*	22/05
C-12	An Act to prevent the introduction and spread of communicable diseases	05/02/10	05/03/09	Social Affairs, Science and Technology	05/04/12	2	05/04/14	05/05/13*	20/05
C-13	An Act to amend the Criminal Code, the DNA Identification Act and the National Defence Act	05/05/12	05/05/16	Legal and Constitutional Affairs	05/05/18	0	05/05/19	05/05/19*	25/05
C-14	An Act to give effect to a land claims and self-government agreement among the Tlicho, the Government of the Northwest Territories and the Government of Canada, to make related amendments to the Mackenzie Valley Resource Management Act and to make consequential amendments to other Acts	04/12/07	04/12/13	Aboriginal Peoples	05/02/10	0	05/02/10	05/02/15*	1/05
C-15	An Act to amend the Migratory Birds Convention Act, 1994 and the Canadian Environmental Protection Act, 1999	04/12/14	05/02/02	Energy, the Environment and Natural Resources	05/05/17	0 observations	05/05/18	05/05/19*	23/05
C-18	An Act to amend the Telefilm Canada Act and another Act	04/12/13	05/02/23	Transport and Communications	05/03/22	0 observations	05/03/23	05/03/23*	14/05
C-20	An Act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts	04/12/13	05/02/16	Aboriginal Peoples	05/03/10	0	05/03/21	05/03/23*	9/05
C-24	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to make consequential amendments to other Acts (fiscal equalization payments to the provinces and funding to the territories)	05/02/16	05/02/22	National Finance	05/03/08	0	05/03/09	05/03/10*	7/05

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-29	An Act to amend the Patent Act	05/02/15	05/03/07	Banking, Trade and Commerce	05/04/12	2	05/04/14	05/05/05*	18/05
C-30	An Act to amend the Parliament of Canada Act and the Salaries Act and to make consequential amendments to other Acts	05/04/13	05/04/14	National Finance	05/04/21	0	05/04/21	05/04/21*	16/05
C-33	A second Act to implement certain provisions of the budget tabled in Parliament on March 23, 2004	05/03/07	05/04/20	National Finance	05/05/03	0	05/05/10	05/05/13*	19/05
C-34	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 2, 2004-2005</i>)	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	27/04
C-35	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 3, 2004-2005</i>)	04/12/13	04/12/14	—	—	—	04/12/15	04/12/15	28/04
C-36	An Act to change the boundaries of the Acadie—Bathurst and Miramichi electoral districts	04/12/13	05/02/01	Legal and Constitutional Affairs	05/02/22	0 observations	05/02/23	05/02/24*	6/05
C-39	An Act to amend the Federal-Provincial Fiscal Arrangements Act and to enact An Act respecting the provision of funding for diagnostic and medical equipment	05/02/22	05/03/08	Social Affairs, Science and Technology	05/03/10	0	05/03/22	05/03/23*	11/05
C-40	An Act to amend the Canada Grain Act and the Canada Transportation Act	05/05/12	05/05/16	Agriculture and Forestry	05/05/18	0	05/05/19	05/05/19*	24/05
C-41	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2005 (<i>Appropriation Act No. 4, 2004-2005</i>)	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	12/05
C-42	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2006 (<i>Appropriation Act No. 1, 2005-2006</i>)	05/03/22	05/03/23	—	—	—	05/03/23	05/03/23*	13/05
C-45	An Act to provide services, assistance and compensation to or in respect of Canadian Forces members and veterans and to make amendments to certain Acts	05/05/10	05/05/10	National Finance	05/05/12	0	05/05/12	05/05/13*	21/05

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-302	An Act to change the name of the electoral district of Kitchener—Wilmot—Wellesley—Woolwich	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	4/05
C-304	An Act to change the name of the electoral district of Battle River	04/12/02	04/12/07	Legal and Constitutional Affairs	05/02/17	0 observations	05/02/22	05/02/24*	5/05

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Citizenship Act (Sen. Kinsella)	04/10/06	04/10/20	Social Affairs, Science and Technology	04/10/28	0	04/11/02	05/05/05*	17/05
S-3	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	04/10/06	04/10/07	Official Languages	04/10/21	0	04/10/26		
S-4	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	04/10/06	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-5	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	04/10/07	04/10/26	Transport and Communications (withdrawn) 04/10/28 Legal and Constitutional Affairs					
S-6	An Act to amend the Canada Transportation Act (running rights for carriage of grain) (Sen. Banks)	04/10/07							
S-7	An Act to amend the Supreme Court Act (references by Governor in Council) (Sen. Cools)	04/10/07	Dropped from Order Paper pursuant to Rule 27(3) 05/02/22						
S-8	An Act to amend the Judges Act (Sen. Cools)	04/10/07							
S-9	An Act to amend the Copyright Act (Sen. Day)	04/10/07	04/10/20	Social Affairs, Science and Technology					
S-11	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	04/10/19	04/10/26	Legal and Constitutional Affairs	05/04/12	2 observations	05/05/17		
S-12	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	04/10/19							
S-13	An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate) (Sen. Oliver)	04/10/19	04/11/17	Legal and Constitutional Affairs					
S-14	An Act to protect heritage lighthouses (Sen. Forrestall)	04/10/20	04/11/02	Social Affairs, Science and Technology	05/03/21	0	05/03/23		
S-15	An Act to prevent unsolicited messages on the Internet (Sen. Oliver)	04/10/20		Subject-matter 05/02/10 Transport and Communications					
S-16	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	04/10/27		Subject-matter 05/02/22 Aboriginal Peoples					

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
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S-20	An Act to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions (Sen. Stratton)	04/11/30		Subject-matter 05/02/02 Legal and Constitutional Affairs					
S-21	An Act to amend the criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	04/12/02	05/03/10	Legal and Constitutional Affairs					
S-22	An Act to amend the Canada Elections Act (mandatory voting) (Sen. Harb)	04/12/09							
S-23	An Act to amend the Royal Canadian Mounted Police Act (modernization of employment and labour relations) (Sen. Nolin)	05/02/01							
S-24	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	05/02/03	05/03/10	Legal and Constitutional Affairs					
S-26	An Act to provide for a national cancer strategy (Sen. Forrestall)	05/02/16							
S-28	An Act to amend the Bankruptcy and Insolvency Act (student loan) (Sen. Moore)	05/03/23							
S-29	An Act respecting a National Blood Donor Week (Sen. Mercer)	05/05/05							
S-30	An Act to amend the Bankruptcy and Insolvency Act (RRSP and RESP) (Sen. Biron)	05/05/10							
S-32	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	05/05/12							
S-34	An Act to amend the Department of Justice Act and the Supreme Court Act to remove certain doubts with respect to the constitutional role of the Attorney General of Canada and to clarify the constitutional relationship between the Attorney General of Canada and Parliament (Sen. Cools)	05/05/16							
S-35	An Act to amend the State Immunity Act and the Criminal Code (terrorist activity) (Sen. Tkachuk)	05/05/18							

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No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-25	An Act to amend the Act of incorporation of The General Synod of the Anglican Church of Canada (Sen. Rompkey, P.C.)	05/02/10	05/03/23	Banking, Trade and Commerce	05/05/05	0 observations	05/05/10	05/05/19*	
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