



CANADA

# Debates of the Senate

---

1st SESSION

•

39th PARLIAMENT

•

VOLUME 143

•

NUMBER 63

---

OFFICIAL REPORT  
(HANSARD)

**Tuesday, January 30, 2007**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.

## CONTENTS

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

---

*Debates and Publications:* Chambers Building, Room 943, Tel. 996-0193

Published by the Senate  
Available from PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.  
**Also available on the Internet: <http://www.parl.gc.ca>**

## THE SENATE

Tuesday, January 30, 2007

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

### SENATORS' STATEMENTS

#### THE SENATE

##### CONGRATULATIONS TO NEW AND OUTGOING LIBERAL LEADERSHIP

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, it is my pleasure to rise today and offer my sincere congratulations, and those of my colleagues on this side of the chamber, to the new Leader of the Opposition in the Senate, the Honourable Céline Hervieux-Payette.

Earlier this month, Senator Hervieux-Payette was appointed to her new position by the leader of the Liberal Party and the Leader of the Opposition in the other place, the Honourable Stéphane Dion. As we are all aware, Senator Hervieux-Payette has enjoyed a long and distinguished career in both the private and public sector as a lawyer and a businesswoman, as a member of the House of Commons, and as a Minister of State in Pierre Trudeau's cabinet. Since her appointment to the Senate by Prime Minister Chrétien in 1995, Senator Hervieux-Payette has vigorously participated in many debates on issues of particular concern to people in this chamber, to herself and to the public.

As senators, we have an obligation to Parliament and to the Canadian public to be mindful of our responsibilities and respectful of what is expected of us.

• (1405)

I sincerely look forward to working with Senator Hervieux-Payette in our respective roles because there is so much to be done. I am sure there will be a great deal of cooperation and mutual support.

I also want to congratulate Senator Tardif and Senator Cowan as they assume their roles as opposition deputy leader and opposition whip. I want to say a special word to Senator Cowan. Having once held the position of opposition whip myself, his responsibilities will be onerous, to say the least.

I also take this opportunity to thank Senator Daniel Hays for his work as Leader of the Opposition. Over the past year I have had the opportunity to work closely with Senator Hays. We have had many vigorous discussions and debates, in private and in this place, and I hope Senator Hays will agree with me that those exchanges have been, for the most part, not only substantive but respectful as well. He will certainly continue to be a valuable member of the Senate of Canada for many years to come.

In closing, once again, I congratulate Senator Hervieux-Payette on this appointment and I look forward to working with her closely as the days progress.

[Translation]

**Hon. Céline Hervieux-Payette (Leader of the Opposition):** Honourable senators, I would like to thank my honourable colleague for her laudatory words. This is the first time in our Parliament's history that two women have held the positions of Leader of the Government and Leader of the Opposition simultaneously. I am sure that my colleague opposite is just as proud of this memorable milestone as I am.

Although it is often our job on this side to disagree with her and her government on political and strategic issues and approaches, we nevertheless admire the devotion and conviction she brings to fulfilling her responsibilities as a public office holder.

As I take on my duties as Leader of the Opposition, I must also congratulate the former leader, my colleague the Honourable Senator Hays, on his invaluable contribution to the work of this House, particularly during a difficult time of transition from government to opposition. A former Speaker of the Senate, he fulfilled his heavy responsibilities with the talent and wisdom of a great parliamentarian well-versed in the traditions and procedures of this House and with the dignity and aplomb of a seasoned diplomat. I think mastery of the political arts is in his genes.

I hope that we can continue to count on his sage advice during the weeks and months to come.

[English]

I also wish to highlight the important contributions made by Senator Fraser and Senator Cook, who assisted Senator Hays most ably as deputy leader and whip of the opposition throughout the last year. We are grateful to them and to their dedicated staff and commend their good work.

[Translation]

Honourable senators, I am deeply touched by the trust that the new leader of the Liberal Party, the Honourable Stéphane Dion, has placed in me by appointing me Leader of the Opposition. I will work hard to prove myself worthy of that trust by helping him to ensure a strong and vigilant opposition to the government and to promote the values, ideals and philosophy of the Liberal Party. I will stand with him as we express, loud and clear, from sea to sea, how proud we are to be Canadian.

We are indeed very proud to be part of a country that, in its 140 years, created on this continent a model civilized society where tolerance, justice and equality are not just dreams, but reality for our fellow citizens. In this country, this nation, citizenship does not depend on language, borders, or blood, but on shared values and ideals that arise from a single basic principle: respect for the dignity of every human being.

[English]

From that principle have come concrete and progressive measures that make up the social fabric of our nation, from medicare to old age pensions, to the Charter of Rights and Freedoms and countless others.

Although we take great pride in our country and in our accomplishments while in government, we fully realize that our immediate task is to provide a diligent and effective opposition to the government. We must do so by submitting government policies and programs to careful analysis and thoughtful criticism; in short, engage in a continuous sequence of questions and answers with the government, demand transparency, denounce injustice and protect minorities.

That is our challenge and responsibility, honourable senators, and the commitment to which we are resolved.

• (1410)

### THE LATE GERALD TURNER

**Hon. Hugh Segal:** Honourable senators, I rise today to pay tribute to Gerald Turner, who passed away last week in his eighty-second year. The accomplishments and service to Canada that defined Mr. Turner also define an entire generation of Canadians who we are beginning to lose to the passage of time.

This generation lived through the Depression, fought for our freedom and that of the world, built this country and sustained her values and traditions, and did so in a quite unassuming way as they built families, neighbourhoods and communities.

Gerald Turner was born in Saltford, England, in 1924, joined the Royal Air Force in the Second World War, serving in India, Africa and Burma. After the war, he helped to start the Indian Air Force. Moving to Canada, he continued to fly, assisting our country in the Commonwealth plan to bring agricultural staff to India and Pakistan.

Upon his return home, he became a leading force in the important geological and cartography surveys of the Western Arctic on which we still depend. His support of the cause of freedom continued when he flew supplies to the DEW Line and the Pinetree Line, defensive perimeters guarding our continent's North against Soviet bomber and missile threats.

Mr. Turner served as a pilot with Search and Rescue in Newfoundland and Labrador and completed his flying career flying helicopters for Ontario Hydro, helping to build the very electrical infrastructure that made Ontario grow and prosper, and ensuring the integrity of our lines and towers in this great province.

Through all of this, he married, and he and his wife, Lois, built a home and raised a family that reaches right across Canada. This intellectual, mild-mannered, athletic and always humorous raconteur was part of a generation that understood duty, that built Canada, that made this world a safer place and this country simply the best in that world.

His grandchildren, Jesse, Lauren, Rowan and Joshua, and great-grandson Gavin, will in the years ahead be able to reflect on the grandfather they loved, and all those like him of his

generation, who built the very country and way of life we cherish for all our children; and they will understand not only how powerful that inheritance is, but how much we owe Gerald Turner and those of his generation for what they quietly did for us all. May God bless them all.

### LIVING IN POVERTY

**Hon. Art Eggleton:** I rise today to speak about a systemic social issue that affects millions of Canadians. It is an issue that angers many of us, and it is one that we have not done enough to combat. It affects Canadians of every age, from the very youngest to the eldest. I am speaking about Canadians living in poverty.

The numbers and statistics are staggering. Over 4.8 million Canadians are living in poverty; 1.2 million of these are children. In Toronto, the city that I come from, 67,000 households are waiting for affordable housing. That means that if the family is looking for a small bachelor unit, the wait time is one to five years. If they need a one-bedroom unit, the wait can be from 7 to 10 years. A two-bedroom unit takes 5 to 10 years; and if they have a large family, it can take anywhere from 10 to 12 years. This is a completely unacceptable situation.

Calgary has a homeless population of 3,400. What is more shocking is that the number of homeless has increased by more than 30 per cent in over two years.

In Ontario, at least 330,000 people are forced to use food banks each month. This number has grown by almost 20 per cent in the last five years, twice the rate of the population growth.

Some 6.7 million Canadians eke out an existence that is less than \$20,000 a year. That figure is one half of the average income.

This is just a small sampling of the numbers. This is a problem, honourable senators, that needs to be dealt with; it needs all our leadership.

We need to help in the development of a strategy to combat poverty in Canada. We need to see what options will help break the cycle of poverty. How important is an increase in the minimum wage? How do we address the waiting lists for affordable housing? Are we doing enough to help single parents work? Are we offering parents a choice in child care? Is education accessible to all? What do we do to help those who are homeless? What programs are needed for children going to school hungry?

• (1415)

We have had success in the past. A number of years ago we made a concentrated effort to reduce poverty in our senior population. In 1980, the poverty rate among seniors was 28.4 per cent, but with programs such as Old Age Security, the Canada Pension Plan and the Guaranteed Income Supplement, poverty amongst seniors has dropped to 13.1 per cent. There is still room for improvement, but let us extend the successes here to others who live in poverty in Canada.

The report under the name of Senator Croll in 1971 gave us an opportunity to act on poverty, to make a difference. The Senate did good work with that report and it is still referred to

[ Senator Hervieux-Payette ]

today. However, we need to update that work, and I hope that between the studies undertaken by the Standing Senate Committee on Agriculture and Forestry and the Standing Senate Committee on Social Affairs, Science and Technology we will be able to do that. The Agriculture Committee is currently studying rural poverty. The Social Affairs Committee, which I chair, will launch a study on Canadian cities shortly and will start by examining poverty, housing and homelessness.

We need to capture the energy of these reports and develop a national strategy to combat poverty.

### BLACK HISTORY MONTH

**Hon. Donald H. Oliver:** Honourable senators, I rise today to call attention to the importance of February as Black History Month in Canada. We celebrate Black History Month each year to honour the legacy of Black Canadians, past and present, for their contributions and sacrifices that form an indelible part of Canada. More important, honourable senators, I am here to tell you that there is still much work to be done. Prejudice, discrimination and racism are still words that define the everyday lives of too many Black Canadians. Black History Month should be a history of reflection because, regrettably, Black people still face systemic barriers in both the private and public sectors. The month provides all of us with an opportunity to think, listen, read, hear and sense what Black Canadians have encountered in order to seek equality with the White majority. It is an opportunity for all of us to contemplate the vital role that Blacks have played throughout our shared history.

This year, I will be actively engaged in a variety of activities during this special month. Beginning on February 1, I will be the keynote speaker in Toronto to launch the month-long series of activities of the Bank of Montreal. Later, I will be privileged to participate in a variety of cultural activities with Her Excellency Michaëlle Jean, Governor General of Canada, during her three-day visit to the province of Nova Scotia. Later in February, I will be the keynote speaker at the main auditorium of the Ottawa headquarters of the Canadian Security Intelligence Service to deliver an address on diversity and pluralism. I have been asked to speak at a number of schools throughout the country during the month. It is important that all of us continue to echo words of hope as we celebrate our diversity in Canada. Honourable senators, I cannot stress how important it is to celebrate all cultures that have contributed to our mosaic and to the values that make us Canadian. This celebration must embrace all Canadians, including Black communities from coast to coast, because they, too, are part of our history.

This year is also a year of celebration for Black Canadians in honour of the four hundredth anniversary of our presence in Canada. Mathieu Da Costa, a Black Portuguese navigator and explorer, came to the New World with Samuel de Champlain in 1605. His contribution has been largely left out of the Canadian history books but, in the 400 years since Da Costa's arrival, there have been profound changes in the Black community. Slavery existed in Canada from 1628 to 1834. Black History records in the *Halifax Gazette* show an ad that said, "to be sold at public auction on the 3rd of November, two slaves — a boy and girl — about 11 . . . ." When the United Empire Loyalists migrated to what would become British North America, 10 per cent of them were Black. In 1793, the Abolition Act passed in Upper Canada making it law that no new slaves could be brought into Upper Canada.

In 1958, William O'Ree broke the colour barrier and became the first Black hockey player to join the NHL. It was not until the 1960s that Ontario's last segregated school closed its doors. In Nova Scotia, it was after 1968 when the law clarified that Black Canadians could be buried in White cemeteries. Only then did it become apparent to Black Canadians that segregation was disappearing.

Honourable senators, the Honourable Lincoln Alexander was the first Black Canadian member of Parliament and was elected to the House of Commons in 1968. He was later appointed Lieutenant-Governor of Ontario in 1985, and he was the first Black person to serve in a viceregal position in Canada.

• (1420)

Black History Month is to remind Canadians that, even though slavery has been abolished and segregation has become a thing of the past, the fight against systemic racism still continues. It must be exterminated from our society. Celebrating Black History Month and culture is a way to bring about the awareness of equality for all so that Martin Luther King's dream can be realized.

Honourable senators, that is the Canada I want and that is the Canada we must build.

### THE SENATE

#### CONGRATULATIONS TO OUTGOING AND NEW LIBERAL LEADERSHIP

**Hon. Mobina S.B. Jaffer:** Honourable senators, I rise today to recognize the work of three senators who have worked extremely hard on our behalf in the last year. In 2006, there has been a real transition on our side after 13 years in government. That transition on its own would have been difficult, but adding to this work have been debates on Senate reform, along with the increased scrutiny that has been brought to this chamber. The leadership on our side has faced not only challenges of managing a large caucus in opposition, but has also seen us through the turmoil that has naturally accompanied a period of change for our party.

Honourable senators, I would like to take this opportunity to acknowledge the work of Senator Hays as Leader of the Opposition in the Senate. We have all had the opportunity to work with Senator Hays. My own relationship with him started in 1994, when he was President of the Liberal Party of Canada and I was serving as vice-president. We worked very hard, including travelling abroad to present the party. We also pushed hard at home to promote a number of important issues, including policies to promote the equality of women. I was honoured to have the chance to travel with him as part of the Speaker's delegation to India. To travel to my country of origin with such a great friend, and see him treated with such respect as we met with important officials and visited historic sites, was a source of great pride for me.

As the Leader of the Opposition, Senator Hays also took the time to work with us on issues we have raised and was responsive to our concerns. Senator Hays has worked in an extremely difficult and demanding job and I know that all honourable senators will want to thank him for his efforts on our behalf.

Senator Fraser has also worked in an extremely demanding job as Deputy Leader of the Opposition. I have had the pleasure of working closely with Senator Fraser since being appointed in 2001, on the Special Committee on the Anti-terrorism Act and again on the Public Safety Act as she chaired the Transport and Communications Committee. While we have not always agreed on every issue, I have always had the greatest respect for her ability to put forward her point of view clearly while still remaining open to other arguments. She is someone who always decides the best course of action based on the merits and facts available. Senator Fraser has faced a demanding task as the deputy leader with the same poise and panache I have come to respect in her. I want to thank her for those efforts and I look forward to continuing to work with her.

Senator Cook and I first met when I ran for President of the Women's Liberal Commission. She not only campaigned for me but has taught me many things that have helped me work better in my role as senator. Senator Cook has worked with all of us under very difficult health circumstances. She has soldiered on without so much as a complaint despite the enormous challenges she faced as the whip of a large Senate caucus. Her style has shown us that you can indeed catch more flies with honey than with vinegar.

Honourable senators, I know you will all want to join me in thanking Senators Hays, Fraser and Cook for their hard work on our behalf.

Honourable senators, I would also like to welcome to this side and congratulate Senator Hervieux-Payette, Senator Cowan and Senator Tardif, who have risen to take on these challenges which, I know, they will take on with great vigour.

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I would like to call your attention to the presence in the gallery of a delegation from the Northwest Territories, including Chief Charlie Neyelle and Lucy Jackson. They are the guests of Senator Sibbeston.

Welcome to the Senate of Canada.

• (1425)

[Translation]

## QUESTION PERIOD

### INDUSTRY

#### PURCHASE OF MILITARY AIRCRAFT FROM BOEING COMPANY—REGIONAL SPINOFFS

**Hon. Céline Hervieux-Payette (Leader of the Opposition):** Honourable senators, I am pleased to rise today in this illustrious chamber as Leader of the Opposition, and in particular

as a representative of those Canadians who live in the regions and who self-identify as belonging to a minority, whichever minority that may be.

I would also like to commend the Leader of the Government. I am delighted to have the opportunity to debate with you, honourable senators, these topics that concern Canadians, thereby helping our citizens, at the appropriate time, to make clear choices among the values that we all defend and that lead us to aspire to such different societies.

My question today is for the Minister of Public Works and Government Services, Senator Fortier. I would remind the honourable senators that the Minister of Public Works and Government Services was appointed to his position primarily to allow the greater Montreal area to have a voice within the cabinet. Montreal, as we know, is the hub of the Quebec aeronautics industry. This industry is, understandably, one of the jewels of the Quebec manufacturing sector. Quebec is home to nearly 60 per cent of the Canadian aeronautics industry, which represents approximately 40,000 jobs. Thus, one might compare the importance of the aeronautics sector in Quebec to that of the automotive sector in Ontario. In both cases, they are the driving forces of the economy and translate into hundreds of millions of dollars in investments and tens of thousands of specialized, well-paid jobs. These industries are integral to the economies of their respective provinces.

However, their government decided to go ahead with the purchase of C-17 military aircraft — which, I would like to point out, did not go to tender — from Boeing, an American company. One of the conditions for the purchase, valued at several billion dollars, is the economic benefit tied to the manufacture and maintenance of these aircraft. It would seem logical, since the aeronautical industry in Quebec is mainly concentrated in the Montreal area, for the majority of the benefits to go to that region. In any case, that was the reasoning of Quebec's minister of economic development, Raymond Bachand, who told the Canadian press on January 20, and I quote:

Quebec should have a large part of that because it also makes economic sense. Quebec is not being overly nationalistic, no more than when it is a matter of other industries concentrated in other provinces.

He seemed to be in complete agreement with the Minister of Public Works and Government Services. That same day, the latter stated in *La Presse*, and I quote my honourable colleague:

What we want is for the benefits to go to those areas where there is already a strong presence. Given that this presence is very significant in the Montreal area, there will be significant benefits.

Last week, Radio Canada reported that Minister Fortier was attempting to guarantee at least 40 per cent of the economic benefits for the Province of Quebec.

First of all, could the Minister of Public Works and Government Services perhaps tell us if he gave the Minister of National Defence what he wanted and if he signed the contract for the Boeing aircraft without, apparently, a clause specifying the economic benefits? Second, what are the economic benefits for each Canadian region?

[ Senator Jaffer ]

• (1430)

[English]

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** I thank the honourable senator for her question.

**Some Hon. Senators:** Oh, oh!

**Senator LeBreton:** The question concerns regional development and Minister Fortier is the Minister of Public Works.

**Senator Fox:** He is signing the contract.

**Senator LeBreton:** That is correct, but this is a different issue.

As I have said to Senator Hervieux-Payette's predecessor, you must not always believe everything you read in the newspapers.

Negotiations with companies are confidential, and therefore we are not in a position to comment on them. When we have an announcement to make on this purchase, we will make it.

This government and its ministers have no intention of interfering in the regional distribution of the contracts. Canada's industrial and regional benefits policy encourages the involvement of our regions but it does not tell contractors which Canadian companies to work with. Contractors will undertake business activities that make good business sense to them.

Our government's objective is to get the best industrial benefits package, one that is high quality, high technology, and has long-lasting economic consequences. The minimum benefits required in some regions are safeguards to ensure that contractors in single-supplier situations consider business activities in all regions of Canada.

The real story here is how our government is addressing the military's need for new equipment after being starved by the Liberal government for 13 years.

[Translation]

**Senator Hervieux-Payette:** Honourable senators, I have a supplementary question. I should mention that I totally disagree with the use of the word "interfering."

When a government makes a commitment to sign a \$3.4-billion contract on behalf of Canadians to purchase the latest military equipment, it seems to me that such a contract should include provisions defined by the client and binding on the company selling that equipment.

The industry minister, Mr. Bernier, stated that he was not interfering because this was a private matter.

Can the Leader of the Government in the Senate, on behalf of her government, define what is meant by a private matter? And if she does not have the definition at present, could she send it to me in writing?

[English]

**Senator LeBreton:** Honourable senators, this is a case of a particular purchase that is required for the military. When the contracts are signed, they will be made public. As the Minister of

Industry and the Prime Minister have stated, once the contracts are signed it will be up to the companies to make the necessary arrangements with regional suppliers.

## FINANCE

### INCOME TRUSTS—CHANGE IN TAX TREATMENT— EFFECT ON SENIOR CITIZENS

**Hon. Grant Mitchell:** Honourable senators, along with many others, thousands of Canadian seniors were fundamentally betrayed when they took the Conservative Party at its word and invested in income trusts based on the solemn promise that if they became the government, the Conservatives would not change the structure of income trusts.

The sting of this betrayal was exacerbated when the Leader of the Government in the Senate said: "... I have not seen any evidence that individuals have lost large sums of money."

Now that the honourable senator is the newly minted advocate for seniors, will she at least admit that this broken promise has had a devastating impact on many Canadian seniors who have to live on limited and often fixed incomes?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, I thank the honourable senator for that question.

I said in follow-up several days after that initial question that I did not know of anyone personally. I indicated that was my personal knowledge of the situation. I do regret that some seniors were affected by this measure.

**Senator Mitchell:** Some?

• (1435)

**Senator LeBreton:** Those of you who had an opportunity this morning to watch the Minister of Finance before the committee in the other place will know the importance of the decision. It was not an easy decision for him to make, but it was a necessary decision to take swift action on the whole issue of income trusts. The minister explained this morning, as he did when he made the announcement initially, that there would have been a serious impact on the tax base of the country. It has been supported by many provinces.

With regard to seniors specifically, I am pleased that the Prime Minister has given me the additional responsibility of Secretary of State for Seniors. It is a position that we promised in the campaign. I have met with seniors' groups and many seniors since I was handed this portfolio.

While some have written to me and discussed the income trust issue, overwhelmingly, the seniors that I have encountered are extremely pleased that the government embarked on pension income splitting and increasing the age credit at the same time.

We are looking at many things in terms of seniors. The seniors portfolio is interesting because seniors have varying interests and concerns. I will work hard to represent issues with regard to seniors at the cabinet table and in the government. I can only promise to seniors that I will do what I have always done, namely, work hard at it and do the best I can.

**Senator Mitchell:** The minister's hard work may not pay seniors' bills.

The Minister of Finance has defended his income trust betrayal based on this tax leakage argument, but he is not clear, despite the magnitude of this decision, about exactly what the tax leakage might be. It ranges anywhere from \$500 million, escalating as the heat on this issue has escalated, up to \$1.3 billion, while Canadians have lost \$30 billion.

Is the Leader of the Government and the Secretary of State for Seniors aware that it will take somewhere between 25 and 60 years to leak in tax what investors lost in two or three days because of the betrayal of this government?

**Senator LeBreton:** The Minister of Finance explained this morning that the estimated annual tax loss that he initially talked about on October 31 was based on conservative assumptions. If anything, the \$500 million figure mentioned last fall understates the federal revenue loss in 2006. As a matter of fact, this revenue loss is substantial.

With regard to seniors who were pleased by the decision of the government to allow pension splitting and raising the age credit amount, the Canadian Association of Retired Persons, now called Canada's Association for the Fifty-Plus, applauded the government and the minister and said the following:

CARP commends Minister Jim Flaherty for adopting a prudent approach to his new policy regarding Income Trusts.

With respect to the honourable senator's reference to the figures on the income trust side, I ran into some seniors the other day who had money invested in income trusts but also in other stocks. They pointed out to me that the monies they lost in the income trusts they more than made up in other stocks.

• (1440)

**Senator Oliver:** That is exactly the case. That is correct.

**Senator LeBreton:** It depends on the person who was handling the trust accounts. In addition, the seniors were pleased to know that they would be able to participate in pension income splitting.

I am becoming more involved in this file. As we proceed with Minister Flaherty's tax fairness plan, I do believe that this government will certainly hear seniors, and action will be taken to make the lives of our seniors much easier, because they certainly have earned it. After all, they were the ones who paid their bills, raised their children and tried to make this country a better place.

## HUMAN RESOURCES AND SOCIAL DEVELOPMENT

### PROPOSED NATIONAL CHILD CARE PROGRAM

**Hon. Marilyn Trenholme Counsell:** Honourable senators, my question is for the Leader of the Government in the Senate. We all know that there is a huge paper shredder in the Conservative government offices, a shredder that has chewed up Kelowna,

Kyoto and our child care agreements. Yet, 77 per cent of Canadians say there is a serious lack of child care spaces in Canada. Yes, 10 agreements were shredded or will be at the end of March.

Prime Minister Harper looked first to the business community to bail him out or to cut deals, but businesses in general said "no." Yesterday, I visited some wonderful daycare facilities in Montreal and the workers and parents there are anxious, just like all parents and child care workers across this land. I should probably say most parents are anxious. On December 4, 2006, Diane Finley declared in the House of Commons, "... we are right on schedule to introduce our incentives to encourage new child care spaces, as we promised, on April 1 of next year."

Will your government fulfil its promise of 25,000 new spaces in 2007-08 and each year thereafter for five years? Will your government fulfil its promise and not just encourage and offer tax credits?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, I thank Senator Trenholme Counsell for her question.

We now have a new minister, Minister Solberg. Our commitment to create new child care spaces is set to follow the expiration, as the senator pointed out, of the previous government's funding agreements, which, I hasten to remind honourable senators, was referred to as a "death bed repentance" by the previous government. Who said that, honourable senators? None other than Tom Axworthy made that statement. Last fall, we created a ministerial advisory committee to provide advice on how to proceed with the design of the child care spaces initiative. We will be looking forward to the committee's recommendations.

As Senator Trenholme Counsell knows, child care needs differ from one part of the country to the other. Child care needs also vary depending on the size and location of the centre.

The government is committed to our child care initiative, and we are awaiting the results of the review. Minister Solberg has stated that he is eager to make progress in this area, and now that I am a junior minister in his department, perhaps I will be involved in some of these discussions. I would be happy to provide Senator Trenholme Counsell with any updates on this very important issue.

**Senator Trenholme Counsell:** Last June 13, when I spoke on this subject and introduced an inquiry, I clarified this "death bed repentance." I do not think Mr. Axworthy had done his research perhaps as well as some of us who have been working in the field. Actually, the Liberal Party of Canada began this program under the Right Honourable Jean Chrétien in the early 1990s, when ministers of family and community services across this land met in Victoria with the leadership of none other than the Honourable Stockwell Day, who was very enthusiastic. The stumbling point was that some of the provinces were not prepared to sign the 50-50 agreement and we had to wait. Under the Right Honourable Paul Martin and the Honourable Ken Dryden, we brought in a plan where the federal government would provide money based on certain criteria, especially quality and inclusiveness.



• (1445)

Talking about “deathbed repentance,” this government’s seeking advice from experts is something new. I guess it is another example of being born again. We have heard “born again” on the environment and now “born again” on seeking advice from experts. I never heard the likes of that until lately. That change is good news.

I want to ask a supplementary question: Why have we heard nothing about this report, which I believe has been in the hands of the government at least six weeks and maybe two months? Why is it in hiding?

My second question is, does this rebirth include non-profit organizations, which in so many cases offer excellent, quality early childhood development programs? However, these non-profit groups are in no position to benefit from tax credits.

How does the government intend to help non-profit child care organizations create new spaces?

**Senator LeBreton:** I wish to thank the Honourable Senator Trenholme Counsell for the question.

As I have pointed out on many occasions, last January 23, the Canadian public voted for the Conservative government. They did not vote for a continuation of the Liberal government. We made it clear in the election campaign that we had a specific plan for child care. It is not a case of being “born again.” I would not know anything about being born again. I was born once and I think that is enough for most people.

In any event, the honourable senator asks where the report is. She must understand that we have a new Minister of Human Resources and Social Development. In proper and good time, he will address this issue. He is a conscientious individual. I am certain that he will come forward with the Conservative government’s plan in this area as quickly as possible.

I am amazed that the Honourable Senator Trenholme Counsell thinks it is not proper to consult experts. We had the honour a few days ago in that same Department of Human Resources and Social Development to name an expert panel on older workers. We named a retired senator as the chair of that expert panel, Senator Erminie Cohen from Senator Trenholme Counsell’s province, and I would like to think she will not be frowned upon, because she is considered an expert in the area.

As a matter of fact, when Senator Eggleton was talking about poverty and this issue being around for such a long time, and he referred to the work done by Senator Croll, but he forgot to mention an equally important and just as widely publicized report on poverty by one Senator Erminie Cohen.

## FOREIGN AFFAIRS

### PASSPORT CANADA—BACKLOG OF APPLICATIONS

**Hon. Catherine S. Callbeck:** Honourable senators, my question is for the Leader of the Government and Secretary of State for Seniors.

Passport Canada, as we all know, is overwhelmed with applications and the delays are getting longer and longer. What used to take roughly 20 business days now takes approximately twice that amount of time.

The Conservative government knew for some time that this United States passport requirement was coming into effect this month. Why did this government not do more to prepare for the expected increase of passport applications that everyone could see was coming?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** I wish to thank the honourable senator for her good question. The Conservative government did see this coming. A great deal of preparation and effort was put into this requirement. Even though many people were aware, unfortunately a great number of our own fellow citizens felt that this requirement would not happen or that there would be no delay. There was a great deal of activity in the last month or so. The January 23 deadline has now passed. I have been told that Passport Canada is still processing thousands of applications. I think they are printing up to 20,000 a day. Members of Parliament on all sides of the house have had passport clinics in their constituency offices. The government applauds the people who have worked long hours processing these applications. It will now be up to all of us in government and who deal with the public to ensure that our fellow citizens know that the next step will be the requirement of passports for people crossing the border by car.

• (1450)

I think it is incumbent on all of us to tell our fellow citizens that rather than putting this off or thinking the date may change — and the government will certainly do its part in informing the public — if they want to cross the border they must have their passports. If they start now, by next year they will already have the proper document to cross the border by car.

**Senator Callbeck:** I applaud the people working in the passport offices too, but what this government has done is simply not acceptable. People are lining up in the middle of the night at passport offices. I hear now that anyone who wants a passport by the end of March is advised to go to a passport office.

One problem is that in Prince Edward Island we do not have a passport office. Islanders must go to Fredericton or Halifax. They must take two days off work, and pay for their lodging, the bridge toll and transportation costs plus extra fees for the passport. These costs all add up to high expenses which, of course, are difficult for low- and medium-income families.

I want to know what this government will do to clear up the delays and ensure that Canadians can get their passports in a timely manner.

**Senator LeBreton:** Thank you, Senator Callbeck, for that question. As I have already explained, the passport offices have increased their staff. They are working extremely long hours. Individual members of Parliament across the country have held special passport days in their constituency offices where people go and fill out their passport applications, and their member of Parliament ensures that the applications arrive at the passport offices. A lot of people have helped to deal with this

situation. People, even some in my own family, stood in the lineup, then called me to solve it for them. I said, "You have known about this for a year. Why are you calling me now?"

The government has worked extremely hard to inform the public. Members on all sides have worked hard for their constituents to help them fill out their passport applications properly.

Apparently the backlog that surrounded the January 23 date is now starting to subside. It is incumbent upon the government in particular and also members of Parliament in both Houses, when people inquire about this requirement, to inform them that there is little likelihood the Government of the United States will completely change their laws and rules about crossing the border by car. People would be well advised to apply now for their passports.

• (1455)

[Translation]

## THE ENVIRONMENT

### COMBATING GREENHOUSE GAS EMISSIONS— USE OF THE ENVIRONMENTAL PROTECTION ACT

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, my question is for the Leader of the Government in the Senate.

We all know that the Conservatives' so-called green revolution is nothing but smoke and mirrors. What other explanation could there be for the fact that, less than nine months ago, the Prime Minister stated that he did not recognize the alleged existence of greenhouse gases? Why are the Conservatives saying that the Liberals did nothing, when they are recycling several of our energy programs? The government has the means to act immediately. Why, then, does it not use the Canadian Environmental Protection Act to set limits immediately on major polluters?

[English]

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, the Prime Minister said no such thing. We are part of a party that had a Prime Minister who was recently given the award as the greenest Prime Minister in history.

As the Prime Minister said when he was doing his year-end interviews, clearly the Canadian public wanted more attention paid to how environmental issues are handled. He has taken action.

The government had been working on several plans throughout the summer and fall. It is pretty well acknowledged that this time last year — and it was not just the case of our government, but all political parties, and the polls show it — environment was not an issue that was at the top of the minds of the Canadian public. It has since become so, which is good.

This government is committed to taking action. All of us want clean air to breathe and clean water to drink; and we want to know that when we buy products to clean our homes or to eat,

that they are as free of toxins as possible. It is not a partisan issue; it is something we do for all Canadians, no matter what their political stripe.

I am happy with the initiatives that the Prime Minister, Minister Baird and Minister Lund have taken thus far. As was pointed out as recently as today in an editorial in *The Toronto Star*, the previous government talked about it but did nothing.

[Translation]

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour of presenting delayed answers to two oral questions raised in the Senate. The first response is to a question raised by Senator Hays on December 14, 2006, in regard to Senate appointments — nominees in a consultation — Constitutional credentials. The second is in response to a question raised on December 7, 2006, by Senator Fox in regard to intergovernmental affairs — limitations on the exercise of the federal spending power.

## SENATE APPOINTMENT CONSULTATIONS BILL

### NOMINEES IN A CONSULTATION— CONSTITUTIONAL CREDENTIALS

*(Response to question raised by Hon. Daniel Hays on December 14, 2006)*

Bill C-43, the Senate Appointment Consultations Act, does not propose any changes to the Constitutional qualifications or disqualifications of Senators, which will continue to apply unchanged to persons summoned to the Senate by the Governor General. The qualifications for Senators are set out in section 23 of the Constitution Act, 1867, including the age, citizenship, property, and residence requirements. Disqualifications are set out in s. 31 of the Constitution Act, 1867, including bankruptcy and ceasing to be qualified by property or residence.

To be eligible as a nominee in the consultation process, persons will have to meet two of the existing Constitutional qualifications at the time of nomination: they will have to be thirty years of age, and be Canadian citizens. The remaining qualifications, including the Quebec real property qualification in section 23(6), will apply to selected nominees at the time of appointment, as is the case for Senators appointed now.

This approach facilitates at-large Senate consultations, including in Quebec. It also allows time between the consultation process and appointment for selected nominees to comply with the other requirements, over which they presumably have a greater degree of control than over age and citizenship. The approach thereby seeks to make the process as accessible as possible to nominees, while respecting the constitutional qualifications.

The power to determine whether a Senator meets the constitutional qualifications, vested in the Senate itself by section 33 of the Constitution Act, 1867, also remains unchanged.

[ Senator LeBreton ]

## INTERGOVERNMENTAL AFFAIRS

### FEDERAL PROGRAMS—OPTION OF PROVINCES TO DECLINE INVOLVEMENT

*(Response to question raised by Hon. Francis Fox on December 7, 2006)*

The Government of Canada values an approach to federalism that fully respects provincial jurisdictions. A key element of such an approach involves the exercise of the federal spending power. Concerns have been raised in the past that federal initiatives have often imposed new conditions and cost pressures on provincial and territorial governments. Increased federal spending in areas of primarily provincial responsibility often:

- resulted in strains between the federal government and the provinces and territories in cases where expenditures were undertaken without adequate consultation or consensus on priorities;
- created new cost pressures on provincial and territorial governments, potentially distorting their spending priorities, particularly where initiatives required matching funds; and
- increased uncertainty where initiatives were introduced without long-term, stable federal funding.

The combined effect of increased federal spending in areas of provincial responsibility and a lack of focus on areas of clear federal responsibility, has been to raise concerns over increasingly blurred lines of accountability that make it more difficult for Canadians to determine which order of government should be held accountable for specific policies and initiatives.

Given these concerns, the Government of Canada believes the use of the federal spending power should be based on clarity of roles and responsibilities. This is essential to ensuring that Canadians can hold their governments accountable. It also requires respect for provincial areas of responsibility, a focus of federal efforts on reform and funding in core federal areas of responsibility, as well as the appropriate matching of revenues to expenditure responsibilities.

Consequently, the Government has made clear commitments with regard to the federal spending power. In Budget 2006, the Government tabled a paper entitled *Restoring Fiscal Balance in Canada* which states that, "In keeping with the Social Union Framework Agreement (SUFA) signed by the federal government and all provinces other than Quebec in 1999, the Government of Canada will limit the use of the federal spending power in areas of provincial responsibility to ensure that:

- new shared-cost programs in areas of provincial responsibility have the consent of the majority of provinces to proceed; and

- provinces and territories have the right to opt out of shared-cost federal programs with compensation if they offer similar programs with comparable accountability structures."

These commitments were subsequently reiterated in Advantage Canada.

The Government is committed to making federal spending more transparent, accountable and disciplined, while creating greater opportunity for Canadians in all parts of the country.

## INTERNATIONAL BRIDGES AND TUNNELS BILL

### MESSAGE FROM COMMONS— SENATE AMENDMENTS CONCURRED IN

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons returning Bill C-3, respecting international bridges and tunnels and making a consequential amendment to another Act, to acquaint the Senate that the House of Commons has agreed to the amendments made by the Senate to this bill, without amendment.

• (1500)

[English]

## ORDERS OF THE DAY

### CONSTITUTION ACT, 1867

#### BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator LeBreton, P.C., seconded by the Honourable Senator Comeau, for the second reading of Bill S-4, to amend the Constitution Act, 1867 (Senate tenure).

**Hon. Hugh Segal:** Honourable senators, I rise in my place today to support the motion for second reading made by my leader in this place some time ago. I do so in the hope that in view of the relatively short nature of Bill S-4, the bill which calls for the limitation of Senate tenure, and in view of the fact that should it be given second reading in the proximate future, there will be ample opportunity in committee for members of the house on all sides who have legitimate and specific concerns to address them at that time.

The committee so ably chaired by Senator Hays did rather extensive work on the subject matter of the bill. May I say parenthetically, as one of the class of 2005, how delighted I was to see the elevation of Senator Hays to Her Majesty's Privy Council for Canada. It will be a great honour for the council to have him as part of that distinguished group of Her Majesty's Canadian advisers.

I make the case for the advancement of this legislation now through this place because I believe we would be serving the quality of constitutional debate if we let this matter move forward to committee for further thoughtful consideration. I point out as a matter of public record for senators on all sides that the committee which studied the subject matter did very extensive and thoughtful work. It was my privilege to be a member of that committee. Some 26 witnesses appeared before that committee with differing and constructive views. The staff of the committee did outstanding work. Many of the people who have strong views in this house had the chance as well to participate in the deliberations before that committee.

We now have legislation before us that deals with one minimal aspect regarding the Senate; namely, the length of tenure. I do take note of the concerns expressed by all sides about how this bill fits in the larger plan. We now have a bill in the other place that deals with the way in which Canadians might be consulted relative to a list of potential appointees to the Senate within the context of the present Constitution. I accept that there are differing views as to the constitutionality of that particular provision. However, no movement in this place to advance Bill S-4 will limit the debate in the other place or limit the capacity of our own committee, the Standing Senate Committee on Legal and Constitutional Affairs, to give due consideration to that tenure question.

In this respect, I am inspired by the new Leader of the Liberal Party of Canada, Stéphane Dion, who I think showed compelling perspicacity and judgment when he reflected on the need to proceed, if possible, to a measure of Senate reform without getting bogged down in the Constitution itself. On May 8, he said that in his view the best way to deal with Senate reform was to do it without tinkering with the Constitution. As an example, he mentioned that requiring senators perhaps to agree to sign an agreement promising to step down after six years would not require the agreement of the provinces. He was contributing as a distinguished scholar of public administration to opening up some channels by which we can make progress without getting bogged down in the constitutional agenda, which we all know is difficult and problematic by definition.

Honourable senators, it was my great privilege to serve on the group of 21 with the new Leader of the Opposition in the Senate, Senator Hervieux-Payette. This group of Canadians was put together after the failure of Meech Lake in the legislatures of Newfoundland and Labrador and Manitoba for the purpose of finding non-constitutional ways of moving the agenda of fairness, decency and democratic reform further along without getting bogged down in the constitutional conundrum. It was very much the unanimous view of that committee that on issues around fairness, representation, we could make progress in non-constitutional ways and did not have to hold up the evolution of the country and its institutions to a constitutional solution where other options were suggested.

Honourable senators, I want to suggest as respectfully as I can and in the broadly non-partisan spirit of today, with the arrival of new leadership on the other side, that we would be sending a powerful message to the other place and to Canadians about our common will not to acquiesce in matters with which we do not agree, but rather to put forward to study in a thoughtful way, in the appropriate place, legislation that has been before us now for some many months.

I know where my good friend Senator Murray is coming from on this bill. He will want to know where I stand on the issue of a retroactive amendment so that people now in this institution are not grandfathered. He may put that question, and I would not be surprised if he did. I am sure I reflect the view of everyone in this chamber. We all had and continue to have active lives outside this place. We are here to serve the public, and if reform of our democratic institutions can be achieved and we are called upon to make various sacrifices as we have in the past, we would rise to that cause.

On the basis of discussions we have had in this place, over 25 senators have asked questions or raised issues with respect to Bill S-4. I think we are at the point, without in any way giving up what might divide this side of the chamber from that side, where we must be respectful of the broad breadth of opinion within the official opposition. In reviewing the *Debates of the Senate*, I notice that one cannot typify the official opposition's position on this matter as in any way monolithic. If we had the same breadth of division on our side, it would be called hopeless division, but I will not use that terminology because it would be unparliamentary. The broad breadth and diversity of opinion on the other side speaks eloquently to the great work a committee could do if we were allowed to liberate this legislation and move it to the committee where great minds, thoughtful witnesses and distinguished parliamentarians could study the various few paragraphs of this bill in great detail. I commend Bill S-4 to the most serious consideration of this house.

**Hon. Terry M. Mercer:** Would the honourable senator permit a question?

**Senator Segal:** Of course.

**Senator Mercer:** Perhaps Senator Segal can explain to us what he meant when he mentioned the retroactivity question. Does he have the blessing of his caucus and of his party to put this argument forward at this time?

**Senator Segal:** I want to be clear about what I was and was not doing. I was trying to inoculate my humble comments against the question that Senator Murray asked Senator St. Germain earlier on in this debate; namely, if one is in favour of Bill S-4, would one be in favour of Bill S-4 were it to be made retroactive? In that context, I defer to the will of this chamber. If the committee were to be given the chance to consider this bill and were to recommend that the matter be retroactive, I would be more than delighted to look at that recommendation on its merits. We would, as a chamber, deal with that in a parliamentary and thoughtful way, and I would be completely in the hands of this chamber on this issue.

**Hon. James S. Cowan:** I move the adjournment of the debate.

**The Hon. the Speaker:** It is moved by the Honourable Senator Cowan, seconded by the Honourable Senator Milne, that further debate be continued at the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

**The Hon. the Speaker:** Those in favour of the motion will signify by saying "yea."

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** Those opposed to the motion will signify by saying “nay.”

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

*And two honourable senators having risen:*

**The Hon. the Speaker:** Is there an agreement between the whips as to the length of the bell?

**Senator Stratton:** Thirty minutes.

**Senator Cowan:** Thirty minutes.

**The Hon. the Speaker:** Call in the senators. It now being 10 minutes after three o'clock, the bells will sound for a vote 30 minutes hence.

• (1540)

Motion agreed to and debate adjourned on the following division:

#### YEAS THE HONOURABLE SENATORS

Austin	Hays
Bacon	Hervieux-Payette
Biron	Hubley
Bryden	Jaffer
Callbeck	Joyal
Carstairs	Mercer
Chaput	Milne
Cook	Mitchell
Corbin	Munson
Cowan	Murray
Dawson	Pépin
Downe	Peterson
Dyck	Phalen
Eggleton	Poulin
Fairbairn	Poy
Fitzpatrick	Ringuette
Fraser	Robichaud
Furey	Rompkey
Gill	Stollery
Goldstein	Tardif
Grafstein	Trenholme Counsell
Harb	Watt—44

#### NAYS THE HONOURABLE SENATORS

Andreychuk	LeBreton
Angus	Nancy Ruth
Champagne	Nolin
Comeau	Oliver
Di Nino	Segal
Eyton	Stratton
Johnson	Tkachuk—15
Keon	

#### ABSTENTIONS THE HONOURABLE SENATORS

Cools

Prud'homme—2

#### BUDGET IMPLEMENTATION BILL, 2006, NO. 2

##### SECOND READING—DEBATE ADJOURNED

**Hon. Consiglio Di Nino** moved second reading of Bill C-28, a second Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006.

He said: Honourable senators, before I comment on Bill C-28, I extend my congratulations to the new leadership team, Senator Hervieux-Payette, Senator Tardif and Senator Cowan. I extend these good wishes and cooperation as long as cooperation is received on this side as well.

Honourable senators, Bill C-28 proposes to legislate certain measures that Canada's new government announced in Budget 2006 that were not part of the Budget Implementation Bill. That bill, which received Royal Assent last June, was the first step of many down the road of this new government's long-term plan for a more competitive, productive Canada that every Canadian can be proud of. I will tell honourable senators a bit about that plan and then I will illustrate how Bill C-28 fits into the big picture.

As honourable senators know, along with this fall's economic and fiscal update, the Minister of Finance introduced Advantage Canada on November 23, 2006. This is a long-term plan to put Canada on a firm track toward the future. Advantage Canada will build a strong Canadian economy, making us a world leader with a quality of life second to none, and it will do this through competitive economic advantages. These advantages include tax advantages that will reduce taxes for all Canadians and improve Canada's business tax competitiveness with a target of establishing the lowest tax rate on new business investments in the G7. Fiscal advantages will eliminate Canada's total government net debt in less than a generation. Entrepreneurial advantages will reduce unnecessary regulation and red tape and increase competition in the Canadian marketplace. There will be a knowledge advantage that will — create the best educated, most skilled and most flexible workforce in the world. Infrastructure advantages will build the modern infrastructure that Canada needs. By committing to principles and policies that will deliver these advantages, Canada's new government will set the stage for economic growth, opportunity and choices for people.

• (1550)

Working together with Canadians, our goals are to build a prosperous economy that provides Canadians with what they deserve: good, well-paying jobs; the ability to save more for retirement; the chance to start a new business; the opportunity to help children and grandchildren, and most of us in this place know what that is all about; and the chance to improve their overall quality of life. These are things that Canadians have entrusted the Conservative Party to support and we are delivering. As promised, we cut the GST and we will cut it again. Again, as promised, we cut personal and corporate income taxes.

Honourable senators, the measures in Bill C-28 build on this action. Indeed, this bill reflects the goals of Canada's new government to create new opportunities and choices for Canadians. In outlining the principal measures of Bill C-28, I will illustrate how this proposed legislation supports the government's plan for the future of Canada.

[Translation]

Honourable senators, I said that the government reduced corporate taxes. This shows that Canadian companies are an important component of our economy.

The government wants to provide companies with a framework that will allow them to prosper and face international competition boldly.

In the budget bill passed last June, the government set out to reduce the general corporate tax rate from 21 per cent to 19 per cent by 2010. The recently tabled Tax Fairness Plan proposes to reduce this rate even further to 18.5 per cent by 2011.

Last June's budget bill also eliminated the corporate surtax for all corporations effective 2008 as well as the federal capital tax as of January 1, 2006, two years earlier than originally planned.

[English]

Today, Bill C-28 takes further action by helping small businesses. They will benefit from a proposed reduction of the current 12 per cent small business tax rate to 11.5 per cent for 2008 and 11 per cent in 2009. In addition, effective January 1, 2007, the amount of income that a small business can have taxed at the small business tax rate will be increased from the current \$300,000 to \$400,000. Small businesses are the engines of our economic growth. In supporting them with these two measures we will be helping hard-working entrepreneurs, their families and their employees in cities, towns and regions across Canada.

Honourable senators, an important consideration for this government when shaping Budget 2006 was improving equity and fairness in our tax system. Bill C-28 reflects that goal by providing capital gains tax relief to fishers. This includes an extension of the \$500,000 lifetime capital gains exemption and an intergenerational rollover for fishing businesses. This proposal provides fairness for this important industry by affording it the same tax treatment of capital gains as that of farmers.

[Translation]

Canada's new government did not stop at these measures in its efforts to help Canadian companies become more competitive.

This bill proposes to amend the minimum tax on financial institutions, which will help reflect the growth of this sector since the tax was introduced.

Bill C-28 also proposes to eliminate the double federal taxation of dividends from large corporations at the federal level. The tax reduction will encourage savings and investment and will also help stimulate economic growth.

[ Senator Di Nino ]

Furthermore, this bill will make the total personal and corporate income tax on earnings distributed as dividends more comparable to the income tax paid on interest payments and income trust distributions.

[English]

Honourable senators, Bill C-28 is about ensuring that Canadians have the incentives, opportunities and choices they need to unlock the door to a better quality of life. To do that, education and training provide the key. Post-secondary students will be given a helping hand. They will benefit from a new, non-refundable tax credit to provide better tax recognition for the cost of textbooks. This credit will be put in place effective for 2006 and for subsequent taxation years. This measure, for which eligibility rules will be the same as those for the education tax credit, will provide benefits to almost 2 million post-secondary students in both full- and part-time studies.

Honourable senators, helping out with the cost of textbooks is only one way Canada's new government can help post-secondary students. These hard-working students also need to be supported in their academic pursuits. The first \$3,000 in scholarship, fellowship and bursary income received by post-secondary students is not taxed. Bill C-28 proposes to fully exempt these sources of income tax. This is a significant measure that will help foster academic excellence by providing tax relief to more than 100,000 post-secondary students.

Many students today hold down part-time jobs to make ends meet. The tax measures outlined above, when combined with the existing tuition and education tax credits, will allow a typical full-time student to earn almost \$19,000 without having to pay any federal income tax in 2007.

As honourable senators can see, Canada's new government is committed to helping Canadians reach their full potential, but what happens once they get into the workforce? Our work is not over. We need to help employers — that is, Canadian businesses — find the skilled workers they need. To that end, some of the highlights of this bill are the proposals it contains to help Canadians either in or trying to get into the workforce when they are often in financial need.

Look, for example, at the new Canada employment credit. This new government recognizes that for some low-income Canadians certain costs associated with working, such as uniforms and safety gear which are required for the job, could be a barrier to joining the workforce. The Canada employment credit provides a tax credit of up to \$250 for 2006 and up to \$1,000 for 2007 and beyond for employees' work expenses. This credit will significantly increase the amount of income that employed Canadians can earn without paying federal income tax. In fact, when combined with the increases to the basic personal amount, tax-free earnings will be almost \$10,000 by 2007. It will put employees on a more equal footing with other Canadians who are self-employed, in terms of the tax recognition they receive for the expenses they incur to earn income.

Honourable senators, many employed tradespeople must provide their own tools as a condition of employment. Many of us have heard how expensive this can be, particularly for those just starting off their careers.

Bill C-28 proposes a new deduction of up to \$500 to those tradespeople for the cost of tools in excess of \$1,000 that they must acquire as a condition of employment. This proposed tax deduction, together with the Canada employment credit, will provide tax relief to about 700,000 employed tradespeople.

These are not the only measures in Bill C-28 that will help Canadians enter the workforce. Under a new apprenticeship job creation tax credit proposed in this bill, effective May 2, 2006, budget day, eligible employers will receive a tax credit equal to 10 per cent of the wages paid to qualifying apprentices in the first two years of their apprenticeship contract. The maximum credit employers can receive is \$2,000 per apprentice per year. This measure will encourage employers to hire new apprentices learning a trade.

• (1600)

[Translation]

So far, I have addressed personal and corporate income tax deductions. I have also addressed measures designed to help Canadians launch a career. But what about retirement? The new government has proposed measures to help Canadians with pension income. As senators know, at present, there is a tax credit on the first \$1,000 of qualified pension income. This amount had not changed in 30 years. That is why, in its first budget, Canada's new government recognized the situation of Canadians who have worked hard all their lives and set money aside to fully enjoy a well-deserved retirement.

Bill C-28 proposes to double the maximum amount of qualified pension income on which the pension income credit is calculated, increasing it to \$2,000 for tax year 2006 and subsequent years. This measure will benefit nearly three million taxpayers who receive a qualified pension income. It will remove approximately 85,000 pensioners from the tax rolls altogether.

[English]

Honourable senators, I mentioned at the outset that Canada's new government is committed to improving the quality of life for Canadians. I believe my remarks thus far support that commitment, but we can do more. In working towards its goal of a cleaner, healthier environment, this government wants to encourage individuals to use public transit. For those of us who have been stuck in rush-hour traffic on the Queensway in Toronto or in similar roads across our great country, we can appreciate that increasing public transit use will only ease traffic congestion. It will not only ease traffic congestion, but it will also improve the environment.

As part of this government's environmental plan, Bill C-28 proposes a tax credit on the purchase cost of monthly public transit passes or on passes of a longer duration. This measure, effective July 1, 2006, will encourage public transit use by making it more affordable to approximately 2 million Canadians who use this environmentally friendly mode of transportation.

Honourable senators, improving the quality of life of Canadians can encompass many things: tax relief, educational assistance and environmental measures. However, when it comes down to it, where would we be without our health? The government wants to help here as well. What better place to

start than with our children? Studies show that regular physical activity has many positive effects on children, including healthier growth and development and improved physical fitness. Studies also indicate that healthy habits learned young are carried with us into adulthood.

To promote physical fitness among children and to help parents with the expenses of fitness programs, Bill C-28 proposes to introduce a children's fitness tax credit. This credit is intended to come into force on January 1, 2007. The credit will be provided on up to \$500 of eligible fees for programs of physical activity for each child under the age of 16. The credit will extend to activities such as hockey, soccer, folk dancing, hiking and any number of other programs that involve significant physical activity and that the Canada Revenue Agency deems eligible.

The last group of provisions in this bill will help our small brewers and producers of 100-per-cent Canadian wine. Vintners who use Canadian-grown agricultural products will be exempt from excise duty. This exemption will result in a savings of over \$10 million in the first full year for an industry that contributes to our economy through job creation, tourism and exports. Small brewers will benefit from reduced duties on the first 75,000 hectolitres of beer they produce. On the first 2,000 hectolitres, savings of 90 per cent will be enjoyed.

[Translation]

To conclude, this bill is helping the new government achieve its goal of contributing to the well-being of Canadians. There is no longer any doubt that Canada has enormous potential. In Canada, people can fulfil their dreams, families can enjoy unparalleled quality of life, and businesses and other organizations can achieve excellence on the international scene.

The measures contained in Bill C-28 can help us reach that potential. I therefore encourage all my colleagues to fully support this bill.

[English]

**Hon. Mac Harb:** Honourable senators, I wish to ask my colleague a question.

In the honourable senator's speech he talked about the initiatives of the new government, but as part of those initiatives he mentioned the elimination of the net debt. We all know about the debt that is in excess of \$400 billion. Perhaps my colleague can explain to this house what he means by the net debt and how the government plans to achieve the elimination of that net debt in the stated time period?

**Senator Di Nino:** I thank the honourable senator for his question. First, it is important to recognize that the single biggest debt reduction took place this past year when the Minister of Finance applied, I believe, \$13.6 billion against the debt. That reduction is something that has been unheard of for many years.

The plan is a commitment by this government to accelerate that debt reduction over the period of time stated. The details have not been stated, as that is impossible to do, but the honourable senator will agree that by example, by the reduction of the \$13.6 billion a few months ago, this government intends to keep its commitment.

**Senator Harb:** It is obvious that when a government makes a statement, the statement is based on a forecast. Has the government put in a forecast for the economic growth they are talking about in terms of how much revenue they will generate and in terms of a schedule over, let us say, the next five years? Perhaps my colleague could tell us what the forecast of the government is in terms of an action plan to reduce the net debt? I am at a loss here in terms of the difference between the net debt and the actual debt. We are all accustomed to the term, actual debt. Can my colleague explain what he means by the "net debt"?

**Senator Di Nino:** I wish to remind the honourable senator that the statement I made dealt with the economic and fiscal statement made by the Minister of Finance on November 23, if my memory serves me correctly, which was called "Advantage Canada." That statement was about a commitment of the government. It did not contain specifics. As the minister stated at that time, as time goes by all of these commitments will be fleshed out and will be given meat, so to speak, and additional details. The statement was not part of this bill and it was not part of the budget. It was the statement made by the Minister of Finance when he made his economic statement.

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** That is right. We will provide him with a copy.

**Hon. Sharon Carstairs:** My question to the honourable senator concerns the tax credit for those families whose children take part in a vigorous physical activity which raises their cardiovascular rate. He used examples of hockey and soccer.

• (1610)

My understanding of the program is that the \$500 paid by parents results in an amazing savings of \$75 on their tax bill. However, it is interesting to me that there are very few welfare and poor working parents who can afford a \$500 enrolment fee in a hockey or a soccer program.

Does this government not believe that children living in families of the working poor and welfare recipients should not also receive encouragement to take part in physical activity?

**Senator Di Nino:** I wish to thank the honourable senator for her question.

It is important to understand that this is only one of a number of things accomplished in the past year. One must also acknowledge the fact that in the last 12 months — this government has only been in power for 12 months — a number of measures have been taken: reduction of the GST, reduction of personal income taxes and reduction of corporate taxes. All kinds of other measures have been taken.

In this bill, the government is saying that if parents encourage their children under the age of 16 to undertake a structured program, either through a league, an organization or a club — I am trying to fit the Boy Scouts in there, as some honourable senators are aware of my interest there — the fees they pay, up to \$500, will have a tax credit attached to them.

The tax credit will benefit people at different levels, depending on their marginal tax rate. It may be as little as \$75, and it may be

more in some cases. However, I am sure my colleague will agree that even \$75 is a lot of money to a young family. It may not be a lot of money to the world, but whatever the amount, it is a lot more than they were previously receiving.

To take this as a "one-off" measure is incorrect. This bill talks about apprenticeship programs, tax credits for the purchase of tools for working parents and a number of other issues. When they are all put together, I think the honourable senator would agree that it is a great step forward from what was in place previously.

**Senator Carstairs:** With the greatest of respect to the honourable senator, if everything is put together, it benefits the upper middle class and the wealthy. It does not benefit the working poor and those who are on welfare.

**Senator LeBreton:** Yes, it does.

**Senator Carstairs:** Is this government systematically opposed to helping those who make little or no money in this country?

**Senator Di Nino:** I am tempted to get involved in a political debate here, but I do not want to do that.

If we look at public transit passes, it is not wealthy people who will benefit from them; every Canadian will benefit. Look at the number of seniors who will be taken off the tax rolls as a result of the measures of this bill alone, let alone some of the other things it has accomplished. The provisions contained in this bill will also take poor people off the tax rolls, so they too will obtain a benefit from this bill.

It is unfair to suggest that this government does not care about the poor. In one year, I believe we have accomplished much more than the previous government did in 13 years.

**An Hon. Senator:** Come on.

**Senator Di Nino:** I do not want to get political. If honourable senators want to get political, we can do that.

I am suggesting that we must look at this issue in a fair way and say that this government in a slim 12 months has accomplished so much. How much more is there to come? That is the question we should be asking.

**Senator Cowan:** That is what we need to know.

**Senator Fraser:** Yes, that is what we are afraid of.

**Senator Carstairs:** Again, with the greatest of respect to the honourable senator, all I can say is that those people most in need of child care will not receive child care. Those parents most in need of assistance to help their children be physically active will not receive assistance.

With the greatest respect to the bus pass program, the honourable senator should wake up and smell the coffee. The working poor in this country cannot afford public transit because of a lack of support for transit.



**Senator Di Nino:** I am tempted to sit down and not say any more, but I drink espresso; I smell the coffee all the time. It is a great smell and it is very strong.

If honourable senators look at the substance of this bill, they will see it includes such benefits as the Canada employment credit, the textbook tax credit, public transit passes, tool deductions for tradespeople, the children's fitness tax credit, scholarship and bursary income, pension income credits for seniors, the apprenticeship job creation tax credit, the small business tax credits —

**Senator Comeau:** More.

**Senator Di Nino:** — and fiscal capital gains. My honourable friend may want us all to reduce our salaries by 10 per cent and donate it to our favourite charities. If we pass that measure here, I will be the first one to subscribe.

**Hon. Marilyn Trenholme Counsell:** Honourable senators, I should like to ask a question about the \$500 credit towards sports. However, first, I would like to comment on the use of the term "Boy Scouts." It is not the Boy Scouts anymore. It is Scouts Canada and includes both boys and girls. They are equal.

**Some Hon. Senators:** Shame.

**Senator Di Nino:** Shame is right.

**Senator Trenholme Counsell:** Did the honourable senator mention hiking as one of the sports?

**Senator Di Nino:** First, let me congratulate the honourable senator; she got me on that one. We have just finished working hard together to pass a bill in this place to change the name to Scouts Canada, and it is now in the other place. I totally agree with the honourable senator and thank her for pointing that out. We both have the same passion for the same organization.

Hiking is one of the examples provided in the briefing papers, which also include sports such as sailing, golf, karate, soccer and folk dancing.

**Senator Trenholme Counsell:** It is my understanding that it is not at all easy to obtain this credit. One must have proof of registration and perhaps other documentation.

It would be quite wonderful if what the honourable senator is saying is a reflection of what the government is offering, but I would like to know more details. I am sure that the honourable senator is privy to more inside information than I, but I have heard a lot of parents talking about this. Indeed, this credit is for those sports where one must buy expensive equipment and pay registration fees. As the honourable senator was saying, it is for those of means and not those who can walk along a hiking trail.

I do not know whether dancing is included on the honourable senator's list of sports, but I think it should be. My daughter was a highland dancer, and that activity is strenuous and costly.

Can the honourable senator explain how hiking could possibly be included in these notes? It is good news if it is.

**Senator Di Nino:** Yes.

Folk dancing is one of the activities included on the list.

**Senator Trenholme Counsell:** Hiking is included?

**Senator Di Nino:** Yes, hiking is included. I have said that a number of times.

We have here a provision to allow young Canadians to participate in physical activities that will improve their health, make them stronger and better citizens, and improve their ability to complete their school work and live more active lives, which I think we would all agree is good.

Honourable senators, there must be rules. The rules are basically designed by the Canada Revenue Agency. I do not have them here, but I will do my best to provide them to honourable senators. One cannot say, "Last Sunday I went for a walk around the park, so I would like to receive a tax credit associated with the shoes I bought." Rules must be created so that public spending is done in an appropriate and responsible manner.

• (1620)

I know that the list I provided is not all-inclusive. It is intended to include physical activity that can be described as relatively strenuous. Certainly soccer is included in that category. Soccer is not an expensive sport; it is not played by people with lots of money. Hiking is not an expensive sport.

**Hon. Grant Mitchell:** So you get \$15 back?

**Senator Di Nino:** It may be \$75 or \$120. The honourable senator cannot look at one extreme. He is well aware of the fact that if he gets a \$500 tax credit, depending on his marginal tax rate, he can get as much as 50 per cent of it.

**Senator Mitchell:** It is limited to 15.5 per cent.

**Senator Di Nino:** I hope I answered the honourable senator's question. I will attempt to provide a full list with details attached.

**Senator Mitchell:** I would like to clarify one point before I adjourn the debate. Senator Di Nino said that depending on how high your marginal tax rate is, the \$500 tax write-off will give you more or less. However, that is not the case. The fact is that it is limited to 15.5 per cent, or the lowest possible tax bracket, which represents an increase in tax from 15 per cent to 15.5 per cent. The fact is that it is limited to 15.5 per cent, to \$77.50. If you are paying \$35 for soccer shoes and \$15 for soccer fees, you will receive about 10 per cent of that.

He can say he is doing something for families, but it could amount to only \$8.50 or \$10. It is not worth the time it would take to get it.

**Senator Di Nino:** Perhaps not for the honourable senator, but others might want to take advantage of it.

**Hon. Hugh Segal:** Senator Di Nino made a statement about Advantage Canada and referenced the Minister of Finance with regard to the working income tax benefit or WITB program, a program aimed at dealing with the particular problem of the working poor through a working tax benefit incentive. This

program deals with those many Canadians who work very hard, some holding down two or more jobs, but do not make enough to live properly. I understand that this program would top up, through the tax system, their capacity to get out of the “working poor” category and have the income they need.

In view of the potential for this tax credit to affect, in a less than constructive way, people who earn less than \$30,000, could Senator Di Nino undertake to make representations to the Minister of Finance in this pre-budget period to have this matter addressed when the WITB program is considered for introduction, perhaps in the upcoming budget?

**Senator Di Nino:** I will certainly undertake to do that.

On motion of Senator Mitchell, debate adjourned.

[Translation]

## MEDICAL DEVICES REGISTRY BILL

### SECOND READING—POINT OF ORDER— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Harb, seconded by the Honourable Senator Keon, for the second reading of Bill S-221, to establish and maintain a national registry of medical devices.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I would like to make a few comments on Bill S-221, but first I want to take this opportunity to welcome the new opposition leadership, namely Senator Hervieux-Payette, Senator Tardif and Senator Cowan. I would also like to thank Senator Hays, Senator Fraser and Senator Cook for their cooperation and for the collegiality that prevailed during the last session. It has been a great pleasure for me to work with them, and I hope that we will have the opportunity to do so again in the future.

Honourable senators, I want to raise a point of order regarding Bill S-221, to establish and maintain a national registry of medical devices. I believe that this legislative document involves an appropriation of public funds and, therefore, it cannot originate in the Senate.

Rule 81 of the *Rules of the Senate* reads:

The Senate shall not proceed upon a bill appropriating public money that has not within the knowledge of the Senate been recommended by the Queen's representative.

This rule is based on sections 53 and 54 of the Constitution Act, 1867, which provide that appropriation bills shall originate in the other place and require a Royal Recommendation, which can only be asked by the Crown. Sections 53 and 54 read as follows:

Bills for appropriating any Part of the Public Revenue, or for imposing any Tax or Impost, shall originate in the House of Commons.

[ Senator Segal ]

It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, Address, or Bill for the Appropriation of any Part of the Public Revenue, or of any Tax or Impost, to any Purpose that has not been first recommended to that House by Message of the Governor General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

Allow me to explain why Bill S-221 is in fact a money bill. First, clause 3 states that the Minister of Health shall designate a person as the Registrar of Medical Devices. Clause 4 states that the Registrar shall develop and maintain a registry to be called the Medical Devices Registry and it lists the information to be included in the registry. Clauses 6, 8, 9, 10, 11 and 12 set out how the registry will work and the Registrar's duties.

It seems to me that clause 3 was written to avoid additional costs because it states that the Registrar shall be designated from among persons employed in the Department of Health. Yet, under clause 4, the registry to be created would be distinct from the department's regular activities and would require a separate operating budget, which implies additional expenses.

Legal precedent and commentary on this subject are clear. Establishing new goals and new program requirements will have financial repercussions and therefore require a Royal Recommendation. I would like to draw your attention to page 886 of *Erskine May*, 23rd edition, and I quote:

[English]

When a bill contains a provision extending the purposes of expenditure already authorized by statute (for example, by adding to the functions of an existing government agency or publicly funded body, extending the classes of persons entitled to a statutory grant or allowance, or extending the range of circumstances in which such grants or allowances are payable), that provision will normally require authorization by Money resolution.

[Translation]

The Speaker of the Senate ruled on June 14, 2005 concerning Bill S-33, stating that it was out of order because it was a money bill. He noted that a bill could be ruled out of order in the other place because it involved legislation with financial implications and came from the Senate.

I draw the attention of the Senate to the fact that the Speaker of the other place has consistently ruled that bills that propose new expenditures require a Royal Recommendation. On May 9, 2005, he said:

... bills which involve new or additional spending for a distinct purpose must be recommended by the Crown. The royal recommendation is also required where a bill alters the appropriation of public revenue “under the circumstances, in the manner and for the purposes set out” in the bill. What this means is that a royal recommendation is required not only in the case where more money is being appropriated, but also in the case where the authorization to spend for a specific purpose is being significantly altered.

• (1630)

On February 8, 2005, the Speaker of the other place said:

Where it is clear that the legislative objective of a bill cannot be accomplished without the dedication of public funds to that objective, the bill must be seen as the equivalent of a bill effecting an appropriation.

Honourable senators, establishing a new registry of medical devices is a new measure requiring the dedication of new funds. That is why I feel that Bill S-221 requires a Royal Recommendation.

Therefore, it cannot be introduced in the Senate, according to the rules, and we cannot carry on with its consideration. The objectives proposed by the bill are highly commendable. Unfortunately, in light of what it contains, and according to my research on the matter of a bill requiring new funds, I must conclude that the Senate cannot receive it.

**The Hon. the Speaker:** Honourable senators, we have before us a point of order, namely: Is a Royal Recommendation necessary?

[English]

**Hon. Sharon Carstairs:** Honourable senators, we have had over the years in my time in this place and many years before that a discussion of the concept of Royal Recommendation. We have had rulings to the effect that even if a bill requires a Royal Recommendation, it can get that Royal Recommendation at any stage of the bill, whether at first reading, second reading or third reading in this place or in the other place. It is a specious argument that because the bill does not have a Royal Recommendation it is therefore not validly received.

As to the other argument that suggests it is a money bill, if you took the argument of the Honourable Deputy Leader of the Government, you could not introduce anything in this place because everything would have a money attachment to it. It is not the purpose of this bill to spend money, and therefore, it is not, by definition, a money bill.

[Translation]

**Hon. Joan Fraser:** Honourable senators, it is rather unusual to deliver a speech on a point of order. Nevertheless, that is the procedure we are using today.

First, I would like to thank Senator Comeau for his kind words about me. It was my great pleasure to work in the same Senate process. I am sure that our new leadership team will enjoy it as much as I did.

[English]

I believe Senator Carstairs put her finger on the core element that this is not a money bill. Its purpose is not to spend money. It is true that almost anything we ever do in this place in the way of legislation may have some monetary implications, but this is not a money bill. It does not set out to change the budgetary situation or the budgetary policy of the Government of Canada. It does not affect taxes. It is a bill designed to achieve a laudable goal of

public policy. An ancillary effect would be that some money might be spent. The director would have to be paid, for example.

As Senator Carstairs said, we could do nothing here but pass empty resolutions calling upon the people of Canada to think fine thoughts or whatever empty resolutions seemed appropriate if nothing we ever did here could have any financial implication at all.

I have not been here as long as many others, but I seem to recall endless discussions on this precise point, in particular, with Senator Kenny's bills concerning tobacco products. It is my recollection that our Speaker ruled more than once that since the purpose of those bills was not that they should be money bills, they were therefore admissible in this chamber. I believe there have been other occasions.

The bill presented by Senator Harb, which has received bipartisan support in this chamber, is by no stretch of the imagination a money bill, and I would suggest, Your Honour, that it would be appropriate to say there is no point of order.

**Hon. Mac Harb:** Honourable senators, I agree with the intervention of both my colleagues, and I want to thank Senator Comeau for raising the point. It is important to put those points on the table, and as Senator Carstairs clearly stated, if we were to follow those points and those suggestions, we may as well shut down operations and go home. In the end, this Parliament has a role. It has a role of oversight and has the ability to initiate legislation that is in the public interest.

The Auditor General's Report states the need for this particular legislation. If my honourable colleague submits that this is a money bill, I submit to honourable senators that if we appoint a registrar, the registrar will have the authority through regulation to impose some sort of a fee on those who use the register. Therefore, it could be revenue neutral, or, for that matter, it could even generate revenues to the Crown, should the Crown so choose.

The Auditor General clearly states in her report that Health Canada has an inspection strategy that identifies the importance of inspection activities. However, the report also states the following:

However, we found that Health Canada does not engage in any inspection activity at the post-market phase and does not know the extent to which the Regulations are being respected. More specifically, we found that Health Canada does not know the extent to which manufacturers, importers, and distributors are

- operating surveillance systems that are adequate to allow them to identify adverse events after the product is on the market;
- taking appropriate action in response to adverse events or complaints that come to their attention;
- reporting to Health Canada all serious adverse events that come to their attention;
- maintaining adequate distribution records to ensure successful recalls; and
- selling only licensed devices.

I submit to you, honourable senators, that there are already activities within Health Canada to that effect. While the Auditor General states that perhaps we have to have a little more vigilance, my bill will not impose any financial burden on the Crown; it is the opposite. If that bill were to save one single life, I submit to Your Honour that that is a great saving.

There are many case studies that I can bring to the attention of this house to show that there is a need for a bill like this one. Should there be changes to it, Your Honour, I submit that once we send it to the committee we will bring in the officials, experts and constitutional experts, and should the committee find at that time that it is not acceptable, then I will be at the mercy of the house.

**The Hon. the Speaker:** Honourable senators, I thank all who have spoken to the point of order. I will take it under advisement, move expeditiously and report back.

• (1640)

## STATE OF LITERACY

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Fairbairn, P.C., calling the attention of the Senate to the State of Literacy in Canada, which will give every Senator in this Chamber the opportunity to speak out on an issue in our country that is often forgotten.—(*Honourable Senator LeBreton, P.C.*)

**Hon. Lillian Eva Dyck:** Honourable senators, today I join the debate on the state of literacy in Canada. Let me begin with a quote from the Canadian Council on Learning report entitled *State of Learning in Canada — No Time for Complacency* that was released on January 26.

Literacy really matters in every country for social, cultural, political and economic reasons. Countries that ignore the imperatives of developing literacy skills to the highest possible levels do so at their peril.

Literacy is a critically important issue for the Aboriginal population in Canada, and today I will focus my remarks on Saskatchewan.

Literacy proficiency is the daily ability to understand and to use printed material at home, at work and in the community. Level 3, of the five levels, is considered to be the minimum requirement for a given individual to function adequately in our current modern, knowledge-based economy.

A given population should have at least an average literacy score of level 3 in the domains assessed: prose, numeracy, document and problem solving. If the average national score is less than level 3, the skill level of the population is not sufficient for satisfactory job performance and everyday functioning.

According to the International Adult Literacy and Skills Survey, IALSS, conducted in 2003, the Western provinces, B.C., Alberta and Saskatchewan, scored higher than the overall Canadian average in prose, numeracy, document and problem solving literacy. This survey was for ages 16 to 65. In Canada as a whole, 41 per cent scored below level 3 in prose literacy, while in Saskatchewan a smaller percentage, 33 per cent, scored below level 3. The picture for numeracy literacy is worse than for prose literacy. In Saskatchewan, about 42 per cent scored below level 3.

In real terms, these numbers mean that approximately 200,000 Saskatchewanites between the ages of 16 to 65 years were below the level of prose literacy required to function adequately on a day-to-day basis. Similarly, about 250,000 Saskatchewanites had inadequate numeracy proficiency. These numbers, honourable senators, are shocking.

The IALSS showed that literacy proficiency was generally better in younger individuals. In most provinces, including Saskatchewan, and the territories, about 60 per cent of youth between the ages of 16 and 25 performed at level 3 or higher, compared to only 20 per cent of those over the age of 65. For the youth, these results may sound pretty good, but when you consider that about 40 per cent of Canadian youth are below level 3, which you will recall is the minimum requirement to perform adequately in today's knowledge-based economy, then I think you will agree with me that we as a nation have a problem — a big problem. In Saskatchewan, close to 40 per cent of the 140,000 youth, that is, 56,000 young adults, also had less than level 3 prose proficiency. These 56,000 young adults would not be able to perform adequately in everyday life, let alone do well on the job or in school.

Honourable senators, I draw your attention now to the Aboriginal population in Saskatchewan. In 2001, 14 per cent of the population in Saskatchewan identified themselves as Aboriginal. There were 78,655 Aboriginals over the age of 15 in Saskatchewan in 2001. The Aboriginal population in Saskatchewan is comprised mostly of Indians, 64 per cent. The majority, 65 per cent, of Aboriginals in Saskatchewan live off-reserve, and about half, 47 per cent, live in urban areas of the province.

The 2003 IALSS assessed the prose literacy performance of urban Aboriginals and found that it was considerably lower than that of non-Aboriginals. About 60 per cent of urban Aboriginals and 40 per cent of urban non-Aboriginals had less than level 3 prose proficiency. There were about 37,000 urban Aboriginals in Saskatchewan in 2001, so one can estimate that about 22,000 Aboriginals in cities in Saskatchewan had less than adequate prose literacy. At the same time, about 180,000 non-Aboriginals living in urban centres had less than level 3 proficiency in prose literacy. Let me repeat that: An estimated 180,000 non-Aboriginals and 22,000 Aboriginals living in cities in Saskatchewan had less than adequate prose literacy. These numbers are shockingly large.

It is important to note that the Aboriginal population in Saskatchewan, as is the case elsewhere in Canada, is a younger and faster-growing segment of the population than the non-Aboriginal component. In Saskatchewan, about 60 per cent of Aboriginals living off-reserve were under the age of 25,

compared to about 30 per cent for the non-Aboriginal population. In other words, the proportion of people under 25 years of age was two times higher in the off-reserve Aboriginal population than the non-Aboriginal sector.

I believe it is particularly important to pay attention to the 16-to-25-year-old age group and the 26-to-45-year-old age group, as these groups are the major component of the Aboriginal population above age 15. They comprise 31 per cent and 45 per cent of the population, respectively. Moreover, these age groups are becoming increasingly important to fill labour shortages in our province. In Saskatchewan, it is particularly important to ensure that our Aboriginal population, which has proportionally more younger people and which is growing at a more rapid rate, has the requisite literacy skills to succeed in life in general, and in the job and in school in particular.

The IALSS found that the prose proficiency scores of urban Aboriginals were less than those of urban non-Aboriginals in Saskatchewan. The average scores for the three Aboriginal age groups, 16 to 25, 26 to 45, 46 and over, were all below level 3, while the average scores for the non-Aboriginal groups were above or close to level 3. It would be most interesting to find out whether, as might be expected, the percentage of Aboriginals with less than level 3 literacy proficiency is greater for the younger Aboriginal age groups than for the non-Aboriginals.

At all levels of education in Saskatchewan, Aboriginals lagged behind non-Aboriginals. For example, in the 25-to-44-year-old group of urban Aboriginals, 32 per cent had less than a high school education, compared to 18 per cent of non-Aboriginals. Similarly, only 6 per cent of Aboriginals had earned a bachelor's degree, compared to 14 per cent of non-Aboriginals. It is tempting to conclude that the lower educational attainment of urban Aboriginals was due to lower literacy proficiency. Any person who has insufficient literacy proficiency will likely have less success in their schooling or educational upgrading, and may not be able to achieve competency in their job.

• (1650)

I will conclude my presentation with a discussion on one final aspect of the IALS survey results. Much ado has been made about the fact that the average overall national literacy score for Canadians in 2003 was not significantly different from that found in 1994. The finding that there was no change in the average national literacy score can be interpreted in three ways. One interpretation, which Senator Tkachuk articulated, was that the literacy programs were not doing their job because if they had been the literacy scores should have gone up.

However, a second interpretation of the lack of change in the prose literacy scores is that the literacy programs had done their job because in the absence of such programs the literacy scores would have gone down.

Moreover, a third interpretation is that not enough resources or programs were available to make any difference in the average literacy of Canada as a whole. In other words, not enough funding was made available to provide enough literacy programs to help large enough numbers improve their literacy. Not enough adult learners were put through literacy programs to make a significant increase in the literacy score of the population as a

whole. There may have been too few learners who had been helped by literacy programs to make a significant difference to the huge number of people who have below-average literacy. I would argue that that is the case for Saskatchewan.

How many adult learners are being helped by literacy programs in Saskatchewan? Using the IALS survey, one can estimate that 200,000 to 250,000 Saskatchewanites fall below level 3 in prose and numeracy proficiency. However, based on information that I received from the Saskatchewan Literacy Commission, a mere 2,000 adult learners are participating in federally funded literacy programs in Saskatchewan. These 2,000 learners will no longer be able to access current literacy programming as a result of the funding cuts announced by the minority Conservative government in September.

In addition to the 2,000 learners participating in federally funded literacy programs, about 5,000 are accessing provincially funded programs. However, it is clear that the total number of learners is still only a tiny fraction — about 3 per cent — of the huge number of people — 200,000 to 250,000 — with low literacy in our province.

In addition, I would like to point out that the IALS survey did find significant increases in the prose literacy scores between 1994 and 2003 in Quebec, and in the document literacy scores in the Atlantic region. One could argue that these two literacy programs at least are working, and one could try to figure out why significant differences occurred in Quebec and in the Atlantic region, but not in other regions of Canada.

Honourable senators, other countries, such as England and Australia, have launched multi-year, well-resourced national strategies aimed at improving literacy skills. Let me conclude by saying that more, not less, federal funding should be directed to improving the literacy proficiency of the people in Saskatchewan. Furthermore, close attention should be paid to the Aboriginal population in Saskatchewan. It has been predicted that 10 years from now, 21 per cent of the population in Saskatchewan will be Aboriginal, and by 2045, as much as 50 per cent will be Aboriginal. It is imperative, therefore, that programs that increase the literacy proficiency of Aboriginals are, if anything, expanded rather than cut back.

Honourable senators, it is my hope that the minority Conservative government will increase the level of investment in literacy programs. Such an investment will pay significant dividends in the future, as more people become able to participate fully in everyday life, perform better in their jobs, and contribute to our economy.

On motion of Senator Milne, debate adjourned.

## THE HONOURABLE NOËL A. KINSELLA

### MOTION EXPRESSING CONGRATULATIONS AND CONFIDENCE IN SPEAKER—DEBATE ADJOURNED

**Hon. Serge Joyal**, pursuant to notice of June 22, 2006, moved:

That the Senate congratulates the Honourable Noël Kinsella on his appointment as Speaker and expresses its confidence in him while acknowledging that a Speaker, to be

successful and effective in the exercise of the duties of that office, requires the trust and support of a majority of the Senators.

He said: Honourable senators, I should like to extend to the Honourable Speaker the usual wishes of congratulation and say to him personally how much I have appreciated, in the almost 10 years I have been in the Senate, joining with him in all the works we have been called upon to study and debate in committees and in this chamber.

Today, I would like to direct the attention of honourable senators to the status of the Speaker. The fact that we have a Speaker who is appointed by the Governor General raises a special issue in relation to the capacity of the Speaker and his role in our chamber.

I remind honourable senators that the Speaker is appointed according to section 34 of the Constitution, which states:

The Governor General may from Time to Time, by Instrument under the Great Seal of Canada, appoint a Senator to be Speaker of the Senate and may remove him and appoint another in his Stead.

• (1700)

The Governor General appoints the Speaker, not the Governor-General-in-Council. In a previous debate in 2003, the Honourable Senator Oliver introduced a bill to elect the Speaker. Many of us took part in that debate and reflected upon the scope of section 34 of the Constitution. If the Governor General appoints the Speaker, then who advises the Governor General when he or she must select, from time to time, a senator to fill the position of Speaker of the Senate?

In 2003, Senator Austin, who happened to be the dean of this chamber in terms of length of time served in the Senate, informed us that following an executive Order-in-Council of 1935 introduced by the late William Lyon Mackenzie King, the Prime Minister reserved a certain number of recommendations to the Governor General for appointments. Among these appointments, of course, are senators and the position of Speaker. In other words, the Prime Minister does not have to consult the cabinet. It is not the Governor-in-Council; it is the Prime Minister. The Prime Minister can take counsel from whomever he or she chooses.

**Senator Prud'homme:** Like the senators.

**Senator Joyal:** The Prime Minister does that before making a recommendation to the Governor General. The Prime Minister of the day may decide to consult the President of his party, the Leader of the Opposition in the House, the leaders of the other opposition that happen to be present in the House or anyone else. It is the same, for instance, when he or she recommends the appointment of judges to the Governor General. The Prime Minister can establish a system of consultation through the bar, through a group of select, high-profile citizens, and so on, but the last recommendation is with the Prime Minister according to that executive order of 1935.

Where does that leave us? When we debated the bill introduced by Senator Oliver, I remember Senator Cools made a very important contribution, as did Senator Prud'homme. I read the

important points in those contributions. For instance, Senator Cools stated that the Senate is a very special place in Parliament because it is the only chamber where the three components of Parliament meet: Her Majesty, the Senate and the House of Commons at the bar. If we were to change that we would have to address changing that appointment principal. I think Senator Cools was rightly concerned with that issue.

It came to mind that when we are changing the status of such an important position in the order of public responsibility within the Constitution, we must follow strictly the letter of the Constitution. I was listening this afternoon to an intervention made in this chamber calling upon us to forget about the Constitution and move on with the issue of the Senate. I happen to have a different view. I will express at another time what we can do to respect the letter and spirit of the Constitution and move on.

This is an important moment to reflect upon the general idea of whether or not we should elect the Speaker of the Senate. We have arrived at a time in the history of our institutions, after 140 years, as the Leader of the Opposition mentioned, that we should think about this proposal, as did Senator Oliver's bill three years ago. That bill died on the Order Paper and the issue was not revived.

The motion of Senator Hays also invites us to reflect upon the status of the Speaker of the Senate. We are, at this point in time, in a privileged position because the House of Lords changed its procedure last July and elected its first Lord Speaker. They did not do that overnight or on a whim. It started in 2003 when the Lords struck a select committee on the speakership of the House. They sat for a number of days and heard from a number of witnesses and they produced a report dated November 18, 2003. There is a report from the Lords concluding that they should proceed with the election of the Lord Speaker.

Those of us who have had the privilege, including His Honour and the previous Speaker, Senator Hays, of going to Westminster and studying the status of the Speaker, understand that there were a certain number of considerations that they expressed in their report, which I think is very accurate in terms of our own Speaker.

For instance, they concluded in the course of their study that the office of the Speaker is of prime importance because he is to be the guardian of the ethos of this place. I repeat: the guardian of the ethos of this place. In other words, the Speaker retains the ethos, the ethics, the high level of professionalism that we must maintain to perform our constitutional duty in the study and debates of legislation and public issues. In that capacity, Speakers should have a special function to perform. He or she should abide by a certain number of written or unwritten rules to ensure that the role is performed with the confidence of the majority of the members of the Senate.

It is in that context that, having recommended in 2003 that the Lord Speaker be elected, the House of Lords voted on a motion in July 2005 to adopt the system and then struck a special committee to establish a procedure of election. That committee reported to the Lords on December 19, 2005. In other words, they did a full study. As you will see, honourable senators, this is rather thick. They studied the various methods of election and selection. They

came to the conclusion through a simple system that the candidate should be elected for five years with one renewable term — in other words, a maximum of 10 years — and it only makes sense that if the person is elected for five years, the person will sit in the chair for a continuous term of five years. That would be different than our letter of the Constitution would provide, namely, that the Speaker is changed from time to time. There is it no term limit. The Speaker may be Speaker for 6 months, 1.5 years, 5 years, the whole length of Parliament and reappointed and so on. We must go through the list of all the Speakers to find out the range of terms that they have had in our chamber.

The House of Lords concluded that the result of the election would be presented to Her Majesty for official appointment. In other words, the system of election of the Lord Speaker did not change the power of Her Majesty to appoint the Speaker.

• (1710)

As stated clearly in recommendation No. 51 of the report of 2003:

The name of the successful candidate should then be submitted to Her Majesty the Queen, who would be invited to make the formal appointment.

Her Majesty still retained her capacity, and that is what she did last summer when she appointed as Lord Speaker the candidate that was successful in July 2006. Therefore, at Westminster they have been able to address the issue respecting the letter and the spirit of the Constitution, which is to retain for Her Majesty the power to appoint.

What happened in fact? The power of the Prime Minister to make a recommendation to Her Majesty was changed for an electoral system within the House of Lords through which the candidate recommended to Her Majesty was accepted. The Lord selected occupies the chair for five years, and then the term is over and there is another election. The same person may be inducted for another five-year term and then they must leave the chair for another candidate.

This means that if we want to change or abolish section 34 of the Constitution, which provides for the Governor General to appoint a Speaker, we must say that we will proceed with the election of the Speaker on the basis only of our rules, as they did in the other place. The election of the Speaker in the other place is provided only through the rules, the standing order of the chamber. Nothing in the Constitution provides for that for the other place.

What, then, should we do? A question that arises immediately if we are to abolish section 34 is the following: Do we have the capacity, as Parliament, to abolish section 34 under section 44 of the Constitution?

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Five minutes?

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

**Hon. Senators:** Agreed.

**Senator Joyal:** I will conclude in five minutes.

**Senator Corbin:** You have one minute, plus five.

**Senator Joyal:** If we want to abolish section 34, which provides for the appointment of the honourable Speaker by the Governor General, we must resort to section 44 of the Constitution. The government alleged that same section to introduce Bill S-4: that the Parliament has the authority to change the term of senators. That is essentially the argument of the government to introduce Bill S-4. Following the vote that took place this afternoon, I will speak on that issue when I have an opportunity either this week or next week to speak on Bill S-4 because I think that question is the paramount one to discuss first. We can then debate sections 8, 9, 10, 12, 20 and 25, but we must first debate the question of whether we have that power. That will be my contribution to that debate.

Let me continue on the Speaker. Do we have the power under section 44 to abolish section 34? If we say yes to that question, we have another problem that was raised by Senator Cools. Since the office of the Governor General is protected by section 41 of the Constitution that seeks unanimity, we are changing the power of the office of the Governor General. We are removing a power from the Governor General.

On that basis, one can argue that we need to go through the formal constitutional route. If we conclude that, I do not think that we will waste time debating the issue of the status of the Speaker. We must go through the conventional route, the one that the late Right Honourable Mackenzie King took with the Order-in-Council.

I think that Senator Austin made a useful contribution. Nothing prevents us, for instance, from adopting a motion to conduct an election with an electoral system within this chamber that provides candidates to come forward to be nominated, and then have the successful candidate referred to the Prime Minister for consideration. The Prime Minister would then decide what to do with the recommendation. He could follow or not follow the recommendation, but the order of the Governor General would remain intact, as much as in Westminster the power of the Queen remained intact following the result of the election that took place to elect their Speaker last July.

I conclude, honourable senators, that we should look into this issue. I think that Senator Oliver was right. We want to be sure that the power, the responsibility and the function that is vested in the Speaker is occupied by a person who has the majority trust of this chamber, whatever the political allegiance or the government of the day.

I think it is fair, if the mother of Parliament has been able to come to a conclusion on this issue, that it needs to be revisited. With all the information that is piled in the two reports that have been quoted, which are very recent reports, together with the fact that they conducted an election in Westminster that was fruitful, we can look into that matter on a non-partisan basis. They concluded in their own report, in terms of political activity of the Speaker, and I quote:

The Lord Speaker will be expected to lay aside any party or group affiliation on appointment, and to refrain from political activity, including voting in the House.

They are sensitive to the political activity of the Speaker once the Speaker has been elected. It is an issue that we need to reflect upon and we can have the benefit of those reports. It would be to the benefit of those who want to reflect upon this issue to have a model. I do not think the model can be transferred totally because we have a Constitution that we must abide by. However, at least we have a precedent that would be helpful for us if we want to move forward in that regard.

#### POINT OF ORDER

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** On a point of order, honourable senators, much as I think we all agree with the intent of Senator Joyal's motion that we hold confidence in the incumbent of the office of the Speaker of the Senate, probably the motion would pass unanimously. Much as we would like to reach that point, the motion being pursued by Senator Joyal is outside the constitutional responsibilities of the Senate. Senator Joyal's motion is, in effect, a motion of confidence in the Speaker of the Senate.

Senators are well aware of our constitutional responsibilities and rights, which include regional and provincial representation, representation of minorities and to act as a check on the House of Commons, to name just a few. Nowhere does it mention that the Senate has the responsibility or the right to call into question its confidence in the Speaker. It is quite the opposite.

Section 34 of the Constitution Act of 1867 states:

The Governor General may from Time to Time, by Instrument under the Great Seal of Canada, appoint a Senator to be Speaker of the Senate, and may remove him and appoint another in his Stead.

At that time, it should have said "her" as well. Thereby, it would grant the power of appointment and removal of the Speaker of the Senate to the Governor General as part of the Crown's Royal Prerogative, and not to the Senate.

As much as I think we would all like to rejoice in expressing our full confidence in the incumbent, Senator Kinsella, the Senate does not have the right to do it at this point because of section 34. Therefore, we will have to seek another vehicle or instrument if we wish to pursue Senator Joyal's proposal and not pursue this through the question of a motion.

• (1720)

**Hon. Lowell Murray:** Honourable senators, I have two comments on the point of order. First, the easy way out of Senator Comeau's objection would be to amend the motion so that everything after the word "Speaker" is deleted. We would then have a motion in which the Senate congratulates the Honourable Noël Kinsella on his appointment as Speaker, period.

Second, to the extent that Senator Comeau's point of order will have to be adjudicated by someone, we had a rather shameful debate in this place circa 1990-91.

[ Senator Joyal ]

**Senator Cools:** It was in 1990.

**Senator Prud'homme:** It was a shameful debate.

**Senator Murray:** This occurred when a motion was put not to express its confidence in the then Speaker of the Senate but to express the non-confidence of the then opposition in the Speaker of the day.

**Senator Prud'homme:** That is right. He was a good Speaker.

**Senator Murray:** I cannot recall any point of order being raised much less any intent by the Speaker to prevent the debate happening, and it dragged on for a very long time. Your Honour might want to take that precedent, if it is a precedent, into account.

I had two other matters to raise, but they are not appropriate to the point of order.

**Hon. Daniel Hays:** Honourable senators, I have a brief intervention on the point of order. I listened to Senator Comeau carefully. He makes a valid point that this is not a motion that leads one to conclude by its content that it will lead to something that will bring about the election of the Speaker. However, my memory of this place and of the latitude given in debate on motions, inquiries or other orders on the *Order Paper* and *Notice Paper* is such that a great deal of leeway has been given.

I listened carefully as well to Senator Joyal. Most of his comments seemed to be more in keeping with an inquiry than with the strict wording of his motion, although he did touch on that at the beginning of his remarks. I only wish we had more time so that we could explore some of the issues that he has raised.

I would remind honourable senators that this matter has been referred to the Standing Committee on Rules, Procedures and the Rights of Parliament with a request that it bring forward something, if deemed appropriate, to deal with the matters raised by Senator Joyal in his comments, which are more in the nature of an inquiry than of a motion to do something to cause the Speaker to be elected.

I would ask Your Honour to take those comments into account in terms of what I understand to be the leeway given to presenters when making comments on motions, inquiries or other orders that appear on the *Order Paper* and *Notice Paper*.

**Hon. Joan Fraser:** Honourable senators, I understand Senator Comeau's point of order to suggest that Senator Joyal's motion is out of order because, in his view, it would be unconstitutional for senators to change the method of appointment of the Speaker of the Senate.

I see two difficulties. First, the motion, which would be voted on, states nothing about electing a Speaker; rather, it congratulates the Speaker on his appointment as Speaker and expresses confidence in him, which I am sure all senators share. The motion observes that a Speaker "to be successful and effective . . . requires the trust and support of a majority of the Senators." That is true. If a Speaker does not have the trust and respect of the majority of senators, we have only to vote to overturn his rulings and he will not be successful or effective in the



exercise of his duties. On the face of this motion, it contains nothing that is out of order or unconstitutional. Senator Joyal's presentation, which was most interesting, learned and informative in respect of the move to examine, at least, the possibilities of electing a Speaker, does not affect the plain words of his motion.

Second, even if the motion called for the election of the Speaker of the Senate, it would not be out of order either. I recall that Senator Oliver had two bills, I believe, before the Senate calling for the election of the Speaker.

**Senator Comeau:** What happened to the bills?

**Senator Fraser:** They were not ruled out of order, although I might be wrong because my recollection of the better of the two bills is a bit sketchy given that I was not expecting to enter this debate today.

Surely there is no limit to what senators may choose to say in this chamber about what they believe is the appropriate fate of this chamber, as long as senators observe the laws of libel and obscenity. Simply and plainly, the words of this motion, in both official languages, are so clearly in order that I would urge Your Honour to find that there is no point of order.

**Hon. Eymard G. Corbin:** I would refer honourable senators to Beauchesne's *Parliamentary Rules & Forms, 6th Edition*, by Fraser, Dawson and Holtby. The heading preceding citation 167 at page 48 refers to the Speaker as "Presiding Officer of the House of Commons." This has generally applied to the conduct of the Speaker of the Senate in most cases. There have been rulings pertaining to paragraph 5 of citation 168, which states:

The Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege.

That is exactly what Senator Comeau has done.

The same consideration as to the powers of the Speaker can be found under "Points of Order" at page 97 of the same edition of Beauchesne's. Citation 324 states:

The Speaker will not give a decision upon a constitutional question nor decide a question of law, though the same may be raised on a point of order or privilege.

Following that is a reference to the *Journals* of July 8, 1969. I remember well but I cannot quote the name of the Speaker in the Senate, the incident or the date when the Speaker refused to engage in debate because the matter raised was a constitutional question.

That is where the matter rests and debate ought to continue.

**Hon. Anne C. Cools:** Honourable senators, I wish to join this debate briefly. I thank Senator Joyal for bringing forward an important issue. As well, I support Senator Murray's comments and Senator Comeau's objection.

There is a problem with Senator Joyal's motion and I would appeal to him because his motion has two distinct propositions. The first proposition is that all senators should congratulate the Speaker on his elevation. The second is that the senators should

acknowledge that a Speaker, to be successful, should be of a certain type. I think it is desirable, honourable senators, that when any motion moves forward on the grounds that it seeks to congratulate one of our members who has been elevated to a particular position, that motion should go forward on a very positive basis. The first part of Senator Joyal's motion about the congratulation, I am sure will seek unanimity in this place.

• (1730)

The second part of the motion, on the question of confidence and acknowledging and making certain acknowledgements, is a debatable question. For those reasons, I would like to ask Senator Joyal to consider dividing his motion so that the positive note that all senators wish the Speaker well and Godspeed is one that should move forward without qualification. It is not fair to place any senator, particularly the Senate Speaker, in a position of being a judge in his own cause, in his own case.

Right now Senator Comeau has asked the Speaker, and every one of us intervening in this debate is asking the Speaker to be a judge in his own cause. I do not think that is Senator Joyal's intention. I think his intention is to have all of us express good wishes to the incumbent. I will not mention names for the moment. His intention is not possible without a debate on the other set of issues in his same motion, whether Senator Joyal intended it or not, and I understand what Senator Comeau is saying. Senator Joyal's motion uses words like "confidence." The term "confidence" in our system of governance has a peculiar and particular constitutional meaning and its use in this motion tends to cloud Senator Joyal's good and well-founded intentions. I believe it diminishes what he is trying to say.

This debate is really two debates. I said that there are two distinct propositions. There is the first proposition, as I said before, of congratulating His Honour, but then there is the other proposition that Senator Joyal is bringing forth, that the Speaker should have the confidence of the members of this place and, in addition to that, this place and its senators must acknowledge certain facts about the Speaker. He must admit this. There are many senators who would be prepared to debate the proposition in the second part of his motion. I am of the sincere feeling that since I believe it is the will of most senators in this chamber that if we wish to congratulate the Speaker, the motion should extend congratulations. However, if we wish to discuss the functions and the roles and the process of selection of a Speaker, then that is a different debate and it should be conducted outside of a debate on the individual occupant, the incumbent Speaker at this point in time.

What I am trying to do here, honourable senators, is to see if we can reach a situation where we are not asking His Honour to be a judge in his own cause in this instance. It would be very easy to make such an amendment.

I would just like to continue on a substantive point. Senator Joyal is right; I do pay deep attention to some of these matters.

We must remember that we call the Speaker of the Senate the Speaker, but the Speaker of the Senate is no mere Speaker as, say, the House of Commons Speaker is the Speaker. I often wish we did not use the term "Speaker" here, and that we should do as in the U.S. and perhaps use the term "President" or something else,

because in actual fact there is always great confusion because there should be one Mr. Speaker between the two Houses. There should be one Mr. Speaker in a Parliament, and he should be Speaker of the House of Commons.

My point is the following: The Speaker of the Senate is more in the nature of a viceregal. This fact seems to have been lost in recent years constitutionally, because the Speaker in this place was modeled after the Lord Chancellor, who was no mere Speaker. He was the alter ego of Her Majesty or His Majesty. I wish we would start to resurrect our real constitutional history so we could understand this. The Speaker of the Senate is in point of fact a viceregal.

The American Constitution is interesting in many ways. Back in 1787, they created many innovations but alongside those innovations they maintained the basic British system. It is an interesting creation in the U.S. In the United States of America, they maintain the President of the Senate as that viceregal, because in the United States of America the Vice-president of the United States of America is the President of the Senate.

What I am trying to get at here is that this is not a simple, straightforward matter. I know in the U.K. and in Westminster they are doing all manner of things around the question of the Lord Chancellor and so on. The phenomenon that we have is that our BNA Act as passed is an ancient system and we are not free to just change it at whim.

I understand the intention of Senator Joyal, which is that when a prime minister — and I am very well-informed of the Orders-in-Council — makes a selection for that position of senate Speaker, that prime minister should choose a person who not only has the respect of all senators, but who also enjoys the affection, because that person should be treated in a very special way. We should hold the Speaker in great esteem.

I believe that what Senator Joyal is saying is that we should encourage future prime ministers to take note of the sentiments and thoughts of senators when making their choices. I think that is what the honourable senator is trying to get at, because the situation he has described in the practice of the U.K., frankly, is no big thing to my mind. I do not know how they do it procedurally. I am not as informed on that subject as is Senator Joyal. I do not know if that situation is applicable here in Canada. I have not done enough work on what has actually happened in the U.K. However, even with all of that we must understand that this house — and I would like to impress this upon the Prime Minister and the members of the cabinet — is the upper house. This house is Her Majesty's royal house, which is the house of Her Majesty's Parliament. That is what a Parliament is.

The BNA Act says "the Parliament of Canada," but if you read the old literature it was the King who would say, "I will call a Parliament. I will summon a Parliament." Many Parliaments were summoned all the time. There was not a notion of one Parliament functioning all the time, but the important point is that this is the house of Parliament. This is the house of the assembling of Parliament. If Her Majesty were to arrive at the front door of this building, our Black Rod is supposed to be there. That is why the Black Rod is appointed — I think by Order-in-Council — by her. Our clerk is the clerk of the Parliament. It is a different system.

• (1740)

I sincerely believe that we can honour the spirit of what Senator Joyal is trying to do, and we can sever the motion and congratulate His Honour, ensuring no feelings are hurt and no offence is offered. At the same time, we can have a debate on not only the future but the role of the Speaker of the Senate. I have copious materials on this subject.

I want to move on to one other point that Senator Joyal made, which may be substantive. I thought I heard him say that the Speaker of the House of Commons was not elected in the Constitution. Did he say that?

In any event, just for clarification, I want to call the attention of the house to section 44 of the BNA Act, which states:

The House of Commons on its first assembling after a General Election shall proceed with all practicable Speed to select One of its Members to be Speaker.

There is a lot of confusion around that particular section because many Canadians believe that the Speaker has been elected only for the last ten years or so. In point of fact, the Commons Speaker has been elected for the last 140 years, or whatever it is. It used to be done by motion. A motion would be moved, and all the other members of the House of Commons would simply vote for it. Some years back, it was decided to do it by direct secret ballot, which is good and sound. However, they are both still elections, so the constitutional underpinning is the same.

Having said all of that, I do not know where we are. Your Honour, if this item goes ahead as a point of order, unless Senator Comeau wants to withdraw it and allow some of us to move a motion, I do not think you should act as a judge in your own cause. It would be unclear as to what you are ruling on. Are you ruling on the fact that we should not congratulate you, we should not trust you, or we should not love you? What are you ruling on?

I think the Honourable Senator Kinsella, whom I want to join in congratulating, should graciously bow out.

**The Hon. the Speaker:** Is there anything further on the point of order?

Honourable senators, I wish to thank all for their contribution to the discussion on the point of order, which the chair will take under advisement and report back as expeditiously as possible.

## FOREIGN AFFAIRS AND INTERNATIONAL TRADE

### MOTION TO AUTHORIZE COMMITTEE TO STUDY EFFECTIVENESS OF CANADA'S PROMOTION OF DEMOCRATIC DEVELOPMENT ABROAD— DEBATE ADJOURNED

**Hon. Hugh Segal,** pursuant to notice of November 29, 2006, moved:

That the Standing Senate Committee on Foreign Affairs and International Trade be authorized to examine and report on the effectiveness of Canada's promotion of democratic development abroad; the role of the Parliament of Canada in this context; and

That the Committee shall present its final report no later than December 31, 2007, and that the Committee shall retain all powers necessary to publicize the findings of the Committee as set forth in its final report until March 31, 2008.

**Hon. David Tkachuk:** Honourable senators, I have been given permission by Senator Segal to move this motion in his name.

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

**Hon. Senators:** Question!

**Hon. Eymard G. Corbin:** It would have been preferable for Senator Segal to present his motion and to explain the objectives sought by this study.

As a member of the steering committee of the Standing Senate Committee on Foreign Affairs and International Trade, I am privy to what he is attempting to accomplish, but I doubt if anyone in this chamber could explain it. Can the honourable senator explain?

**Senator Tkachuk:** Yes.

**Senator Corbin:** The honourable senator moved the motion on Senator Segal's behalf.

I do not intend to stop this motion. I do not intend to speak to it, but I am talking about the process. It is most unusual, especially on motions, to zip them through like that. I invite the honourable senator to make a few comments.

**Senator Tkachuk:** I do not think Senator Segal meant any disrespect. He thought he would be moving this motion, thought it important, and I was the closest body around. Therefore, he asked if I could move it in his name.

He wanted me to tell honourable senators that this study is not to duplicate the study going on in the House of Commons. There will be no travel and no expense. The committee will study the

issue of the role of Parliament and parliamentarians in advancing democracy and democratic development, which he considers, and members of the committee consider, of vital importance.

For example, the Westminster Foundation for Democracy in the United Kingdom and the National Endowment for Democracy in Washington each respond to Parliament and Congress respectively when they promote the issue of democracy; rather than, for example, external affairs or the executive. This is to study how Parliament will promote democracy throughout the world.

I hope that explains the study a little bit. If the honourable senator wishes to add to that explanation as a member of the steering committee, perhaps we can expedite this.

**Hon. Percy Downe:** Can the mover of the motion advise if the promotion of democratic development includes a review of the situation in Afghanistan and what the Canadian government is presently doing there?

**Senator Tkachuk:** I cannot answer that particular question. It would be better answered by the members of the committee.

My guess is, they will study how Parliament is to promote democracy throughout the world, and I consider Afghanistan part of the world. Therefore, there may be some discussion about that issue.

**Senator Downe:** I appreciate the mover is in a difficult position because he has been asked to do this at the last moment, but I share the view expressed by Senator Corbin. I am a member of the committee, but I am not a member of the steering committee. I am not absolutely clear as to what the committee is doing. I assume Senator Segal will be here tomorrow and he can answer our question.

On motion of Senator Downe, debate adjourned.

The Senate adjourned until Wednesday, January 31, 2007, at 1:30 p.m.

---



## **APPENDIX**

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

**THE SPEAKER**

The Honourable Noël A Kinsella

**THE LEADER OF THE GOVERNMENT**

The Honourable Marjory LeBreton, P.C.

**THE LEADER OF THE OPPOSITION**

The Honourable Céline Hervieux-Payette, P.C.

---

**OFFICERS OF THE SENATE****CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Paul Bélisle

**LAW CLERK AND PARLIAMENTARY COUNSEL**

Mark Audcent

**USHER OF THE BLACK ROD**

Terrance J. Christopher

## THE MINISTRY

(In order of precedence)

(January 30, 2007)

The Right Hon. Stephen Joseph Harper	Prime Minister
The Hon. Robert Douglas Nicholson	Minister of Justice and Attorney General of Canada
The Hon. David Emerson	Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics
The Hon. Jean-Pierre Blackburn	Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec
The Hon. Gregory Francis Thompson	Minister of Veterans Affairs
The Hon. Marjory LeBreton	Leader of the Government in the Senate and Secretary of State (Seniors)
The Hon. Monte Solberg	Minister of Human Resources and Social Development
The Hon. Chuck Strahl	Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board
The Hon. Gary Lunn	Minister of Natural Resources
The Hon. Peter Gordon MacKay	Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency
The Hon. Loyola Hearn	Minister of Fisheries and Oceans
The Hon. Stockwell Day	Minister of Public Safety
The Hon. Carol Skelton	Minister of National Revenue
The Hon. Vic Toews	President of the Treasury Board
The Hon. Rona Ambrose	President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister of Western Economic Diversification
The Hon. Diane Finley	Minister of Citizenship and Immigration
The Hon. Gordon O'Connor	Minister of National Defence
The Hon. Beverley J. Oda	Minister of Canadian Heritage and Status of Women
The Hon. Jim Prentice	Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians
The Hon. John Baird	Minister of the Environment
The Hon. Maxime Bernier	Minister of Industry
The Hon. Lawrence Cannon	Minister of Transport, Infrastructure and Communities
The Hon. Tony Clement	Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario
The Hon. James Michael Flaherty	Minister of Finance
The Hon. Josée Verner	Minister of International Cooperation and Minister for La Francophonie and Official Languages
The Hon. Michael Fortier	Minister of Public Works and Government Services
The Hon. Peter Van Loan	Leader of the Government in the House of Commons and Minister for Democratic Reform
The Hon. Jay D. Hill	Secretary of State and Chief Government Whip
The Hon. Jason Kenney	Secretary of State (Multiculturalism and Canadian Identity)
The Hon. Gerry Ritz	Secretary of State (Small Business and Tourism)
The Hon. Helena Guergis	Secretary of State (Foreign Affairs and International Trade) (Sport)
The Hon. Christian Paradis	Secretary of State (Agriculture)

## SENATORS OF CANADA

### ACCORDING TO SENIORITY

(January 30, 2007)

Senator	Designation	Post Office Address
THE HONOURABLE		
Jack Austin, P.C.	Vancouver South	Vancouver, B.C.
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuuaq, Que.
Daniel Hays, P.C.	Calgary	Calgary, Alta.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Mira Spivak	Manitoba	Winnipeg, Man.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	Nova Scotia	Halifax, N.S.
Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
Janis G. Johnson	Winnipeg-Interlake	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton, P.C.	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Winnipeg, Man.
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.



Senator	Designation	Post Office Address
Wilfred P. Moore	Stanhope St./South Shore	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Ross Fitzpatrick	Okanagan-Similkameen	Kelowna, B.C.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Marilyn Trenholme Counsell	New Brunswick	Sackville, N.B.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Robert W. Peterson	Saskatchewan	Regina, Sask.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Roméo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A.A. Zimmer	Manitoba	Winnipeg, Man.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Yoine Goldstein	Rigaud	Montreal, Que.
Francis Fox, P.C.	Victoria	Montreal, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Michael Fortier, P.C.	Rougemont	Town of Mount Royal, Que.

## SENATORS OF CANADA

### ALPHABETICAL LIST

(January 30, 2007)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Liberal
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Angus, W. David	Alma	Montreal, Que.	Conservative
Atkins, Norman K.	Markham	Toronto, Ont.	Progressive Conservative
Austin, Jack, P.C.	Vancouver South	Vancouver, B.C.	Liberal
Bacon, Lise	De la Durantaye	Laval, Que.	Liberal
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Banks, Tommy	Alberta	Edmonton, Alta.	Liberal
Biron, Michel	Mille Isles	Nicolet, Que.	Liberal
Bryden, John G.	New Brunswick	Bayfield, N.B.	Liberal
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Liberal
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Liberal
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.	Conservative
Carstairs, Sharon, P.C.	Manitoba	Winnipeg, Man.	Liberal
Champagne, Andrée, P.C.	Grandville	Saint-Hyacinthe, Que.	Conservative
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Liberal
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	Conservative
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	Conservative
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	Conservative
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Liberal
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cowan, James S.	Nova Scotia	Halifax, N.S.	Liberal
Dallaire, Roméo Antonius	Gulf	Sainte-Foy, Que.	Liberal
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Liberal
Di Nino, Consiglio	Ontario	Downsview, Ont.	Conservative
Downe, Percy	Charlottetown	Charlottetown, P.E.I.	Liberal
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	Ind. New Democrat
Eggleton, Art, P.C.	Ontario	Toronto, Ont.	Liberal
Eyton, J. Trevor	Ontario	Caledon, Ont.	Conservative
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Liberal
Fitzpatrick, Ross	Okanagan-Similkameen	Kelowna, B.C.	Liberal
Fortier, Michael, P.C.	Rougemont	Town of Mount Royal, Que.	Conservative
Fox, Francis, P.C.	Victoria	Montreal, Que.	Liberal
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Liberal
Goldstein, Yoine	Rigaud	Montreal, Que.	Liberal
Grafstein, Jeremiah S.	Metro Toronto	Toronto, Ont.	Liberal
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	Conservative
Harb, Mac	Ontario	Ottawa, Ont.	Liberal
Hays, Daniel, P.C.	Calgary	Calgary, Alta.	Liberal
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Liberal
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	Conservative
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	Conservative
Kinsella, Noël A., <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.	Conservative
Lapointe, Jean	Saurel	Magog, Que.	Liberal
Lavigne, Raymond	Montarville	Verdun, Que.	Liberal
LeBreton, Marjory, P.C.	Ontario	Manotick, Ont.	Conservative
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Liberal
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
Mahovlich, Francis William	Toronto	Toronto, Ont.	Liberal
Massicotte, Paul J.	De Lanaudière	Mont-Saint-Hilaire, Que.	Liberal
McCoy, Elaine	Alberta	Calgary, Alta.	Progressive Conservative
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	Conservative
Mercer, Terry M.	Northend Halifax	Caribou River, N.S.	Liberal
Merchant, Pana	Saskatchewan	Regina, Sask.	Liberal
Milne, Lorna	Peel County	Brampton, Ont.	Liberal
Mitchell, Grant	Alberta	Edmonton, Alta.	Liberal
Moore, Wilfred P.	Stanhope St./South Shore	Chester, N.S.	Liberal
Munson, Jim	Ottawa/Rideau Canal	Ottawa, Ont.	Liberal
Murray, Lowell, P.C.	Pakenham	Ottawa, Ont.	Progressive Conservative
Nancy Ruth	Cluny	Toronto, Ont.	Conservative
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	Conservative
Oliver, Donald H.	Nova Scotia	Halifax, N.S.	Conservative
Pépin, Lucie	Shawinigan	Montreal, Que.	Liberal
Peterson, Robert W.	Saskatchewan	Regina, Sask.	Liberal
Phalen, Gerard A.	Nova Scotia	Glace Bay, N.S.	Liberal
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Independent
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Liberal
Poy, Vivienne	Toronto	Toronto, Ont.	Liberal
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Independent
Ringuette, Pierrette	New Brunswick	Edmundston, N.B.	Liberal
Rivest, Jean-Claude	Stadacona	Quebec, Que.	Independent
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Liberal
Rompkey, William H., P.C.	North West River, Labrador	North West River, Labrador, Nfld. & Lab.	Liberal
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	Conservative
Segal, Hugh	Kingston-Frontenac-Leeds	Kingston, Ont.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Liberal
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Liberal
Spivak, Mira	Manitoba	Winnipeg, Man.	Independent
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Liberal
Stratton, Terrance R.	Red River	St. Norbert, Man.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Trenholme Counsell, Marilyn	New Brunswick	Sackville, N.B.	Liberal
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Liberal
Zimmer, Rod A.A.	Manitoba	Winnipeg, Man.	Liberal

**SENATORS OF CANADA**  
**BY PROVINCE AND TERRITORY**  
 (January 30, 2007)

**ONTARIO—24**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Lowell Murray, P.C.	Pakenham	Ottawa
2 Peter Alan Stollery	Bloor and Yonge	Toronto
3 Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa
4 Jeremiah S. Grafstein	Metro Toronto	Toronto
5 Anne C. Cools	Toronto Centre-York	Toronto
6 Colin Kenny	Rideau	Ottawa
7 Norman K. Atkins	Markham	Toronto
8 Consiglio Di Nino	Ontario	Downsview
9 John Trevor Eyton	Ontario	Caledon
10 Wilbert Joseph Keon	Ottawa	Ottawa
11 Michael Arthur Meighen	St. Marys	Toronto
12 Marjory LeBreton, P.C.	Ontario	Manotick
13 Lorna Milne	Peel County	Brampton
14 Marie-P. Poulin	Northern Ontario	Ottawa
15 Francis William Mahovlich	Toronto	Toronto
16 Vivienne Poy	Toronto	Toronto
17 David P. Smith, P.C.	Cobourg	Toronto
18 Mac Harb	Ontario	Ottawa
19 Jim Munson	Ottawa/Rideau Canal	Ottawa
20 Art Eggleton, P.C.	Ontario	Toronto
21 Nancy Ruth	Cluny	Toronto
22 Hugh Segal	Kingston-Frontenac-Leeds	Kingston
23		
24		

## SENATORS BY PROVINCE AND TERRITORY

## QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Charlie Watt	Inkerman	Kuuujuaq
2 Pierre De Bané, P.C.	De la Vallière	Montreal
3 Jean-Claude Rivest	Stadacona	Quebec
4 Marcel Prud'homme, P.C.	La Salle	Montreal
5 W. David Angus	Alma	Montreal
6 Pierre Claude Nolin	De Salaberry	Quebec
7 Lise Bacon	De la Durantaye	Laval
8 Céline Hervieux-Payette, P.C.	Bedford	Montreal
9 Lucie Pépin	Shawinigan	Montreal
10 Serge Joyal, P.C.	Kennebec	Montreal
11 Joan Thorne Fraser	De Lorimier	Montreal
12 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue
13 Jean Lapointe	Saurel	Magog
14 Michel Biron	Milles Isles	Nicolet
15 Raymond Lavigne	Montarville	Verdun
16 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
17 Roméo Antonius Dallaire	Gulf	Sainte-Foy
18 Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe
19 Dennis Dawson	Lauzon	Ste-Foy
20 Yoine Goldstein	Rigaud	Montreal
21 Francis Fox, P.C.	Victoria	Montreal
22 Michael Fortier, P.C.	Rougemont	Town of Mount Royal
23		
24		

## SENATORS BY PROVINCE-MARITIME DIVISION

## NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gerald J. Comeau	Nova Scotia	Saulnierville
2 Donald H. Oliver	Nova Scotia	Halifax
3 Wilfred P. Moore	Stanhope St./South Shore	Chester
4 Jane Cordy	Nova Scotia	Dartmouth
5 Gerard A. Phalen	Nova Scotia	Glace Bay
6 Terry M. Mercer	Northend Halifax	Caribou River
7 James S. Cowan	Nova Scotia	Halifax
8		
9		
10		

## NEW BRUNSWICK—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eymard Georges Corbin	Grand-Sault	Grand-Sault
2 Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton
3 John G. Bryden	New Brunswick	Bayfield
4 Rose-Marie Losier-Cool	Tracadie	Bathurst
5 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
6 Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
7 Pierrette Ringuette	New Brunswick	Edmundston
8 Marilyn Trenholme Counsell	New Brunswick	Sackville
9 Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations
10		

## PRINCE EDWARD ISLAND—4

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
2 Elizabeth M. Hubley	Prince Edward Island	Kensington
3 Percy Downe	Charlottetown	Charlottetown
4		

## SENATORS BY PROVINCE-WESTERN DIVISION

**MANITOBA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Mira Spivak . . . . .	Manitoba . . . . .	Winnipeg
2 Janis G. Johnson . . . . .	Winnipeg-Interlake . . . . .	Gimli
3 Terrance R. Stratton . . . . .	Red River . . . . .	St. Norbert
4 Sharon Carstairs, P.C. . . . .	Manitoba . . . . .	Winnipeg
5 Maria Chaput . . . . .	Manitoba . . . . .	Sainte-Anne
6 Rod A.A. Zimmer . . . . .	Manitoba . . . . .	Winnipeg

**BRITISH COLUMBIA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Jack Austin, P.C. . . . .	Vancouver South . . . . .	Vancouver
2 Pat Carney, P.C. . . . .	British Columbia . . . . .	Vancouver
3 Gerry St. Germain, P.C. . . . .	Langley-Pemberton-Whistler . . . . .	Maple Ridge
4 Ross Fitzpatrick . . . . .	Okanagan-Similkameen . . . . .	Kelowna
5 Mobina S.B. Jaffer . . . . .	British Columbia . . . . .	North Vancouver
6 Larry W. Campbell . . . . .	British Columbia . . . . .	Vancouver

**SASKATCHEWAN—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 A. Raynell Andreychuk . . . . .	Saskatchewan . . . . .	Regina
2 Leonard J. Gustafson . . . . .	Saskatchewan . . . . .	Macoun
3 David Tkachuk . . . . .	Saskatchewan . . . . .	Saskatoon
4 Pana Merchant . . . . .	Saskatchewan . . . . .	Regina
5 Robert W. Peterson . . . . .	Saskatchewan . . . . .	Regina
6 Lillian Eva Dyck . . . . .	Saskatchewan . . . . .	Saskatoon

**ALBERTA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Daniel Hays, P.C. . . . .	Calgary . . . . .	Calgary
2 Joyce Fairbairn, P.C. . . . .	Lethbridge . . . . .	Lethbridge
3 Tommy Banks . . . . .	Alberta . . . . .	Edmonton
4 Claudette Tardif . . . . .	Alberta . . . . .	Edmonton
5 Grant Mitchell . . . . .	Alberta . . . . .	Edmonton
6 Elaine McCoy . . . . .	Alberta . . . . .	Calgary

## SENATORS BY PROVINCE AND TERRITORY

## NEWFOUNDLAND AND LABRADOR—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Ethel Cochrane . . . . .	Newfoundland and Labrador . . . . .	Port-au-Port
2 William H. Rompkey, P.C. . . . .	North West River, Labrador . . . . .	North West River, Labrador
3 Joan Cook . . . . .	Newfoundland and Labrador . . . . .	St. John's
4 George Furey . . . . .	Newfoundland and Labrador . . . . .	St. John's
5 George S. Baker, P.C. . . . .	Newfoundland and Labrador . . . . .	Gander
6 . . . . .		

## NORTHWEST TERRITORIES—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Nick G. Sibbeston . . . . .	Northwest Territories . . . . .	Fort Simpson

## NUNAVUT—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Willie Adams . . . . .	Nunavut . . . . .	Rankin Inlet

## YUKON—1

Senator	Designation	Post Office Address
THE HONOURABLE		
1 . . . . .		



## ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES

(As of January 30, 2007)

\*Ex Officio Member

### ABORIGINAL PEOPLES

**Chair: Honourable Senator St. Germain**

**Deputy Chair: Honourable Senator Sibbeston**

**Honourable Senators:**

Campbell,	* Hervieux-Payette (or Tardif),	Lovelace Nicholas,	Segal,
Dyck,	Hubley,	Peterson,	Sibbeston,
Gill,	* LeBreton (or Comeau),	St. Germain,	Watt.
Gustafson,			

*Original Members as nominated by the Committee of Selection*

*Campbell, Dyck, \*Hays (or Fraser), Gill, Gustafson, Hubley, \*LeBreton (or Comeau),  
Lovelace Nicholas, Peterson, Segal, Sibbeston, St. Germain, Watt, Zimmer*

### AGRICULTURE AND FORESTRY

**Chair: Honourable Senator Fairbairn**

**Deputy Chair: Honourable Senator Gustafson**

**Honourable Senators:**

Callbeck,	* Hervieux-Payette (or Tardif),	Mercer,	Peterson,
Christensen,	* LeBreton (or Comeau),	Mitchell,	Segal,
Fairbairn,	Mahovlich,	Oliver,	Tkachuk.
Gustafson,			

*Original Members as nominated by the Committee of Selection*

*Callbeck, Christensen, Fairbairn, \*Hays (or Fraser), Gustafson, \*LeBreton (or Comeau),  
Mahovlich, Mercer, Mitchell, Oliver, Pépin, Peterson, Segal, Tkachuk.*

### BANKING, TRADE AND COMMERCE

**Chair: Honourable Senator Grafstein**

**Deputy Chair: Honourable Senator Angus**

**Honourable Senators:**

Angus,	Eyton,	Grafstein,	* LeBreton (or Comeau),
Biron,	Fitzpatrick,	Harb,	Meighen,
Campbell,	Goldstein,	* Hervieux-Payette (or Tardif),	Tkachuk.
Chaput,			

*Original Members as nominated by the Committee of Selection*

*Angus, Biron, Eyton, Fitzpatrick, \*Hays (or Fraser), Goldstein, Grafstein, Harb, Hervieux-Payette,  
\*LeBreton (or Comeau), Massicotte, Meighen, Moore, Tkachuk.*

**CONFLICT OF INTEREST FOR SENATORS****Chair: Honourable Senator Joyal****Deputy Chair: Honourable Senator Andreychuk****Honourable Senators:**

Andreychuk, Carstairs, Joyal, Robichaud.  
Angus,

*Original Members as nominated by the Committee of Selection*  
*Andreychuk, Angus, Carstairs, Joyal, Robichaud.*

---

**ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES****Chair: Honourable Senator Banks****Deputy Chair: Honourable Senator Cochrane****Honourable Senators:**

Adams, Cochrane, Lavigne, Sibbeston,  
Angus, \* Hervieux-Payette (or Tardif), \* LeBreton (or Comeau), Spivak,  
Banks, Kenny, Milne, Tardif.  
Carney,

*Original Members as nominated by the Committee of Selection*  
*Angus, Banks, Carney, Cochrane, Fox, \*Hays (or Fraser), Hervieux-Payette, Lavigne,*  
*\*LeBreton (or Comeau), Milne, Peterson, Sibbeston, Spivak, Tardif.*

---

**FISHERIES AND OCEANS****Chair: Honourable Senator Rompkey****Deputy Chair: Honourable Senator Johnson****Honourable Senators:**

Adams, Comeau, Hubley, Meighen,  
Baker, Cowan, Johnson, Rompkey,  
Campbell, Gill, \* LeBreton (or Comeau), Watt.  
Cochrane, \* Hervieux-Payette (or Tardif),

*Original Members as nominated by the Committee of Selection*  
*Adams, Baker, Campbell, Comeau, Cowan, Forrestall, \*Hays (or Fraser), Gill, Hubley, Johnson,*  
*\*LeBreton (or Comeau), Meighen, Rompkey, Watt.*

---

### FOREIGN AFFAIRS AND INTERNATIONAL TRADE

**Chair: Honourable Senator Segal**

**Deputy Chair: Honourable Senator Stollery**

**Honourable Senators:**

Andreychuk,	Di Nino,	* LeBreton (or Comeau),	Segal,
Corbin,	Downe,	Mahovlich,	Smith,
Dawson,	Eyton,	Mitchell,	Stollery.
De Bané,	* Hervieux-Payette (or Tardif),		

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Corbin, Dawson, De Bané, Di Nino, Downe, \*Hays (or Fraser),  
\*LeBreton (or Comeau), Mahovlich, Merchant, Segal, Smith, St. Germain, Stollery.*

---

### HUMAN RIGHTS

**Chair: Honourable Senator Andreychuk**

**Deputy Chair: Honourable Senator Carstairs**

**Honourable Senators:**

Andreychuk,	* Hervieux-Payette (or Tardif),	Lovlace Nicholas,	Pépin,
Carstairs,	Kinsella,	Munson,	Poy.
Dallaire,	* LeBreton (or Comeau),	Nancy Ruth,	

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Carstairs, Dallaire, \*Hays (or Fraser), Kinsella,  
\*LeBreton (or Comeau), Lovlace Nicholas, Munson, Nancy Ruth, Pépin, Poy.*

---

### INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

**Chair: Honourable Senator Furey**

**Deputy Chair: Honourable Senator Nolin**

**Honourable Senators:**

Comeau,	Jaffer,	Massicotte,	Prud'homme,
Cook,	Kenny,	Nolin,	Robichaud,
Downe,	Kinsella,	Phalen,	Stollery,
Furey,	* LeBreton (or Comeau),	Poulin,	Stratton.
* Hervieux-Payette (or Tardif),			

***Original Members as nominated by the Committee of Selection***

*Banks, Cook, Day, De Bané, Di Nino, Furey, \*Hays (or Fraser), Jaffer, Kenny, Keon,  
\*LeBreton (or Comeau), Lynch-Staunton, Massicotte, Nolin, Poulin, Robichaud, Stratton.*

---

**LEGAL AND CONSTITUTIONAL AFFAIRS****Chair: Honourable Senator Oliver****Deputy Chair: Honourable Senator Milne****Honourable Senators:**

Andreychuk,	* Hervieux-Payette (or Tardif),	Milne,	Rivest,
Baker,	Jaffer,	Nolin,	Stratton,
Bryden,	Joyal,	Oliver,	Watt.
Fraser,	* LeBreton (or Comeau),		

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Baker, Bryden, Cools, Furey, \*Hays (or Fraser), Jaffer, Joyal,  
\*LeBreton (or Comeau), Milne, Nolin, Oliver, Ringuette, Rivest.*

---

**LIBRARY OF PARLIAMENT (Joint)****Joint Chair: Honourable Senator Trenholme Counsell****Honourable Senators:**

Johnson,	Oliver,	Poy,	Trenholme Counsell.
Lapointe,			

***Original Members agreed to by Motion of the Senate***

*Johnson, Lapointe, Oliver, Poy, Trenholme Counsell.*

---

**NATIONAL FINANCE****Chair: Honourable Senator Day****Deputy Chair: Honourable Senator Nancy Ruth****Honourable Senators:**

Biron,	Eggleton,	Mitchell,	Peterson,
Cowan,	Fox,	Murray,	Ringuette,
Day,	* Hervieux-Payette (or Tardif),	Nancy Ruth,	Stratton.
Di Nino,	* LeBreton (or Comeau),		

***Original Members as nominated by the Committee of Selection***

*Biron, Cools, Cowan, Day, Eggleton, Fox, \*Hays (or Fraser),  
\*LeBreton (or Comeau), Mitchell, Murray, Nancy Ruth, Ringuette, Rompkey, Stratton.*

---

**NATIONAL SECURITY AND DEFENCE****Chair: Honourable Senator Kenny****Deputy Chair: Honourable Senator Meighen****Honourable Senators:**

Atkins,	* Hervieux-Payette (or Tardif),	Meighen,	Tkachuk,
Banks,	Kenny,	Moore,	Zimmer.
Day,	* LeBreton (or Comeau),	St. Germain,	

***Original Members as nominated by the Committee of Selection***

*Atkins, Banks, Campbell, Day, Forrestall, \*Hays (or Fraser), Kenny,  
\*LeBreton (or Comeau), Meighen, Poulin, Watt.*

---

**VETERANS AFFAIRS****(Subcommittee of National Security and Defence)****Chair: Honourable Senator Meighen****Deputy Chair: Honourable Senator Day****Honourable Senators:**

Atkins,	* Hervieux-Payette (or Tardif),	* LeBreton (or Comeau),	Meighen.
Day,	Kenny,		

---

**OFFICIAL LANGUAGES****Chair: Honourable Senator Chaput****Deputy Chair: Honourable Senator Champagne****Honourable Senators:**

Champagne,	* Hervieux-Payette (or Tardif),	Losier-Cool,	Tardif,
Chaput,	Jaffer,	Murray,	Trenholme Counsell.
Comeau,	* LeBreton (or Comeau),	Robichaud,	

***Original Members as nominated by the Committee of Selection***

*Champagne, Chaput, Comeau, \*Hays (or Fraser), Jaffer, \*LeBreton (or Comeau),  
Losier-Cool, Plamondon, Robichaud, Tardif, Trenholme Counsell.*

---

## RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

**Chair: Honourable Senator Di Nino**

**Deputy Chair: Honourable Senator Smith**

**Honourable Senators:**

Andreychuk,	Di Nino,	* LeBreton (or Comeau),	Smith,
Bryden,	* Hervieux-Payette (or Tardif),	Losier-Cool,	Stratton,
Corbin,	Joyal,	McCoy,	Tardif.
Cordy,	Keon,	Robichaud,	

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Bryden, Carstairs, Cools, Corbin, Cordy, Di Nino, \*Hays (or Fraser), Joyal,  
\*LeBreton (or Comeau), Losier-Cool, McCoy, Mitchell, Robichaud,  
Smith, Stratton, Tardif.*

---

## SCRUTINY OF REGULATIONS (Joint)

**Joint Chair: Honourable Senator Eyton**

**Honourable Senators:**

Biron,	De Bané,	Harb,	Nolin,
Bryden,	Eyton,	Moore,	St. Germain.

***Original Members as agreed to by Motion of the Senate***

*Biron, Bryden, De Bané, Eyton, Harb, Moore, Nolin, St. Germain,*

---

## SELECTION

**Chair: Honourable Senator Stratton**

**Deputy Chair: Honourable Senator Cook**

**Honourable Senators:**

Austin,	Champagne,	* Hervieux-Payette (or Tardif),	Stratton,
Bacon,	Cook,	* LeBreton (or Comeau),	Tkachuk.
Carstairs,	Fairbairn,	Oliver,	

***Original Members agreed to by Motion of the Senate***

*Austin, Bacon, Carstairs, Champagne, Cook, Fairbairn,  
\*Hays (or Fraser), \*LeBreton (or Comeau) Oliver, Stratton, Tkachuk.*

---

**SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY****Chair: Honourable Senator Eggleton****Deputy Chair: Honourable Senator Keon****Honourable Senators:**

Callbeck,	Cordy,	Keon,	Nancy Ruth,
Champagne,	Eggleton,	* LeBreton (or Comeau),	Pépin,
Cochrane,	Fairbairn,	Mercer,	Trenholme Counsell.
Cook,	* Hervieux-Payette (or Tardif),		

***Original Members as nominated by the Committee of Selection***

*Callbeck, Champagne, Cochrane, Cook, Cordy, Eggleton, Fairbairn, Forrestall,  
\*Hays (or Fraser), Keon, Kirby, \*LeBreton (or Comeau), Pépin, Trenholme Counsell.*

---

**TRANSPORT AND COMMUNICATIONS****Chair: Honourable Senator Bacon****Deputy Chair: Honourable Senator Tkachuk****Honourable Senators:**

Adams,	Eyton,	Mercer,	Tkachuk,
Bacon,	* Hervieux-Payette (or Tardif),	Merchant,	Trenholme Counsell,
Champagne,	Johnson,	Phalen,	Zimmer.
Dawson,	* LeBreton (or Comeau)		

***Original Members as nominated by the Committee of Selection***

*Adams, Bacon, Carney, Dawson, Eyton, \*Hays (or Fraser), Johnson,  
\*LeBreton (or Comeau), Mercer, Merchant, Munson, Phalen, Tkachuk, Zimmer.*

---

**SPECIAL SENATE COMMITTEE ON AGING****Chair: Honourable Senator Carstairs****Deputy Chair: Honourable Senator Keon****Honourable Senators:**

Carstairs,	* Hervieux-Payette (or Tardif),	Keon,	Mercer,
Chaput,	Johnson,	* LeBreton (or Comeau),	Murray,
Cordy,			

***Original Members as nominated by the Committee of Selection***

*Carstairs, Chaput, Cordy, \*Hays (or Fraser), Johnson, Keon, \*LeBreton (or Comeau), Mercer, Murray.*

---

**SPECIAL SENATE COMMITTEE ON THE ANTI-TERRORISM ACT****Chair: Honourable Senator Smith****Deputy Chair: Honourable Senator Nolin****Honourable Senators:**

Andreychuk,	Fraser,	Joyal,	Nolin,
Day,	* Hervieux-Payette (or Tardif),	Kinsella,	Smith.
Fairbairn,	Jaffer,	* LeBreton (or Comeau),	

***Original Members as nominated by the Committee of Selection***

*Andreychuk, Day, Fairbairn, Fraser, Hays (or Fraser), Jaffer, Joyal, Kinsella, \*LeBreton (or Comeau), Nolin, Smith.*

---

**SPECIAL SENATE COMMITTEE ON SENATE REFORM****Chair: Honourable Senator Hays****Deputy Chair: Honourable Senator Angus****Honourable Senators:**

Angus,	Dawson,	* LeBreton (or Comeau),	Segal,
Austin,	* Hervieux-Payette (or Tardif),	Munson,	Tkachuk,
Chaput,	Hubley,	Murray,	Watt.

***Original Members as nominated by the Committee of Selection***

*Adams, Andreychuk, Angus, Austin, Bacon, Baker, Banks, Biron Carney, \*Hays (or Fraser), \*LeBreton (or Comeau), Murray.*

---



## CONTENTS

Tuesday, January 30, 2007

	PAGE		PAGE
<b>SENATORS' STATEMENTS</b>		<b>International Bridges and Tunnels Bill (Bill C-3)</b>	
<b>The Senate</b>		Message from Commons—Senate Amendments Concurred In.	
Congratulations to New and Outgoing Liberal Leadership.		The Hon. the Speaker. . . . .	
Hon. Marjory LeBreton . . . . .	1591	1599	
Hon. Céline Hervieux-Payette . . . . .	1591		
<b>The Late Gerald Turner</b>		<b>ORDERS OF THE DAY</b>	
Hon. Hugh Segal . . . . .	1592	<b>Constitution Act, 1867 (Bill S-4)</b>	
<b>Living in Poverty</b>		Bill to Amend—Second Reading—Debate Continued.	
Hon. Art Eggleton . . . . .	1592	Hon. Hugh Segal . . . . .	
<b>Black History Month</b>		Hon. Terry M. Mercer . . . . .	
Hon. Donald H. Oliver . . . . .	1593	Hon. James S. Cowan . . . . .	
<b>The Senate</b>		1599	
Congratulations to Outgoing and New Liberal Leadership.		1600	
Hon. Mobina S.B. Jaffer . . . . .	1593	1600	
<b>Visitors in the Gallery</b>		<b>Budget Implementation Bill, 2006, No. 2 (Bill C-28)</b>	
The Hon. the Speaker. . . . .	1594	Second Reading—Debate Adjourned.	
		Hon. Consiglio Di Nino . . . . .	
		Hon. Mac Harb . . . . .	
		Hon. Marjory LeBreton . . . . .	
		Hon. Sharon Carstairs . . . . .	
		Hon. Marilyn Trenholme Counsell. . . . .	
		Hon. Grant Mitchell. . . . .	
		Hon. Hugh Segal . . . . .	
		1601	
		1603	
		1604	
		1604	
		1605	
		1605	
		1605	
<b>QUESTION PERIOD</b>		<b>Medical Devices Registry Bill (Bill S-221)</b>	
<b>Industry</b>		Second Reading—Point of Order—Debate Continued.	
Purchase of Military Aircraft from Boeing Company—		Hon. Gerald J. Comeau . . . . .	
Regional Spinoffs.		Hon. Sharon Carstairs . . . . .	
Hon. Céline Hervieux-Payette . . . . .	1594	Hon. Joan Fraser . . . . .	
Hon. Marjory LeBreton . . . . .	1595	Hon. Mac Harb . . . . .	
<b>Finance</b>		1607	
Income Trusts—Change in Tax Treatment—		1607	
Effect on Senior Citizens.		<b>State of Literacy</b>	
Hon. Grant Mitchell. . . . .	1595	Inquiry—Debate Continued.	
Hon. Marjory LeBreton . . . . .	1595	Hon. Lillian Eva Dyck . . . . .	
<b>Human Resources and Social Development</b>		1608	
Proposed National Child Care Program.		<b>The Honourable Noël A. Kinsella</b>	
Hon. Marilyn Trenholme Counsell. . . . .	1596	Motion Expressing Congratulations and Confidence in Speaker—	
Hon. Marjory LeBreton . . . . .	1596	Debate Adjourned.	
<b>Foreign Affairs</b>		Hon. Serge Joyal . . . . .	
Passport Canada—Backlog of Applications.		Hon. Gerald J. Comeau . . . . .	
Hon. Catherine S. Callbeck. . . . .	1597	Point of Order.	
Hon. Marjory LeBreton . . . . .	1597	Hon. Gerald J. Comeau . . . . .	
<b>The Environment</b>		Hon. Lowell Murray . . . . .	
Combating Greenhouse Gas Emissions—		Hon. Daniel Hays . . . . .	
Use of the Environmental Protection Act.		Hon. Joan Fraser . . . . .	
Hon. Claudette Tardif . . . . .	1598	Hon. Eymard G. Corbin . . . . .	
Hon. Marjory LeBreton . . . . .	1598	Hon. Anne C. Cools. . . . .	
<b>Delayed Answers to Oral Questions</b>		1612	
Hon. Gerald J. Comeau . . . . .	1598	1612	
<b>Senate Appointment Consultations Bill (Bill C-43)</b>		1612	
Nominees in a Consultation—Constitutional Credentials.		1612	
Question by Senator Hays.		1612	
Hon. Gerald J. Comeau (Delayed Answer). . . . .	1598	1613	
<b>Intergovernmental Affairs</b>		1613	
Federal Programs—Option of Provinces to Decline Involvement.		<b>Foreign Affairs and International Trade</b>	
Question by Senator Fox.		Motion to Authorize Committee to Study Effectiveness	
Hon. Gerald J. Comeau (Delayed Answer). . . . .	1599	of Canada's Promotion of Democratic Development Abroad—	
		Debate Adjourned.	
		Hon. Hugh Segal . . . . .	
		Hon. David Tkachuk . . . . .	
		Hon. Eymard G. Corbin . . . . .	
		Hon. Percy Downe . . . . .	
		1614	
		1615	
		1615	
		1615	
		<b>Appendix . . . . .</b>	
		i	



*If undelivered, return COVER ONLY to:*  
Public Works and Government Services Canada  
Publishing and Depository Services  
Ottawa, Ontario K1A 0S5