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THE HONOURABLE ROSE-MARIE LOSIER-COOL
SPEAKER *PRO TEMPORE*

CONTENTS

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THE SENATE

Thursday, February 8, 2007

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

Prayers.

SENATORS' STATEMENTS

INTERNATIONAL SOCIAL SERVICE CANADA

BUDGET CUTS

Hon. Grant Mitchell: Honourable senators, yesterday my honourable colleagues Senator Dallaire and Senator Munson addressed the chamber about the International Social Service Canada organization, which is about to lose its federal funding. ISS Canada is part of an international network of 140 countries that supports children and families throughout the world. At any given time, the organization has between 200 and 300 active cases in Canada alone. Many of these cases deal with Canadian children overseas who are victims of abuse, abandonment and exploitation. The entire Canadian organization runs on a budget of less than \$350,000, which is a combination of provincial, federal, and voluntary-sector funding.

ISS Canada has asked the federal government for \$150,000 in continued funding, to keep its doors open. Instead, the organization has been told it cannot expect funding to continue after March 31.

For over 50 years, ISS Canada has supported Canadian children in distress abroad. One example, and a powerful one at that, is of a developmentally challenged Canadian teenage girl who was sent by her parents to Africa for an arranged marriage against her will. ISS worked with the Canadian embassy and child protection services in Canada to have her returned to Canada and placed in a special-needs school.

Further examples include Canadian children abducted by non-custodial parents and taken overseas where they can become victims of abuse, neglect, or even sexual exploitation. This organization is the only lifeline for many of these desperate Canadian children.

Once ISS Canada is forced to close its doors, the majority of its active case files will have to be assumed by children's services in the province of origin, which we all know are already stretched thin and do not usually have the international networks and contacts to provide this service effectively.

In my province of Alberta alone, ISS Canada has handled 75 cases over the past two years. The organization signed an agreement in 2006 with the provincial government. The Alberta Deputy Minister for Children's Services, Maria David-Evans, said the program provides "valuable assistance."

Honourable senators, cutting this program is indicative of the short-sightedness of this government. Again, the current Prime Minister, in his ideological drive to minimize and decentralize

government, fails to grasp that some things cannot be done by the private sector or by individuals alone. Cutting a program such as ISS Canada will have two results: One, it will ultimately cost taxpayers more money as provincial governments are forced to pick up the tab and duplicate resources; and two, it will undermine the safety and security of Canadian children.

This government often talks about justice: What about the justice for vulnerable Canadian women and children who are exploited or abused overseas?

• (1335)

[Translation]

SUICIDE PREVENTION WEEK

Hon. Lucie Pépin: Honourable senators, the theme of the seventeenth annual Suicide Prevention Week is "Appearances can be deceiving."

The Quebec Suicide Prevention Association is asking people to watch carefully for suicidal behaviour and signs of distress that may be well hidden but can be detected. The road to suicide is a long one. In many cases, it happens because of chronic or temporary problems that could have been treated earlier.

Studies show that nearly 90 per cent of suicides are related to mental health or addiction problems. Early detection is vital to reducing the number of suicide attempts.

By making the general public aware of the signs of suicidal behaviour, the organization also hopes that people who are at risk will escape their isolation and seek help.

In its report entitled *Out of the Shadows at Last*, the Standing Senate Committee on Social Affairs, Science and Technology identified suicide prevention as a priority. Suicide is a social problem, particularly in some of our regions and communities. An abnormally high number of Aboriginal people take their own lives.

In Quebec, suicide is second only to cancer as a public health concern. In our beautiful province, suicide accounts for one third of deaths among people aged 15 to 19. It is the leading cause of death among men under 40.

A study by Quebec's public health institute indicates that suicide rates among baby boomers have remained constant as they age. If this trend persists, the percentage of people over 55 who take their own lives could be very high in the future.

It is important to note that Canada still does not have a national suicide prevention strategy. Suicide is a complex problem that requires all those concerned to work together. Clearly, national collaboration would promote the exchange of knowledge, best practices and successful initiatives.

With adequate resources, a national strategy could help bring down the suicide rate dramatically. This appeal has been made by many people for a long time. I hope it will be heard.

• (1340)

[English]

UNITED NATIONS

DECLARATION DECLARING TWO HUNDREDTH ANNIVERSARY OF BRITAIN'S ABOLITION OF TRAFFICKING IN HUMAN BEINGS

Hon. Jack Austin: Honourable senators, slavery is seen in our times as one of the most horrendous of human practices upon one another. It is the reverse of the universal belief that we should not do to one another that which we would not have done to ourselves.

Our colleague, Senator Phalen, spoke on February 6 about one of the crimes of our time, when introducing Bill S-222 to deal with human trafficking. A United Nations resolution last December declared 2007 as the year to mark the two-hundredth anniversary of Britain's abolition of trafficking of human beings between Africa, Europe, the Caribbean and the Americas. A number of countries announced that they would commemorate the UN declaration and its anniversary.

I noticed a letter to the editor of the *Toronto Star* today, written by Honourable Jason Kenney, advising that the Canadian government would be sponsoring a variety of activities across Canada in connection with Black History Month. We look forward to more details from the government when they are available.

In the United Kingdom, the government is issuing a commemorative stamp and sponsoring a year-long set of events. A national memorial service is planned for Westminster Abbey in March. Britain's Prime Minister Tony Blair is quoted as saying, "The slave trade was a profoundly shameful crime against humanity."

The United States has announced a series of events at museums, universities and schools. Leading countries in pressing for the UN declaration include Jamaica, all the Caribbean countries, and several African countries led by Ghana, which was a leading centre for the capture and shipment of Africans to the Americas.

Very few Canadians are aware of the history of Black slavery in Canada. French King Louis XIV authorized slavery in his North American possessions by an order dated May 1, 1689. Africans did the heavy lifting and were inventoried with the animals. In Upper Canada, both before and after the American Revolution, slavery was a normal part of community life. Many of those who were appointed or elected as legislators were slave owners. The British Parliament banned slavery throughout the British Empire in 1834. By that time, the early Europeans in Canada had had the benefit of slavery for nearly 200 years.

The collective forgetfulness of Canada with respect to its involvement in slavery was shaken by a book, *The Hanging of Angelique*, by Afua Cooper, which tells the story of a slave girl in Montreal who was hanged in 1753 for starting a fire which destroyed one third of that city.

Historians also made clear that not all Blacks in Canada were slaves. It is noted by author Lawrence Hill that some 3,000 free Blacks landed in Nova Scotia from Manhattan in 1793. Other historians believe that as many as 40,000 Blacks came to Canada by the Underground Railway or otherwise between 1785 and 1865, fleeing slavery in the United States.

Black slavery, wherever practised in Europe or the Americas, is now clearly acknowledged to be a monstrous wrong. We should use the UN declaration to remind ourselves of this history in Canada. The federal government should take a lead in persuading the provinces and municipalities to teach Canadians something of their own history.

We are all aware of the maxim that those who forget their history are bound to repeat it. We may not repeat history with Black Canadians or any other group in Canada in that form, but remember that slavery was based on economics. There are so many other ways to economic slavery that can be practised out of sight.

By commemorating Black slavery, as the Jewish community has for 2,000 years commemorated its slavery in Egypt through the Passover holiday, we will be alert never to let it happen again in any form.

I want to commend our colleague, Senator Oliver, for the many times he has reminded us in this chamber and elsewhere of the contribution of the Black community to Canada, and of the need for Canadians to be alert to assist in advancing the Black community in Canada's economic, social and political spheres. A good blast from Senator Oliver every so often is a necessary reminder.

• (1345)

JAMES DEVERELL HORSMAN, Q.C.

CONGRATULATIONS ON INDUCTION INTO ORDER OF CANADA

Hon. Elaine McCoy: I invite honourable senators to join with me in congratulating Jim Horsman, who will be inducted into the Order of Canada tomorrow. Jim is a very good friend of mine and former colleague in the Alberta legislature. He was born in Alberta and attended the University of British Columbia where he earned a Bachelor of Commerce degree followed by a law degree. He returned to Calgary where he articulated, after which he moved to Medicine Hat, where he began his legal practice, met his bride and raised a family.

Jim was an early activist with the Progressive Conservative Party of Alberta, and recognized early on Peter Lougheed's promise for the party and for Alberta. He served as vice-president for southern Alberta, then ran for office and was elected for Medicine Hat in 1975. He served many terms in the Alberta Legislature, including stints as Minister of Advanced Education and Manpower, Minister of Federal and Intergovernmental Affairs, Attorney General and Provincial Secretary, Government House Leader and Deputy Premier. His considerable legacies from this period include his leadership of Alberta's negotiations during both the Canada-U.S. Free Trade

Agreement and the North American Free Trade Agreement and his work as Alberta's key representative during the 10 years of discussions following the repatriation of the Constitution of Canada.

He was, for example, a key player in formulating Alberta's Senate reform position and was the author of the Senate Selection Act. Jim also established the Alberta Heritage Scholarship Fund, which has endowed more than 10,000 Alberta students annually since it was first introduced in 1981. He continued to serve Albertans after leaving politics in 1993, including work as Alberta's chief negotiator on the issues of free trade within Canada. He served as Chancellor of the University of Lethbridge and received an Honorary Doctor of Laws degree from that institute some years ago. He continues to support the university's leading work in water and environmental research. In that capacity, he has worked closely with Senator Fairbairn.

He was a founding member of the Alberta Ingenuity Board and has served Albertans as a member of the Lieutenant-Governor of Alberta Arts Awards Foundation. Over the years, he has represented the province as a national and international speaker on constitutional law, Senate reform and free trade and as a member of the Advisory Board of the Association for Canadian Studies in the United States. He is truly a nation builder and we are proud to see him honoured as a member of the Order of Canada.

ROUTINE PROCEEDINGS

STUDY ON NATIONAL SECURITY POLICY

INTERIM REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE TABLED

Hon. Michael A. Meighen: Honourable senators, I have the honour to table the seventh report of the Standing Senate Committee on National Security and Defence, entitled *Canadian Troops in Afghanistan: Taking a Hard Look at a Hard Mission*.

I ask that the report be placed on the Orders of the Day for consideration at the next sitting of the Senate.

The Hon. the Speaker *pro tempore*: Honourable senators, when shall this report be taken into consideration?

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

[Translation]

CRIMINAL CODE

NOTICE OF MOTION PURSUANT TO SUBSECTION 83.32(1)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

[Senator McCoy]

1. That pursuant to subsection 83.32(1) of the Criminal Code, the application of sections 83.28, 83.29 and 83.3 of that Act be extended for a period of three years from the first day on which this resolution is passed by both Houses of Parliament.

2. That this Resolution come into force on the day on which it has been passed by both Houses of Parliament.

• (1350)

QUESTION PERIOD

PARLIAMENT

PROGRESS OF LEGISLATION—BILL C-9 TO AMEND CRIMINAL CODE REGARDING CONDITIONAL SENTENCE OF IMPRISONMENT

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

For the past few days, the Prime Minister has taken to vehemently blaming Parliament for its so-called lack of efficiency in making progress on the legislative agenda. I would remind this house and the Prime Minister that Bill C-9 was sent to us by the other place on November 6, 2006, that is to say 95 days ago.

Yet, we have not debated the bill for even a single minute. Does that bill, to prohibit conditional sentences, not have priority in the Prime Minister's agenda, in terms of judicial matters?

My question is specific and calls for a response that is equally specific. When will the Prime Minister stop blaming Parliament for his failure to act, and when will you propose that this chamber begin debating Bill C-9?

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Thank you, Senator Hervieux-Payette, for the question. The Prime Minister is not blaming Parliament. He is blaming the Senate for the holdup of Bill S-4, which has been here since the end of May.

With regard to Bill C-9, this bill as originally drafted and spent some time in the House of Commons. It then went to a House of Commons committee. The Justice Committee in the House of Commons made many changes to it. In fact, some feared that the committee had seriously gutted the bill. It was then returned to and passed by the House of Commons and came here in November. In the interim period, before we proceeded with Bill C-9 in this chamber, we thought it prudent to look at the amendments that the majority on the Justice Committee in the other place had brought in. We needed to take into consideration those amendments before proceeding in this chamber with Bill C-9. Our intention is to proceed with it. Senator Tkachuk will have carriage of the bill. In taking the

opportunity to address the bill in this chamber and to debate it before the Senate committee, I hope the bill will receive judicious and careful consideration.

I repeat, honourable senators: We simply took the time to examine the amendments that were made in the other place.

[Translation]

Senator Hervieux-Payette: The Leader of the Government in the Senate would do well to familiarize herself with the Prime Minister's agenda, which gives security high priority. The bill was adopted by a majority vote in the House of Commons.

The general view of my colleagues opposite is that they lack the human resources to work on committees and that this is delaying all the work of the Senate.

Does the Leader of the Government in the Senate recommend that the Prime Minister discharge his duty under Canada's Constitution by appointing 11 senators to fill the vacancies in this place, since this situation is preventing the committees from doing their work?

[English]

Senator LeBreton: I wish to thank Honourable Senator Hervieux-Payette for that question.

It is true that Bill C-9 eventually came through the House of Commons, passed by the majority. That does not change the fact, as I stated in my earlier answer, that there were amendments to the bill. The then Minister of Justice, who had carriage of the bill, had grave concerns about the amendments and had his officials determine whether he could carry the bill forward in view of the original intent of the bill.

• (1355)

The present Minister of Justice has now had an opportunity to review the bill and the amendments that were made in the other place, and is now working with this side to move Bill C-9 through the Senate.

Even though we have limited numbers here, I have no concerns about our ability to do our proper duty in ensuring that this bill on behalf of the government makes its way through the Senate in a timely fashion.

Hon. Tommy Banks: Honourable senators, the Leader of the Government in the Senate has partly answered the question, but she said that "we" are examining some of the amendments put forward in the other place. Who does she mean by "we"?

Senator LeBreton: Honourable senators, I did not say "we" in a global context. I was saying that, in consultation with the Minister of Justice and in view of the fact that we needed some background information as to the amendments in the other place, we, on this side, wanted to ascertain that we were in a position to proceed with the bill.

Now that we have the briefing documents and the new Minister of Justice has had an opportunity to take carriage of this bill, we

plan to proceed with it, as I said a moment ago, in a timely fashion.

Senator Banks: The practice — and I have not heard of this; I am obviously inquiring — is that when a bill comes to the Senate from the House of Commons it may be studied by the government side before consideration is given by the house, per se, and/or its committees. Is that right?

Senator LeBreton: I am saying that the bill was originally presented as a government bill in the House of Commons. It was referred to committee and many amendments were made. It went back to the House, where it was passed. We simply wanted some updated information from the Department of Justice as to whether there was enough left of the original bill to proceed with the government's initial intentions with regard to conditional sentencing.

The new Minister of Justice has now had an opportunity to assess the recommendations of the committee in the other place and is working with the caucus on this side and the Liberal opposition in the other place on this and other justice matters. We have had an opportunity to get proper briefings from the Department of Justice and are now able to proceed to Bill C-9. Hopefully, it will pass through the Senate in a timely fashion.

THE SENATE

BILL C-9 TO AMEND CRIMINAL CODE REGARDING CONDITIONAL SENTENCE OF IMPRISONMENT

Hon. Lorna Milne: Honourable senators, Bill C-9, as originally written, arbitrarily eliminated conditional sentences for more than 90 Criminal Code offences that carry the potential maximum sentence of 10 years. The list included unauthorized use of a computer, forgery, filing of false prospectuses and theft from mail. Had the list been in place in 2003-04, an additional 5,400 non-violent offenders would have had to serve time in prison instead of receiving conditional sentences.

Can the Leader of the Government in the Senate assure this place that it has been taken into consideration or will be taken into consideration that extra prisons will have to be built and extra money set aside for prisons in Canada?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, that is precisely the type of question that my honourable friend could address in this place and in committee when the bill is being debated.

• (1400)

Hon. Grant Mitchell: Honourable senators, I gather from the leader that when the Conservative senators in this place require more time to get more information to reconsider a bill that is okay — however, when the Liberal senators in this place require more time to debate legislation that would change this institution after 140 years of existence, it is regarded as unnecessary delay and a reason for the leader to diminish this house in public. Instead of defending this house, as the Leader of the Government in the Senate should, she has made derogatory remarks about it.

Senator LeBreton: I thank Senator Mitchell for the question, but his comparisons are off the mark. In terms of Bill S-4 we are talking about a very simple first step of ensuring that future senators have tenure of eight years. As the Prime Minister said in committee, he would entertain and we would entertain amendments.

With regard to Bill C-9, the bill as originally tabled in the House of Commons went through extensive changes in committee. The Minister of Justice at the time had some grave concerns about some of these changes and expressed them publicly. Then the House recessed for the Christmas break. The new Minister of Justice, the Honourable Robert Nicholson, looked at the bill and has satisfied the government and himself that the original intent of the bill, while watered down, is still a valuable piece of legislation. The minister worked with me, as I was anxious to get the bill moving here in the Senate.

There are people wandering around on our streets who should not have been given conditional sentences. However, based on the support of the new Minister of Justice and with additional background information that I had requested, we are prepared to proceed with the bill and, as the deputy leader commented, we will call the bill in a timely fashion.

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

PROPOSED NATIONAL CHILD CARE PROGRAM

Hon. Jim Munson: Honourable senators, I have a question for the Leader of the Government in the Senate. I rise to talk about children's rights and in particular child care. A year has gone by since the leader's new government was elected. Can the leader tell the Senate how many child care spaces her new government has created?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I thank Senator Munson for that question. As the senator knows, we brought in a program that began on July 1 to give parents a choice in child care. The government and the Minister of Human Resources, Mr. Solberg, are working with the private sector companies and other stakeholders in developing a child care spaces program. As the honourable senator knows, Budget 2006 set aside \$250 million per year beginning in 2007-08 to support new and durable child care spaces.

In terms of giving Senator Munson a specific number, I will simply take that portion of his question as notice.

Senator Munson: Honourable senators, in a report to the Standing Senate Committee on Human Rights two weeks ago, the Toronto wing of the YWCA stated:

Introduction of the Universal Child Care Benefit by the federal government has been detrimental to child care provisions and children in this country. It has resulted in a nationwide shortage of licensed, affordable and quality child care. Aboriginal children were hardest hit, singled out for a \$25 million cut.

Seventy-five dollars a month after taxes is a pittance. Does the YWCA viewpoint matter? Would the government acknowledge it made a mistake in this case and re-establish our children's right to child care?

• (1405)

Senator LeBreton: Honourable senators, the YWCA is certainly entitled to its opinion. Many different groups have varying opinions on this matter. Other groups have the opposite opinion. As I have said before, no single plan fits all because there are different needs in different parts of the country. People in rural and smaller centres have different child care needs than do people in urban centres. That is why last fall we created the ministerial advisory committee to consult with all organizations to design a child care space initiative that will satisfy the needs of Canadian families and our children, and we are awaiting these recommendations, which we will review as soon as we get them.

Hon. Daniel Hays: Honourable senators, my question is a follow-up to the one Senator Munson put to the Leader of the Government in the Senate.

My question relates to Alberta and the attention drawn to the crisis in the child care area by the newspapers in my province, particularly in Calgary and Edmonton. As is the case in Toronto, the YMCA is a provider of daycare spaces. On the front page of the January 25, 2007 edition of the *Calgary Herald*, YMCA President Wayne Perkins states that they have closed five programs and simply do not feel they can sustain what they are doing.

The problem in Alberta is that with a growing economy, the people necessary to oversee the spaces are difficult to find at the traditional pay scales. I quote from, again, the January 25 edition of the *Calgary Herald*:

A lack of proper child care means parents are faced with tough decisions about going to work, said Karen Mikkelsen, spokesman for Parents for Quality Child Care. . . . It's a staffing issue, it's a wage issue

Calgary's corporate community needs to partner with day-care centres to lobby the federal government on the issue, said Tanya Szarko, operator of the Bow Valley Child Care centre, which has a 600-name waiting list.

With respect to Edmonton, I quote from the *Edmonton Sun* of January 15, 2007:

Last year, the federal Tories came up with the hare-brained idea of offering tax credits to employers willing to create child-care spaces. . . .

Well, don't expect employers to fall over themselves getting into the kiddy business once the child-care agreements the Liberals arranged with the provinces end in April. . . .

And even in the unlikely event that an employer steps up to the plate and creates day-care spaces, where's the operating funding going to come from? . . .

"The Conservatives have a really big problem," says Monica Lysack, executive director of the Child Care Advocacy Association of Canada.

"They came up with this plan of 125,000 spaces on the back of a napkin during the election ... and it's really ill-conceived."

The minister mentioned a moment ago that a committee was struck, and I assume it was at the time of the announcement a year ago or so. When will that advice be made public?

Senator LeBreton: Honourable senators, when the honourable senator was reading his question, he mentioned how businesses would have to work with the federal government. That was precisely why the federal government set aside \$250 million.

As I said, this is not a situation of one-size-fits-all. Obviously, population growth in Calgary and Edmonton is putting more of a strain on all of the services in those two cities.

• (1410)

The ministerial advisory committee was struck last fall. As I have pointed out, \$250 million was set aside in the budget. I remind honourable senators that none other than Tom Axworthy referred to the previous Liberal child care issue as a "deathbed repentance."

Our child care policy was not written on the back of an envelope. It was written with a very strong view to cooperating with businesses, small and large, to provide child care spaces. I went to such a facility during the last election campaign. The child care facility at a plastics company in Bolton, Ontario housed the best child care facility I have ever laid eyes on. The company provides the child care facility for its employees and it is an example of the type of child care facility that the party envisioned at the time. We envision a facility having a shared relationship with businesses, small and large, in order to provide child care spaces for those who wish to use them.

Senator Hays: Honourable senators, I have heard some of this before and I believe so has the leader.

The \$250-million-a-year plan to provide tax credit incentives for the corporate sector to create spaces, replaces a program negotiated by the previous government. That Liberal government negotiated the program with 10 provinces to transfer \$5 billion over five years.

How will a \$250-million-a-year program replace a \$1 billion a year program? How will this program meet the needs of the commentators I quoted? How will the program meet the needs of the national lobby group called Code Blue, which is very aggressive in trying to ensure that parents have these daycare options for their children?

I do not think the Leader of the Government answered as to when and how soon the committee will report. Even if the committee does report, I do not see how it will replace a \$1-billion-a-year program with a \$250-million program, which must go through the corporate sector as opposed to the daycare services providers.

Senator LeBreton: I will find out when Minister Solberg is expecting the ministerial advisory committee to report.

The honourable senator forgets and always leaves out that starting July 1 of last year, we began providing \$100 per child under the age of six years. This government pays \$100 to 1.4 million families in Canada. This government has never considered that money the panacea. We simply said we were intending to contribute to parents in helping make choices in child care.

Senator Hays mentioned the Code Blue lobby group. The child care debate has probably been around as long as all of us here in this house, and the fact is that we all know this is not a situation in which one plan will fit all the different needs of our citizens. Those needs are vastly different from one jurisdiction to the other and urban centres versus rural and small centres.

Senator Hays: Code Blue has the answer to that dilemma. They say, thank you very much, we can take the \$100, pay the tax on it, that is fine, but reinstate the old Liberal programs; they want both.

I do not know whether the Leader thinks her strategy was a good one or not, but answer this question: Can the leader point to one single daycare space or one single additional daycare worker that can be attributed to the \$100-a-month transfer?

• (1415)

Senator LeBreton: Honourable senators, obviously if the honourable senator is asking me for examples, I can provide them.

Some Hon. Senators: Do!

Senator LeBreton: We seem to be in this unending debate of being attacked as a government for failing to live up to the promises of the previous government.

Some Hon. Senators: Oh, oh!

Senator LeBreton: This government was elected. People wanted change. We are working with various groups. To suggest that the government side is not concerned about our citizens and our children is an example of the shamelessness of the party opposite.

Some Hon. Senators: Oh, oh!

Hon. Grant Mitchell: Honourable senators, it is obvious that where there are affordable child care places, more women choose to work outside the home. In Quebec, which has substantial, significant government-subsidized programs, the participation rate in the workforce of women with children is about 76 per cent, whereas in Alberta, where the programs are not up to the level in Quebec, the participation rate is only about 65 per cent. In Alberta, child care costs as much as \$1100 per month or more.

Also in Alberta, where there is a labour shortage, Statistics Canada says that if women with children were to join the workforce and were able to choose to join the workforce, there would be as many as 11,000 more workers in that workforce, which is stressed at this time.

If this government will not bring back the Liberal child care agreements for the sake of families or for the sake of women who need to work or choose to work outside the home, will they perhaps do so at least for the sake of alleviating certain workforce shortages in Alberta?

Senator LeBreton: Honourable senators, the child care program in Quebec that our honourable colleague has referred to is a provincially run child care program. It certainly has had a great deal of success.

The situation in Alberta is unique, with the growing economy and labour shortages. I cannot speak for the Alberta government. I do not know what they are doing in this regard. I can only tell honourable senators that as a national government we have taken measures through the child care benefits starting last July, the \$250 million announced in the budget, and also the ministerial advisory committee that is consulting with the stakeholders and the provinces. As I said to Senator Hays, we need to await the recommendations. However, that does not mean that this government has not continued to work with the provinces to design a child care strategy that meets the needs of Canadians, which are, as I pointed out many times, unique in the different jurisdictions.

We were not elected to implement policies of the previous government. We were elected to present Canadians with new, fresh, innovative policies, and we are doing that. I have every confidence in this government. We all want the best for our children and seniors, and we certainly want everyone, women and men, to have the choice to enter the workforce or not. That choice is not achieved in one fell swoop. It takes a lot of negotiation and working with the provinces, and that is what we are trying to do.

Senator Mitchell: The present government may not have been elected to implement Liberal programs, but we are grateful they are implementing the Liberal environmental program. It raised our hopes for child care. We want you to bring in the Liberal Kelowna accord as well and that would be one step in the right direction.

• (1420)

This government has cut literacy programs, Aboriginal programs and child care programs. All these programs, among other things, are important for building a workforce, enhancing productivity and developing GDP. Is the government not aware of the —

The Hon. the Speaker *pro tempore*: I am sorry, but the time for Question Period is up.

[Translation]

ANSWER TO ORDER PAPER QUESTION TABLED

PRIVY COUNCIL OFFICE—VETERANS AFFAIRS

Hon. Gerald J. Comeau (Deputy Leader of the Government) tabled the answer to Question No. 19 on the Order Paper—by Senator Downe.

[English]

POINT OF ORDER

Hon. Grant Mitchell: I rise on a point of order. I understand that the time for Question Period was over and I will, of course, respect the rules of the Senate, but I have never heard in the albeit

short time I have been here of anyone being cut off in the middle of a question. I thought the rule was that once honourable senators started a question, they could finish it. I want a ruling on that and maybe examples of where that situation occurred before.

[Translation]

Hon. Pierre Claude Nolin: Honourable senators, I would remind my colleague to read rule 23(8) of the *Rules of the Senate*, which states:

Not more than 30 minutes after the Speaker calls for “Question Period”, regardless of progress made on the items listed in sections (6) and (7) the Speaker shall call for:

Delayed Answers —

[English]

Senator Mitchell: I appreciate the senator’s points. I know there is a good deal of flexibility in the way His Honour often applies rules, which is one of the endearing features of this Senate — a demonstration of respect among and between the members of the Senate. I am asking only whether that rule has been applied recently, in the way it was applied today, or whether it was applied differently today. I want only to see some examples.

The Hon. the Speaker *pro tempore*: I will give a personal answer to the question: I try to stick to the rules as much as possible.

Are there further comments on the point of order?

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. Gerald J. Comeau (Deputy Leader of the Government): Question!

Some Hon. Senators: Question!

Some Hon. Senators: No.

The Hon. the Speaker *pro tempore*: All those in favour of having the question put will say “yea.”

Hon. Joan Fraser: What is the question?

The Hon. the Speaker *pro tempore*: It is on debate of Bill S-4.

Senator Fraser: Is it on adjournment of the debate or on the vote?

The Hon. the Speaker *pro tempore*: It is on the vote.

Senator Comeau: They moved adjournment.

Hon. Claudette Tardif (Deputy Leader of the Opposition): I move adjournment of the debate.

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

Some Hon. Senators: No.

Some Hon. Senators: Agreed.

The Hon. the Speaker *pro tempore*: All those in favour of the motion will say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker *pro tempore*: All those opposed to the motion will please say “nay”.

Some Hon. Senators: Nay.

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

And two honourable senators having risen:

Hon. Percy Downe: On a point of order, government members are doing this on a regular basis. Are they trying to get a full attendance? I know very few are showing up and they cannot be very interested in the vote if they are not showing up.

The Hon. the Speaker *pro tempore*: Is there agreement between the whips on the length of the bell?

Senator Comeau: A half hour.

The Hon. the Speaker *pro tempore*: The bells will ring for 30 minutes. Call in the senators.

• (1450)

Motion agreed to and debate adjourned on the following division:

YEAS THE HONOURABLE SENATORS

Atkins
Austin
Baker
Banks
Callbeck
Carstairs
Chaput
Cook
Corbin
Dawson
Day
De Bané
Downe
Dyck
Fairbairn
Fox

Joyal
Lovelace Nicholas
Mahovlich
McCoy
Merchant
Milne
Mitchell
Moore
Munson
Murray
Pépin
Peterson
Phalen
Pitfield
Poulin
Poy

Fraser
Gill
Goldstein
Hays
Hervieux-Payette

Ringuette
Stollery
Tardif
Trenholme Counsell—41

NAYS THE HONOURABLE SENATORS

Andreychuk
Cochrane
Comeau
Di Nino
Gustafson
Keon

LeBreton
Meighen
Nolin
Oliver
Stratton
Tkachuk—12

ABSTENTIONS THE HONOURABLE SENATORS

Nil

• (1500)

CONSTITUTION ACT, 1867

BILL TO AMEND—REPORT OF SPECIAL COMMITTEE ON SUBJECT MATTER—DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the first report of the Special Senate Committee on Senate Reform (subject matter of Bill S-4, to amend the Constitution Act, 1867 (Senate tenure)), tabled in the Senate on October 26, 2006.

Hon. Tommy Banks: Honourable senators, Senator McCoy reminded us yesterday of a very important principle, which, I have the temerity to suggest, would be beneficial for us to remember. She reminded us why we are here and what this place actually is. She reminded us that the Senate was put in place by the people who framed our initial Constitution specifically to protect against the concept of the tyranny of the majority. She reminded us, and we should always be reminded, that it was a condition precedent to Confederation that Canada would have not existed in the form that it does now had it not been for — and we can see this in the Confederation debates — the establishment of a second part, senior to the other place, to the three parts of Parliament to protect against the tyranny of the majority wherever that majority might from time to time reside. The concept used by them was pretty smart because it was based upon the notion of regional equality. Like all honourable senators, I have made speeches to every Rotary Club, Canadian Club and Lions Club that will have me to talk about the concept of regional equality in this country. The fact that there are 24, 24, 24 — and now 24, 24, 24 — makes eminently good sense. However, when we look at reform, whether in this context or otherwise, Senator McCoy reminded us that it might be good to look in our own backyard because sometimes the best reforms are the reforms that we can do ourselves relatively easily in our own house, without resorting to bills or laws or, certainly, to constitutional amendments.

Senator McCoy reminded me of a fact. I had planned to ask her whether she knew that, not only in living memory but also within the relatively recent past, there were no party caucuses in this place. When I say that, I am relying on information that was given to me by the ex-dean of our Senate, the Honourable Senator Sparrow, who took me into his office one day — I used to go there to smoke — and showed me a roll call of the Western caucus of the Senate from the time he first came here. There were 24 people on that list, and only the most avid students would have been able to say who was a Liberal and who was a Progressive Conservative. The 24 people on that list met regularly as a Western caucus. That is the way that the Senate is supposed to work. There should be a caucus in this place not of Conservatives, I would propose, and not of Liberals. Rather, there should be a caucus in this place of Maritime senators, where they discuss how they will best represent the interests of the Maritime provinces with their 24 senators and protect their region from the tyranny of the majority. There should be in this place 24 Western senators who meet in a caucus, regardless of political affiliation, to consider the interests of the West. Senator McCoy should be in the Alberta caucus because Senator McCoy is a senator for Alberta. It would be a very good idea if, from time to time, Senator Gustafson and Senator Tkachuk had an opportunity to talk to Senator Peterson about how best to represent the interests of Saskatchewan and, in the larger sense, the interests of the West in the context of a caucus of 24 senators.

I suggest to honourable senators that that is not a far reach because, according to Senator Sparrow, it used to be the case. In large part, senators leave this quasi-political division at the door each time we walk into a committee room. We pride ourselves and tell everyone that one of the great things about this place is that when Senate committees do business, whether on bills or various studies they have undertaken, their conclusions are for most part unanimous. Genuine collegiality occurs around the tables in committee rooms and, generally, senators leave their political colours at the door and proceed to dealing with the substance of the committee.

Why could we not return to the same practice in this place? Although it was Senator McCoy who brought this to mind, it is precisely what the Senate is supposed to do. That is the *raison d'être* of this place. It is supposed to be 24 Atlantic senators; 24 Quebec senators; 24 Ontario senators; 24 Western senators; and now there is a fifth region. That is the way in which this place is supposed to work. It is not supposed to be a mirror of the popularly elected lower House. Day by day, we are getting closer to becoming a mirror of the popularly elected lower House, and that is not our job.

When we are considering Bill S-4 or Bill C-43 or any of the other bills that come before the Senate from time to time, it might be useful for us to think about why this place is here, what we are truly supposed to do and whether it would be most appropriate that, from time to time, senators meet on the basis of a regional caucus. For example, the 24 senators from the West should meet to consider how best to represent the things that we are ostensibly here to represent; but senators do not meet in that way.

Given Senator McCoy's excellent reference yesterday, I hope that honourable senators will bear that in mind when we speak to the issue of Senate reform. We could most easily and most effectively, to great applause, reform ourselves.

On motion of Senator Tardif, debate adjourned.

[Senator Banks]

[Translation]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

TWELFTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the twelfth report of the Standing Committee on Internal Economy, Budgets and Administration (*Elimination of the special fund*), presented in the Senate on February 7, 2007.—(Honourable Senator Furey)

Hon. Pierre Claude Nolin: Honourable senators, I move that this report be adopted. If you have any questions, I am prepared to answer them.

Hon. Serge Joyal: Honourable senators, when this fund was established, senators were not allowed to participate in certain joint projects or projects of common interest. Has this condition been reintroduced or eliminated?

Senator Nolin: It was a one-year trial. A fund was established and we eliminated, for that one year, the possibility of a senator drawing from the research budget of another senator.

• (1510)

The Standing Committee on Internal Economy, Budgets and Administration did not reintroduce this permission to transfer. What we are proposing is the elimination of this procedure, which did not prove to be useful. Less than \$50,000 of the \$300,000 envelope was used and it does not seem that this process met the senators' expectations. A number of senators submitted requests; perhaps our evaluation criteria were overly restrictive. We are open to discussing this matter.

For the time being, we find it appropriate to eliminate this measure and to redistribute the funds to those who did not use or have access to them.

Senator Joyal: Would it not be more appropriate, before adopting this report, to reconsider the possibility — under certain conditions that could be established — of senators joining forces to undertake a project of mutual interest? At present, we are creating restrictions from both sides that do not permit one, two or three senators with a shared interest, to pool their resources and undertake projects appropriate for the Senate's mandate, thus benefiting the Senate and, to a greater extent, the public.

Senator Nolin: Honourable senators, we have to make the distinction between not authorizing budget transfers and sharing budgeted funds for a common operation or research project. Two, three or four senators can decide, because it is in their interest, to share the cost of research.

I see this as different from a budget transfer, a practice used until roughly 15 months ago. One senator could, with permission from another, obtain part of the other senator's budget. Permission to do so has been suspended. This is what will be

re-examined. However, two or three senators can decide to pool part of their budget to share the cost of research. I understand the distinction and there is nothing to prevent this practice.

Senator Joyal: Thank you for your response, but it did not really answer my question. The honourable senator knows that previously I personally benefited, as a senator obviously, from the additional participation of other senators, in particular for our joint work on the Senate published by the McGill-Queen's University Press, a publication certain senators consult regularly since it was the work of senators — Senator Murray and Senator Pitfield, among others — who took part in sharing their resources and interests.

By simply abolishing this budgetary envelope because it was not fully used at this point, we are denying ourselves the ability to fund other projects that would be just as appropriate to consider as those that were funded in the past. I do not believe that, just because an envelope is not completely used up, it should no longer be available because, in any event, the money is not lost at the end of the year. If it is not used, it goes back into the consolidated revenue fund. It is not a waste of money. In my opinion, the honourable senators use all money responsibly, not foolishly or just for the sake of exhausting the budgets.

Senator Nolin: First, we needed to put an end to a practice that did not seem to satisfy the needs of most senators. That is what we are proposing in the report.

That being said, you are right: far be it from us to prevent our institution or individual senators from fulfilling their responsibility to do a good job. We lack a broad consultation process among representatives of the Senate's main political organizations, and also a consultation involving all senators. We did not want to prevent ourselves from redistributing these funds, because the ultimate goal is to redistribute that money, which was originally earmarked for research. We will redistribute the money to those who did not benefit from it, and it is our firm intention to find an alternative solution that might well be a return to the former practice. However, we are not convinced that this would meet everyone's needs. This is why we are not yet proposing to go back to the old system, but we will seriously consider it among the available options.

Hon. Pierrette Ringuette: Honourable senators, I would like to make a correction. Earlier, I thought you were proposing to adopt the motion that comes after, because I heard the word "deferred." I am sure you will understand.

First, I should tell honourable senators that I was one of the lucky ones who benefited from that fund to implement an economic development initiative in my region. I had submitted three projects. One was accepted and I was hoping that, over time, if money was available, the other two initiatives would also be approved.

I care about economic development in my region and in my province. Did I hear you say that the money left in that fund will be redistributed among those senators who did not have access to it?

Senator Nolin: You heard correctly. The idea is to achieve fairness. It seemed to us that we would be bending that notion a little too much if we allowed those who already benefited — like the honourable senator — from that program, to benefit again from what is left of it. This is why we decided to limit the sharing of the remaining money to the majority of senators who did not use the program.

Senator Ringuette: I may have a suggestion that comes a little late. I did look at that fund. There may have been a little bit too much money in it, because it was a first, it was a pilot project that lasted only one year. Senators have very limited access to money for promoting economic or social projects in a province or a region.

I viewed the whole idea favourably and I hope that the committee will consider renewing the program, perhaps with less funding and more generous criteria so that more senators can have access to this money. I am grateful, however, for the money I received.

Senator Nolin: Allow me to reiterate the objective behind our philosophy of work, as I see it. We see our role as one of facilitation, so that each of our colleagues can fulfill their responsibilities, which, I believe, are striving for excellence. Our role is not to prevent such excellence from emerging, but rather to promote it. That having been said, this has to be done both within the means made available to us, by you, and in an equitable way.

• (1520)

Our philosophy of work is precisely to encourage efficiency in the work of the institution and of individual senators. The committee is looking for the best solutions, and asking for your input. Whether in caucus or individually, do not hesitate to contact us.

We did receive requests but, often, we were acting as financial comptrollers and at the same time determining whether a specific task was necessary. That is what is making us feel rather uncomfortable. Should it not be up to individual senators to decide how to spend their research budgets? It is a matter of political maturity, and this is why senators should be able to decide.

That is the kind of question we asked ourselves in reviewing your requests. We had to control how the money would be spent and at the same time determine whether it was appropriate to engage in such research. We did not feel that we had the authority to deal with the latter, but had to do it anyway. This pretty much sums up our feelings on this matter.

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

Hon. Senators: Question!

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

Motion agreed to and report adopted.

[English]

PUBLIC SERVICE EMPLOYMENT ACT

BILL TO AMEND—REPORT OF COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Day, seconded by the Honourable Senator Banks, for the adoption of the fourth report of the Standing Senate Committee on National Finance (Bill S-201, to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes), with an amendment), presented in the Senate on October 3, 2006.—(*Honourable Senator Fraser*)

Hon. Pierrette Ringuette: I move the adoption of this report.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: On division.

Motion agreed to and report adopted, on division.

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

Senator Ringuette: I move that it be read now.

The Hon. the Speaker *pro tempore*: It is moved by the Honourable Senator Ringuette, seconded by the Honourable Senator Fraser, that the report be adopted now.

Senator Comeau: No.

The Hon. the Speaker *pro tempore*: Leave is not granted.

Senator Ringuette: Honourable senators, I move that Bill S-201, as amended in the report, be read a third time at the next sitting of the Senate.

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

Hon. Senators: Agreed.

Motion agreed to and bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

STUDY ON NATIONAL SECURITY POLICY

AMENDED REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the fourth report (interim), as amended, of the Standing Senate Committee on National Security and Defence, entitled: *Managing Turmoil, The Need to Upgrade Canadian Foreign Aid and Military Strength to Deal with Massive Change*, tabled in the Senate on November 21, 2006.—(*Honourable Senator Kenny*)

Hon. Tommy Banks: Honourable senators, I know that Senator Kenny wishes to speak to this item but, as some may know, he has been ill in hospital in Calgary and is not here. Others may wish to speak to this item too, so I ask that you allow me to adjourn this debate in my name for the remainder of my time.

On motion of Senator Banks, debate adjourned.

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO STUDY CANADIAN TELEVISION FUND

On the Order:

Resuming debate on the motion of the Honourable Senator Bacon, seconded by the Honourable Senator Milne:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on the objectives, operation and governance of the Canadian Television Fund, and

That the Committee submit its final report no later than June 30, 2007.—(*Honourable Senator Comeau*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Question.

Some Hon. Senators: Question!

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

Hon. Senators: Agreed.

Motion agreed to.

[Translation]

THE HONOURABLE NOËL A. KINSELLA

MOTION EXPRESSING CONGRATULATIONS AND CONFIDENCE IN SPEAKER— SPEAKER'S RULING—DEBATE CONTINUED

On the Order:

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

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.—(*Speaker's ruling*)

The Hon. the Speaker *pro tempore*: Honourable senators, last week, on Tuesday, January 30, a point of order was raised by Senator Comeau while the Speaker was in the chair.

I have had the opportunity to consult with the Speaker on this matter and am delivering this ruling on his behalf. The point of order occurred after Senator Joyal had completed his speech on his motion to express congratulations and confidence in the Speaker. While Senator Comeau felt certain that all Senators would agree with the intention of the motion, he questioned its acceptability as a confidence motion in the chair.

After quoting section 34 of the Constitution Act, 1867, he stated that the Senate does not have the authority to appoint or remove its Speaker, since this power is reserved solely for the Governor General. Further, Senator Comeau suggested that if the Senate wished to take up Senator Joyal's proposal, it would have to seek another more appropriate vehicle to achieve this goal.

[English]

Several other senators contributed to the debate on the point of order. Senator Murray stated that the motion could be amended by deleting its second half, thus resolving Senator Comeau's objection. In addition, Senator Murray recalled that the motion of censure had been moved against one of our former Speakers in 1990.

Senator Hays, during his intervention, sought to draw a distinction between the text of the motion and the content of Senator Joyal's speech. He explained that although Senator Joyal's speech, which he felt was more in keeping with the investigative nature of an inquiry, could lead one to believe that the effect of adopting the motion would be to change the way our Speaker is appointed, there was nothing in the text of the motion to support that conclusion. He also noted that a great deal of leeway has always been accorded to senators with respect to debate on motions or inquiries. Senator Fraser, for her part, echoed Senator Hays' comments and reinforced the idea that the wording of the motion is not unconstitutional. Rather, as she noted, if it states a reality: the Speaker must enjoy the support of a majority of senators, otherwise his rulings may be overturned and his service to the chamber rendered ineffective.

[Translation]

Senator Corbin, quoting Beauchesne's, sixth edition, cautioned senators that the Speaker is not authorized to render a decision on a constitutional question or a question of law. He contended that Senator Comeau was attempting to ask for such a ruling in his point of order.

• (1530)

Finally, Senator Cools spoke to state her support of Senator Comeau's objection and Senator Murray's comments. She added a few other points to the discussion. First, she stated that the motion is composed of two distinct propositions and could be divided into two questions. She then appealed to Senator Joyal to consider making such a division to his motion. Second, Senator Cools raised the concern that the content of this motion and the nature of the point of order would require the Speaker to be a judge in his own cause. She believed that it would be more appropriate that any debate on the future of the role and functions of the Speaker occur in a separate motion without reference to the incumbent.

[English]

Before giving a decision on the matter, let me thank, on behalf of the Speaker, all honourable senators who participated in the discussion on this point of order. In the interval, the Speaker and I have had time to review the *Debates of the Senate*, examine the procedural authorities and review relevant precedents.

The question to be decided is whether Senator Joyal's motion is procedurally acceptable for debate and decision by the Senate.

[Translation]

Although Senator Comeau's objection was based on both the motion and the speech of Senator Joyal, the question at hand is the motion's procedural acceptability. As a result, it is sufficient to limit consideration to the motion. In addition, while acknowledging Senator Corbin's caveat that the Speaker is not permitted to rule on constitutional questions, the chair's role is to give a ruling on whether debate may proceed on this motion.

After looking at the authorities, there are many precedents for motions of confidence in a Speaker or, as they are sometimes called, motions of censure. As Senator Murray recalled in his intervention, one censure motion in the Senate was moved against the Speaker in 1990, during the events surrounding the GST debate. This motion was debated and remained on the Order Paper for a considerable period of time. Furthermore, *House of Commons Procedure and Practice* by Marleau and Montpetit notes, on page 266, that there have been motions of censure brought against the Speaker of the House of Commons and its Deputy Speakers. In addition, at page 294, over fifteen examples of similar motions against Speakers of provincial and territorial legislatures are cited. From these cases, it is clear that motions of censure and confidence motions in a Speaker are in order and can be debated and decided by an assembly. These precedents are in keeping with remarks found in *Erskine May's* twenty-third edition, on pages 386-387, explaining that any reflection on a Speaker, including confidence issues, may only be debated by way of substantive motion, which allows for a distinct decision of the House.

[English]

Thus far, the issue that has been assessed relates to the acceptability of a censure motion. The authorities and precedents are clear, a censure motion is acceptable. In this case, however, there is nothing in the language of the motion suggesting censure. All the more reason to find it in order. Whatever the outcome, it would not bring about any changes in the current appointment process, role or functions of the Speaker; it would merely be a reflection of the Senate's opinion. Such motions are not uncommon. Already in this session, several motions have been proposed and adopted, commenting on national and international events and issues. As a result, there are no procedural reasons to disallow this motion. The point of order is not well-founded, the motion is procedurally acceptable, and debate may continue.

On motion of Senator Banks, debate adjourned.

**INTERNAL ECONOMY, BUDGETS
AND ADMINISTRATION**

**MOTION TO AUTHORIZE COMMITTEE TO STUDY
PERMISSIBILITY OF SENATORS' STAFF INQUIRING
INTO THE TRAVELLING DETAILS OF OTHER
SENATORS—MOTION IN AMENDMENT—
DEBATE CONTINUED**

On the Order:

Resuming debate on the motion of the Honourable Senator Banks, seconded by the Honourable Senator Moore:

That the Standing Committee on Internal Economy, Budgets and Administration be directed to examine and determine, in light of recent discussions and in light of present Rules, procedures, practices and conventions of the Senate, whether it is appropriate or permissible that persons working in the offices of senators, including senators who are Ministers of the Crown, should obtain or attempt to obtain from hotels used by senators conducting business properly authorized by the Senate, detailed breakdowns including lunches or other costs included in hotel invoices, and including any and all sundry costs associated with the stay; and

That the Committee be directed to report its determination to the Senate no later than Thursday, December 7, 2006;

And on the motion in amendment of the Honourable Senator Comeau, seconded by the Honourable Senator Stratton, that the motion be amended by deleting the word "and" at the end of the first paragraph and by adding the following paragraph immediately thereafter:

"That the Committee be directed to take into consideration whether it would be appropriate or permissible for persons working in the offices of Senators to obtain from hotels replacement receipts for the Senator in whose office they work should the originals be misplaced or be otherwise unavailable; and".—(*Honourable Senator Tkachuk*)

Hon. Joseph A. Day: Honourable senators will note that this item, No. 119 on our Order Paper, is currently adjourned in the name of Senator Tkachuk, but I note that it is getting precariously close to dropping off the Order Paper. I have been anxiously awaiting Senator Tkachuk to speak on this matter, but with due apologies to him, I would like to debate this matter, which I believe merits further discussion.

I point out to honourable senators that there will be the necessity for an amendment of the reporting date. The request to report back on Thursday, December 7, 2006, will require an amendment.

I am also conscious of the fact that there is another proposed amendment to this particular motion. The amendment proposed by Senator Comeau and seconded by Senator Stratton should be debated in this chamber.

Under the circumstances, honourable senators, I would ask the matter be adjourned in my name for the balance of my speaking time.

On motion of Senator Day, debate adjourned.

[*Translation*]

ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, February 13, 2007, at 2 p.m.

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

Hon. Senators: Agreed.

The Senate adjourned until Tuesday, February 13, 2007 at 2 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION

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

(1st Session, 39th Parliament)

Thursday, February 8, 2007

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

GOVERNMENT BILLS
(SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25	06/05/04	Social Affairs, Science and Technology	06/05/18	0	06/05/30		
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25	06/06/22	Legal and Constitutional Affairs	06/12/06	0 observations			
S-4	An Act to amend the Constitution Act, 1867 (Senate tenure)	06/05/30		(subject-matter 06/06/28 Special Committee on Senate Reform)	(report on subject-matter 06/10/26)				
S-5	An Act to implement conventions and protocols concluded between Canada and Finland, Mexico and Korea for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	06/10/03	06/10/31	Banking, Trade and Commerce	06/11/09	0	06/11/23	06/12/12	8/06

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability	06/06/22	06/06/27	Legal and Constitutional Affairs	06/10/26	156 Observations + 3 at 3 rd (including 1 amend. to report) 06/11/09 Total 158	06/11/09 Message from Commons- agree with 52 amendments, disagree with 102, agree and disagree with 1, and amend 3 06/11/21 Referred to committee 06/11/23 Report adopted 06/12/07 Message from Commons- agree with Senate amendments 06/12/11	06/12/12	9/06
C-3	An Act respecting international bridges and tunnels and making a consequential amendment to another Act	06/06/22	06/10/24	Transport and Communications	06/12/12	3 observations	06/12/13	07/02/01*	1/07
C-4	An Act to amend the Canada Elections Act and the Income Tax Act	06/05/02	06/05/03	Legal and Constitutional Affairs	06/05/04	0	06/05/09	06/05/11	1/06
C-5	An Act respecting the establishment of the Public Health Agency of Canada and amending certain Acts	06/06/20	06/09/28	Social Affairs, Science and Technology	06/11/02	0 observations	06/11/03	06/12/12	5/06
C-8	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007 (<i>Appropriation Act No. 1, 2006-2007</i>)	06/05/04	06/05/09	—	—	—	06/05/10	06/05/11	2/06
C-9	An Act to amend the Criminal Code (conditional sentence of imprisonment)	06/11/06							
C-12	An Act to provide for emergency management and to amend and repeal certain Acts	06/12/11							
C-13	An Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/06/06	06/06/13	National Finance	06/06/20	0	06/06/22	06/06/22*	4/06

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-15	An Act to amend the Agricultural Marketing Programs Act	06/06/06	06/06/13	Agriculture and Forestry	06/06/15	0	06/06/20	06/06/22*	3/06
C-16	An Act to amend the Canada Elections Act	06/11/06	06/11/23	Legal and Constitutional Affairs					
C-17	An Act to amend the Judges Act and certain other Acts in relation to courts	06/11/21	06/12/11	National Finance	06/12/12	0 observations	06/12/13	06/12/14*	11/06
C-19	An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act	06/11/02	06/11/21	Legal and Constitutional Affairs	06/12/14	0 observations	06/12/14	06/12/14*	14/06
C-24	An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence	06/12/06	06/12/12	National Finance (withdrawn) 06/12/13 Foreign Affairs and International Trade	06/12/14	0 observations	06/12/14	06/12/14*	13/06
C-25	An Act to amend the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and the Income Tax Act and to make a consequential amendment to another Act	06/11/21	06/11/28	Banking, Trade and Commerce	06/12/14	0 observations	06/12/14	06/12/14*	12/06
C-26	An Act to amend the Criminal Code (criminal interest rate)	07/02/07							
C-28	A second Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/12/11	07/01/31	National Finance					
C-34	An Act to provide for jurisdiction over education on First Nation lands in British Columbia	06/12/06	06/12/11	Aboriginal Peoples	06/12/12	0	06/12/12	06/12/12	10/06
C-38	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.2, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	6/06
C-39	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.3, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	7/06

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05	06/06/22	National Finance	06/10/03	1			
S-202	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	06/04/05	06/05/31	Legal and Constitutional Affairs	06/06/15	1	06/06/22		
S-203	An Act to amend the Public Service Employment Act (priority for appointment for veterans) (Sen. Downe)	06/04/05	Dropped from the Order Paper pursuant to Rule 27(3) 06/06/08						
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	06/04/05							
S-205	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	06/04/05	06/10/31	Energy, the Environment and Natural Resources					
S-206	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	06/04/05	06/10/31	Legal and Constitutional Affairs					
S-207	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	06/04/05	06/12/14	Human Rights					
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	06/04/06							
S-209	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	06/04/25	06/12/14	Energy, the Environment and Natural Resources					
S-210	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	06/04/25	06/12/13	Energy, the Environment and Natural Resources					
S-211	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	06/04/25	06/05/10	Social Affairs, Science and Technology	06/06/13	0	06/10/17		
S-212	An Act to amend the Income Tax Act (tax relief) (Sen. Austin, P.C.)	06/04/26	Bill withdrawn pursuant to Speaker's Ruling 06/05/11						
S-213	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	06/04/26	06/09/26	Legal and Constitutional Affairs	06/12/06	1	06/12/07		
S-214	An Act respecting a National Blood Donor Week (Sen. Mercer)	06/05/17	06/10/03	Social Affairs, Science and Technology	06/12/14	0	06/12/14		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-215	An Act to amend the Income Tax Act in order to provide tax relief (Sen. Austin, P.C.)	06/05/17							
S-216	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	06/05/30	06/12/13	Aboriginal Peoples					
S-217	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	06/05/30	06/10/18	National Finance					
S-218	An Act to amend the State Immunity Act and the Criminal Code (civil remedies for victims of terrorism) (Sen. Tkachuk)	06/06/15	06/11/02	Legal and Constitutional Affairs					
S-219	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	06/06/27							
S-220	An Act to protect heritage lighthouses (Sen. Carney, P.C.)	06/10/03	06/11/28	Fisheries and Oceans	06/12/11	16	06/12/14		
S-221	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	06/11/01							
S-222	An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures, in order to provide assistance and protection to victims of human trafficking (Sen. Phalen)	07/02/01							

PRIVATE BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-1001	An Act respecting Scouts Canada (Sen. Di Nino)	06/06/27	06/10/26	Legal and Constitutional Affairs	06/12/06	0	06/12/07		

CONTENTS

Thursday, February 8, 2007

	PAGE		PAGE
SENATORS' STATEMENTS		Answer to Order Paper Question Tabled	
		Privy Council Office—Veterans Affairs.	
International Social Service Canada		Hon. Gerald J. Comeau	1694
Budget Cuts.		Point of Order	
Hon. Grant Mitchell.	1688	Hon. Grant Mitchell.	1694
Suicide Prevention Week		Hon. Pierre Claude Nolin	1694
Hon. Lucie Pépin	1688		
United Nations		<hr/>	
Declaration Declaring Two Hundredth Anniversary		ORDERS OF THE DAY	
of Britain's Abolition of Trafficking in Human Beings.			
Hon. Jack Austin	1689	Constitution Act, 1867 (Bill S-4)	
James Deverell Horsman, Q.C.		Bill to Amend—Second Reading—Debate Continued.	
Congratulations on Induction into Order of Canada.		Hon. Gerald J. Comeau	1694
Hon. Elaine McCoy	1689	Hon. Joan Fraser	1694
		Hon. Claudette Tardif	1695
		Hon. Percy Downe	1695
<hr/>		Constitution Act, 1867 (Bill S-4)	
ROUTINE PROCEEDINGS		Bill to Amend—Report of Special Committee on Subject Matter—	
		Debate Continued.	
Study on National Security Policy		Hon. Tommy Banks	1695
Interim Report of National Security and Defence		Internal Economy, Budgets and Administration	
Committee Tabled.		Twelfth Report of Committee Adopted.	
Hon. Michael A. Meighen	1690	Hon. Pierre Claude Nolin	1696
Criminal Code		Hon. Serge Joyal	1696
Notice of Motion Pursuant to Subsection 83.32(1).		Hon. Pierrette Ringuette	1697
Hon. Gerald J. Comeau	1690	Public Service Employment Act (Bill S-201)	
		Bill to Amend—Report of Committee Adopted.	
		Hon. Pierrette Ringuette	1698
<hr/>		Study on National Security Policy	
QUESTION PERIOD		Amended Report of National Security and Defence Committee—	
		Debate Adjourned.	
Parliament		Hon. Tommy Banks	1698
Progress of Legislation—Bill C-9 to Amend Criminal Code		Transport and Communications	
Regarding Conditional Sentence of Imprisonment.		Committee Authorized to Study Canadian Television Fund.	
Hon. Céline Hervieux-Payette	1690	Hon. Gerald J. Comeau	1698
Hon. Marjory LeBreton	1690	The Honourable Noël A. Kinsella	
Hon. Tommy Banks	1691	Motion Expressing Congratulations and Confidence in Speaker—	
The Senate		Speaker's Ruling—Debate Continued.	
Bill C-9 to Amend Criminal Code Regarding Conditional		The Hon. the Speaker <i>pro tempore</i>	1698
Sentence of Imprisonment.		Internal Economy, Budgets and Administration	
Hon. Lorna Milne	1691	Motion to Authorize Committee to Study Permissibility	
Hon. Marjory LeBreton	1691	of Senators' Staff Inquiring into the Travelling Details	
Hon. Grant Mitchell.	1691	of Other Senators—Motion in Amendment—Debate Continued.	
Human Resources and Social Development		Hon. Joseph A. Day	1700
Proposed National Child Care Program.		Adjournment	
Hon. Jim Munson	1692	Hon. Gerald J. Comeau	1700
Hon. Marjory LeBreton	1692	Progress of Legislation	i
Hon. Daniel Hays	1692		
Hon. Grant Mitchell.	1693		



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