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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Tuesday, March 20, 2007

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

Prayers.

SENATORS' STATEMENTS

THE SENATE

QUESTION PERIOD—RULE 24 OF THE RULES OF THE SENATE

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, during Senate Question Period on March 1, which I missed because of a health appointment, several honourable senators posed questions on a variety of subjects and directed them to the Deputy Leader of the Government, asking that these questions be taken as notice.

I would like to point out to all honourable senators that the *Rules of the Senate* concerning Question Period, rule 24, do not provide for the Deputy Leader of the Government to take questions on behalf of government during Senate Question Period or to take them as notice. Section 24 states that questions may be put to the Leader of the Government, to ministers of the Crown on matters pertaining to their ministerial responsibilities and to chairs of committees if the questions relate to the activities of the committee. Section 24 allows these questions to be taken as notice if the honourable senator is unable to provide the answer immediately.

I would therefore invite those honourable senators who directed questions to the Deputy Leader of the Government on March 1 to pose these questions to me, if it is their wish.

[Translation]

INTERNATIONAL FRANCOPHONIE DAY

Hon. Rose-Marie Losier-Cool: Honourable senators, today I would like to highlight International Francophonie Day. We have good reason to celebrate, because last week's newspapers reported that there are now more than 200 million francophones worldwide.

Two thirds of francophones live outside France. One third of Canadians, 11 million of us, are francophone, at least partly. In Africa, where the number of francophones has been growing most steadily and significantly, there are over 75 million francophones, most of them in Congo, Algeria, Ivory Coast, Morocco, Cameroon and Tunisia.

However, not everything is looking up for the Francophonie, because its status in the world is facing the growing threat of English, and especially American, linguistic and cultural supremacy. Moreover, the quality of the French language is in danger, even in France, its birthplace, where English words are turning up more and more in conversations.

What about major institutions and international events, where French sometimes has a very hard time being heard? Consider the Olympic Games, where French has been relegated to the sidelines, despite being one of the Games' three official languages.

There are a number of ways to stimulate the Francophonie, preserve the French language and to protect francophone culture. In January 2005, Abdou Diouf, Secretary General of the International Organization of the Francophonie, the OIF, expressed his wish for the Francophonie to start standing up for its language, especially by creating alliances with other international bodies.

It is also reassuring to see that more and more people around the world are learning French: almost 120 million, according to the latest estimates. The OIF will closely and scientifically monitor the progress of francophones around the world.

Furthermore, I am pleased to note that, during the Bucharest summit last fall, OIF member states committed to using French, not English, wherever their national languages were not in use in large international organizations.

I would also note that francophone immigration would be an excellent way to protect and strengthen the Canadian Francophonie. This makes sense because the 2006 Canadian census showed that our population growth relies heavily on immigration.

Opening our doors to francophones in order to support our francophone communities in Canada, I believe, is the best way to reinforce the theme of International Francophonie Day, "Live together, different."

L'ÉCOLE DES HAUTES ÉTUDES COMMERCIALES

ONE HUNDREDTH ANNIVERSARY

Hon. Jean-Claude Rivest: Honourable senators, I would like to draw the attention of the Senate to the one hundredth anniversary of a very important Quebec institution, the École des hautes études commerciales. This Université de Montréal faculty of business, which is 100 years old this year, has greatly contributed to the social and economic success of Quebec. Graduates of the École des hautes études commerciales were, without doubt, the basis of the birth of modern Quebec, in the 1960s and 1970s, just as they are today. Thanks to the excellence of the teaching body and the students who attend the school, Quebec businesses are able to adjust to the new economic reality.

The entire Quebec community and all Canadians are proud and delighted to celebrate this important anniversary of such a fine university institution, namely, the École des hautes études commerciales.

• (1410)

I would add that, despite the innumerable merits of yesterday's federal budget, university institutions such as the École des hautes études commerciales will be disappointed by the relatively small amount of money allocated to post-secondary education. The Senate, like all Canadians, would have liked the government to show much greater support for university education, because the future of Canada, Quebec and other parts of Canada depends on the quality of education given to the next generation of workers. Much greater investment in post-secondary education than was announced yesterday would be an excellent way for the Government of Canada to mark the one hundredth anniversary of the École des hautes études commerciales.

INTERNATIONAL FRANCOPHONIE DAY

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, like my colleague from New Brunswick, I speak today in recognition of International Francophonie Day. This day was created in 1998 by member countries of the International Organization of the Francophonie, as a means for these countries to celebrate their common bond — the French language.

Although Francophonie Day is March 20, all manner of activities are organized across Canada for the duration of Francophonie Week. From March 9 to 25, some 9 million Canadian francophones and francophiles are gathering across the country to celebrate the French language and culture. In Alberta, for example — whether in Calgary, Lethbridge, Fort McMurray, Legal, Edmonton or Bonnyville — the Franco-Albertan community will celebrate its pride, history, language, vitality and contribution to Albertan society by organizing various activities.

In recent years, the Speaker of Alberta's Legislative Assembly, the Honourable Ken Kowalski, has taken part in the festivities by organizing a ceremony to recognize the contribution of francophones to Alberta's history and society. Mr. Kowalski uses these occasions to throw out challenges to the Franco-Albertan community such as building a monument or writing a book about the contribution of francophones to Alberta politics. Our community has always enthusiastically taken up these challenges.

Honourable senators, French is an official language in 33 countries on five continents and it is one of the official languages of a dozen international organizations. It is a language spoken by almost 250 million people worldwide.

Honourable senators, International Francophonie Day is an excellent opportunity to show the solidarity, dynamism and vitality of the Canadian Francophonie and to celebrate one of the official languages of our country and one of the world's great international languages.

[English]

FINANCE

INCOME TRUSTS—CHANGE IN TAX TREATMENT

Hon. Jim Munson: Honourable senators, I rise today to read into the record a first-hand account of what the Conservative cuts

to Income Trusts in the latest budget have done to Canadian seniors. The following is from an email sent to me by Peter Folkes from Toronto. He writes:

First you steal our retirement savings falsely claiming tax leakage. Then you cut funding to our grandson's daycare causing my son's daycare expense to rise to \$1200 a month and you compensate by sending him \$100 a month. Now you add a dollar a day. Do the math you dummy. Please stop trying to help us, you are killing us.

My wife and I are trying to figure out how and where we can retire to now that you have destroyed \$130,000 of our savings, not to mention the income trust monthly income that we were to depend on.

Like over 70 per cent of Canadian seniors, we do not have plush defined benefit pensions like the privileged class does; you belong to that class. That is why you steal our money, raise our taxes, and give further breaks to the privileged class.

Mr. Folkes goes on to write:

You have been betrayers, liars, and thieves. The Liberals had their faults but they never stooped this low. This family is ruined by your budget.

The letter is signed by Mr. Peter Folkes of Toronto.

• (1415)

BUDGET, 2007

ESTABLISHMENT OF CANADIAN MENTAL HEALTH COMMISSION

Hon. Art Eggleton: Honourable senators, it would be easy to stand up and be critical of yesterday's budget, but I want to talk about something that was good in the budget. It is something that reflects well upon the work of this Senate. That is the decision announced by the Minister of Finance yesterday to establish the Canadian mental health commission to deal with mental illness, something that strikes one in five Canadians. Mental illness not affects only people on an individual basis, but also friends, families and colleagues.

The commission will be established with some \$10 million over the next two years, and \$15 million a year starting in 2009-10. Yesterday, the minister also announced that our former colleague and Chair of the Social Affairs Committee at the time, Senator Michael Kirby, would become the chair of the Canadian mental health commission.

As the current chair of that committee, I want to extend congratulations to Senator Kirby, and also to Senator Keon, the deputy chair of the committee, as well as all those who have served on the committee and were part of preparing the report, *Out of the Shadows at Last*, which was specifically referenced as the basis for the decision by the government yesterday. That is good work by the Standing Senate Committee on Social Affairs, Science and Technology and good work by the Senate.

[Senator Rivest]

THE LATE DORIS H. ANDERSON, O.C.

Hon. Catherine S. Callbeck: Honourable senators, today I rise to pay tribute to the life and legacy of one of Canada's most outstanding citizens, Doris Anderson. She died in Toronto on March 2 at the age of 85.

Doris Anderson was a journalist, author and women's rights advocate. As a former editor of *Chatelaine* magazine, she was a trailblazer for a range of issues, including the problems facing working mothers, pay equity, family violence and increased representation of women in public life.

She later served as Chair of the Canadian Advisory Council on the Status of Women. Her passionate commitment to equality rights was one of the contributing factors that resulted in having them entrenched into the Canadian Charter of Rights and Freedoms. All Canadians owe her an immense debt of gratitude because of her groundbreaking advocacy for social change.

Doris Anderson was a leader, a mentor and a friend to so many people from across this country who shared her commitment to justice and equality. As June Callwood once said:

Doris had a better agenda of where she wanted to take women in the country than anybody I knew.

Throughout her long and illustrious career, she was widely recognized and respected for her outstanding contributions to the public life of this country. She received a number of honorary degrees, and in 1975 was inducted into the Order of Canada. Between 1992 and 1996, she served as Chancellor of the University of Prince Edward Island. In fact, she spent most of her summer holidays at her summer home on the Island.

In her later years, her unwavering commitment to the advancement of women was reflected in her advocacy for proportional representation. Through her participation in the organization Equal Voice, she was a strong advocate for increasing the number of women in politics. In her autobiography, *Rebel Daughter*, she wrote:

What I wanted more than anything else was to be able to look after myself and make sure that every other woman in the world could do the same.

I saw Doris a few weeks before she died and was struck by her continued keen interest and perceptive insights on the challenges and opportunities we face as a nation and as citizens of the world. Although her distinctive voice is now silent, her legacy will continue to inspire all those who continue to believe that the world can be a better place for all people.

Honourable senators, I ask you to join with me in extending our sincerest respect and sympathy to the family, many friends and colleagues of one of the country's most distinguished citizens, the late Doris Anderson.

• (1420)

CANADIAN JEWISH CONGRESS

EIGHTY-EIGHTH ANNIVERSARY

Hon. Yoine Goldstein: Honourable senators, last weekend marked the eighty-eighth anniversary of the establishment of the Canadian Jewish Congress. Its original founding convention was held from March 16-19, 1919. It was attended by 209 delegates and some 2,500 spectators. I have a particular affinity to that founding convention because my wife's maternal grandfather was one of those delegates.

Canadian Jewish Congress is considered by the Jewish community to be the parliament of the Canadian Jewish people. Democratically elected with representation throughout Canada and headquartered here in Ottawa, Canadian Jewish Congress works to foster a Canada where Jews, as an essential part of the multicultural fabric of this country, live in and contribute to an environment of opportunity, mutual respect and tolerance.

The mandate of Canadian Jewish Congress includes the proactive defence of the security, status and rights of the Jewish community, seeking the support of governments on a wide range of policy issues identified as having human rights significance and the promotion of the values of the Charter of Rights and Freedoms and human rights here and abroad.

The congress advocates on behalf of Canadian Jewry to advance these objectives in cooperation and collaboration with other like-minded, not-for-profit and representative organizations. Much of the work of the congress is carried on through the Canadian Jewish Congress Charities Committee, a separate charitable trust that supports a stronger Canadian society through activities involving fighting against anti-Semitism and all other forms of racism through education programs of inter-faith and cross-cultural relations.

Honourable senators, please join me in congratulating this historic Canadian democratic institution on the occasion of its eighty-eighth anniversary.

VISITORS IN THE GALLERY

The Hon. the Speaker: I draw the attention of honourable senators to the presence in the gallery of the Honourable Chaudhry Amir Hussain, Speaker of the National Assembly of the Islamic Republic of Pakistan, and a parliamentary delegation from Pakistan.

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

[Translation]

ROUTINE PROCEEDINGS

BUDGET, 2007

TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, Budget 2007: *A Stronger, Safer, Better Canada*.

AGREEMENT BETWEEN TASK FORCE AFGHANISTAN AND THE AFGHANISTAN INDEPENDENT HUMAN RIGHTS COMMISSION

LETTERS TABLED

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, letters formalizing arrangements between Joint Task Force Afghanistan and the Afghanistan Independent Human Rights Commission to notify the commission when prisoners are transferred from Joint Task Force Afghanistan to Afghan authorities.

STUDY ON INVOLVEMENT OF ABORIGINAL COMMUNITIES AND BUSINESSES IN ECONOMIC DEVELOPMENT ACTIVITIES

REPORT OF ABORIGINAL PEOPLES COMMITTEE TABLED

Hon. Gerry St. Germain: Honourable senators, I have the honour to table the sixth report of the Standing Senate Committee on Aboriginal Peoples on the involvement of Aboriginal communities and businesses in economic development activities in Canada.

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

[English]

STUDY ON NATIONAL SECURITY POLICY

INTERIM REPORT OF NATIONAL SECURITY AND DEFENCE COMMITTEE TABLED

Hon. Colin Kenny: Honourable senators, I have the honour to table, in both official languages, the eighth report of the Standing Senate Committee on National Security and Defence, an interim report entitled, *Canadian Security Guide Book 2007: An Update of Security Problems in Search of Solutions—Airports*.

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

• (1425)

SCRUTINY OF REGULATIONS

FIFTH REPORT OF JOINT COMMITTEE TABLED

Hon. J. Trevor Eyton: Honourable senators, I have the honour to table, in both official languages, the fifth report of the Standing Joint Committee on the Scrutiny of Regulations, concerning broadcasting, licence fees and regulations.

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

[Translation]

CANADA PENSION PLAN OLD AGE SECURITY ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-36, to amend the Canada Pension Plan and the Old Age Security Act.

Bill read first time.

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

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

[English]

CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

PACIFIC NORTHWEST ECONOMIC REGION 2006 ECONOMIC LEADERSHIP FORUM, NOVEMBER 16-18, 2006—REPORT TABLED

Hon. Jeremiah S. Grafstein: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian Parliamentary Delegation to the Canada-U.S. Inter-Parliamentary Group respecting its participation at the Pacific Northwest Economic Region (PNWER) 2006 Economic Leadership Forum, held in Whistler, British Columbia, from November 16 to 18, 2006.

[Translation]

TRANSPORT AND COMMUNICATIONS

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF CONTAINERIZED FREIGHT TRAFFIC

Hon. Lise Bacon: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, notwithstanding the Order of the Senate adopted on Thursday, May 11, 2006, the Standing Senate Committee on Transport and Communications, which was authorized to examine and report on containerized freight traffic in

Canada's ports, be empowered to extend the date of presenting its final report from March 31, 2007, to October 31, 2007.

[English]

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO EXTEND DATE OF FINAL REPORT ON STUDY OF THE CANADIAN ENVIRONMENTAL PROTECTION ACT

Hon. Tommy Banks: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That, notwithstanding the Order of the Senate adopted on September 27, 2006, the date for the presentation of the final report by the Standing Senate Committee on Energy, the Environment and Natural Resources on the review of the Canadian Environmental Protection Act (1999, c.33), pursuant to section 343(1) of the said Act, be extended from March 31, 2007 to October 31, 2007.

ABORIGINAL PEOPLES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY RECENT REPORTS AND ACTION PLAN CONCERNING DRINKING WATER IN FIRST NATIONS' COMMUNITIES

Hon. Gerry St. Germain: Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Aboriginal Peoples, in accordance with rule 86(1)(q), be authorized to examine and report on recent work completed in relation to drinking water in First Nations communities, notably: the November 2006 *Report of the Expert Panel on Safe Drinking Water for First Nations*; the 2005 Report of the Commissioner of the Environment and Sustainable Development on *Drinking Water in First Nations Communities*; and the Department of Indian Affairs and Northern Development's Plan of Action to address drinking water concerns in First Nations communities.

That the committee submit its report on this matter to the Senate no later than June 15, 2007.

• (1430)

QUESTION PERIOD

BUDGET, 2007

OMITTED INITIATIVES

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, what a difference a Liberal government makes. That is the lesson Canadians learned from yesterday's

budget. After almost a decade of Conservative governments in the 1980s, Brian Mulroney left his successor with a \$42-billion deficit to deal with. That was the Conservative legacy.

Yesterday's budget was built on the Chrétien-Martin legacy of 12 years of Liberal stewardship. That legacy included government finances that were so healthy and so well managed that Mr. Harper, after handing out countless billions of dollars to anyone and everyone — except, of course, to those who most need it — still could not spend everything that was left to him by the Liberals. After announcing more than \$10 billion in new spending this year, there will still be a surplus. That is the difference a Liberal government makes.

My question for the Leader of the Government in the Senate is this: Why did her government chose to do so little when it had the means to do so much? Why did her government fail to bring in meaningful tax cuts, fail to support post-secondary education, fail to support research and innovation, and fail to create a single daycare space?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I thank the honourable senator for her question. In point of fact, the largest deficit ever left by a government in this country was left by Pierre Elliot Trudeau to the Mulroney government in 1984. When we took over government, the deficit as a percentage of GDP was 8.9 per cent, and we got it down to 4.6 percent. As a result of the recession in the early nineties, the deficit as a percentage of GDP went back up to 5.2 or 5.3 percent.

Honourable senators, the first budget of Mr. Chrétien's government — I urge honourable senators to go back and check the record — was an unmitigated disaster. The 1995 budget of Mr. Martin, which made serious cuts in many programs, was a mere image copy of the budget that Mr. Mazankowski had presented in the spring of 1993. The fact is that the gains that were made in the Chrétien-Martin years were directly related to tax reform, revenues from GST, creative accounting on the part of the then government and, of course, the revenues brought into this country as a result of free trade.

If honourable senators will allow me, I shall present a short synopsis of the budget by the numbers. First, \$39 billion of funds will be dedicated over seven years to restore fiscal balance. Ninety per cent of Canadian families will benefit from the new \$2,000 child tax credit; 180,000 taxpayers will be removed from the tax rolls as a result of this tax credit. There are 20 initiatives in the budget to preserve and protect the environment. There will be a 40 per cent increase in annual post-secondary funding to provinces and territories by 2008-09. As well, honourable senators, 1.2 million low-income Canadians will benefit from the working income tax benefit. The RCMP will receive \$6 million additional dollars to protect children from sexual exploitation and trafficking. New funds in the amount of \$64 million will be used to implement a national anti-drug strategy. There will be a 50 per cent increase in the number of environmental officers being hired. Honourable senators, \$16 billion of new funding will be directed at infrastructure. Finally, honourable senators, \$300 million will be set aside for an immunization program to protect women and girls against cancer of the cervix.

• (1435)

EXPENDITURE INCREASE—
PROJECTIONS ON STAFFING EXPENSES

Hon. Grant Mitchell: Honourable senators, I can see why the Leader of the Government in the Senate is sensitive about Mulroney-era deficits, as there is such a strong connection between the runaway deficits of that era and those of the Harris era and senior members of this Harper government, including Senator LeBreton, Minister Flaherty, and even Mr. Harper, particularly now that he relies so heavily upon Mulroney-era advisers.

Consistent with this connection is the spectre of a budget that has gone from \$205 billion in projected expenditures in this document to \$233 billion this year. That increase is \$28 billion. It is a 14-per-cent increase in expenditure in one single year.

If we keep that up, Mulroney-sized deficits are only months and a slight downturn away. It makes people wonder whether the neo-cons have deficits in their DNA. Why is the government spinning this expenditure as a 5-per-cent increase when it is a 14-per-cent increase?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for that question. I assume he is talking about former Prime Minister Brian Mulroney, who was only last year voted the greenest prime minister in the history of Canada. Today is his sixty-eighth birthday.

With regard to the rate of spending, from 2005-06, when our government came into office; to 2008-09, spending growth will average about 4 per cent, almost a full percentage point below the projected rate of economic growth in that period. This rate is well below the total program spending of the previous Liberal government, which grew by an average of 8 per cent annually in 2004-05. Growth and spending under the Liberals increased by 14 per cent. Of course, I remind the honourable senator that the Liberals had three budgets in one year, in 2005.

This morning on CTV, Minister Flaherty said that the budget implements our Advantage Canada economic plan to hold spending to the rate of growth of the economy. I think, by the reaction of the general public, the various groups that benefited and the provinces, Minister Flaherty is well on track to keeping these projections.

Senator Mitchell: Honourable senators, we all know one Prime Minister who will not be voted the greenest prime minister in the history of this country and he is sitting on that side of the Parliament right now — Mr. Harper.

Why would Prime Minister Mr. Harper promise that he would not allow expenditure increases in his government to advance ahead of GDP growth? Even if one projects increases of 5 per cent — which is really low — it is still ahead of the GDP growth, which the leader has predicted optimistically to be 4 per cent. How will the government make this a balanced budget?

Senator LeBreton: I thank the honourable senator for that question. If he goes back 20 years and reads the comments that were made by the environmental lobby and others, he will

see that Mr. Mulroney was attacked vigorously, as was his environment minister, now the Premier of Quebec, Jean Charest. I have every confidence that, in the fullness of time, the present Prime Minister will receive the same accolades that Prime Minister Mulroney received.

In terms of the question, Minister Flaherty and the government have reiterated many times that we are on track to spend at about 1 percentage point below the rate of growth.

Senator Mitchell: Honourable senators, so much spin surrounds this budget — and we see more today — that we think the Minister of Finance should have bought figure skates instead of hockey skates.

• (1440)

This morning, in our Finance Committee hearing with Minister Toews, it came out that the government has no figures on staffing growth projections in the public service associated with this budget, next year's budget or any budget in the future. How can this government avoid deficits when it does not have any grip at all on one of the most significant areas of government expenditure, namely, staffing expenses?

Senator LeBreton: Honourable senators, I am not aware of Minister Toews' testimony before the committee this morning, so I will take the question as notice.

CREATION OF CHILD CARE SPACES

Hon. Jim Munson: Honourable senators, my question is to the Leader of the Government in the Senate. She talked about \$400 for a pair of hockey skates, and the Minister of Finance had only \$100 for child care spaces a month. I cannot believe that.

The Conservatives yesterday tried to say that this budget had something for everyone, but what worries me about the budget is that it fails, again, to deal with the child care crisis in this country. We lag behind other countries in creating child care spaces. Our children are being left behind.

Senator Tkachuk: They did nothing in three Throne Speeches.

Senator Munson: Are you done yet?

Senator Tkachuk: Yes.

Senator Munson: Thank you, Senator Tkachuk.

First, this government wanted to rely on business to create child care spaces, and then it offered Canadian families a paltry taxable \$100 to pay for increasingly rare child care spaces. Now, the government is giving \$250 million to the provinces to solve this worrying situation. That amount is a big shortfall to the \$1 billion that the previous Liberal government promised Canadian families.

Can the Leader of the Government explain why Canada's children are being shortchanged?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I thank the senator for the question. He talks about skates. I have no idea

what hockey skates cost these days. I know they are expensive, because 40 years ago when I was buying my son hockey skates, they were about \$80; so if you consider the cost of items now, the cost of hockey skates is not surprising, especially since hockey has gotten so much more competitive.

In terms of child care, as I have said in this place many times, child care needs vary vastly around the country. There is not one cookie-cutter plan that fits all Canadians' needs.

In last year's budget, we introduced the Universal Child Care Benefit. Since July 2006, we have enhanced choice for 1.4 million parents of 1.9 million children by providing \$100 a month for each child under the age of six through the Universal Child Care Benefit. In Budget 2007, we committed \$250 million per year, as Senator Munson stated, to the provinces and territories to support the creation of flexible child care spaces, beginning in 2007-08. In addition to that money, the budget provides a 25-per-cent investment tax credit to encourage businesses to create new licensed child care spaces. The investment tax credit will support the efforts of businesses to create additional spaces by providing up to \$10,000 in assistance for each child care space created.

Senator Munson: Honourable senators, can the Leader of the Government tell me one business that created a child care space last year? What would the new government would say about that? Also, can she tell me whether a single mother on welfare with two children can afford a pair of skates at \$400?

Senator LeBreton: Honourable senators, I am certain that a single mother would have difficulty, obviously, but one of the provisions of the budget is directed to that single mother who is living on welfare, and to the working poor. We have provided what Minister Flaherty calls the Working Income Tax Benefit, WITB, whereby people who desire to get off welfare and start working are not penalized because they give up so many of the social services to which they were be entitled normally if they were still living on welfare.

• (1445)

I believe this will help people move into the labour force, where, as we know, there are a great number of shortages.

Hon. Terry M. Mercer: Honourable senators, the Leader of the Government in the Senate might be wise to consult with her colleague Senator Gustafson, who has been travelling with the Standing Senate Committee on Agriculture and Forestry as they study rural poverty.

At every stop along the road, I asked the same question, and that is with respect to the effect of last year's announced \$100 a month for child care. Honourable senators, with one exception, in every community we visited, and we visited eight provinces, the universal child care program has been condemned by the people in rural Canada.

They also said that one of the biggest impediments to fighting poverty in rural Canada is the lack of child care spaces. I do not see how this budget or the government's previous budget will create one single child care space in rural Canada for rural Canadians who are suffering the most at the present time.

Senator LeBreton: Honourable senators, I thank the senator for that question. I have been following the deliberations of the Standing Senate Committee on Agriculture and Forestry during its travels through Canada. There is no question there are, certainly in the agriculture community, people who are experiencing a great deal of difficulty.

One of the problems with a universal child care program is that it often does not reach down to the rural communities. In fact, one of the major criticisms of the program is that in smaller and rural centres, an organized daycare facility was not something that was considered, nor would it necessarily be successful. That is why in different parts of the country there are different needs and different groups that will provide child care services.

Certainly one of the things we found in rural communities when we consulted with individuals on this issue is that they oftentimes rely on neighbours or family to assist them in their child care needs. In that regard, we were given very clear indications that the \$100 per month per child below the age of six was very helpful towards being able to provide adequate child care while they went out to look for and find work in the labour force.

Hon. Marilyn Trenholme Counsell: I have a supplementary question on child care for the Leader of the Government in the Senate. Honourable senators, as you know, this is a very important topic to me and to millions of other Canadians. I am certain this topic is important to many senators as well.

There were signed agreements on the table in 2005, but we are without any firm agreements or negotiations in 2007. We were looking at between \$1 billion and \$1.2 billion in 2005, compared to only \$250 million in 2007. Furthermore, it is not the same thing because there are no standards and no vision for child care spaces.

Would the Leader of the Government agree that, in effect, this represents the single largest cut in the 2007 Budget, a cut from \$1.2 billion to \$250 million? Have Canada's children suffered the single largest cut in the 2007 Budget?

• (1450)

Senator LeBreton: Honourable senators, I thank the senator for her question. I, of course, would not agree with the honourable senator's suggestion. As I have said on many occasions, when our government took office a little more than a year ago, we indicated that we were going to pursue a different program with regard to child care, recognizing that, as I said earlier, there is no one-size-fits-all approach.

The Minister of Finance and the government have finally addressed the issue of fiscal balance with the provinces. As a result, we will not be fighting over programs that the provinces deliver better than the federal government. The \$250 million announced in yesterday's budget will go a long way in assisting that program. I have no reason to believe that the government's programs will not assist working families greatly. Given the tax credits, the child care benefit and the money transferred to the provinces, parents will be able to access adequate child care spaces.

While I am on my feet, I should like to say to Senator Trenholme Counsell that I am delighted that she will no longer have to ask me questions about the mental health commission, which will be headed up by our former colleague Senator Kirby.

SPENDING ON ABORIGINAL PEOPLES

Hon. Lorna Milne: Honourable senators, following yesterday's budget, *CTV News* reported that new spending committed this fiscal year for Aboriginal Canadians totals only \$21 million — this in an era where housing on more than 600 reserves has been described as increasingly decrepit by the Auditor General.

The Kelowna accord, an historic achievement of goodwill among all orders of government and Canada's Aboriginal peoples, was to earmark \$5 billion for Aboriginal housing, infrastructure, health and education. This spending not only would have enhanced our national social safety net, but also was an important step in providing Aboriginal Canadians with greater economic tools for success. Surely, the Leader of the Government in the Senate can tell honourable senators that this \$21 million in new spending for the year 2007-08, just a pittance, was not what the Minister of Finance meant in Budget 2006, when he committed to consulting with Aboriginal leaders and other governments to develop a new approach to meet the targets that were already agreed upon at the 2005 Meeting of First Ministers and National Aboriginal Leaders.

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I thank the senator for that question. I think it has been very well established that the so-called Kelowna accord was merely a press release of good intentions —

Some Hon. Senators: Shame, shame.

Senator LeBreton: — with no fiscal framework built around it. As I have said on many occasions, we were not elected to fulfil failed promises of the previous government.

Having said that, Budget 2007 does build upon commitments the government made to Aboriginals in last year's budget, including funding commitments to on-reserve housing. Budget 2007 states that we will work in consultation with the First Nations to develop approaches supporting on-reserve individual property ownership. Funding in the amount of \$105 million over five years will more than double the size of the Aboriginal Skills and Employment Partnership program.

Over the next two years, an amount of \$20 million will be expended to support First Nations in the Maritimes and the Gaspé region of Quebec in playing a greater role in fisheries management. In addition, the budget provides \$14.5 million over two years to expand the Aboriginal Justice Strategy, and to significantly increase the number of Aboriginals who have access to community justice programs.

The new regulatory regime will be developed to oversee water quality on reserves based on the options raised by the report of the Expert Panel on Safe Drinking Water for First Nations.

The budget also states that within the coming year, Minister Prentice will work with First Nations leadership to move forward with an action plan to accelerate the resolution of specific claims.

Senator Milne: Honourable senators, if the government is doing such an excellent job of addressing the needs of Aboriginal Canadians, why was Chief Phil Fontaine almost in tears as he addressed the media after the budget speech yesterday?

• (1455)

The previous government recognized that there was a problem and sought solutions with Aboriginal and government stakeholders. A large part of these solutions was incorporated in the Kelowna accord, which my friends opposite downgrade all the time and which this government abandoned. Even though this government committed to spending \$450 million for improving water supply and housing on reserves, and up to \$300 million to provinces to address immediate pressures in off-reserve Aboriginal housing in Budget 2006, Treasury Board documents cited in Budget 2007 state that the level of spending by this government to address the needs of Aboriginal Canadians remains static or even decreased slightly compared to 2006.

Tell me, how many houses can be built for \$450 million? Maybe 45 or fewer in isolated areas. It costs a lot of money to build a house. How are these smoke and mirror commitments supposed to help Aboriginal Canadians aspire to build a stronger, better and safer Canada?

Senator LeBreton: I cannot comment on the emotional state of Phil Fontaine as he appeared on the television after the budget. Would that be the same Phil Fontaine who urged the Prime Minister, when there was speculation that Minister Prentice would be moving to the environment portfolio, not to move Minister Prentice but to leave him in his present portfolio because of the excellent working relationship that Minister Prentice has with the leadership of the Aboriginal community? I think everyone would acknowledge, whether from the Aboriginal community or not, that Minister Prentice is a serious minister who is working hard to resolve the myriad of issues that affect the Aboriginal community. I believe that he will continue doing this good work.

Given the specific details of the question, I will take part of it as notice. I have no idea what the department will say it will cost to build a single home in various Aboriginal communities.

Senator Milne: Will the honourable leader also undertake to find out how National Chief Phil Fontaine feels about Mr. Prentice today?

Senator LeBreton: I suppose we will have to ask Mr. Fontaine that question. However, I do not think it is the responsibility of the government to ask Phil Fontaine how he is feeling on any particular day.

Senator Milne: Honourable senators, I should like to correct, if I may, a statement in one of my questions to Senator LeBreton. I incorrectly divided the numbers for \$450 million. About 1,000 homes could be built for that amount, not 45, amounting to approximately one and a half homes per reservation.

TAX CREDIT TO FAMILIES

Hon. Sharon Carstairs: Honourable senators, yesterday, the Minister of Finance announced he had a choice and decided he would support families — well, some families, because a single mother making minimum wage, with two children, pays no tax in this country after her deductions. She cannot take advantage of a tax credit because she pays no tax. Can the Honourable Leader of the Government in the Senate explain to me why it is acceptable for families living on minimum wage to get zero benefit and families earning \$150,000 to get a \$640 benefit?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I believe that the particular individual referred to by my friend will benefit from the programs of the government and the announcements made in the budget. There are many areas of the budget that all Canadians can access, whether it is the transfers to the provinces in terms of wait times or the mental health commission. A whole host of programs announced in the budget will benefit all Canadians, whether they are low, middle or upper income.

• (1500)

Senator Carstairs: The honourable senator does not seem to understand that her own finance minister said that the budget was about “helping families.” Surely, the family to which I alluded deserves our greatest help.

Can the government leader explain why a family earning \$30,000 a year cannot take full advantage of the credit whereas a family earning \$150,000 a year can?

Senator LeBreton: The budget contained a provision to remove the discrimination against single-parent families. However, because I do not have the details of that provision readily available, I shall take the question as notice.

Senator Carstairs: Can the Leader of the Government explain to this chamber why her government has chosen to widen the gap between the rich and the poor, instead of doing what is fair and equitable; that is, lessening the gap between the rich and the poor?

Senator LeBreton: I would challenge the honourable senator's remark. According to the commentary I have seen on yesterday's budget, the government is dealing with the working poor and working families. As I mentioned earlier, Minister Flaherty's budget will invest more than \$550 million a year to establish the WITB — the working income tax benefit — whereby people on welfare will not be penalized by entering the workforce.

I will be happy to use the example the honourable senator has outlined and ask the Department of Finance to specifically illustrate the benefits — and there are many — the family alluded to in her question will receive from the policies of the government.

[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 the following questions: a question raised in the Senate by Senator Tardif on October 19, 2006, regarding Human Resources and Social Development, post-secondary education and the consultative process; a question raised by Senator

Carstairs on December 6, 2006, regarding a proposal to extend employment insurance benefits to caregivers; a question raised by Senator Hervieux-Payette on February 14, 2007, regarding advertising expenditures; a question raised by Senator Fraser on February 14, 2007, regarding greenhouse gas emissions and the replacement of the cabinet fleet with hybrid vehicles; a question raised by Senator Hervieux-Payette on February 20, 2007, regarding National Defence and the deployment of CF-18s to Afghanistan; a question raised by Senator Cowan on February 22, 2007, regarding the implementation of the Federal Accountability Act; a question raised by Senator Day on February 22, 2007, regarding the implementation of the Federal Accountability Act; and lastly, a question raised by Senator Milne on February 28, 2007, regarding the Canadian Wheat Board and the plebiscite on the marketing of barley.

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

POST-SECONDARY EDUCATION—
CONSULTATIVE PROCESS

(Response to question raised by Hon. Claudette Tardif on October 19, 2006)

In the May 2006 Budget, Canada's New Government committed to restoring the fiscal balance and working toward more open, transparent and collaborative fiscal relations in Canada. As part of this process, HRSDC consulted with provinces and territories, stakeholders and citizens. The web-based consultation was part of a broader web consultation on fiscal balance led by the Department of Finance. Web-based consultations provide an effective means for people from all regions of the country to participate, and offers broad accessibility and transparency.

The Department of Finance issued a news release on August 8, 2006, advising Canadians about the consultations, supplemented by information available on their website, including a link to HRSDC's consultations. Also, to support awareness, over a hundred national stakeholder organizations were contacted directly and asked to share their views. They were encouraged to forward the invitation to regional and provincial member organizations. The web-based consultation was active from August 8 to September 8. HRSD received 165 submissions from individual Canadians, and approximately 35 from stakeholder organizations.

PROPOSAL TO EXTEND EMPLOYMENT INSURANCE
BENEFITS TO CAREGIVERS

(Response to question raised by Hon. Sharon Carstairs on December 6, 2006)

The Government of Canada is committed to ensuring that the Employment Insurance (EI) program continues to serve Canadians in an effective and timely manner.

It is important to note that EI is an insurance based program with the primary objective of providing temporary financial support. Along with employers, workers pay premiums while they are working so that they will be able

to collect benefits if they are unable to work whether they are temporarily unemployed, sick, pregnant, caring for their newborn or adopted child, or providing care or support to a gravely-ill family member.

Since January 4, 2004, six weeks of EI Compassionate Care Benefits (CCB), are available to ensure that eligible workers are able to take a temporary absence from work, without fear of sudden income or job loss, when a gravely-ill person who considers the claimant to be like a family member has a significant risk of death within a 26-week period.

The six week CCB period was established based on research that included medical evidence on the duration of grave illnesses and best practices in the public and private sectors. Since all EI benefits are intended as temporary income replacement measures, the CCB is not designed to address work absences that are due to longer-term caregiving responsibilities which may be ongoing in nature and not related to crises associated with grave illnesses. The six week benefit period established a sound foundation for compassionate care leave and represents a balanced approach. A range of longer-term supports for family members of critically-ill Canadians are also available through tax credits or through services and supports provided by provincial governments.

The Government of Canada recognizes that one of the most difficult times faced by Canadians is when an immediate family member is gravely ill or at risk of death, particularly when the family member is a child. The requirement to certify the medical condition of the family member as part of the application process for CCB flows from the policy intent of the benefit, which is to support Canadian workers when a family member is gravely ill.

Use of the CCB is monitored closely and reported on annually in the EI Commission's Monitoring and Assessment Report, which is tabled in Parliament. An evaluation of the CCB is also underway and benefit duration is one of the issues that is being examined. Human Resources and Social Development Canada is committed to serving all its clients in a fair and effective manner and will continue its on-going monitoring of the Compassionate Care Benefit.

PUBLIC WORKS AND GOVERNMENT SERVICES

ADVERTISING EXPENDITURES

(Response to question raised by Hon. Céline Hervieux-Payette on February 14, 2007)

Our records indicate that, from January 2006 to today, PWGSC has not issued any advertising contracts to Republik publicité + design.

GREENHOUSE GAS EMISSIONS—REPLACEMENT OF CABINET FLEET WITH HYBRID VEHICLES

(Response to question raised by Hon. Joan Fraser on February 14, 2007)

There are TB policies in force for both the overall fleet and executive fleet, requiring departments to take measures to eliminate unnecessary idling in vehicles.

Departments must take measures (e.g., anti-idling campaign; optimal use of anti-idling technologies such as auxiliary power units and cab heaters) to eliminate unnecessary idling in government vehicles.

Below is a composition of the entire fleet of light-duty vehicles by fuel type. Also attached is a table on the Composition of Executive Vehicles by Make/Fuel type.

As of March 31, 2006, the federal fleet of commercial light-duty vehicles (mostly passenger cars, vans, pick-ups, SUVs, etc.) consisted of approximately 28,383 vehicles. The federal government orders approximately 4,000 new vehicles annually and the average age of the fleet is about 4.5 years. As such, vehicles are ordered, delivered and disposed of continuously on a daily basis, so exact figures on today's fleet may be difficult to obtain unless all departments are contacted for confirmation. However, the latest figures of 28,383 was obtained by TBS in preparation for the President's Report to Parliament on the Application of the Alternative Fuels Act for the 2005-06 FY. The numbers presented below consist mostly of the fleet of light duty vehicles (excludes military pattern vehicles) by fuel type:

Gasoline vehicles:	24,542
Hybrid gasoline/electric vehicles:	562
Diesel fuel vehicles:	1,782 (includes at least 11 running on biodiesel)
Propane powered:	71
Natural gas powered:	106
E85 ethanol flexible fuel:	1,743
Electric:	32 (these are small off-road vehicles that are counted here because they replace gasoline powered trucks)
Total:	28,838

Summary of Executive Vehicles by Fuel Type

February 2007

Class/ Category	Ministers & Sec. of State		DMs & Eligible Senior Officials	
	Make/Model	Qty	Make/Model	Qty
Hybrid	Toyota Prius	3	Toyota Prius	8
	Ford Escape	0	Ford Escape	7
	Toyota Camry	0	Toyota Camry	10
	Honda Accord	6		
Total		9		25
E85 Ethanol	Dodge Grand Caravan	4	Dodge Grand Caravan	1
	Chevrolet Impala	5	Chevrolet Impala	5
	Chrysler Sebring	0	Chrysler Sebring	1
Total		9		7
Gasoline 4 cylinder	Nissan Altima	2	Nissan Altima	6
			Toyota Camry	1
			Subaru Legacy station wagon	1
Total		2		8
Gasoline 6 cylinder	Ford Five Hundred	4	Chevrolet Impala	5
	Toyota Camry	1	Chrysler Concorde	4
	Buick Lesabre	1	Dodge Magnum	2
			Buick Century	1
			Chrysler Sebring	1
			Ford Five Hundred	1
			Dodge Grand Caravan	1
Total		6		15
Gasoline 8 cylinder	None	0	None	0
Grand Total		26		55

Vehicles in green sections are fully compliant with the standards	50	10	74%
6 cylinder gasoline — to be replaced once they reach 3 years	21		26%
8 cylinder gasoline — none remain	0		Nil
Total	81		100%

Summary/status
(progress from October 2005 to February 2007):

Pros:

- Leadership vehicles (AFVs/hybrids) increased by 35 per cent (from 27 per cent to 62 per cent of executive fleet).
- Vehicles with 4-cylinder engines remained about the same (approx. 12 per cent of executive fleet).
- Vehicles with 6-cylinder engines decreased by 31 per cent (from 57 per cent to 26 per cent of executive fleet).

- Vehicles with 8-cylinder engines have all been disposed of.
- 7 hybrids and one E85 ethanol vehicle are presently on order.

Cons:

- 12 conventional fuel vehicles currently exceed the Directive's 3-year replacement standard.

NATIONAL DEFENCE

AFGHANISTAN—BALANCING EXPENDITURES
ON MILITARY EQUIPMENT AND HUMANITARIAN AID

(Response to question raised by Hon. Céline Hervieux-Payette on February 20, 2007)

There are significant risks involved in Afghanistan, whether in the Kandahar region or elsewhere, and the Canadian Forces are amongst the best trained and best equipped soldiers there.

Deploying different or additional capabilities during a mission is normal practice. As the Taliban change tactics, we must provide our troops with corresponding levels of protection. In some cases, this could involve the deployment of new or different types of equipment.

For example, the Canadian Forces deployed Leopard tanks to Afghanistan, which have proven to be a valuable asset to the mission. The tanks are more heavily armoured than our light armoured vehicles, providing increased protection to our front line troops.

As for the deployment of CF-18s to Afghanistan, it is not currently an option being considered by the Canadian Forces. Any decision to do so would be made by the Government and would be based on the operational requirements of the mission. The United States, Dutch and British forces are currently providing air support for Canadian and allied troops serving in southern Afghanistan.

Safety is always the top priority for the Canadian Forces in everything they do, here and abroad. The Government has shown time and again that it is committed to the mission in Afghanistan and giving the Canadian Forces the right equipment and protection they need to face the hazards of this operation.

TREASURY BOARD

FEDERAL ACCOUNTABILITY ACT—
DELAY IN IMPLEMENTATION

(Response to question raised by Hon. James S. Cowan on February 22, 2007)

On April 11, 2006, the Government of Canada introduced the *Federal Accountability Act* and Action Plan to make government more accountable. The Government of Canada delivered on this commitment by passing the *Federal Accountability Act*, which was granted Royal Assent on December 12, 2006.

The *Federal Accountability Act* amends over 45 statutes and creates two new ones making it one of the largest and most complex pieces of legislation in Canadian history. As is common for complex legislation, different sections of the Act will come into force at different times. In passing the *Federal Accountability Act*, Parliament approved the various coming into force provisions that apply to the different parts of the Act. Some came into force at Royal Assent, some will come into force on specific dates, and others will come into force at dates to be set out by Order-in-Council.

Complete implementation of the *Federal Accountability Act* and Action Plan will be a complex process. There are several key implementation activities, including the development of several sets of regulations, some of which require significant public consultations; several Governor-in-Council appointments, some of which require vetting or approval by Parliament; and various other administrative matters, such as ensuring organizational readiness and training.

Each of these implementation activities will require time and resources, and officials are working to complete these tasks quickly and effectively.

The Government of Canada is working diligently to bring the remaining provisions of the Act into force. For example, the President of Treasury Board recently announced the coming into force dates for the expansion of the *Access to Information Act* to five Agents of Parliament, five foundations and the Canadian Wheat Board (April 1, 2007); new fraud offences in the *Financial Administration Act* with tougher sanctions for those who commit fraud with taxpayers' dollars (March 1, 2007); and amendments to the *Canadian Dairy Commission Act*, the *Enterprise Cape Breton Corporation Act* and the *National Capital Commission Act* to separate the positions of Chair and Chief Executive Officer of these Crown corporations (April 1, 2007 for ECBC and the NCC and April 27, 2007 for the CDC) to coincide with the expiration of the terms of office of the current Vice Chairperson and Commissioner.

In terms of the appointments of the Parliamentary Budget Officer, it should be noted that, under the *Federal Accountability Act*, the Parliamentary Librarian is responsible for the selection process to identify a candidate for appointment by the Governor in Council. Once this process is completed, the Government will do its part in the appointment process.

With respect to the Public Appointments Commission, the *Federal Accountability Act* provides for its establishment and the Commission will be responsible for overseeing and reporting on selection processes for all Governor in Council appointments to agencies, boards, commissions and Crown corporations.

The Government is committed to making qualified appointments to public offices. Since taking office, the Government has appointed a number of highly qualified

individuals to key positions, including heads of agencies and chairpersons and chief executive officers of Crown corporations.

The Government is currently laying the groundwork for the eventual establishment of the Commission.

(Response to question raised by Hon. Joseph A. Day on February 22, 2007)

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AGRICULTURE AND AGRI-FOOD

CANADIAN WHEAT BOARD— PLEBISCITE ON MARKETING OF BARLEY

(Response to question raised by Hon. Lorna Milne on February 28, 2007)

The plebiscite question was designed by the Government to put all the options on the table. The Government has heard support for all three of these options: maintaining the single desk, marketing choice and the open market.

The Government wants producer views on all the options. The Government believes Western grain farmers should have the choice on how they market their grain while preserving a strong, viable, yet voluntary Wheat Board. The Government developed the wording of the three options to enable consultation of farmers on this issue.

These three options are clear, simple, and to the point. Farmers are more than capable of expressing their preference for the option of their choice.

The three options on the ballot are:

The Canadian Wheat Board should retain the single desk for the marketing of barley into domestic human consumption and export markets.

I would like the option to market my barley to the Canadian Wheat Board or any other domestic or foreign buyer.

The Canadian Wheat Board should not have a role in the marketing of barley.

To help producers make an informed decision, three independent specialists in the field — Dr. Murray Fulton, from the University of Saskatchewan; Rolf Penner, from the Frontier Centre for Public Policy; and Dr. Barry Cooper, from the University of Calgary — were retained by the Government to write a short, objective description of each question, which was provided in the package sent to producers.

POINT OF ORDER

SPEAKER'S RULING

The Hon. the Speaker: Honourable senators, at the end of Question Period on Thursday, February 15, while the Speaker *pro tempore* was in the chair, Senator Comeau rose on a point of order respecting some questions posed to committee chairs. Referring to rule 24(1)(c), he expressed concern that several questions had dealt with matters not actually before any committee. He argued that such questions anticipate a decision of the Senate and should be ruled out of order.

[English]

In addressing this issue, it seems pertinent to cite the rule:

24.(1) When the Speaker calls the Question Period, a Senator may, without notice, address an oral question to:

(a) the Leader of the Government in the Senate, if it is a question relating to public affairs,

(b) a Senator who is a Minister of the Crown, if it is a question relating to his ministerial responsibility, or

(c) the Chairman of a committee, if it is a question relating to the activities of that committee.

[Translation]

As noted in the Speaker's Ruling of May 10, 2006, the aim of Question Period "is to promote the immediate exchange of information about the policies of the Government or the work of a committee." As all senators will appreciate, the Senate functions best when its business, including Question Period, proceeds in a courteous and dignified manner appropriate to the chamber of sober second thought.

[English]

In the Senate, it is the tradition and practice that decorum and mutual respect prevail during Question Period, even as issues that can arouse great passion are being considered. It is the norm that senators are respectful in asking questions, providing very brief contextual explanations when necessary. It is also the norm that questions are answered in a similar manner, as is shown by the practice of expressing thanks to an honourable senator for a question. In addition, it is the general practice that senators refrain from any disruptive outburst. In the Senate, Question Period is an opportunity to exchange information.

[Translation]

The rules are clear as to which senators may be asked questions during Question Period. If it relates to public affairs generally, a question can be asked of the Leader of the Government. If it relates to the ministerial responsibilities of a departmental minister, the question can be asked of that senator. If it relates to a committee's activities, the question can be asked of the chair of that committee. On this latter point, "activities" can be interpreted generously. As noted in a Speaker's Ruling of November 13, 1980, committee activities include "the specific things that are done by the committee, such as the holding of meetings, the election of a chairman, the calling of witnesses, the hiring of staff, advertising, and any other matter relating to the manner in which the committee conducts its proceedings." General issues about planning and upcoming work are included in the broad category of committee activities.

[English]

Rule 24 establishes that a very wide range of questions may be posed during Question Period. By contrast, rule 22(4) is quite explicit that Senators' Statements shall not anticipate any Order of the Day. The lack of such a restriction in rule 24 and its broad wording suggest that questions can cover the full range of public affairs, whether or not they anticipate an item on the Orders of the Day. It is also interesting to refer to page 420 of *House of Commons Procedures and Practice*, by Marleau and Montpetit, which notes that the House of Commons has permitted questions anticipating an Order of the Day since 1997.

• (1510)

[Translation]

Going beyond the issue of what questions can be addressed, and to whom, it is the Senate's practice that, if a senator is comfortable answering a question, he or she should be allowed to do so.

[English]

It is well to emphasize that the Senate is, to a considerable degree, a self-regulating house. While rule 18 allows the Speaker to intervene on his or her own initiative to preserve order and decorum, this authority is used with circumspection. In most circumstances, the Speaker's duty is to preside over the proceedings, ensure the orderly flow of debate and assist the Senate in moving through its daily business. For the Speaker to adopt an interventionist approach would be a significant change in practice that is not often necessary and would likely be unwelcome. The self-regulating nature of the Senate is particularly in evidence during Question Period, since rule 23(1) prohibits the raising of points of order and questions of privilege at this time. In terms of the flow of business during Question Period, the Speaker should not normally interfere.

[Translation]

Another issue affecting the decorum of Question Period, and which needs to be reiterated, is the use of personal electronic devices. They interfere with the sound system and make it difficult to follow proceedings. Once again, all honourable senators are called upon to keep these devices out of the chamber. Even when they are in the off position they can cause static in the sound system.

[English]

Returning to the specific issue of the point of order, the questions that were put to committee chairs on February 15 were not out of order. More generally, however, all honourable senators are encouraged to reflect on the manner in which they conduct themselves in order to ensure that they preserve the useful flow of information that has long been the tradition and hallmark of Question Period in the Senate. In this manner, we shall best serve all senators.

[Translation]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 27(1), I wish to inform the Senate that, when we proceed to Government Business, the Senate will address the items beginning with Item No. 4 under Bills, the second reading of Bill C-37, followed by the other items in the order in which they stand on the Order Paper.

[The Hon. the Speaker]

[English]

BILL TO AMEND THE LAW GOVERNING FINANCIAL INSTITUTIONS

SECOND READING—DEBATE ADJOURNED

Hon. W. David Angus moved second reading of Bill C-37, to amend the law governing financial institutions and to provide for related and consequential matters.

He said: Honourable senators, I am pleased to move second reading of Bill C-37, to amend the law governing financial institutions and to provide for related and consequential matters. The laws in question constitute the legislative framework for Canada's financial services sector, including financial institutions, banks, insurance companies, credit unions, cooperatives, trust and loan companies and other institutions. The following is a list of the relevant acts in Bill C-37, although some in respect to technical amendments only: the Bank Act, the Cooperative Credit Associations Act, the Insurance Companies Act, the Trust and Loan Companies Act, the Bills of Exchange Act, the Canada Deposit Insurance Corporation Act, the Canada Payments Act, the Financial Consumer Agency of Canada Act, the Green Shield Canada Act, the Investment Canada Act, the National Housing Act, the Payment Clearing and Settlement Act, the Winding-up and Restructuring Act and the Canada Business Corporations Act.

I went through that list to give honourable senators an idea of the order of magnitude of Bill C-37, which forms the framework for our financial services sector. Bill C-37 is the result of the statutory requirement that there be a five-year review of our financial institutions legislation. In this case, we are in a bit of an urgent situation because the election of 2005 intervened at a time when the process had begun. In Budget 2006, an extension for completing this review and any proposed legislation was fixed for April 24, 2007. Therefore, I say at the outset of my remarks that I hope Bill C-37 will be dealt with in this chamber and in committee in a fashion that will enable us to complete our job in time to meet that deadline.

I will read a statement found at the beginning of a white paper issued in June 2006 to put the concept of the five-year statutory review in context. At page 5, the white paper stated:

The Government of Canada is responsible for ensuring that the regulatory framework allows financial sector participants to operate as efficiently and effectively as possible, while maintaining the safety and soundness of the sector, which serves and protects consumers and businesses. The regular five-year review of the financial sector framework is an important tool in meeting these responsibilities.

Honourable senators, one could argue that the financial services sector is one of the most important components of our economy today, and this government is committed to doing what it can to help this sector grow. As honourable senators know, the financial institutions sector touches the lives of most Canadians on a regular and daily basis. That stretches far beyond those of us who actually use these services. The financial services industry employs about 700,000 Canadians in good, steady, well-paying,

knowledge-based jobs. Moreover, the vibrant industry represents about 6 per cent of Canada's GDP and is at the forefront in the use of state-of-the-art information technology. In this global economy, we are aware of how billions of dollars can be moved across the globe with the push of a button. Given that this information technology is advancing at such a rapid rate, it is important that we, in our role as overseers of the sector, conduct this kind of review and that we pay close attention. For this and other reasons, it is critically important that the framework governing this important and influential sector is current and effective.

Honourable senators, that is what Bill C-37 is all about. Before getting into the details of the bill, I will make a few remarks to illustrate how we got where we are today with this proposed legislation.

Leading up to Bill C-37, there was an extensive consultation process. As part of that process, a large and representative number of stakeholders, including industry associations, financial institutions and consumer groups, provided comments for the review of the financial sector statutes — the acts to which I referred earlier. While there was general agreement among stakeholders that no major overhaul of the legislative framework is needed at this particular juncture, there was a view that some useful refinements could and should be made to improve the framework. These consultations resulted in the white paper issued by the government last June entitled, *2006 Financial Institutions Legislation Review: Proposals for an Effective and Efficient Financial Services Framework*. The paper was circulated for comment to all stakeholders and to parliamentarians both here and in the other place. For the most part, it is the basis for Bill C-37.

• (1520)

The bill contains proposed amendments to the legislative framework to which I referred and which is focused on achieving the three key objectives of enhancing the interest of consumers, increasing legislative and regulatory efficiency, and adapting the framework to new developments. Taken together, these three objectives will contribute to a modern and competitive financial sector framework from which businesses and consumers alike will continue to benefit.

There is little doubt, honourable senators, that consumers today are in a better position to manage their own financial affairs, especially with the services available to them on the Internet. Healthy competition within the sector ensures that consumers have more choice among financial products and services to best suit their individual goals and needs at competitive prices. However, at the same time, increasing competition sometimes leads to complexity in the decision-making process or in the nature of the products available. That is why Canada's new government is acting, in Bill C-37, to ensure that consumers are adequately informed.

The amendments to the financial institutions framework contained in Bill C-37 will improve disclosure of information requirements for financial institutions. This action will help ensure that consumers and businesses alike will have the relevant information to make the best decisions possible in light of the choices available to them.

A good example of disclosure requirements included in the bill relate to online services. Honourable senators, federally regulated financial institutions, under present law, must disclose in an apparent way, in their branches, information about the products and services they are providing to their customers and to the public. However, under these present laws and regulations, the disclosure requirements do not extend to the Internet world. Bill C-37 will harmonize online and in-branch disclosure requirements. This will ensure that consumers who choose to use the Internet to deal with their financial affairs will have sufficient information to allow them to compare products more easily.

Honourable senators, another key objective of Bill C-37 is to increase legislative and regulatory efficiency in Canada's financial sector. To remain efficient, the financial sector legislation should be able to adapt and evolve to an ever-changing environment. To that end, the government regularly reviews the financial sector statutes with a view to ensuring that they continue to contribute to a modern and competitive financial sector in which Canadian business and consumers alike are well served.

Bill C-37 addresses a number of key areas identified during the review process to achieve increased legislative and regulatory efficiency. Let us consider residential mortgages. Mandatory insurance for high-ratio mortgages was introduced over 30 years ago as a measure to protect lenders against fluctuations in property values and associated defaults by borrowers. However, as we know today, the marketplace has changed dramatically. Among other things, the risk management practices of lenders have improved significantly. Moreover, the supervisory framework for federally regulated financial institutions has been strengthened significantly. As such, the mortgage insurance restriction is no longer required to quite the same extent. Honourable senators, this indicates that some homeowners may be paying more for their mortgage insurance today than they need to pay.

Bill C-37 will reduce the cost of mortgages for some families by raising the loan-to-value ratio requiring mortgage insurance from the current 75 per cent to 80 per cent. This, in turn, will lower the down payment for mortgages that consumers are required to make before the law requires the purchase of mortgage insurance. This amendment to the legislative framework will create an opportunity for consumers to save on their mortgage costs.

The government's review process also identified much-needed improvements to the regulatory approval regime. Currently, ministerial approval is required for a broad range of financial sector transactions related to market entry, structure and competition, as well as to financial institution ownership. However, a wide variety of routine transactions also requires ministerial approval even though no significant policy issues are involved.

Honourable senators, Bill C-37 proposes measures to streamline this regime and to ensure that such routine transactions can be dealt with more expeditiously in the future. For example, under the current regime, two ministerial approvals are required for certain transactions involving fundamental changes. This bill proposes that the initial authorization required for fundamental changes be transferred from the minister to the superintendent of financial institutions. The third objective of the bill is designed to enable the financial

institutions framework to adapt to changes and developments in this sector more efficiently. Honourable senators, no industry is ever static, and nowhere is that more true than in the financial services sector.

With an increasingly global marketplace, financial institutions must be able to respond to developing trends such as the convergence of services offered and technological innovation. One way that Bill C-37 will improve our financial system is through the introduction of electronic cheque imaging. I mentioned the Bills of Exchange Act, and the reason it was listed as part of the framework legislation is that this act governs bills, notes and letters of exchange. To be able to have electronic cheque imaging, as I will explain, we need to amend that act.

Honourable senators, as one can surely imagine, banks annually process about 1 billion paper items, mostly cheques, valued at over \$3 trillion. The physical clearing of cheques is labour-intensive, time-consuming and more costly than necessary, given the technology available to us today. Measures in Bill C-37 will permit banks to make use of that technology by implementing electronic imaging or scanning of cheques. This use of technology will result in significant gains in efficiency, saving time and resources currently dedicated to the transport of cheques.

To ensure that gains in efficiency are fully realized, Bill C-37 contains another measure related to cheque hold periods. I will explain. For most large banks, the maximum hold period today on cheques deposited with tellers is 10 days. That hold period may affect consumers who need to pay their bills right away. It is a cash flow issue. It may also affect small- and medium-sized businesses that need to access funds to meet their operating expenses, such as buying supplies and paying their employees.

The government has finalized an agreement with the banking industry to reduce the maximum hold period from the current 10 days to seven days. There are provisions in the works that once financial institutions have fully implemented cheque imaging, the maximum hold period will be reduced to four days.

There are, honourable senators, of course, many more measures in Bill C-37 that will provide significant benefits to Canadian consumers and businesses. They can be explained in detail and fully reviewed when this bill gets proper hearing in the appropriate committee of the Senate.

I would, however, like to mention one such measure that supports the government's commitment to help financial institutions fully realize their potential and maximize their contribution to the Canadian economy. I refer to the proposal to the bill to allow financial institutions to add more foreign directors to their boards. This amendment to the Canadian residency requirement will enhance the ability of the institutions to pursue opportunities on a global basis. I must stress, however, that, to ensure an ongoing strong Canadian presence on the boards of these institutions, the majority of directors must remain Canadian residents.

Honourable senators, there is every reason for Canadians to want to see our financial institutions succeed in the global marketplace.

First and foremost, that success must help improve the prosperity and the competitiveness of our economy. Canada has a strong and vibrant financial system that serves Canadians well.

Canada's new government recognizes that, to remain competitive, our financial institutions must be able to adapt to the evolving demands of a global economy. That is the intent of this bill and, indeed, the intent of this government.

• (1530)

I would ask all honourable senators to give the bill the consideration it deserves, refer it to the Standing Senate Committee on Banking, Trade and Commerce, and have it treated so that we can meet that April 24 deadline.

On motion of Senator Tardif, debate adjourned.

PROTECTION OF VICTIMS OF HUMAN TRAFFICKING BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Phalen, seconded by the Honourable Senator Day, for the second reading of Bill S-222, 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.—(*Honourable Senator Moore*)

Hon. Mobina S. B. Jaffer: Honourable senators, I rise today to speak to Senator Phalen's Bill S-222, to provide assistance and protection to victims of human trafficking. I commend Senator Phalen for his hard work on the issue of human trafficking. I believe it is one of the most important issues we face in Canada, and Senator Phalen's effort is a great example of what those of us here in the Senate can do.

As we sit here in the chamber, we may think our laws say to the victims, "Come report the crime; we will help you; we will give you safety," but this is not reality.

During last session of Parliament, I sponsored Bill C-49, which amended the Criminal Code to create an offence of human trafficking. At the time, I told you about an experience I had in Abuja, Nigeria. I would like to take a moment to repeat that story because, for me, it is what puts the human face on the problem.

While I was in Abuja, Nigeria, the High Commissioner, David Angel, arranged for me to visit a detention facility where they were holding a group of 12 little Nigerian girls. The youngest was nine years old, and the oldest was probably no more than 13 years of age. They had been intercepted at the airport in the process of being trafficked to Europe. These young girls had been told that they were going to receive an education and a better life. Their real destination was a brothel in Europe. These brothels thrive on human trafficking, constantly bringing in new young girls to subject to rape and exploitation. It was truly sad to look into the innocent eyes of these young girls who were now left with nowhere to go but a detention facility. Their lives were left in limbo as a result of the lies they had been told. These girls were lucky, though. For every one of those girls, thousands elude the notice of authorities.

Honourable senators, we must ask: Who are the trafficking victims? They are the marginalized and the disenfranchised, the vulnerable persons in any society.

This is not a problem that is limited to far-off or developing nations. The demand side of trafficking is in the industrialized world. The consumer culture in our Western society creates a demand for such exploitation and sends a false message to those exploited about the kind of life they will have. Major sports and cultural events within the industrialized world have fuelled the trafficking of women and girls for sexual exploitation in the industrial world.

Honourable senators, it is our responsibility to stop human trafficking. Bill C-49 and the CIC guidelines have attempted to lay out the way in which this country is dealing with human trafficking. However, what they say happens and what actually happens to real people are two very different things.

Over the past months, I have met with a number of NGOs and faith-based groups, as well as the RCMP and local police officers. I have asked them how are the victims really being treated. Are the guidelines operating smoothly within CIC, CBSA and RCMP and local police offices? Are we all working as a team? I received the answers, and, unfortunately, the picture is not pretty. Today, I will relate to you what I have heard in the past few months.

In meeting with the RCMP, the NGOs, local police and faith-based groups, I can see that, although we all want to help, we are not one team. Each group seems to have its own task to accomplish, each important but not in harmony with the overall task of helping the victim.

The victims are afraid to come forward; their trust has been broken. They have been abandoned in our country with no documentation, trapped as prey in the hands of traffickers. Their spirits have been broken by the slavery they barely lived through.

Luckily, some victims do come forward, but our laws do not make it easy for these victims. Our laws say to the victims of trafficking, "Convince us that you are not an economic refugee or migrant." We ask the victims to provide proof that they have been trafficked. We ask the victims to be willing to participate in the prosecution of the people who destroyed their lives and who they had started to trust. We tell them that if they can do all of the above, they will be allowed to stay in our country for 120 days before we send them home. CIC calls these days of reflection. If the victim can convince us further, we might allow her to have permanent residence in our country.

Honourable senators, we have to ask ourselves how convinced we would be to come forward and who we would trust. We need to work with and learn from the men and women who work to combat human trafficking. These people know how to deal with the problems involved with human trafficking. The NGOs and faith-based groups are reluctant to tell the victims to go to the authorities because they do not have faith in our system. They have seen our system in action. Here is an example of what they have seen.

Recently, in the Vancouver area, local police enforcement, seeking a joint operation, approached an NGO that provided women with immigrant services. The police believed that they had

found a massage parlour with trafficked victims. The NGOs said they would be willing to assist, with the proviso that the women would not be handcuffed or charged. The trafficked persons were to be taken out of the massage parlour and handed over to the NGO to provide counselling. The trafficked persons were taken out of the massage parlour in public, and they were not handed over to the NGOs to provide counselling. At first glance, we may say that, finally, a working relationship has been struck to make a change in order to help the victims. Sadly, the promises made to the NGOs were broken, and publicly the women were handcuffed and arrested. Once again, the victim was punished.

• (1540)

Here is another example in Vancouver from this month. There was a major bust in a trafficking ring in Vancouver. The pimp was said to be one of the worst operators in the area. Seven women between the ages of their early twenties to their early thirties were taken out of the bawdy house where they were forced to service an estimated 150 johns a month. The police observed 20 men in one two-hour period being serviced in this bawdy house. The police did not arrest the men who were going into the bawdy house; instead, they arrested the victims. The eight victims were taken directly to the airport, issued detention orders and returned to their countries.

Honourable senators, please do not misunderstand me. I am delighted there is a system of collaboration in Vancouver, but, obviously, somewhere along the way, the lines of communication and respect have not been properly built. Contrary to what we have set out to accomplish in Bill C-49, the victims are not believed, are deported for being in Canada illegally and are sent back to their families without consent only to face a life of scorn.

I know honourable senators will agree with me that there is something wrong with the way in which we deal with human trafficking. We need to take strong actions to deal with the trafficked persons as a first priority. The men, women and children who are brought here for the purpose of exploitation as labour workers, sex workers, or for any other purpose, are victims. Their lives have been torn to shreds. Many cannot return home for the shame of what has happened. They have been severely traumatized, beaten, threatened and forced into slavery. What we started in Bill C-49 is not enough. Bill S-222 is the next step in this journey.

Under Bill S-222, victims would receive the ability to heal with the help of a 24-hour hotline, with counselling in their language. They would be provided access to information they can understand, enabling them to make sensitive decisions about their future in an effort to move on from the past. In addition, the public awareness campaign would educate our citizens about this global problem, helping to identify potential victims and at long last accepting the fact that we are a nation of consumers in this trafficking business.

Once a victim has come forward, they would be entitled to medical coverage under the Interim Federal Health Program, providing physical healing. Following the initial 120-day temporary resident permit, a longer permit — the victim protection permit — would allow for work permits to be issued and an application for permanent residence. The current 120-day period is insufficient. How can anyone be expected to build understanding of their situation and trust in a new country in

such a short period? Often, those trafficked are kept from the outside world precisely because those exploiting them need their dependence. Some develop sympathy with the ones exploiting them simply because they do not know anyone else. No other support system exists for them. The victim protection permit would allow time for the victim to earn income and set down roots in our country. Canada will respect the victims in word and in deed and allow them to restore their lost dignity.

It is my firm belief that there needs to be a consultation jointly between the NGOs, RCMP, local police and faith-based groups in order to develop a program of systems to help the victims and stop trafficking. However, Bill S-222 is where we need to begin. Perhaps then the victims would be more willing to come forward. Perhaps then the NGOs, faith-based groups and shelter workers would be willing to tell the victims to come forward.

Honourable senators, I think back again to my young friends at the holding facility in Abuja — the human face of this growing problem — and wonder how they would have been treated if they had been in Canada. Would these young children also have been given 120 days to reflect on their future before they were sent back?

Even with the changes we made last year in Bill C-49 to recognize and criminalize human trafficking, the victims today continue to suffer. With Bill S-222, I could at least see these young girls I was talking about in Abuja recognized as the victims that they are.

Honourable senators, we live in the most wonderful country in this world. We must now develop new kinds of understanding to help these victims to heal their wounds, to find honest work and, most of all, to regain their dignity. I urge all honourable senators to support this vision of Canada and, once again, thank Senator Phalen for bringing forward this bill, which will help to make it possible.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I wish to thank Senator Jaffer for a very good speech. Upon reflection, and while listening to her comments, I realized that the second speaker from our side had not taken the full 45 minutes for the speech. Would this chamber accept the long-standing convention that the second speaker be allowed 45 minutes and that the speech just given by the second speaker will not be counted as constituting part of the 45 minutes?

Hon. Senators: Agreed.

On motion of Senator Comeau, for Senator Andreychuk, debate adjourned.

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, my second request is for permission to revert to Item No. 4 under Government Business, Bill C-37, which Senator Angus spoke to earlier today. Senator Harb was not in the chamber at that time and we would ask if he could be permitted to make his comments at this time.

Hon. Anne C. Cools: Honourable senators, it is one thing to revert to give notices or to deal with other relatively trivial situations, but if an issue has been moved — that is, if someone has moved the adjournment of debate or if an item has moved

along by way of a motion that has been voted upon and decided — a request to revert is not such a simple matter. I would like to clarify because I might have missed something.

The honourable senator is talking about Bill C-37. After a senator moves adjournment of the debate and a vote is taken, we cannot overcome a vote of the house by unanimous consent.

An Hon. Senator: Yes, we can.

Senator Cools: No, we cannot. If we want to debate that matter, I will do it on a point of order. We cannot defeat a vote that has already been taken.

The Hon. the Speaker: Honourable senators, Senator Cools raises a good point. The suggestion from the chair is that we have two options. We could rescind the motion to adjourn either by a two-thirds majority or by unanimous consent, which is even stronger than a two-thirds majority —

Senator Cools: No, it is not.

The Hon. the Speaker: If the mover and the seconder of that motion wish to withdraw it, we could then carry on, as was suggested by Senator Comeau, and have the debate continue.

Senator Cools: Let us understand what “unanimous consent” means. “Unanimous consent” does not mean unanimous agreement by a motion taken by a vote. “Unanimous consent” means agreement without a dissenting voice to waive or to suspend a rule temporarily. Unanimous consent cannot be used to defeat motions that have already been voted upon and carried. The overturning or the repealing or the rescinding of a motion is a much more serious matter which I believe requires a two-thirds majority in support of a motion to do so. It is a different thing and would be a very bad precedent. I do not know the reason why the honourable senator wishes to do this; perhaps the senator cannot be here tomorrow.

• (1550)

If we started doing that, it would mean that anyone could overturn every single motion to adjourn by simple unanimous consent, that is, without a motion and a vote of the house. For example, if a senator had made a motion to adjourn and had left the chamber briefly, the motion could be overturned by another senator a few minutes later. I submit to honourable senators that the result would be chaos.

It seems to me that if a senator has moved a motion for an adjournment, voted on by the house — which is basically the senator saying, “I want this matter adjourned until tomorrow so that I can speak to it at that time” — that vote cannot be altered or defeated by mere unanimous consent of the house. This is a very important point. The principle is far greater and far more important because the potential for abuse is so enormous.

If an honourable senator proposes to rescind the motion, the situation becomes more complicated. What would that take? A two-thirds majority. I think the rescinding motion may even have to be done on notice, but I do not have the rule book nearby. Nevertheless, I have no doubt that I am correct on this particular point, Your Honour. It would be a very bad thing to do.

The Hon. the Speaker: The only help I will try to provide is that the motion to adjourn the debate was a procedural motion. What the chamber is asking for here is that debate on that item be continued as opposed to being adjourned at this time. Very often, when we discover that another senator did wish to speak, we let that senator speak, and then the senator who had given an indication that he or she would move the adjournment of the debate is then recognized for the adjournment. It seems to me that that is the situation in which we find ourselves.

Senator Tardif, it is your motion we are talking about.

Hon. Claudette Tardif (Deputy Leader of the Opposition): I am seeking guidance, honourable senators, but I am willing to withdraw the motion.

Senator Cools: I fear that Your Honour is arguing on the substantive issues. The custom is that if Your Honour wishes to speak and debate on the substantive issue, you should leave the chair and go to your own seat on the floor, from which I am sure we will all welcome your full words in the debate. I wanted to point that out.

In a sense, Your Honour is debating what I have said, and you are not free to do that from the chair. You may rule on what I have said, but you cannot disagree with it from the chair. You can do that from your seat on the floor. There is quite a difference.

I do not have the rule book before me — nor do I know the number of the rule — but it is difficult to withdraw a motion, honourable senators, that has been voted on and carried. The motion to adjourn was made. It was duly seconded, duly voted upon and duly carried. The motion is beyond withdrawal; it is a different creature.

I did not want to put a damper on anyone, but this is the system in which we are working. Perhaps there is another solution; I do not know. Perhaps other senators can suggest a solution.

I hope that Senator Tardif understands her motion to adjourn can no longer be withdrawn. One can withdraw a motion before it has been voted upon, but not after. Just think of all the motions passing bills and everything else that could just be withdrawn and the resulting chaos.

The Hon. the Speaker: Is the house prepared to accept Senator Tardif's proposition?

Hon. Senators: Agreed.

The Hon. the Speaker: Shall we hear from Senator Harb?

Senator Cools: No. You put me in this position.

Senator Harb: Let me ask.

Senator Cools: Your Honour, you asked whether the house was prepared to accept Senator Tardif's proposition, and I answered "No." No motion was put to the house. You are asking for unanimous consent. I said, "No." If any senator wished to place a motion, he or she should have put a motion duly seconded. That was not done.

The Hon. the Speaker: No consent being found in the chamber, we shall continue with business; the matter stands as it was.

[Translation]

KYOTO PROTOCOL IMPLEMENTATION BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Trenholme Counsell, for the second reading of Bill C-288, An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol.—(*Honourable Senator Tkachuk*)

Hon. Claudette Tardif (Deputy Leader of the Opposition): Honourable senators, I rise today to express deep disappointment on my own behalf and on behalf of senators on this side with respect to statements made about the priority given to Bill C-288.

As you know, Bill C-288 is a priority to Canadians and to senators on this side of the chamber. Honourable senators, the Senate received Bill C-288, which aims to ensure that Canada meets its global climate change obligations under the Kyoto Protocol, on February 15, 2007. The night before, on February 14, this bill was passed by a majority of the members at the other place. On February 20 — in other words, at the following sitting of the Senate — Senator Mitchell spoke at second reading of this important bill.

After that, the government was in no rush to have its representative take the floor. While other senators expressed their interest in talking about this highly important bill as soon as possible, in a spirit of cooperation and respect for the traditions and customs of this place, we agreed, in good faith, to derogate from rule 37(3) in order to allow some of our honourable colleagues to take part in the debate on this very important subject, without encroaching on the 45 minutes promised to the government representative in the Senate.

We reached this temporary agreement in good faith and in a spirit of cooperation, despite the fact that we wanted to proceed as soon as possible.

[English]

Honourable senators, you can therefore imagine both my colleagues' and my own dismay and extreme disappointment when reading the comments that were made by the Leader of the Government to *The Hill Times*. According to *The Hill Times*, the Leader of the Government said that she does not detect a lot of urgency on the part of the opposition but, "They certainly haven't been pressing us to get moving on this."

That is not the case, honourable senators. That statement is a complete falsehood. In fact, our side has conveyed to the government side the high importance of this bill and our wish to proceed as quickly as possible. In his remarks, Senator Mitchell said, "What is required is something that we are not getting, and that is leadership."

Our honourable colleague Senator Chaput said in her speech — and I quote, honourable senators — “I would not want us to spend too much time playing politics when our planet’s future and my grandchildren’s future are at stake.”

There was no doubt that we wanted to proceed as soon as possible. We entered into a temporary agreement as a courtesy to our colleagues on the other side, and now it seems that we on this side are deemed to be moving too slowly on something that is so important to Canadians and to the future of our planet. This government, your side, calls on us to be quick and efficient. Since, according to your leader, you do not need time, we urge that this chamber proceed today to adopt this bill at second reading so that we can send it to committee immediately.

Honourable senators, I move that the motion for second reading of Bill C-288 be adopted.

• (1600)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I would like to be absolutely sure that I understand exactly where we are going. Do I understand that the honourable senator just now broke a deal we made last week? Have you officially broken the deal on the floor of the Senate?

Senator Tardif: Honourable senators, we agreed that the second speaker not be considered the second speaker, and we were criticized in *The Hill Times* for not moving quickly enough. We acted in good faith, and we have not received the same.

Senator Comeau: Honourable senators, I want to be absolutely sure. Whatever spin Senator Tardif may want to read from *The Hill Times* or whatever dialogue that the honourable senator and others have with *The Hill Times* or the interpretations they may get from it, I want to be crystal clear that with respect to a deal that we had as of two weeks ago, the senator has said that the deal is off and we are breaking our side of the deal, so that we in the future know whether we can make an agreement with the other side. I want to be absolutely sure that we know where we are going in the future and whether we have the word of the other side, because much of the work in this place has to do with whether we can trust one another.

Senator Milne: True.

Senator Comeau: If you choose an interpretation of what you read in *The Hill Times* as a way of breaking a deal, that is your way of approaching it; that is fine. I want to know if the deal that we had is now broken.

Hon. Anne C. Cools: Honourable senators, I rise on a point of order. This exchange is extremely irregular and improper. I hasten to add that all the so-called deals that leaders made are not binding on the Senate, and, in point of fact, the Senate acts as if they do not exist.

It is a little tiresome. First, this is the first time I am hearing of any deal, but you have to understand that I am not in the know, so I do not hear of many things. I would say that any debate about a deal made or not made is extremely inappropriate to the proceedings of this place. There are senators who believe, as do I, that many of the deals in today’s community go way beyond anything that negotiations are supposed to do and the effect they are having is to bind senators to many things that they do not even know they are being bound to.

[Senator Tardif]

I do not know the background or the bill; I just know the exchange I am hearing. It would be faithful to both the law and the system of Parliament if this particular debate on whether this deal was done or not done or the details would cease and desist. It is extremely improper, and it is shaming, shameful and tasteless.

Hon. Senators: Question!

Hon. Terry Stratton: Honourable senators, for the record, is the Deputy Leader of the Opposition saying that I will not be allowed to speak?

Senator Carstairs: Speak now.

Senator Stratton: I am asking the question. She is calling for the question now. I was informed that there were a number of speakers on both sides that wanted to speak, so I would be prepared to speak before we rise for Easter break. That was my intention. You are now telling me I cannot speak.

Some Hon. Senators: Question!

Senator Stratton: I would like an answer from the Deputy Leader of the Opposition. I need an answer. I would like an answer to that question.

The Hon. the Speaker: Honourable senators, order. Procedurally, we are in debate on Bill C-288. We have had one speech. I will put the question. Is there further debate?

Some Hon. Senators: Question!

Senator Comeau: Honourable senators, I would like to debate this most important bill, Bill C-288, that, in the eyes of the other side, says it is the end all and cure all for all the ills that they were not able to accomplish over a 13-year period. As far as I know, no action at all had been taken on it until, suddenly, within a year of a new government taking power, the environment becomes important to that party. I am glad it is, because the environment is important not only to that party, but also to everyone.

I hear Senator Mitchell, who wants to send me some important notes of this matter, and I also agree that he probably feels shamed that his party did not act on this while they were the government. I can understand where he is coming from, having sat on the government side all these years.

Hon. Grant Mitchell: Honourable senators, I would like to address that statement. If the senator puts words in my mouth, I should have the chance to respond.

Senator Cools: It is interesting, but I do not understand what is happening here. I believe Senator Tardif moved a motion. Am I correct? Did she, or was it a proposal?

Senator Tardif: Yes; I moved second reading of the bill.

Senator Cools: Did Senator Tardif actually move it?

Honourable senators, I understand that Senator Comeau was in point of fact putting a question to Senator Tardif.

The Hon. the Speaker: Order, please, honourable senators.

Senator Cools: Your Honour, there is no disorder in the place.

Hon. Fernand Robichaud: The Speaker is standing.

Senator Cools: I was standing first.

The Hon. the Speaker: We are in debate. Senator Comeau has used two minutes; he has 13 minutes left in his time.

Senator Comeau: Honourable senators, a couple of weeks ago, I met with the other side, and they said that this is the most important bill to face this Parliament in years. I do not think I used these words with her, but, in my view, they probably viewed this bill as being a kind of a catch-up, trying to make do and recuperate all the years during which they neglected to deal with the environment. Therefore, let me just refer to my notes.

In discussing this bill with the Deputy Leader of the Opposition, Senator Tkachuk, Senator Tardif and I agreed this bill would have been dealt with as of this Thursday.

We have arrived at the point where an agreement between our two sides will be extremely difficult. I would like to remind the other side that there is nothing more important than being able to discuss and have a dialogue about the way this chamber works. I know Senator Cools was concerned with the whole concept of deals, so let me not use the word “deal.” Let me use the phrase “agreement on how we work things in the Senate.”

• (1610)

Senator Fraser and I, on many occasions, would try to find a way whereby we could see the work of this house progress. She will recall that on a couple of occasions I had forgotten certain things we had discussed and she reminded me of them. At those points, I said, “If we did that, I will honour it.”

I would like us to understand that by crossing the threshold the honourable senator has crossed today, there is no more of that trust. We cannot have that kind of trust in the future in relation to the progress of business in this place. I want the deputy leader to seriously consider how we advance the work of this chamber. She should not simply say, “I read something in *The Hill Times* said by someone, and the agreement we had is no longer valid because I interpret those comments to say that the deal is now broken.” She should think about how we would be able to advance the work of this house in the future.

Honourable senators know very well that certain elements out there do not believe this house is a workable chamber. The fact that we are progressing as we are this afternoon reinforces the concept that this chamber is not workable or that it is becoming more broken as we progress. Even the House of Commons, which is an extremely partisan chamber, much more so than this one, is able to come to accommodations and agreements that in my view are rarely broken. I think this is the first time during my years in the Senate that an agreement has been wilfully and deliberately broken on the floor of the chamber without prior consultation.

I wish I had known that the honourable senator had decided she no longer wished to honour this agreement. I would have tried

to talk her out of it or arrive at an accommodation that might have saved the future workings of this chamber. As it is now, that will no longer be the case. This decision just reinforces the need for us to consider whether this chamber has any kind of future over the long haul.

I would hope that honourable senators would be in agreement with me that we now adjourn debate so that we may have some time for reflection. Therefore, I move the adjournment of this debate.

The Hon. the Speaker: We have a motion by Senator Comeau, seconded by Senator Oliver, that the debate be adjourned in his name to the next sitting of the Senate for the remainder of his time. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

The Hon. the Speaker: Will those in favour of the motion please say “yea”?

Some Hon. Senators: Yea.

The Hon. the Speaker: Will those opposed to the motion please say “nay”?

Some Hon. Senators: Nay.

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

And two honourable senators having risen:

The Hon. the Speaker: Do we have advice from the whips?

Senator Stratton: It is agreed that we have a one-hour bell.

The Hon. the Speaker: Honourable senators, does the chair have permission to leave the chair?

Hon. Senators: Yes.

The Hon. the Speaker: Call in the senators. The bells will ring for one hour.

• (1710)

Motion negated on the following division:

YEAS THE HONOURABLE SENATORS

Andreychuk
Cochrane
Comeau
Cools
Eyton
Gustafson
Keon

Meighen
Nancy Ruth
Oliver
Prud'homme
St. Germain
Stratton
Tkachuk—14

NAYS
THE HONOURABLE SENATORS

Adams	Hays
Bacon	Hervieux-Payette
Banks	Hubley
Bryden	Jaffer
Callbeck	Joyal
Carstairs	Kenny
Chaput	Lovelace Nicholas
Cook	Mahovich
Cordy	Mercer
Cowan	Milne
Dawson	Mitchell
Day	Munson
Eggleton	Pépin
Fairbairn	Ringuette
Fox	Robichaud
Fraser	Sibbeston
Furey	Smith
Gill	Tardif
Goldstein	Trenholme Counsell
Grafstein	Watt
Harb	Zimmer—42

ABSTENTIONS
THE HONOURABLE SENATOR

Lavigne—1

Hon. Terry Stratton: Honourable senators, I have a question, if I may. Two senators came into the chamber after the door was closed. What is the rule with respect to allowing senators into this chamber during a vote? Can they virtually come in this chamber up until the vote is starting? What is the rule that is appropriate for this action?

The Hon. the Speaker: All honourable senators who vote have to be in their places when the motion is put by the Speaker.

Hon. Grant Mitchell: Honourable senators, I rise to speak for a second time on Bill C-288 as its sponsor. I would like to make a couple of points.

The Hon. the Speaker: If Senator Mitchell speaks a second time, it will have the effect of closing the debate. We are in debate. Are there other senators who wish to debate?

[Translation]

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, given that the senators on the other side of the chamber are not prepared to listen to the senators on this side, and that we are talking about a recent bill that could have a significant impact on Canada's future, I move that we suspend the debate and that the Senate do now adjourn.

Some Hon. Senators: No!

[English]

Hon. Claudette Tardif (Deputy Leader of the Opposition): No.

Hon. Anne C. Cools: I rise on a point of order.

The Hon. the Speaker: That motion is in order.

Senator Cools: I have not said anything much.

The Hon. the Speaker: The motion is in order. It is a motion to adjourn; it is not debateable. I am therefore obligated to put the question.

It has been moved by the Honourable Senator Comeau, seconded by the Honourable Senator Oliver, that the Senate do now adjourn. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: Will those honourable senators in favour of the motion please say "yea"

Some Hon. Senators: Yea.

The Hon. the Speaker: Will those honorable senators opposed to the motion please say "nay"?

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the "nays" have it.

And two honourable senators having risen:

The Hon. the Speaker: Call in the senators. Do we have advice from the chairs?

Hon. Terry Stratton: A one-hour bell.

The Hon. the Speaker: Honourable senators, the Senate will be taking a vote on procedure. That means we do not see the clock at six o'clock. Therefore, the vote will be held at 6:20 p.m. May the Speaker leave the chair for this period?

Hon. Senators: Agreed.

• (1820)

Motion negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Andreychuk	LeBreton
Angus	Meighen
Cochrane	Nancy Ruth
Comeau	Oliver
Eyton	St. Germain
Gustafson	Stratton
Keon	Tkachuk—14

NAYS
THE HONOURABLE SENATORS

Adams	Hubley
Bacon	Jaffer
Banks	Joyal
Callbeck	Kenny
Carstairs	Losier-Cool
Chaput	Lovelace Nicholas
Cook	Mahovlich
Cordy	Massicotte
Dallaire	Mercer
Dawson	Milne
Day	Mitchell
Eggleton	Munson
Fairbairn	Pépin
Fox	Poulin
Fraser	Ringuette
Furey	Robichaud
Gill	Sibbeston
Goldstein	Smith
Grafstein	Tardif
Harb	Trenholme Counsell
Hays	Watt
Hervieux-Payette	Zimmer—44

ABSTENTIONS
THE HONOURABLE SENATORS

Cools	Prud'homme—3
Lavigne	

Hon. Gerald J. Comeau (Deputy Leader of the Government): His Honour could request the consensus of honourable senators not to see the clock.

The Hon. the Speaker: Is it agreed, honourable senators, that we not see the clock?

Hon. Senators: Agreed.

KYOTO PROTOCOL IMPLEMENTATION BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Trenholme Counsell, for the second reading of Bill C-288, to ensure Canada meets its global climate change obligations under the Kyoto Protocol.—(*Honourable Senator Tkachuk*)

Hon. Donald H. Oliver: Honourable senators, I move adjournment of the debate.

The Hon. the Speaker: Honourable senators, Senator Oliver has moved a motion.

POINT OF ORDER

Hon. Sharon Carstairs: Honourable senators, I rise on a point of order. It is my understanding that in order to adjourn the debate, there has to be an intervention. No one has spoken to Bill C-288 and yet the honourable senator has moved adjournment of the debate. An adjournment motion before the house was defeated and before another adjournment motion can be moved, there must be an intervention. Someone must speak to the item; otherwise, the Speaker must put the question.

The Hon. the Speaker: Are there further comments on the point of order?

Hon. Anne C. Cools: Honourable senators, I rise to speak briefly to the point of order. It is my understanding that the procedure is not open to persistent repeated motions to adjourn. My understanding would seem to concur with that of Senator Carstairs, such that there must be an intervention between motions. This means a senator must speak to the item before a further motion to adjourn can be moved. Although I do not have the number of the rule in the *Rules of the Senate* before me, I am certain. It must be so; otherwise, a senator could continue indefinitely to move adjournment after each vote. I do not think that the rules are so mindless. Honourable senators must remember that the cast of the mind of the Senate is a common law mind.

Hon. Marcel Prud'homme: Honourable senators, I will participate in the debate but not on the point of order.

The Hon. the Speaker: Does any honourable senator wish to advise the chair on the point of order?

Hon. Yoine Goldstein: I draw the attention of honourable senators to the rule, which states:

15(5) If the Senate resolves in the negative on a motion moved pursuant to section (2) above, no second motion to the same effect shall be received until some intermediate proceeding has taken place.

Senator Cools: His Honour should rule.

The Hon. the Speaker: Is there any other senator wishing to speak to the point of order?

Senator Prud'homme: I agree with Senator Cools and Senator Goldstein.

• (1830)

The Hon. the Speaker: I thank honourable senators for their interventions. I am prepared to rule.

We were on debate on the motion and Senator Oliver rose to speak in debate.

Some Hon. Senators: He did not.

Senator Prud'homme: Let him finish.

The Hon. the Speaker: The ruling of the chair is as follows. After the vote against the adjournment of the Senate, there was unanimous consent of the house to not see the clock and to

continue. At that point, the matter before the house was second reading debate on Bill C-288. I recognized Senator Oliver, who rose to speak at second reading on Bill C-288. He rose, he was recognized, and he moved the adjournment of the debate.

Senator Cools: He did not speak.

The Hon. the Speaker: Our rules, to which the Honourable Senator Goldstein has drawn our attention, can be supplemented by Marleau and Montpetit's *House of Commons Procedure and Practice*, which reads, at page 463:

If a motion to adjourn is defeated, a second such motion may not be moved until some intermediate proceeding or item of business has been considered. Members may move repeatedly and alternately the motions to adjourn the debate and to adjourn the House, as these motions do not have the same effect and are considered intermediate proceedings.

It is the finding of the chair that Senator Oliver's motion is in order, and I shall put that question to the house.

It is moved by the Honourable Senator Oliver, seconded by the Honourable Senator Stratton, that further debate on this item be deferred to 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: All those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed will please say "nay."

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the "nays" have it.

And two honourable senators having risen:

The Hon. the Speaker: Call in the senators.

Is there an agreement between the whips as to the length of the bell?

Senator Stratton: There will be a one-hour bell.

The Hon. the Speaker: Honourable senators, the vote on this motion will take place at 7:33.

Does the Speaker have permission to leave the chair?

Hon. Senators: Agreed.

• (1930)

Motion agreed to and debate adjourned on the following division:

YEAS THE HONOURABLE SENATORS

Andreychuk
Angus
Cochrane
Comeau
Gustafson
Keon

LeBreton
Meighen
Oliver
Spivak
St. Germain
Tkachuk—12

NAYS THE HONOURABLE SENATORS

Nil

ABSTENTIONS THE HONOURABLE SENATORS

Adams
Bacon
Banks
Callbeck
Carstairs
Chaput
Cook
Cools
Cordy
Cowan
Dallaire
Dawson
Day
Eggleton
Fairbairn
Fox
Fraser
Gill
Goldstein
Grafstein

Hays
Hervieux-Payette
Hubley
Jaffer
Joyal
Kenny
Losier-Cool
Lovelace Nicholas
Mahovlich
Mitchell
Munson
Pépin
Prud'homme
Sibbeston
Smith
Tardif
Trenholme Counsell
Watt
Zimmer—39

BUSINESS OF THE SENATE

Hon. Gerald J. Comeau (Deputy Leader of the Government): If His Honour were to seek the views of honourable senators, he would probably find consensus that all remaining items on the Order Paper be allowed to stand and that the Senate do now adjourn.

The Hon. the Speaker: Honourable senators, is there unanimous consent?

Hon. Senators: Agreed.

The Senate adjourned until Wednesday, March 21, 2007, at 1:30 p.m.

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