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THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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THE SENATE

Thursday, March 22, 2007

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

Prayers.

Honourable senators, colorectal cancer can be beaten simply if everyone would avail themselves of the knowledge and technology that is available.

SENATORS' STATEMENTS

COLORECTAL CANCER MONTH

Hon. Wilbert J. Keon: Honourable senators, I am pleased to speak to you today about colorectal cancer, also known as CRC.

[Translation]

Colorectal cancer is the third most common form of cancer in Canada.

[English]

March is Colorectal Cancer Month. I want to take this opportunity to inform you about this deadly but highly preventable disease.

CRC is the second deadliest form of cancer after lung cancer. Last year, about 20,000 Canadians were told that they had the disease and about 8,500 died from it. These numbers were far higher than they should have been.

Colorectal cancer is highly treatable if caught early and screening for the disease is vitally important. CRC usually develops from polyps at the benign stage and, if discovered at that point, it is completely curable.

Several screening procedures for the disease are available, but, unfortunately, only about 10 per cent of the population utilizes them.

I am pleased that in January, Ontario announced it was adopting a population-based colorectal cancer-screening program. It is a tiered program with simple tests at the front end and, of course, colonoscopy is necessary. A colonoscopy is a test that accurately diagnoses the cancer and, indeed, the polyp can be removed at the time that it is seen.

• (1335)

CRC is closely linked to several risk factors like many others diseases. Family history is serious; family history of breast, uterine or ovarian cancer is also serious. Bowel disease such as colitis or Crohn's disease is a serious risk, as is a previous diagnosis of polyps. The presence of these factors means people should avail themselves of the screening test to have the disease treated when it is curable.

Of course, we all would like to do what we can to improve the odds and prevent the growth of these polyps if possible. There is strong evidence that physical activity and diet are major factors in the prevention of this disease.

BURTON CUMMINGS THEATRE FOR PERFORMING ARTS

Hon. Rod A. A. Zimmer: Honourable senators, I rise today to salute an initiative that began in 1990 and has given rise to the rebirth of a cultural institution in Winnipeg and a provincial and national treasure, the Burton Cummings Theatre for Performing Arts.

Those who attended the grand opening in 1907, back when it was named the Walker Theatre, were treated to the New England Opera Company production of *Madame Butterfly*. The grandeur of the edifice was perhaps best articulated by Mayor J. H. Ashdown on opening night, when he said:

I do not know that anywhere in the world you will find a theatre of greater capacity, more noble in proportion or more thoroughly in keeping with the age we live in than this theatre.

From the opening until World War I, the Walker Theatre hosted the highest level of touring productions of opera, theatre, music, ballet and vaudeville from New York and London. In the decade following the Great War, it hosted performances by Charlie Chaplin, the Marx brothers, Harry Houdini, Louis Armstrong, and the man who later became famous under the name Bob Hope. Walker Theatre-goers were also treated to an address by Winston Churchill in the 1920s.

Also, it was the site of a ground-breaking play starring Nellie McClung called *How the Vote Was Won — A Women's Parliament*. The 1914 performance so brilliantly ridiculed the government that, two years later, the government of Rodman Roblin relented and Manitoba women were the first in the country to win the vote. We all know what started to play out on the national stage following that historical event.

After a period of closure during the Great Depression, the building served for several decades as the single-screen Odeon Cinema. In 1990, it was bought by a group of volunteers with a vision of reviving the theatre's lustre, and, with restoration efforts under way, it reopened in 1991. It has since been designated a Grade One Heritage Building and a Provincial and National Historic Site. In 2002, it was rechristened in honour of Winnipeg's own Burton Cummings, whose remarkable musical career has been celebrated in Canada and abroad.

On February 17 of this year, the one-hundredth anniversary of the theatre's inauguration, I attended a fundraising concert at which Burton Cummings and Randy Bachman played an energetic set of their rock 'n roll classics. The event was a great success, and thanks to the proceeds raised that evening, as well as a mortgage discharge, the theatre has now retired its \$1.6 million debt.

Honourable senators, the project which began 17 years ago to revive the glory of this heritage theatre is an excellent example of synergy between public and private players. I would like to take this opportunity to commend the dedication of the Walker Theatre Performing Arts Group, Burton Cummings, Randy Bachman, Lorne Saifer, Burton Cummings Theatre Chair Jack Harper and Board General Manager Wayne Jackson, as well as Mayor Sam Katz and everyone else whose support has allowed this magnificent theatre to shine once again. It was a night to remember.

STATUS OF WOMEN

Hon. Lorna Milne: Honourable senators, I thank you for this opportunity to complete the statement I was making yesterday about National Women's Day and also to complete the fun quiz that Jane Ledwell from Prince Edward Island wrote.

If I may, I wish to ask the male senators in this room to imagine that they are women. You are getting ready for that hot date. What do you pack? A nifty purse, a positive attitude, a sexy swagger and no worries? A sweater — because how sexy is too sexy? Baggage from past sexual abuse or sexual assault? Three kinds of birth control? After all, it is your responsibility to be prepared. Pepper spray, a cover to protect your drink at the bar and a cell phone with emergency numbers on speed dial?

• (1340)

You succeed in politics and you become a cabinet minister. What do the media remark on? Your competent savvy or your significant other? Your looks? Your over-emotional or overly personal response to issues? The time you spend away from your family or away from your desk?

Honourable senators, five women per month are killed by an intimate partner in Canada and almost one out of 10 women surveyed say they were assaulted by their spouse in the preceding five years.

Women who graduated from a New Brunswick university in 1999 and who were working full-time five years later earned 18 per cent less on average than the men with whom they had graduated. In New Brunswick, 75 per cent of women whose youngest child is less than six are in the labour force, but less than 20 per cent of them can find a licensed child care space for their child. About 35 per cent of pregnant workers do not benefit from Canada's maternity and parental leave programs. When politicians deny the inequality between the status of Canadian women and men, then groups are forced to concentrate on proving that reality. That makes groups sound like tiresome grippers and can give the impression that we think nothing has improved over 25 years.

Honourable senators, the passing of International Women's Day reminds us to ask the question: Are we really equal?

WORLD TUBERCULOSIS DAY

Hon. A. Raynell Andreychuk: Honourable senators, I rise to draw the Senate's attention to World TB Day. World TB Day reminds us that every day, 4,400 people die from tuberculosis. That is close to 2 million lives lost each and every year from a disease that costs as little as \$20 to treat.

As co-chair of the Canada-Africa Parliamentary Association, I am particularly saddened to note that close to one third of all TB deaths occur in Africa. Throughout the developing world, TB often cuts down people in their prime. In Africa alone, more than half a million people succumb to TB annually. The impact on families, on the economy and on children's chances to prosper and grow is profound. The extent of the devastation prompted the World Health Organization and African Ministers of Health to declare TB an emergency in 2005.

Part of the challenge in Africa and elsewhere is that TB is fuelling and being fuelled by the AIDS epidemic. TB is the leading killer among HIV-positive individuals worldwide. One third of more than 40 million people with HIV/AIDS are co-infected with TB. That is because TB is a disease of poverty. It is easily spread just by breathing, and it is an opportunistic disease that takes advantage of weakened immune systems. Even worse, TB actually accelerates the progression of HIV infection, making people sicker sooner.

Sadly, TB's massive toll continues despite the fact that it is inexpensive to treat. In fact, the Global Plan to Stop TB developed by the Stop TB Partnership has been universally endorsed. Canada's overall support for TB control is estimated to have saved over half a million lives at a cost of about \$200 for each death averted. Furthermore, CIDA's contribution to the global fund to fight AIDS, TB and malaria has ensured that 200 million people have access to TB treatment. This leadership must continue and is something of which all Canadians can be proud.

Finally, honourable senators, in an acknowledgment of TB's massive impact and the need for global action, the theme for 2007 World TB Day is "TB anywhere is TB everywhere." Together, we must all do more to eradicate TB so that it is nowhere.

• (1345)

BUDGET 2007

PROVISION FOR ABORIGINAL PEOPLES

Hon. Sandra Lovelace Nicholas: Honourable senators, on Tuesday, a colleague stood up to speak about the almost tearful Phil Fontaine, Chief of the Assembly of First Nations, when he spoke on the budget and the lack of funding for Aboriginals. To my dismay, some senators laughed. This is no laughing matter. Let me tell you why, honourable senators. It is called empathy in your language. In my language, there is no word for empathy because it is understood.

Honourable senators, my people opened up their hearts in welcome to the newcomers of this country. My ancestors taught them to hunt, to fish and how to survive the brutal winters. In return, they were, and still are, treated with disdain.

We have come a long way, and yet governments show once again how they feel about First Nations. The wonderful budget so many people are talking about did not even mention First Nations, or the poorest of the poor — Aboriginal women.

Honourable senators, my people ask: “What can I do?” I tell them to write letters. They cannot write letters because literacy programs have been cut, and many of my people still do not write.

The poorest of the poor, Aboriginal women, ask: “What can we do?” Many cannot write letters, let alone afford to buy the paper or the stamp.

First Nations were not even given a bone in this budget. They could not even chew on the bones, since the health of First Nations has been affected because of health and dental programs that have been cut.

Honourable senators, my people feel they are invisible to this government. In this great country of ours, the government does not know what empathy means when it comes to First Nations people.

Honourable senators, I ask that you bring back dignity to my people by honouring the Kelowna accord.

[Translation]

ROUTINE PROCEEDINGS

THE ESTIMATES, 2007-08

FIRST INTERIM REPORT OF NATIONAL FINANCE COMMITTEE ON MAIN ESTIMATES PRESENTED

Hon. Joseph A. Day, Chairman of the Standing Senate Committee on National Finance, presented the following report:

Thursday, March 22, 2007

The Standing Senate Committee on National Finance has the honour to present its

THIRTEENTH REPORT

Your Committee, to which were referred the 2007-08 Estimates, has, in obedience to the Order of Reference of Wednesday, February 28, 2007, examined the said Estimates and herewith presents its first interim report.

Respectfully submitted,

JOSEPH A. DAY
Chair

(For text of report, see today's Journals of the Senate, Appendix, p. 1197.)

The Hon. the Speaker: Honourable senators, when will this report be taken into consideration?

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

• (1350)

DIVORCE 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-252, to amend the Divorce Act (access for spouse who is terminally ill or in critical condition).

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.

KELOWNA ACCORD IMPLEMENTATION BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-292, to implement the Kelowna Accord.

Bill read the first time.

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

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

[English]

THE SENATE

NOTICE OF MOTION TO URGE GOVERNMENT TO SEVER DIPLOMATIC RELATIONS WITH ZIMBABWE

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

That the Senate call upon the Government of Canada to immediately withdraw its High Commissioner in Harare and sever all diplomatic relations until further notice in view of:

- (a) the massive violations of human rights by president Robert Mugabe;
- (b) the oppression of the black majority and white minority citizens of Zimbabwe;
- (c) the confiscation of legally-held land; and
- (d) the brutal and illegal beating and imprisonment of Zimbabwe's leader of the opposition, Morgan Tsvangirai; and

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

[Translation]

OFFICIAL LANGUAGES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTING OF THE SENATE

Hon. Maria Chaput: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(a), I move:

That the Standing Senate Committee on Official Languages have the power to sit on Monday, March 26, 2007, at 4 p.m., even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

The Hon. the Speaker: Is the Honourable Senator Chaput requesting leave to proceed on this matter today?

Senator Chaput: Later today.

The Hon. the Speaker: Is leave granted?

Some Hon. Senators: Agreed.

• (1355)

[English]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, before proceeding to Notices of Inquiries, I would like to draw your attention to the presence in the gallery of His Excellency, the Ambassador of Cuba, his spouse and two members of the Cuban Institute for Relationships with Cuba.

Welcome to the Senate of Canada.

Hon. Senators: Hear, hear.

QUESTION PERIOD

TRANSPORT

REPORTS OF NATIONAL SECURITY AND DEFENCE COMMITTEE ON AIRPORTS AND SEAPORTS— RESPONSIBILITY FOR SECURITY

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, the government has tried to portray the official opposition as being weak on terrorism because it stood up to defend the civil liberties of Canadians and because it proposed a comprehensive review of anti-terrorism provisions, as recommended by our own unanimous Senate committee report.

Once again this week, we have seen an example of the Senate performing its parliamentary and investigative duties for the greater benefit of all Canadians in the tabling of the reports by the Standing Senate Committee on National Security and Defence.

My question is directed to the Leader of the Government in the Senate. Will the leader's government act on this committee's recommendation, particularly with regard to giving responsibility for security at our airports to the RCMP and increasing the number of officers to the extent that we will receive guarantees that there is some coordination and sufficient resources to carry out these important duties?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I thank the honourable senator for that question. The report of the Senate committee on airport security was released Tuesday. The report on ports was released yesterday. Both reports are thorough and serious studies. The government, and in particular Minister Cannon, who is in receipt of these studies, will take the recommendations very seriously and will craft a response to the issues raised by the Senate committees.

Senator Hervieux-Payette: Honourable senators, I am pleased that the honourable senator mentioned Minister Cannon, because it is the minister's responsibility to see that the mail and cargo carried by the airlines is screened.

The committee asked representatives of Air Canada who was screening the cargo. They replied that Canada Post was doing it. When the committee asked Canada Post, they said that Air Canada was doing the screening. At the end of the day, as you will read in the report, neither Air Canada nor Canada Post was doing the screening.

Envelopes containing anthrax were sent to Washington, which closed down almost one-half of the government operations. Other legislative colleagues have been severely injured, and it is important that we receive assurances that Minister Cannon will deal with this matter immediately.

Senator LeBreton: I can assure the Leader of the Opposition that Minister Cannon is seized of this matter. As the chairman of the standing committee said yesterday in the media, these issues have been developing over quite some time. Minister Cannon has taken some measures, although, according to the report, they have not completely dealt with all the serious issues.

Minister Cannon made it clear yesterday that it is the intention of the government to carefully study the recommendations of the committee on both airport and port security. Minister Cannon is a serious and thoughtful individual, and I am confident that he will take these recommendations seriously.

Senator Hervieux-Payette: I hope that the leader will ensure that cabinet takes care of this very soon, because this minister now has another mandate.

• (1400)

Canada's airports employ 100,000 people and process 90 million passengers per year. All passengers are screened — including all senators — prior to taking boarding an aircraft.

However, currently, Canada's 100,000-plus airport employees are not screened on a daily basis. Only 2 per cent are screened on a daily basis. Any corporation involved in security in this country that is doing its job properly ensures that its premises are secure — whether we are talking about cleaning planes, delivering the food or working on the tarmac. We are talking about all the employees who have access to these planes.

Would the government leader ask the minister responsible to ensure that the 100,000-plus employees who go in and out of their workplaces at airports are screened, as recommended by our colleagues; and that if adequate funds are not in his budget he be advised to devote some money in his budget to that operation?

Senator LeBreton: I thank the honourable senator for her question. Security at airports is indeed a concern. Many of us have gone through rigorous security clearances at airports, including taking off our shoes and jackets. One cannot be a modest person and feel comfortable going through airport security these days.

I do believe that the committee has focused on a very serious issue. I can assure honourable senators that Minister Cannon and his officials are concerned not only that there could be breaches but also that there are perceived to be breaches. I am confident that the report of the committee will further focus the minds of the officials in the Department of Transport and the minister himself.

THE SENATE

NATIONAL SECURITY AND DEFENCE COMMITTEE— REPRESENTATION OF GOVERNMENT CAUCUS

Hon. Tommy Banks: Honourable senators, my question is to the Leader of the Government in the Senate. It has to do with those same reports to which she has just referred.

Senators who have read them or even scanned them will see that they are, in effect, report cards; that they make reference to previous reports of the committee, addressing some of the same subjects that go back for years into the previous government; and that the committee has been equally critical of the previous government as of this one, in fairness.

In order to be able to do that work, the committee needs to have continuity, and it is one of the committees of the Senate that does have that flow. In fact, there are not many senators here who can stand, as I can, and say that they have been a member of that committee since its inception. I remember voting on it and discussing its membership and constitution when it was first struck.

The Senate determined that that committee would have — unusually among standing committees — nine members, not 12 or 15.

If one looks at the committee's website, or refers to the *Journals of the Senate* or the publications of the Committees Directorate, one will see that there are six senators listed as members of that committee now. I am referring to the changes in the committee memberships that were recorded in the *Journals of the Senate* on February 27 last.

I ask the Leader of the Government in the Senate whether she can confirm that either she or her delegate on that date caused the removal of three senators from the Standing Senate Committee on National Security and Defence.

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, the matter to which the honourable senator has referred is unresolved. It is a

matter that the leadership on this side is considering. I do not believe that, in my capacity as Leader of the Government in the Senate, I am duty bound to discuss internal matters, especially unresolved matters, on the floor of the chamber, but I am well aware of the circumstances. Hopefully, we will come to some agreement and resolve the matter as soon as possible.

• (1405)

Senator Banks: I am not sure that I agree that the question of a proper number of members of a committee is an internal matter for either the leader's or my caucus. I think it is a matter for the Senate. The Senate has determined that there are nine members of that committee. The committee does its work relying upon the continuity of its members. We are now in some difficulty because we are dealing with these matters on an ongoing basis in the absence of some of the committee's members who contribute valuably to the committee.

It is one thing, I suppose, for the leader of a party to convince the members of that party not to attend meetings of a committee; it is another question entirely for the leader of a party to require or order that those members not attend.

Could the minister tell us which of those scenarios applies to the three missing members of the Standing Senate Committee on National Security and Defence?

Senator LeBreton: My answer to this question is exactly the same answer as the one I gave a moment ago. I have read the transcripts and I also watched the proceedings on CPAC a couple of days after the committee deliberations were held. It is a matter of some concern on both sides of the chamber, I grant you that. We are having discussions within our own caucus and leadership as to how to resolve this problem.

The fact that there are only six members sitting on the committee now is, as you state, of interest; however, I do not believe that matters that we must resolve on this side, and then in consultation with the leadership on the honourable senator's side, are required to be discussed on the floor of the chamber.

Senator Banks: Well, minister, that is a view. I am not sure that I agree that it is not appropriate to discuss this on the floor of the chamber because the membership of Senate standing committees, created by resolutions of the Senate and set out in the *Rules of the Senate*, are matters of concern to the Senate. I believe that I understand the nature of the replacement of members on a committee. If I cannot show up, it is my obligation to find someone to replace me. There is a process by which a person who I might convince to do that is properly there as a voting member of that committee. "Replacement", as I understand it in the rules, infers that if A is not there, B will be there. "Replacement" does not mean "removal."

In the present circumstance, will the leader agree that her interpretation of those members not being present in the committee — if it is a matter of discipline — is an improper use of the prerogative of the leader; that is, to use membership on a committee as a matter of discipline as opposed to serving the interests of the Senate?

Senator Mitchell: Hear, hear! And the interests of Canadians.

Senator LeBreton: Senator Banks began by saying he did not agree, and that is his right. Just like Senator Fortier, Senator Banks is entitled to his opinion. I categorically rule out of hand his suggestion that it was discipline.

TRANSPORT

REPORTS OF NATIONAL SECURITY AND DEFENCE COMMITTEE ON AIRPORTS AND SEAPORTS— RESPONSIBILITY FOR SECURITY

Hon. Norman K. Atkins: Honourable senators, my question is to the Leader of the Government in the Senate.

Security is of interest to all Canadians. Security is critical at airports, seaports, et cetera. One of the recommendations that came out of the committee meetings is that security be moved from Transport Canada to Public Safety Canada.

• (1410)

Would the leader care to comment on that?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, that was one of the major recommendations of the committee that received the greatest attention. I do not think it would be proper until the government, the officials in Transport Canada and others have had a chance to thoroughly review all of the recommendations and the ramifications of such a recommendation. I do not think I am qualified, or in a position to comment, other than to say that the recommendation will surely be of interest to the officials who have been working on the whole issue of security, whether it is border security, port security or airport security. Perhaps in the past other people have made the same recommendation, although I do not believe so.

I shall take the question as notice, in the event that there is something I can add. However, at the moment, I am not in a position to comment on the recommendation.

Senator Atkins: It seems to me that it would be more preferable for security issues to come under one umbrella. I would hope, if the minister has an opportunity at the cabinet table or elsewhere, that she would make the case. I believe it would be a very valuable adjustment in cabinet in terms of responsibilities.

Some Hon. Senators: Hear, hear!

Senator LeBreton: The recommendation is far-reaching and profound, and I am quite certain it will receive serious consideration.

While I will not comment personally, I am sure most would agree with the honourable senator that the security of Canadians — including our families, neighbours and friends — the country and its institutions, is a very serious matter. I shall

ensure that the senator's views — and I know the views of the committee are well-known — are passed on to my colleagues.

[Translation]

BUDGET 2007

FUNDING FOR OFFICIAL LANGUAGES ACTION PLAN

Hon. Maria Chaput: Honourable senators, my question is for the Leader of the Government in the Senate. The federal government's Budget 2007, released this week, indicated that an additional \$30 million would be provided over two years for the Action Plan for Official Languages. The budget also said that the plan would include new programs for culture, community centres and after-school activities, which, I would think, involve sports or leisure activities outside of class.

Previously, there was a specific program called Infrastructure, which enabled communities to get funds to build community centres, for example. Does this program still exist, or has it merged with the Action Plan for Official Languages?

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): The minister has made several announcements on post-secondary education and official languages. There have been other announcements made on infrastructure.

With regard to the funding of individual community halls — and I assume the senator is talking about specific ones that have been built for teaching in the official languages — I am not aware of that. Hence, I shall take the question as notice.

• (1415)

Transfers for infrastructure have been made for national infrastructure programs such as the Pacific Gateway. I will try to determine for the honourable senator where programs of that nature are accommodated in the budget and provide that information.

[Translation]

HERITAGE

STATE OF CULTURAL INITIATIVES PROGRAM

Hon. Maria Chaput: Could the Leader of the Government in the Senate also tell us if the Cultural Initiatives program still exists?

Through this program, community centres could obtain financial aid for cultural and artistic projects. Is the program now part of the community centre projects foreseen in the Action Plan for Official Languages?

[English]

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, there are many community-based programs, including New Horizons for Seniors, which the honourable senator had asked about earlier. The government has increased the funding for that program.

In terms of cultural agencies, as the honourable senator knows, Minister Bev Oda has made many announcements. I would be happy to provide those to the honourable senator. I was pleased to see the honourable senator's former colleague, the Honourable Sheila Copps, applauding the government for the initiatives taken in the cultural area. With regard to the details, I will endeavour to obtain them for the honourable senator.

BUDGET 2007

GAS CONSUMPTION INCENTIVES

Hon. Jeremiah S. Grafstein: Honourable senators, my question for the Leader of the Government in the Senate pertains to Budget 2007 and what appears to be an important mistake that affects jobs, competitiveness and productivity in the automotive sector in my province of Ontario, in the province of Quebec and in other provinces.

The North American manufacturers of auto parts are under tremendous competitive pressure and are daily losing market share. I always assumed that the budget was to help to increase jobs and competitiveness in the marketplace, but we find, to our dismay, that the incentive provision of \$1,000 in Budget 2007 for a vehicle with gas mileage listed at 6.5 litres targets only one car. This segment of the marketplace is hotly competitive and such an incentive gives an undue competitive advantage to the marketers of only one car.

Could the honourable leader address this issue? Minister Cannon said in the media that government has to start at some level but will look at this provision and monitor it quite closely. The problem is creating havoc in the automotive sector and is detrimental to the competition in the marketplace. Would the government consider changing this provision in Budget 2007 immediately?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, several auto makers and their vehicles were listed as those that would qualify under this incentive. I am a resident of Ontario and my family has lived off the auto industry for years. I deem it an important sector not only for the manufacturing jobs but also for the work on the environmental side. There is a fine line in balancing the two. I saw several vehicles made by various manufacturers with plants in Canada that would qualify. There are many other vehicles made by those same manufacturers that will not qualify such as the gas-guzzlers. The decision will have to be made by consumers when they purchase their vehicles.

• (1420)

In terms of background documents, I will simply take that portion of the question as notice and provide to the honourable senator from the minister the exact table they used in terms of fuel consumption, who it applies to and who it does not.

Senator Grafstein: I think the minister recognizes that it requires lead time for this industry to make a change.

I have no problem, nor does anyone else on this side, with setting objectives to reduce gas consumption. No one has a problem with that. Committees have dealt with this issue and made recommendations. The problem is whether the honourable senator's side thought this proposal through.

Frankly, I do not believe the government or the advisors to the government have thought things through, particularly in this sensitive time for the automobile industry. That industry is especially important to the economy of Quebec, Ontario and the rest of the country.

I ask the minister to go back and look at this question with some objectivity because she must understand that the lead time for cars to change takes anywhere from one to three years.

I think it is important before the ministry blindsides an industry so important to the economy to look carefully, and if there is a mistake, withdraw and change it. We are open-minded on this side; we will not criticize the government for correcting their errors.

Senator LeBreton: Honourable senators, I have not seen the article. I know that throughout the process of working on the environmental file and on the budget consultation, the government and the ministers responsible have been in active consultation with the automotive industry. I do not accept the premise that this was not thought through.

In any event, because of the obvious concern and the seriousness with which the honourable senator attaches to the issue, I will obtain a more detailed response by way of a delayed answer.

STUDENT SUMMER EMPLOYMENT PROGRAMS

Hon. Marilyn Trenholme Counsell: Honourable senators, my question is for the Leader of the Government in the Senate.

I have been looking through this wonderful document titled *Aspire*. It is a wonderful theme; it is a great Canadian theme.

We could talk about the lonely seniors, mainly women, living alone and how they aspire to live their lives and remaining years in dignity. We could talk about the single mothers living in poverty who aspire to find employment but cannot because they cannot find child care spaces.

Today, I would like to talk about our university students. I have carefully perused this wonderful document on the Summer Work Experience Program, 2007. The faces of these young people certainly represent aspiration. In reading through this document, I cannot find anything, no mention — of course, I may have missed it but I looked hard — on the Summer Work Experience Program 2007 or the Canada Summer Jobs initiative.

I have to resort to reading from articles I found in the newspaper and press releases. This particular article refers to the Conservative government's unpublicized decision to cut \$55 million from student summer employment. This press release, dated March 5, 2007, says, "But it is unclear whether the Conservatives will be reinstating the funding."

We have had good news along the way, certainly the fact that, after sober second thought, the government restored the money for one year to literacy coalitions across the country.

In that I was not able to find it — and I am sure that perhaps other people are just as interested as I am — I want to ask whether the \$55 million was indeed restored in this wonderful budget titled *Aspire*.

• (1425)

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for her question and will aspire to giving her a proper answer.

In terms of the summer employment, the summer jobs program is in place. There were changes made — and I am just speaking from memory — whereby these jobs would be available only in the not-for-profit sector and in smaller enterprises. In many cases in the previous program, large corporations like Wal-Mart were being subsidized to provide jobs for students when they would have provided the jobs on their own.

This comprehensive summer job program was announced prior to the budget. I will have to check, but I believe it was established with monies available from the budget of 2006. I will get the details.

I am sure the honourable senator noted the money set aside in the budget for post-secondary education and also took notice of the accolades the government received from the Canadian Alliance of Student Associations.

Senator Trenholme Counsell: Honourable senators, I believe the money was cut from \$110 million to \$55 million, but I hope it is not so. Perhaps we could get details of the figures.

The Hon. the Speaker: Honourable senators, the time for Question Period has been expired.

[Translation]

ANSWER TO ORDER PAPER QUESTION TABLED

DEMOCRATIC REFORM— PAY EQUITY IN FEDERAL PUBLIC SERVICE

Hon. Gerald J. Comeau (Deputy Leader of the Government) tabled the answer to question No. 23 on the Order Paper—by Senator Segal.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table answers to three oral questions raised by Senator Robichaud, on October 5, 2006, regarding human resources, social development and funding of literacy programs; by Senator Tardif, on February 20, 2007, regarding national defence and the official languages policy; and by Senator Chaput, on February 20, 2007, regarding national defence and the official languages policy.

TREASURY BOARD

SPENDING CUTS TO NATIONAL LITERACY SECRETARIAT

(Response to question raised by Hon. Fernand Robichaud on October 5, 2006)

Canada's New Government is committed to improving literacy, and to ensuring that federal funding supports projects and activities that provide concrete help to those

who want to improve their literacy skills. Provinces, territories, municipalities, employers, non-governmental organizations and families all have an important role to play in support of literacy.

This government has taken important steps to better focus its investments in a number of areas, to maximize results and to ensure that tax dollars are well spent, meeting the needs of Canadians.

With a budget of \$81 million over two years (2006-07 and 2007-08), HRSDC's Adult Learning, Literacy and Essential Skills Program will support adult learning and literacy activities that have a tangible and lasting impact on learners.

We welcome the opportunity to work with partner organizations across the country to help Canadians improve their literacy skills and build better lives. We are looking to literacy groups and community organizations to bring forward innovative results-oriented proposals that can make a difference in the lives of Canadians.

Together we can establish a track record of success, setting the stage for future partnerships and investments to address the literacy challenges we face in our communities.

HRSDC also supports literacy and essential skills development through other programs, such as the essential skills initiative and support for sector councils and apprenticeships.

The federal government also delivers important investments in support of literacy and essential skills through other departments. For example, Citizenship and Immigration Canada provides support for literacy and language training for newcomers, which is critically important to enabling them to better integrate into the Canadian workforce.

NATIONAL DEFENCE

OFFICIAL LANGUAGES STRATEGIC PLAN— REDUCTION OF TARGETS

(Response to question raised by Hon. Claudette Tardif on February 20, 2007)

The Department of National Defence and the Canadian Forces recognize the importance of official languages and are committed to improving their performance on this issue.

The previous approach failed to meet the needs of the Official Languages Act and our new approach will fix the problems and myths of the previous approach.

The new Official Languages Program Transformation Model establishes the Canadian Forces' official languages strategic vision, which is to ensure that members of the Canadian Forces are consistently led, trained, administered and supported in their official language of choice in accordance with the Official Languages Act. Recommendations made by the former Commissioner of Official Languages have been taken into account and formally addressed in the Transformation Model.

The implementation of this plan will bring a new, more focused and fair approach, which better takes into account the unique and distinct operational structure of the Canadian Forces and will enhance the Canadian Forces' compliance with the Official Languages Act.

In the Canadian Forces, each unit operates as a team. The revised Official Languages program better takes into account this unique organization and the needs of the Canadian Forces by acknowledging that the Canadian Forces manages its personnel by unit and not by position like the Public Service. This new approach will better equip each unit to consistently provide services, supervision, and instruction to members in the official language of their choice, when and where mandated by the Official Languages Act.

In response to the supplementary question asked by the Honourable Senator, the Canadian Forces continues to have bilingual units across Canada, including in Alberta, which would indeed enable a francophone from Edmonton to work in French in his or her home province.

(Response to question raised by Hon. Maria Chaput on February 20, 2007)

The Minister of National Defence and the Canadian Forces recognize the importance of official languages and are committed to improving their performance on this issue.

The previous approach failed to meet the needs of the Official Languages Act and our new approach will fix the problems and myths of the previous approach.

The former Commissioner of Official Languages recently conducted two major investigations into: the impact of language on the recruiting, appointment and transfer of unilingual personnel to bilingual positions in the Canadian Forces; and the language of work at National Defence Headquarters.

At the conclusion of these investigations the Commissioner made thirteen recommendations to improve the Canadian Forces' compliance with the Act.

In drafting the new Official Languages Transformation Model the Canadian Forces considered all and fully implemented ten of the former Commissioner's recommendations.

The former Commissioner stated that she was encouraged that the new plan will address almost all the recommendations made in her report and acknowledged the positive role that the new model could play in improving the Canadian Forces' official languages record.

The New Official Languages Transformation Model is designed to guide the Canadian Forces in enhancing its compliance with the Official Languages Act.

The implementation of this plan will ensure compliance with the Official Languages Act and promote an environment in which CF Members, anglophones and

francophones alike, will be able to work in their official language of choice in accordance with the Official Languages Act.

[English]

ORDERS OF THE DAY

CANADA ELECTIONS ACT

BILL TO AMEND—THIRD READING—MOTION IN AMENDMENT ADOPTED—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Di Nino, seconded by the Honourable Senator Oliver, for the third reading of Bill C-16, to amend the Canada Elections Act.

And on the motion in amendment of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Robichaud, P.C., that Bill C-16 be not now read a third time but that it be amended in clause 1, on page 1, by replacing lines 23 and 24 with the following:

“religious significance, a provincial or municipal election or a federal, provincial or municipal referendum, the Chief Electoral Officer may”.

Hon. Consiglio Di Nino: Honourable senators, first, allow me to thank all senators who participated in this debate. Particularly, I want to congratulate and thank Senator Joyal for his contribution.

Let me state that we are opposed to this amendment because Bill C-16 contains sufficient flexibility to allow for the possibilities stated in the amendment.

The proposed amendment would also apply even to municipal referenda, which could mean that a referendum in a single municipality in our country could be the reason for the deferral of a federal election.

Honourable senators, the bill was crafted to allow the Chief Electoral Officer, with maximum discretion, to recommend delay of an election. Let me point out that section 56.2(1) contains the word “including,” which by normal rules of interpretation is only illustrative and does not exclude deferral by other reasons.

This gives the Chief Electoral Officer, in his or her discretion, the power to make a recommendation for a new date, particularly, I believe, for anything analogous to what is specifically mentioned, such as a provincial referendum, which is analogous to a provincial election.

Honourable senators, I do not believe that an amendment to Bill C-16 is required.

• (1430)

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: Would all those in favour please say “yea”?

Some Hon. Senators: Yea.

The Hon. the Speaker: Would all those opposed 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 the whips have advice as to time?

Senator Di Nino: I am happy with a five-minute bell, if you wish, or 15 minutes.

Hon. Lowell Murray: Honourable senators, not for the first time in this chamber, I want to object to a 15-minute bell, no matter what the situation, unless a vote has already been ordered by the Senate in advance. Fifteen minutes does not provide enough time for senators who may be in their offices in the Victoria Building, or in other parts of Parliament Hill, to get here in time for a vote. In my humble opinion, the bells should ring for at least 30 minutes.

Hon. Senators: Agreed.

Senator Di Nino: Half an hour?

Senator Tardif: Thirty minutes.

The Hon. the Speaker: If any senator objects, the time is automatically an hour. However, the whips have reconsidered and agreed on half an hour. Therefore, the vote will be held at 3:01.

May the speaker leave the chair?

Hon. Senators: Agreed.

The Hon. the Speaker: Call in the senators.

• (1500)

Motion in amendment adopted on the following division:

YEAS THE HONOURABLE SENATORS

Adams	Grafstein
Bacon	Hays
Baker	Hervieux-Payette
Banks	Hubley
Biron	Joyal
Carstairs	Lovelace Nicholas
Chaput	Milne
Cook	Mitchell
Cools	Munson
Corbin	Poulin
Cowan	Ringuette
Dawson	Robichaud
Day	Rompkey
Fairbairn	Smith
Fox	Tardif
Fraser	Trenholme Counsell—33
Furey	

NAYS THE HONOURABLE SENATORS

Andreychuk	LeBreton
Angus	Meighen
Atkins	Murray
Cochrane	Nancy Ruth
Comeau	Oliver
Di Nino	Prud'homme
Gustafson	Segal
Keon	Tkachuk—16

ABSTENTIONS THE HONOURABLE SENATORS

Nil

The Hon. the Speaker: We are now resuming debate on the main motion, as amended.

Senator Murray: Honourable senators, I do not want, nor do I intend, to reflect on the vote we have just held or the amendment that we have just adopted to this bill. I want to say that I am opposed to this bill. I would cheerfully vote to defeat this bill if the opportunity were presented to me to do so in the Senate. I do not believe in turning our system of responsible government inside out or upside down. I do not believe in importing bits and pieces of the congressional system and trying to patch them onto our Westminster parliamentary system. I do not think that any of that is in the interests of parliamentary democracy or of this country.

I am not at all swayed by the argument used by some that several provinces have or are in the process of adopting similar measures. I believe that this Parliament, the Parliament of Canada, ought to be in the forefront of defending and supporting and retaining our Constitution and our constitutional conventions.

For the same reason, the amendment proposed by Senator Joyal, which we have just adopted, does nothing, in my humble opinion, to persuade me that I should vote for the bill. My honourable friend yesterday delivered an excellent speech in which he denounced this bill, from stem to stern, citing, I think, five reasons why it offended our constitutional conventions. I agree fully with him. He then went on to propose this amendment, which, as I said, focused on one detail of the bill. We now have an amendment to the bill and, if honourable senators opposite are consistent, having amended it, they will vote to send it back to the House of Commons. If the government decided to embrace that relatively minor amendment, then the game is over. The bill is adopted, and federal Canada will have fixed election dates as they have in the United States and other systems of government. I am puzzled why, having made such a root-and-branch denunciation of the bill, the opposition then proceeded to amend it in one particular.

For all the reasons cited yesterday by Senator Joyal and many more, the bill is offensive to our constitutional tradition and to our constitutional convention, and ought to be defeated, plain and simple. If I get the opportunity, that is what I intend to vote for.

• (1510)

Hon. Anne C. Cools: Honourable senators, I rise to speak to Bill C-16, which proposes fixed election dates. Honourable senators know, I think, that I tend to be a busy person. As such, I find myself in a situation in this place these days where, because there are so many bad initiatives, it is difficult to choose which one to speak against. Bill C-16 is in that category.

I think honourable senators know that I just supported Senator Joyal's motion to amend this bill. I saw that as doing a little bit but not as much as I would have liked. Some people are in a position of statelessness; I am in a position of "committeelessness." Consequently, my ability to influence committees has been severely restricted. My Senate franchise has been severely constrained and restrained, much to my angst. I am never going to accept it. What was done was wrong, it is still wrong, and it will forever be wrong, in my view.

Honourable senators, coming back to the point, I simply did not have sufficient time to turn my mind towards producing a speech to be able to refute many of the spurious, unfounded and silly arguments that were placed before us on this bill.

I should like to reiterate one or two points, one of which I raised yesterday. The business of an unfixed election is the foundation of the particular parliamentary system in which we find ourselves. The notion is, especially since votes of confidence replace impeachments as the method of dealing with delinquent ministers, that never again in the history of the British system would men or women have to take to arms to dispense with or to dispose of despotic tyrannical leaders. There would be something called a vote of confidence. As a result of that, whether a government is in a minority or a majority position, the entire focus of power would be shifted to the subject, to the citizen. In other words, the citizen has a right constitutionally to an election any time the need would arise to dispense with, and to dispose of, a despot. The libertarians have created a new word, the tyrant. They say they are fighting the tyrant.

Despite Senator Di Nino's assertions to the contrary, Prime Minister. Harper, in doing this bill, has given up nothing. What he has done is surrendered the fundamental birth right of Canadian citizens as persons deriving from a British political origin in a British tradition. I should like to add to that, honourable senators, that the notion of an unfixed election date was one of the fundamental premises of the system in which we live.

Honourable senators do not know much about me personally. A long time ago in politics, I learned to speak about myself very little in personal terms. However, I will tell honourable senators something. We are descended from free coloured people, and growing up in the British Caribbean I was taught to eschew unquestioned obedience. I was trained to resist it. This is because of the role my family played in the history of Barbados as they worked to develop responsible government there. My father ran for election in 1938, honourable senators — and at that time it was still a restricted, propertied franchise. I think there were a few hundred voters or something. My father was defeated, but later on other relatives succeeded.

Yesterday, I attended a celebration of the ending of the slave trade in 1807. I have cited William Wilberforce here on many occasions, and his contributions to the abolition of the slave trade and slavery. When I was growing up, honourable senators, I was taught to revere, to uphold and to emulate individuals like U.K. M.P. William Wilberforce and to look to a system of government to this thing called a parliament. Within a parliament, within these assemblies, there was an opportunity to carry the pedigree, our birth right, and to uphold quite frankly the rights of the citizens. I cannot help but tell honourable senators that I believe that that notion has been violated.

One of the niggling, terrible things that keeps bothering me is that these initiatives, these bills, are coming before us rapidly, quickly, one after the other. Not one of them is properly supported by the law or by the Constitution. Quite frankly, honourable senators, no answers are being put before this chamber as to why these proposals are before us other than some simplistic statement to the effect that you have to modernize the Constitution.

Honourable senators, I dismiss all of that as, quite frankly, a lot of rubbish, at worse, or shibboleth at best. I want to register my determined opposition, as a Black person raised to believe that a parliament was the system for us. I oppose what this government is doing. What they are doing is so very wrong, because what they are doing to the system is moving the people, the Queen's subjects, from the centre of the Constitution and, very carefully, placing the Prime Minister, who does not even exist in law or in the Constitution, at the centre of the Constitution. I think that is a terrible thing.

Honourable senators, I think most people know how I feel about this system because of how I was raised, and I do not talk about race. However, I should like to read something that I think is important to support the point that I made. I started to work on this bill. We talk about fixed election dates and all this nonsense. We should refer back to the real language and the real law about elections. The words that used to be used were "franchise," "suffrage" and "the granting of the franchise."

I remember like yesterday, in 1951, I think it was, when my mother, in her brown and white two-tone shoes, went out to vote. This was the first election in Barbados under universal suffrage, which our family had helped to bring about. My background is quite different from most here. I see this heritage being ripped away around me on a daily basis.

In any event, what I want to say to honourable senators is about this business of "franchise," this word which I looked up. I have always found that the masters, like Blackstone, for example, are the places to look. I found a reference to the franchise, which is a precious thing. This is what this government has tampered with constitutionally.

I shall read from Sir William Blackstone, *Commentaries on the Laws of England*, four books, Mr. Justice Sharswood's edition, Volume 1, Book 2, Chapter 10 at page 152. He said:

Franchises also, being regal privileges in the hands of a subject, are held to be granted on the same condition of making a proper use of them.

A franchise is a very treasured, precious thing. This vote, this franchise, that was granted by Her Majesty's own time and was allowed to abide and subsist in the citizens, the subjects of the land, our lifeblood.

There was a time, I was saying to Senator Joyal, just a little while ago, that until 1832 many private individuals owned and controlled many boroughs, and controlled not only who voted, but also who the representative would be. There was one fellow, I believe, the Duke of Newcastle, who owned several of those boroughs. Do you remember the terms "pocket boroughs" and "rotten boroughs?"

• (1520)

Humanity advanced and the constitutional notion developed that all human beings should be able to vote and partake in the business of the affairs of the state and the affairs of the body politic. Over time, various majesties of the U.K. granted greater and greater franchises to the people.

Many say that women only got the vote in Canada in 1918, but I think it was only in the 1870s that Canada had universal manhood suffrage.

Honourable senators, it is a very strange and dangerous thing to tamper with old institutions, because you do not know what you are tampering with.

We will live to see the day, and it will not be too far away, when we will regret that this bill passed this chamber. Senators know when I agree or disagree. If I have the opportunity today, I will be happy to vote against this bill, which is an assault on every subject of Her Majesty. Very few people seem to care about that, but I was raised and taught to uphold this system. I was always taught that, whatever its inadequacies, it is still the best system that has ever existed and it pains me to see it being chipped away. In addition, the people who are chipping it away will not tell us their final destination. I know that every day another plank is dismantled.

This franchise was a part of the Royal Prerogative power. Their majesties used to dispense this borough to that one or the other one, and so on and so forth. Until recently, every time a bill came

forward that touched on the Royal Prerogative, I would spring to my feet and raise the need for Royal Consent. I have stopped doing that, because governments keep ignoring us. It is a shame on us.

In this chamber, Your Honour, you are the representative of Her Majesty; you are one of the mighty officers of state. Your position was intended to be as high as, if necessary, the Lord Chancellor, because this country was a frontier land.

What this government is doing is all very wrong, and it breaks my heart. They can take me off committees, but I can vote and I intend to do that if I get the opportunity today.

Honourable senators, that we allow this system to be so diminished, that we are allowing our entire system to be dismantled brick by brick, is a pox upon us all.

Hon. Sharon Carstairs: Honourable senators, I find this bill singularly distasteful. It is contrary to our parliamentary tradition. It smacks of Americanization of our nation and of a Republican tradition that is contrary to our parliamentary tradition.

How has it been sold? It has been sold as some indication that it is a great democratic exercise, that it will promote greater democracy if Canadian citizens know exactly the day on which their elections will fall. I do not think it does that at all. This is a very democratic country, and the citizens decide, when they walk into the balloting station, whenever that day is, how they will cast their votes. That is the essence of our democratic system.

I examined the bill vis-à-vis my responsibilities to the Senate and as a senator. That is where I find my dilemma. I cannot argue that it is against the regions, because all regions are treated equally in this legislation. I cannot argue that it is against minorities, because everyone is treated the same in this legislation. I, unfortunately, cannot argue that it is contrary to the Constitution, because I do not think it is. Although it is contrary to practice, it is not contrary to the Constitution as such.

Therefore, if this bill comes to a recorded vote, I will not vote against it, but I will not vote for it. I will abstain to show my disdain.

Hon. Jeremiah S. Grafstein: Honourable senators, on this bill I share the concerns of Senator Murray, Senator Cools, Senator Joyal and our former leader. I believe I am as good a student as any in this chamber of the American system. In many ways, the American system is commendable, but fixed election dates are not because they change the thrust, the sensitivity and the responsibilities in that system. They propel the question of money into the system in a real and intense way.

I will take you through the various contests. The lower house, the House of Representatives, is elected every two years. Having spoken to many congressional representatives, I can tell you that about one-half of their time is spent on legislation and the other half of their time is spent raising money for their next election.

Senators have a six-year term with one-third standing for election every two years. They spend at least one-half of their term raising money as well. We have clearly seen in the presidential

race that primaries have moved up a notch and suddenly they are having primaries for two years before the end of the presidential term. Election after election does not make that system more sensitive or more responsive to the public will.

Therefore, what is wrong with having a four-year term? I have not heard one argument that commends that system to improve the existing system. I will not dismiss the argument about convention. The Supreme Court of Canada supported constitutional conventions as being coequal to the written constitution. Mr. Justice Brian Dickson caused consternation on this side by his support for conventional constitutional practice. This is not a minimalist argument; this is a maximalist argument. Conventions are important; they are part of our common law democracy, which is based on practice, and the practice for over 100 years has been sound, efficient and effective.

For us to now turn our backs on the history of this country and somehow transform it into a system of four-year fixed elections goes against responsible government. I say that it makes governments irresponsible. I say that it causes a focus on the short term as opposed to the long term. I say that this goes against good government. I say that this is a serious measure that should be referred back to the other place. If Senator Joyal's amendment does that, with our support, it will be up to us in this chamber to convince our colleagues in the other place that this is bad. It is bad practice; it goes against convention; and it goes against a history of responsible government that has been second to none in the world.

I always say, "Why change it if it is working?"

• (1530)

It is working. We live it every day. We watched it in Quebec this week. We watch it in Ontario. We watch it here in this place. It works. Sometimes it does not work the way we on this side would like or my honourable friends on the other side would like, but the system works. We have had a series of tremendous governments that have propelled Canada out of the Middle Ages to become one of the major economic powers in the world, due in large measure to our governments.

I urge the government representatives on the Senate side to listen carefully to these arguments. This is not a partisan issue. It goes to the heart of governance and responsible government. I believe in responsible government. This is an irresponsible measure and will cause us great concern if we have to deal with it another time.

Hon. Michael A. Meighen: Will Senator Grafstein accept a question?

Senator Grafstein: Yes.

Senator Meighen: I find his argument — that if it ain't broke, don't fix it — persuasive. Would he agree that if we had the American congressional system, we would not have a choice as to whether there should be a fixed term? Would the honourable senator agree that their system would break down if there were no fixed term? I suppose one could then argue, although I do not think it applies to the same extent, that our system is better if it does not have a fixed term, but that it can probably survive as it

does, as we are perhaps seeing in the jurisdictions that have adopted it, even though personally I am not favourable to it.

Senator Grafstein: Canadians are ingenious. We will make whatever comes before us work, but to my mind it will not work as well as the existing system. The existing system is working well. The party structures are in place. We hear the voices of minorities through minority powers. We hear it in this place. There are independent senators and senators on all sides. We hear it in the other chamber. The system is working.

To my mind, the American system has an entirely different structure. Americans do not have a choice because their Constitution is written that way. We have a choice. I always commend Senator Cools because she refers to the common law of Parliament. We have a common law of Parliament, and it is as binding on this Parliament as is the written Constitution. The common law is a series of measures that, after being adopted over a period of time, becomes a convention. The convention is as good as an existing law, a written statute. This convention, the convention that is built into our Constitution, is very clear. Our Constitution, as Senator Joyal points out, is very clear. It prohibits a Parliament from sitting longer than five years. That is it. That is a good, democratic measure. Parliament cannot overstay its welcome. It cannot be as, as Cromwell said, unwanted or unneeded. That is a good measure.

This proposal, however, is not a good measure. We will rue the day and the House of Commons will rue the day when Parliament passes this bill because the whole structure of reviews, responsibility and sensitivity will go down the drain.

I am not one of those people who believe that the Prime Minister wants to set up a West Wing on the other side. However, I do agree with the argument that if you nibble away, as Senator Cools has said, at the structures of Parliament, before you know it you have transformed it into a system that you will not like. It will be more costly and less responsive. We will have less responsible government. We believe in responsible government — peace, order and good government. This is not a responsible measure.

I urge senators on the opposite side to take this message back to their caucus and leadership and think this thing through. I do not think it has been thought through.

Senator Murray: I would like to ask a question of the honourable senator. What does he say to my apprehension that if we pass this bill as amended, send it off to the House of Commons and the government decides to embrace the amendment, we will then have a law with one minor improvement but with all the constitutional conventional flaws that he, Senator Joyal and others have pointed out? There must be another alternative.

As I said, I am prepared to vote to defeat the bill, but there are other devices. I do not know whether the six-month hoist would be in order, but sending the bill back to the House of Commons with a relatively minor amendment is leading with our chin.

Senator Grafstein: Honourable senators, that will give our side an opportunity to have a fresh debate about this bill within our caucus. Many of these measures — and I am sympathetic to what Senator Cools has said — have come to the Senate and to the

other side very quickly. We have a number of them before us. They are earth-shattering in terms of their implications and change. It is hard for us who are hard-working — and every senator in this chamber works hard on committees — to look at each of those measures as they come along and spend the necessary time reviewing them, as Senator Joyal and other members of the Legal Committee know. I say this with a degree of dismay because these are important issues. I always felt that I would leave this chamber stronger and better than I found it. I am afraid that if measures such as this are allowed to be adopted and accepted on the other side without a clear understanding of the implications, which we can do, we will not leave this place in better shape than we found it.

On motion of Senator Fraser, debate adjourned.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I would like to draw your attention to the presence in the gallery of His Excellency Dr. Naser Al Belooshi, Ambassador of the Kingdom of Bahrain to Canada. He is accompanied by his wife, Ms. Sharifa Benammour.

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

CANADA PENSION PLAN OLD AGE SECURITY ACT

BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

Hon. W. David Angus moved second reading of Bill C-36, to amend the Canada Pension Plan and the Old Age Security Act.

He said: Honourable senators, I am pleased to participate at second reading of Bill C-36, to amend the Canada Pension Plan and the Old Age Security Act.

This bill is good news. Perhaps a testament to how good is the fact that Liberal and Conservative caucuses in the House and the Standing Committee on Human Resources both gave Bill C-36 their unqualified and unanimous support.

I have no doubt that members of the government and of the official opposition in the other place were able to agree as they did largely because they recognized that Bill C-36 will substantially improve the daily lives of many of Canada's seniors and some of those persons with long-term disabilities.

Honourable senators, I suspect that many of you often wonder as I do how particular items of public policy we discuss here are developed. Where do they come from? Are they initiatives of a new government or completing tasks of the former administration? Are they something dreamed up by the bureaucrats or do they end up before us due to the initiatives of the grassroots individuals who are the stakeholders?

• (1540)

How did this legislation come into being? I think it tells a good story. The development of Bill C-36 into what we have before us today involves a little of everything that I mentioned above. It has evolved in order to fix a problem that Canadian seniors with

disabilities raised with the Department of Human Resources and Social Development and with the federal and provincial politicians and the territorial people.

It is part of a multiple-step reform that started with the former Liberal government. It is also something the new Conservative government promised to Canadians during the past election to see that the job would be carried through and finished. Honourable senators, Bill C-36 is now before us. It will improve the administration and the transparency of the Canada Pension Plan, disability and the Guaranteed Income Supplement of Old Age Security.

Canada's public pensions are a source of pride for all Canadians. Ours is one of the most generous and stable public pension programs in the world. I believe Bill C-36 will keep it that way, honourable senators.

For more than half a century, Old Age Security has provided monthly benefits to seniors based simply on their years of residence in Canada. Since 1966, the Canada Pension Plan has contributed to the retirement income security of our seniors, their surviving spouses, their dependent children and people with disabilities.

Canada's retirement income system is designed for three tiers of security, with public and private pensions each meeting a specific purpose. Old Age Security is the first tier and provides Canadians with a basic level of income during retirement. Canada is almost unique and a leader among other countries in offering a lifetime basic pension where the only requirement is residence in Canada. Entitlement to Old Age Security benefits is not based on work or citizenship but on residence in this country.

Honourable senators, this is helpful, for example, to people with permanent disabilities who may never have been able to participate or be employed in the Canadian work force but who can still receive their very own individual lifetime pension.

The second tier is the Canada Pension Plan. The CPP, and in Quebec the QPP, is available to those who are self-employed or employed. If one works in Canada, he or she contributes to the CPP and will eventually receive his or her own CPP retirement benefit. Old Age Security together with the Canada Pension Plan represents Canada's public pensions. The private pensions, together with Registered Retirement Savings Plans and Registered Retirement Income Funds, make up the third tier of our pension system.

If one takes the case, as was suggested the other day by Senator Baker, of his Aunt Susie, who was from a middle-income family, she can expect to receive \$1,200 a month from the OAS and CPP. However, Aunt Susie may want to have an additional retirement income, so she planned and invested in RRSPs. As she retires, she can depend on Canada's public pensions but she will also know that she can have additional income from her RRSP investments.

With our public pensions, these programs provide a foundation for income security for seniors. They provide a base income for all seniors and supplements for those who need them to reach a minimum standard and who do not have a private pension plan or RRSP or other investment-related income. For those

Canadians who depend on the public pension alone, the provisions of Bill C-36 will ensure that they can continue to have confidence in the Canada Pension Plan and the Old Age Security program. They can rely on the fact that the pension program will be there for them when they retire. It will allow them to take greater part in monitoring their contributions and planning for the future.

Honourable senators, Bill C-36 is recognition that as dependable as CPP-disability and the OAS programs already are they must continue to evolve and be adapted to the changing needs of Canadians and especially Canadian seniors. The OAS and CPP programs in place today represent the largest single expenditure of the Government of Canada. Over \$54 billion in benefit payments are provided annually to our seniors. With the demographic shift projected to take place over the next 15 years — and I refer in this regard to the recent report of the Standing Senate Committee on Banking, Trade and Commerce when we looked into the demographic time bomb and sounded a warning about this fast approaching problem — the numbers will inevitably keep growing, and at a fearsome and increasing rate of speed.

Canada's seniors are a commanding force in our nation today. Their influence is far-reaching. The government understands that seniors are healthier, wealthier and more technologically savvy than even 10 years ago. They have asked and deserve to be heard. The new government is listening. The changes in Bill C-36 reflect what thousands of Canadians have told members of Parliament and senators of all parties, as well as the Department of Human Resources and Social Development. Through letters, emails and formal consultations, our seniors have asked for improved access to their benefits.

Bill C-36 will help to modernize and streamline the delivery of CPP, OAS and Guaranteed Income Supplement benefits. It will allow our seniors to monitor their contributions. Under the present law, they can only get a statement once a year but now they will have multiple opportunities to get a statement, especially on the Internet. It will enhance all Canadians' access to Canada Pension Plan disability benefits.

Honourable senators, let me have a moment to highlight two of the new measures, one through proposed changes to the Guaranteed Income Supplement; the other to the Canada Pension Plan, through proposed changes to CPP disability benefits.

Honourable senators, one of the most important changes in this bill is the provision that will permit low-income seniors to apply for their GIS benefit only once for rest of their lives. After a senior's initial application, his or her income tax information as provided through the Canada Customs and Revenue Agency, will determine access to GIS benefits. That senior would never have to reapply for the benefit regardless of fluctuations in his or her income. This is a tremendous improvement, honourable senators. It is something seniors have been asking for over and over in the past few years. This goes a long way to address their concerns.

Some MPs in the other place expressed concern about whether government will rely on this change to shift on to seniors the burden to make the initial application. The answer is no. The new

government understands that some seniors remain hard to reach and the Department of Human Resource and Social Development Canada reaches out to the most vulnerable members of society so that they are aware of the benefits available to them. It will expend extensive efforts to reach out to those seniors who do not file tax returns and encourage them to apply for the GIS.

A second key amendment in this bill will make it easier for long-term contributors to the CPP to qualify for the disability benefit. Currently, a person needs to contribute to the CPP in four out of the past six years before being eligible for the disability benefit, even if the individual has already paid into the plan for most of his or her life. Under this amendment in Bill C-36, people with 25 or more years of contributions will only need to contribute to the CPP in three of the past six years to be eligible for benefits which will then continue uninterrupted for as long as they meet the medical criteria. This change required a 7/50 consent of the provinces and territories and it will make a big difference to people whose illness or disability makes it impossible for them to continue working.

Honourable senators, these changes have been generated with individual Canadians in mind. They are actuarially sound. They reflect recommendations made by federal, provincial and territorial ministers of finance. They also address observations made recently by Canada's Auditor General. As well, they reflect the opinions of many individual Canadians. It is important to note that Bill C-36 is improving a pension system that is already recognized around the world for its excellence.

• (1550)

Honourable senators, we have a generous and compassionate old age pension and disability system that is the envy of many other nations. We are indebted to previous governments who made us one of the few G8 countries to have reformed its public pension program so as to make it sustainable. Sustainability is now critical to our planning, especially if we are to remain a leader in the global community.

I am pleased to be able to advise honourable senators that the chief actuary has recently made a full review of our public pension system, including the proposed measures set forth in Bill C-36. The chief actuary has concluded that our sustainable system is actuarially sound and that even with the proposed changes it will continue to support Canadians for generations to come. This, of course, is critical given the demographic situation to which I referred.

Approximately 12 per cent of Canadians today are seniors. Within 25 years or less, that percentage will have doubled to one out of every four Canadians. Canadian citizens are counting on us to ensure that this strong pension system is there for them over the long haul.

We also must ensure that all our seniors receive the benefits to which they are entitled in a most efficient and timely way. I have heard from numerous seniors about how proud they are of being over 65, living in Canada today and receiving their OAS and CPP benefits, and even of learning about their entitlements on the Internet. These seniors are shopping online, they are banking online and, yes, honourable senators, they would like to apply for their pension benefits online. We want to make this happen.

Bill C-36 will allow them to review their contributions online and eventually to make applications there as well. Seniors and near seniors wish to use the Internet to their advantage just as much as younger Canadians do. The Old Age Security Program and the Canada Pension Plan are the cornerstones for retirement income security in Canada. We want to improve their administration, streamline it and make it simpler and more user friendly for Canadians to apply and receive these benefits. We also need to strengthen accountability and fairness in the system, as well as streamlining the delivery of the prescribed benefits.

Bill C-36, I submit, will achieve these goals. There generally exist ways to make a sound system even better, but we must be equally diligent at the same time not to upset the fiscal balance that gives strength to the Canadian retirement income system.

Therefore, I would ask all senators to support Bill C-36 and give it the consideration and review in committee that it deserves so that Canada's seniors may benefit from the changes proposed as soon as possible.

On motion of Senator Tardif, debate adjourned.

[Translation]

DRINKING WATER SOURCES BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Joyal, P.C., for the second reading of Bill S-208, An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future.—(*Honourable Senator Comeau*)

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I would like to say a few words about this important bill, and I believe I am not the only one. However, as I do not have my notes with me, I move to adjourn this debate for the time being.

On motion of Senator Comeau, debate adjourned.

[English]

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 Oliver*)

[Senator Angus]

Hon. David Tkachuk: Honourable senators, Bill C-288 ensures that Canada will meet its global climate obligations under the Kyoto Protocol. It is a deathbed repentance by the Liberal Party of Canada. Bill C-288 is an attempt at redemption for wasted time, inordinate obfuscation and deliberate deception. All this they have done to their friends. Liberals run around saying they are friends of the environment and, of course, poor people, mothers and babies — and Liberals are their friends, when they need them. Their line is, "Please, please, get me back in power and I will do all the things I promised and never did." It is no wonder they are such strong advocates of parole.

There is then, of course, the Kyoto accord. It is an interesting agreement to protect us from CO₂ emissions, which we are told produces the greenhouse effect that produces warmer temperatures on earth. This, added to the methane produced by cows and water vapour, is warming our planet. While Kyoto excused the cows and said to heck with the water vapour, it focussed on CO₂ and some 169 nations signed the agreement.

The biggest polluters though — Russia, China and India — did not have to comply, and only 35 of the 169 signatories have mandatory targets. The argument goes like this: For whatever ideological or other reasons you failed to industrialize, you can do so now. Having learned nothing, of course, you can repeat the same mistakes we made: So pollute and emit CO₂ to your heart's content while we emit CO₂ and pay you money to buy air pollution credits so we can pollute as much as you. As long as these credits are cheaper than actually cutting emissions, we will keep on paying them.

The Americans and the Australians, of course, said thanks but no thanks, we will go our own way, but not Canada. Canada under the Liberals became a signatory. They had no intention, of course, of keeping their commitments. Signing the accord made them fellow travellers with the environmentalists, but with no obligations.

It seems to me that when one makes a promise to someone, our allies or our friends, one should intend to keep that promise. Instead, the Liberals chose to deceive. This was the first plan of the Liberals on climate change. There were successive plans, as we shall see, but the first plan was to deceive.

• (1600)

Recently, Eddie Goldenberg, former Chief of Staff to former Prime Minister Jean Chrétien, admitted that the Liberal government ratified the Kyoto Protocol knowing Canada was not ready to take the tough measures needed to address climate change, and that they would likely miss the deadlines for reducing emissions. He also said that the government was not even ready at the time with what had to be done.

Stéphane Dion told *The Globe and Mail* last August — less than one year ago — that the Liberals only accepted the Kyoto targets because they were higher than those set by the United States, not because the targets were meaningful or because they made sense, but solely because Jean Chrétien wanted, as Dion said, to trump the Americans.

There is more evidence that the Liberals had no intention of meeting the Kyoto targets. Just this month, former Liberal Environment Minister Christine Stewart stated that the Liberals ignored climate change and did not act for 10 years. She admitted

the reason was politics, pure and simple. Bill C-288 is nothing less than definitive evidence that they are still playing politics with the environment.

Ms. Stewart's remarks were followed in February by those of David Anderson, former Liberal Environment Minister for five years. He said that he was removed from that portfolio by Paul Martin, not for failing to do his job on Kyoto but for trying too hard to do his job.

Mr. Anderson said that Stéphane Dion was chosen to replace him because he was far less keen on Kyoto than was Anderson. As Minister of Intergovernmental Affairs, Stéphane Dion was more interested in placating the provinces, most of which, as we all know, were opposed to Kyoto. He said that Dion's appointment was meant as a signal to those provinces that things would not be so aggressive.

That was the Liberal plan all along — to have no plan but to talk big about meeting targets with no intention of ever doing so. Thus, when our former Environment Minister, Rona Ambrose, went to environmental meetings in Europe to tell them, honestly for a change, that Canada would not be able to meet its Kyoto commitments, Senator Mitchell and others here ridiculed her and said that she was not providing leadership on the environmental file.

Senator Mitchell must have known what Eddie Goldenberg knew — that the signing was a ruse and a cruel joke on Canadians. When Mr. Dion was Environment Minister, surely he knew that the Kyoto targets would not be met. This must have been discussed in caucus, or was it a secret of the PMO? Oh, Garth Turner, where are you when we need you? Liberals in this place owe Rona Ambrose an apology. You may not have agreed with Ms. Ambrose, but she was being nothing less than honest, and her successor, Mr. Baird, has continued to be honest and realistic about the challenge we face. Testimony to that fact is Budget 2007, tabled this week in the other place, which includes a host of measures directed at the environment. I shall list some of the measures provided for in the budget: The budget provided \$1.5 billion to the Canada ecoTrust for Clean Air and Climate Change to support major environmental projects with provinces and territories; it committed to identifying additional measures to promote promising new clean energy technologies like carbon capture and storage; and phased out the accelerated capital cost allowance for general investment in the oil sands by 2015.

Budget 2007 also included measures to promote cleaner transportation, including an additional \$2 billion over seven years to support the production of renewable fuels; a \$1.5-billion incentive to support the production of renewable biofuels such as ethanol and biodiesel; and \$500 million for Sustainable Development Technology Canada to invest with the private sector in establishing large-scale facilities for the production of next-stage generation renewable fuels. The budget also included a vehicle efficiency incentive structure that will include a new rebate of up to \$2,000 on the purchase of a new, fuel-efficient automobiles and a green levy on new fuel-inefficient vehicles. The budget also provided for \$36 million over the next two years for "scrappage" programs to retire older vehicles and extension of the public transit tax credits to electronic fare cards and weekly passes used on an ongoing basis.

Honourable senators, all of this and more are included in this year's budget. Senator Mitchell says, as he did a few weeks ago, that climate change is one of the most important issues, if not the most important issue, to face this country in the last 50 years. Well, let us see what the Liberals had to say in the last election. Let us begin in Alberta, Senator Mitchell's home province. Honourable senators will be interested to learn that, in the "Made-in-Alberta" section of the Liberal platform for the last election, the word "Kyoto" does not appear. There is no mention of Kyoto, even in the section on the environment. What about the rest of the platform? They continued to brag about their vaunted environmental record but there was not a mention of the fact that greenhouse gas emissions had increased 27 per cent above the 1990 baseline level under their watch. Liberals will be pleased to know that south of the border, in the United States, GHG emissions increased by only 15.8 per cent over roughly the same period.

What about 2004? I did a scan of the Liberal election platform for that year and the word "Kyoto" was mentioned only once in a document that is 58 pages long, and only, at the end of the document in passing reference to the fact that the Liberal government ratified the Kyoto Protocol. That is what I call treating the greatest threat to this country in 50 years with Liberal urgency.

However, they had plans, honourable senators, they had plans. The Liberals are full of plans. Their whole record consists of plans. Those plans include Action Plan 2000, which was followed by the Climate Change Plan for Canada introduced in 2002, which followed in April 2005 by the release of Moving Forward on Climate Change, more popularly known as Project Green, an ambitious strategy to reduce GHG emissions, but all the while emissions continued to rise.

Mercifully, instead of having to wade through the plans myself, Canada's environment commissioner did much of the work for me. In her report on the Liberal record on the environment, which was released last September, she provided a little summary chart of the various Liberal plans. She described Action Plan 2000 as a selection of measures targeting key sectors such as oil and gas, thermal electricity, transportation and buildings, which together accounted for over 90 per cent of Canada's emissions.

She then described the Climate Change Plan for Canada released in 2002. It was time to move to another plan — phase two. This plan was a three-step approach to reducing GHGs by 240 million tonnes. The first step was actions already underway to reduce 80 million tonnes. The second step was to reduce a further 100 million tonnes by measures across seven key sectors. The third step was future actions to reduce the remaining 60 million tonnes.

Now that the Liberals had all of that out of the way, it was time to move on to phase three, Project Green. We have to remember that during this whole time nothing happened. Project Green promised transformative long-term change while ensuring economic growth.

That was Kyoto taken care of — end of story. Instead of reducing emissions by 575 million tonnes, under the Liberals emissions increased. In fact, by 2004 they increased 27 per cent above the 1990 baseline level. That is 35 per cent above the

Liberal government's own self-imposed Kyoto targets. That, in turn, was one of the largest posted by any nation that committed to a Kyoto emission target. As Michael Ignatieff famously said, "Stéphane, we did not get it done." Nothing got done, except television advertisements about the One-tonne Challenge.

Still, the Liberals had more plans. I want to quote from something that I took from the Liberal's election website. This is from a section entitled, "Meeting Our Kyoto Goals:"

We are addressing climate change by promoting reductions in greenhouse gas emissions and encouraging the development of environmental technologies. We are building on existing tax measures to encourage Canadian businesses to invest more in efficient and renewable energy generation. Together these efforts will honour our Kyoto commitments by helping Canada reduce its greenhouse gas emissions by 270 megatonnes.

Promoting, encouraging, helping. I wonder if these were the kinds of half-hearted measures they were thinking about when they voted on the other side to support Bill C-288. I doubt it, but that is exactly the kind of wish-washy commitments they ran on in the last election — that and their record on the environment.

Let us take a look at that record — the one referred to in such glowing terms by Senator Mitchell. I wish I could say my outlook on that record is as sunny as his, but it is not. I fear if it were, that it is just one more thing the Liberals would attribute to climate change.

• (1610)

Let me recall for you some of what Senator Mitchell said when he spoke on this bill. First, he took great umbrage at the widely quoted notion that the Liberals had 13 years to do something, but did nothing. No, he corrected, it was only eight years. Kyoto was not approved until 1997 and was not finally ratified until 2005, so it only took eight years to do nothing.

There are a number of observations I could make here. One is surely the Liberals believed that climate change was underway prior to Kyoto. I guess the Liberals need international permission before they can take action to deal with — and let me repeat Senator Mitchell's words — "... one of the most important issues, if not the most important issue, to face this country in the last 50 years."

Those years when nothing got done under the Liberals were not wasted years, he said. The Liberal green plan — the aforementioned Project Green — was a huge public policy initiative, and it took great effort to ensure that it was structured properly.

Tell that to the Commissioner of the Environment, who had a different view on this so-called great effort of the Liberals. She wrote:

Canada adopted the Kyoto Protocol in 1997. We expected that the federal government would have conducted economic, social, environmental, and risk analyses in support of its decision to sign the Kyoto Protocol

Too bad Senator Ringuette is not here. She continued:

. . . before taking on what the Government of Canada now considers to be the most challenging target among Kyoto signatories. With regards to the specific target, we found that little economic analysis was completed, and the government was unable to provide evidence of detailed social, environmental, or risk analyses.

No wonder all those earlier plans came to naught. Still, the end result of this "great effort" — which, according to the sponsor of the bill, took nearly seven years and then another eight months under Stéphane Dion — was Project Green, the plan for the future that they never had a chance to implement.

It is worthwhile taking a closer look at Project Green, worthwhile because in many respects what it prescribes stands in stark contrast to what they are proposing we do in Bill C-288.

Project Green calls for a partnership among Canada's governments, federal, provincial and municipal. Bill C-288 provides precious little time for such partnerships. It puts a legal obligation on the federal government to fully meet its obligations under Article 3, paragraph 1 of the Kyoto Protocol and to develop a plan to do so within 60 days of the bill coming into force and not later than May 31.

Where is the time for consultation with other governments that the Liberals acknowledge is crucial in Project Green? Where is the allowance for that in Bill C-288?

What about the effect on the economy? Let me quote from Project Green:

The government of Canada is committed to the transformative, long-term change required to make reductions in GHG emission while ensuring continued economic growth. In achieving that transformation we believe we will meet our Kyoto targets while maintaining a productive and growing economy.

While Project Green allowed the Liberals to take the economy into consideration in meeting Kyoto targets, Bill C-288 makes no such allowance. It does not allow for the economic impact of meeting the Kyoto targets at this late stage of the game; yet, we know how devastating that impact would be on the Canadian economy.

While this bill provides no room for the Conservative government in this area, Project Green explicitly acknowledged the need for flexibility. Let me read another passage from that document:

Our Kyoto commitment will be realized taking into account that the precise challenge it sets for Canada is a function of many variables, such as economic growth and energy prices, that can be estimated but cannot be known with certainty in advance. . . . We will engage provinces and territories, Aboriginal peoples, municipalities, industry, non-governmental organization, and all Canadians in its implementation so as to maximize the conditions of success to reflect public input, lessons learned and results achieved.

Honourable senators, Project Green makes no commitment to Kyoto's short-term targets nearly as stringent as those prescribed in Bill C-288. The most it binds the Liberal Party to is to mobilize Canadians in a national effort to enable Canada to respect its Kyoto commitments in the short term.

Now, that is as artful bit of linguistic obfuscation as I have seen recently, and far different from clause 7 of Bill C-288, which would require the Governor-in-Council, within 180 days of the act coming into force and at all times thereafter, to ensure that Canada fully meets its obligations under Article 3, paragraph 1 of the Kyoto Protocol. Nor did any of the candidates who vied with Mr. Dion for leadership of the Liberal Party dare to make such stringent commitments to Kyoto.

Gerard Kennedy said the government should reaffirm its targets under Kyoto or any future climate change treaties. The latter part of that sentence sounds a little reckless to me, but also amounts to less than a binding commitment.

Mr. Dion himself, during the campaign for the Liberal leadership, undercut Bill C-288 in advance. He stipulated in the section on Kyoto in his platform that: "If the initiatives outlined in this policy statement were implemented by early 2007, Canada could achieve its 2012 Kyoto targets."

Given that this bill is yet to reach committee in the Senate, and given that it gives the government 60 days after the act comes into force to come up with a plan and 180 days to implement it, I ask: How can those who support this bill expect our Conservative government to do what the Liberal leader acknowledges he could not do if he got started later than early 2007?

Mr. Dion also wrote in his public policy statement that an additional year of inactivity, however, would make it virtually impossible to meet this target on time; yet, C-288 obliges us to meet these commitments come hell or high water.

Let us get to the man that Senator Mitchell supported for the leadership, one Michael Ignatieff. During the leadership campaign, Mr. Ignatieff created a splash by talking about a carbon tax, which I am sure is also the position of Senator Mitchell. He also talked about staying committed to Kyoto but failed to make any commitment to meeting short-term targets. Instead, he argued that good environmental policy needs to be implemented gradually in step with the normal rate of new investment.

I am sure that Senator Smith would also agree with that statement.

Honourable senators, Bill C-288 would saddle this government with an agenda that the Liberals themselves could not meet and that they have admitted they could not meet. No less than the new leader of the Liberal Party, Stéphane Dion, the last Liberal Minister of the Environment, has admitted as such. Let me quote from a *National Post* article dated July 1, 2006, headed "Dion says targets can't be met." It went on to say that Stéphane Dion has conceded that a future Liberal government would be unable to meet its Kyoto commitment of reducing greenhouse gas emissions below 1990 levels. The article quoted Mr. Dion as saying:

In 2008, I will be part of Kyoto, but I will say to the world I don't think I will make it. Everyone is saying target,

target. But . . . it is to be more than to reach a target. It's to change the economy. It's to have resource productivity, energy efficiency when we know that energy will be the next crisis for the economy of the world.

The only thing Mr. Dion got wrong is the notion that in 2008 he will be part of Kyoto.

Liberals are big cheerleaders for meeting the Kyoto target now that they have neither the power nor the responsibility to meet them; now that they know that the price for meeting what their leader has admitted are unrealizable objectives will be paid for by someone else and not by them.

Honourable senators, given the Liberal record on the environment, Bill C-288 is one of the most hypocritical and cynical pieces of legislation I have seen in all my years here in the Senate. Its purpose is to force an unreasonable and unacceptable undertaking on this government, an unconstitutional undertaking to ensure that Canada meets its Kyoto greenhouse gas reduction target that amounts to a 6 per cent reduction from 1990 levels by 2012 — targets the Liberal leader has admitted he could not meet; targets set, as I said earlier, to trump the Americans.

• (1620)

This is hardly surprising given the Liberal penchant for reflexive anti-Americanism, but it is also a deplorable basis for developing a sound environmental policy, unless of course you have no intention of implementing that policy, which, as we are learning more and more, was exactly the plan of the Liberals. The Liberals now want to force the government's hand to do something that they themselves would not. Not only that — things got worse under the Liberals. Now they want us to get it done through this flawed piece of legislation.

I do not disagree that the climate is changing, but as 60 international scientists, all climate change experts, noted last year, the climate changes all the time due to natural causes and the human impact remains impossible to distinguish from this natural noise. So much for the so-called international consensus on climate change.

More importantly, some scientists do disagree with the recent and much ballyhooed UN report of the Intergovernmental Panel on Climate Change, known as the IPCC. Actually, it was the summary of the report and there will be a further report in the fall. It apparently did not settle all the arguments.

Mario Molina is the Nobel scientist who, 30 years ago, helped discover the connection between pollution and the thinning of the ozone layer. His most recent discovery? It is not global warming that is contributing to the recent increase in the number and intensity of storms on the West Coast but, rather, airborne soot, particles from factories in China and India, the same countries that do not have to abide by the Kyoto Protocol.

The principle of a private member's bill forcing a government to implement a costly program such as this turns responsible government on its head. I ask all senators to vote against this bill and any other bills like it. I would like to move an amendment because this bill is so unusual and is constitutionally so in doubt.

MOTION IN AMENDMENT

Hon. David Tkachuk: Therefore, honourable senators, I move, seconded by the Honourable Senator Comeau:

That Bill C-288 be not now read a second time, but that the subject matter thereof be concurrently referred to the Standing Senate Committee on Banking, Trade and Commerce and the Standing Senate Committee on Energy, the Environment and Natural Resources;

That the committees report back no later than December 31, 2007; and

That the order to resume debate on the motion for the second reading of the bill not appear on the *Order Paper and Notice Paper* until such time as both committees have reported on the subject matter of the bill.

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

Hon. Lowell Murray: Honourable senators, I will reserve judgment on the amendment that Senator Tkachuk has just proposed. I must confess that I am as skeptical of that amendment as I was of the amendment to another bill proposed earlier today by Senator Joyal, and for the same reason.

My honourable friend Senator Tkachuk delivered himself of a root-and-branch denunciation of the bill and then, instead of simply announcing his intention and the intention of his colleagues to vote against the bill, proceeded to send off the subject matter for further study to not one, but two committees.

I have an argument that I wish to make about the bill in general, in something of the same terms that I argued against an earlier bill today. It is standing our system of responsible government on its head. I want to elaborate on that point and place the argument before the Senate. However, while it is not past my bedtime, the hour is late and I will move adjournment of the debate.

On motion of Senator Murray, debate adjourned.

• (1630)

ELECTED SENATE

PROPOSED MODEL—INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Hays, calling the attention of the Senate to the issue of developing a model for a modern elected Senate, a matter raised in the First Report of the Special Senate Committee on Senate Reform.—(*Honourable Senator Tkachuk*)

Hon. Joan Fraser: Honourable senators, this inquiry stands at day 15, and there is no way that I can do it justice now. I have been rereading Senator Hays' thoughtful and learned remarks when he first launched this inquiry, and I think it is important for us to pursue this issue, not only because there is, as we know, a bill before the House of Commons calling for an election-that-dare-not-name-itself-an-election-of-senators, but also because, as

we know, this chamber has been involved for some months now in consideration of two measures that would change the nature of this chamber in significant ways. The more time I spend studying those proposals, the more I realize how important it is for all of us to try to look at the whole dynamic of what proposed or potential changes to this institution that we all cherish would do, what the effects would be and what the consequences would be to the extent that we can foresee them.

I was in a meeting of the Standing Senate Committee on Legal and Constitutional Affairs this morning where someone speaking of the House of Lords, an expert, observed that no one understands the House of Lords as well as its members. I think that is possibly even truer of the Senate than it is of the House of Lords. If we do not address ourselves to these issues in as thoughtful and knowledgeable a way as we can, then I do not know how we can expect anyone else to do so.

Honourable senators, I move the adjournment of this debate for the balance of my time.

On motion of Senator Fraser, debate adjourned.

[*Translation*]

ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Monday, March 26, 2007, at 6 p.m.

The Hon. the Acting Speaker: Is leave granted, honourable senators?

Some Hon. Senators: Agreed.

Motion agreed to.

[*English*]

ENERGY, THE ENVIRONMENT
AND NATURAL RESOURCESCOMMITTEE AUTHORIZED TO EXTEND DATE
OF FINAL REPORT ON STUDY OF THE CANADIAN
ENVIRONMENTAL PROTECTION ACT

Hon. Tommy Banks, pursuant to notice of March 20, 2007, moved:

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.

He said: Honourable senators, the motion standing in my name is self-explanatory. It has to do with the length of time it is taking us to finish this important and mandated work.

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

Motion agreed to.

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF PRESENT STATE AND FUTURE OF AGRICULTURE AND FORESTRY

Hon. Joyce Fairbairn, pursuant to notice of March 21, 2007, moved:

That, notwithstanding the Order of the Senate adopted on April 26, 2006, the date for the presentation of the final report by the Standing Senate Committee on Agriculture and Forestry on the present state and the future of agriculture and forestry in Canada be extended from March 31, 2007 to March 31, 2008.

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

Motion agreed to.

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF RURAL POVERTY

Hon. Joyce Fairbairn, pursuant to notice of March 21, 2007, moved:

That, notwithstanding the Order of the Senate adopted on May 16, 2006, the date for the presentation of the final report by the Standing Senate Committee on Agriculture and Forestry on rural poverty in Canada be extended from April 30, 2007 to December 31, 2007.

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

Motion agreed to.

[*Translation*]

OFFICIAL LANGUAGES

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. Maria Chaput: Honourable senators, pursuant to notice of March 22, 2007, I move:

That the Standing Senate Committee on Official Languages be authorized to sit at 4 p.m. on Monday, March 26, 2007, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

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

Motion agreed to.

The Senate adjourned until Monday, March 26, 2007, at 6 p.m.

THE SENATE OF CANADA

PROGRESS OF LEGISLATION

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

(1st Session, 39th Parliament)

Thursday, March 22, 2007

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

GOVERNMENT BILLS (SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25	06/05/04	Social Affairs, Science and Technology	06/05/18	0	06/05/30		
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25	06/06/22	Legal and Constitutional Affairs	06/12/06	0 observations + 2 at 3rd	07/02/15		
S-4	An Act to amend the Constitution Act, 1867 (Senate tenure)	06/05/30	07/02/20	(subject-matter 06/06/28 Special Committee on Senate Reform) (bill 07/02/20 Legal and Constitutional Affairs)	(report on subject-matter 06/ 10/26)				
S-5	An Act to implement conventions and protocols concluded between Canada and Finland, Mexico and Korea for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	06/10/03	06/10/31	Banking, Trade and Commerce	06/11/09	0	06/11/23	06/12/12	8/06

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

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

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-13	An Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/06/06	06/06/13	National Finance	06/06/20	0	06/06/22	06/06/22*	4/06
C-15	An Act to amend the Agricultural Marketing Programs Act	06/06/06	06/06/13	Agriculture and Forestry	06/06/15	0	06/06/20	06/06/22*	3/06
C-16	An Act to amend the Canada Elections Act	06/11/06	06/11/23	Legal and Constitutional Affairs	07/02/15	0 + 1 in 3rd			
C-17	An Act to amend the Judges Act and certain other Acts in relation to courts	06/11/21	06/12/11	National Finance	06/12/12	0 observations	06/12/13	06/12/14*	11/06
C-19	An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act	06/11/02	06/11/21	Legal and Constitutional Affairs	06/12/14	0 observations	06/12/14	06/12/14*	14/06
C-24	An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence	06/12/06	06/12/12	National Finance (withdrawn) 06/12/13 Foreign Affairs and International Trade	06/12/14	0 observations	06/12/14	06/12/14*	13/06
C-25	An Act to amend the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and the Income Tax Act and to make a consequential amendment to another Act	06/11/21	06/11/28	Banking, Trade and Commerce	06/12/14	0 observations	06/12/14	06/12/14*	12/06
C-26	An Act to amend the Criminal Code (criminal interest rate)	07/02/07	07/02/28	Banking, Trade and Commerce					
C-28	A second Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/12/11	07/01/31	National Finance	07/02/13	0	07/02/14	07/02/21*	2/07
C-31	An Act to amend the Canada Elections Act and the Public Service Employment Act	07/02/21	07/03/21	Legal and Constitutional Affairs					
C-34	An Act to provide for jurisdiction over education on First Nation lands in British Columbia	06/12/06	06/12/11	Aboriginal Peoples	06/12/12	0	06/12/12	06/12/12	10/06
C-36	An Act to amend the Canada Pension Plan and the Old Age Security Act	07/03/20							
C-37	An Act to amend the law governing financial institutions and to provide for related and consequential matters	07/02/28	07/03/21	Banking, Trade and Commerce					
C-38	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.2, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	6/06
C-39	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.3, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	7/06

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-252	An Act to amend the Divorce Act (access for spouse who is terminally ill or in critical condition)	07/03/22							
C-288	An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol	07/02/15							
C-292	An Act to implement the Kelowna Accord	07/03/22							

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05	06/06/22	National Finance	06/10/03	1			
S-202	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	06/04/05	06/05/31	Legal and Constitutional Affairs	06/06/15	1	06/06/22		
S-203	An Act to amend the Public Service Employment Act (priority for appointment for veterans) (Sen. Downe)	06/04/05	Dropped from the Order Paper pursuant to Rule 27(3) 06/06/08						
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	06/04/05							
S-205	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	06/04/05	06/10/31	Energy, the Environment and Natural Resources	07/02/14	0			
S-206	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	06/04/05	06/10/31	Legal and Constitutional Affairs					
S-207	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	06/04/05	06/12/14	Human Rights					
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	06/04/06							
S-209	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	06/04/25	06/12/14	Energy, the Environment and Natural Resources					
S-210	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	06/04/25	06/12/13	Energy, the Environment and Natural Resources					
S-211	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	06/04/25	06/05/10	Social Affairs, Science and Technology	06/06/13	0	06/10/17		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-212	An Act to amend the Income Tax Act (tax relief) (Sen. Austin, P.C.)	06/04/26	Bill withdrawn pursuant to Speaker's Ruling 06/05/11						
S-213	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	06/04/26	06/09/26	Legal and Constitutional Affairs	06/12/06	1	06/12/07		
S-214	An Act respecting a National Blood Donor Week (Sen. Mercer)	06/05/17	06/10/03	Social Affairs, Science and Technology	06/12/14	0	06/12/14		
S-215	An Act to amend the Income Tax Act in order to provide tax relief (Sen. Austin, P.C.)	06/05/17	07/02/20	National Finance					
S-216	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	06/05/30	06/12/13	Aboriginal Peoples					
S-217	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	06/05/30	06/10/18	National Finance					
S-218	An Act to amend the State Immunity Act and the Criminal Code (civil remedies for victims of terrorism) (Sen. Tkachuk)	06/06/15	06/11/02	Legal and Constitutional Affairs					
S-219	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	06/06/27							
S-220	An Act to protect heritage lighthouses (Sen. Carney, P.C.)	06/10/03	06/11/28	Fisheries and Oceans	06/12/11	16	06/12/14		
S-221	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	06/11/01							
S-222	An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures, in order to provide assistance and protection to victims of human trafficking (Sen. Phalen)	07/02/01							
S-223	An Act to amend the Access to Information Act (Sen. Milne)	07/02/15							

PRIVATE BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-1001	An Act respecting Scouts Canada (Sen. Di Nino)	06/06/27	06/10/26	Legal and Constitutional Affairs	06/12/06	0	06/12/07	07/02/21*	

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