



CANADA

# Debates of the Senate

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2nd SESSION

•

39th PARLIAMENT

•

VOLUME 144

•

NUMBER 61

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OFFICIAL REPORT  
(HANSARD)

**Thursday, May 15, 2008**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

## CONTENTS

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

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

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



## THE SENATE

Thursday, May 15, 2008

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

Prayers.

### SENATORS' STATEMENTS

#### VISIBLE MINORITIES IN WINNIPEG POLICE FORCE

**Hon. Sharon Carstairs:** Honourable senators, I want to tell this chamber about a significant event in the dynamic of my home city of Winnipeg. Recently, Monica Stothers was made a sergeant in the Winnipeg Police Service. You might ask: Why is this event significant? When Sergeant Stothers first became a police officer in 1988, she was the first Black or visible minority woman to achieve this position in the Province of Manitoba. She now becomes the first black or visible minority member of that force to achieve the rank of sergeant.

Ms. Stothers said she chose policing out of a love of dealing with people, which seems to have landed her a number of high-profile frontline placements in different areas of the department over the years. She believes an important aspect of quality policing boils down to practicing good public relations, even with people who do not look favourably on police work.

• (1335)

Ms. Stothers has found that in balancing her three pillars of work, family and church, she has also found the time to take college courses that will net her a public relations degree. Her ultimate goal is to receive a master's degree in the field.

Being Black, she says, has allowed her to connect with people of the same ethnicity that a White officer might find more challenging. She feels compelled to be a good role model to her community even though she did not set out to be one. In her words, "Sometimes the actions and decisions you make put you in that position — it's important to show the younger generation that anything is possible."

Ms. Stothers is eagerly embracing her new role as a supervisor and, although she knows moving up a rank involves taking a different tack on teamwork and responsibility, she is ready for the challenge.

Wade Williams, Sr. — also known as Kojo Williams — has long been a thorn in the side of the establishment of my city. An immigrant Black man from St. Vincent in the Caribbean, he wanted his new country to be the best it could be. He has challenged the administrations of the city and province to open its arms to celebrate the diversity of its citizens.

In 1983, Wade threatened to take the Winnipeg Police Services to the Canadian Human Rights Council for its lack of representation of his and other visible minorities' communities. The Winnipeg Police Service recognized it had a problem and opened its doors to Blacks and other members of the visible

minority community. Now, almost 100 members of the force reflect the diversity of my city. The most recent example of this achievement has been the promotion of Monica Stothers to sergeant. Well done, Monica and Wade.

#### INTERNATIONAL CONSCIENTIOUS OBJECTORS DAY

**Hon. Nancy Ruth:** Honourable senators, today is International Conscientious Objectors Day, a day when we can reflect on war, and I reflect that tax time has passed. It is a time when we are reminded that every taxpayer is personally involved in Canada's military efforts in Afghanistan. This war, like all wars, comes from a failure of human imagination and creativity.

Conscience Canada, along with other groups, points out that modern wars are dependent on our tax monies. I am one of those Canadians who, for some years, has withheld from my income tax payment the percentage for the military budget. I put that money on deposit with the peace tax fund called Conscience Canada.

For conscientious objection to be adequately recognized, citizens who object to paying for war must have the means to redirect their war taxes toward non-violent means of peace building. Canada has several historic precedents for recognizing conscientious objection to military taxation, starting with the War of 1812.

Our Charter enshrines freedom of conscience based on secular morality, as well as religion. In 1981, Senator Eugene Forsey and six other MPs said:

In times of military conscription, exemption from service in the military can be claimed on grounds of conscience, and alternative service is approved. It should be equally possible to claim exemption from taxes intended for war preparation and an alternative provided.

I encourage honourable senators to work for the right of Canadians to do three things: to legally and conscientiously object; to pay taxes for peace instead of the military; and finally, to support Bill C-348 when it comes to this chamber.

As Julia Ward Howe, founder of Mother's Day, said, "The sword of murder is not the balance of justice."

[Translation]

#### BILINGUALISM OF FEDERAL JUDGES

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** Honourable senators, bilingualism and the equality of all Canadian citizens are two of this country's basic values, reinforced by a 1999 Supreme Court decision stating that section 16 of the Charter, concerning the equality of status and use of the two official languages, confirms the equality of language rights.

The Right Honourable Beverley McLachlin, Chief Justice of the Supreme Court of Canada, reminded us that:

Much of our collective sense of freedom and safety comes from our community's commitment to a few key values: democratic governance, respect for fundamental rights and the rule of law, and accommodation of difference. Our commitment to these values must be renewed on every occasion, and the institutions that sustain them must be cherished.

• (1340)

Honourable senators, the time has come to reiterate our commitment to the values of bilingualism and equality of language rights in Canada.

It is inconceivable that a prime minister of Canada, the official representative and leader of the government of an officially bilingual country, should be unilingual. It is equally inconceivable that a justice of the Supreme Court, the highest court in this bilingual and bijural land, should be unilingual.

The fact that the court's interpretation and translation services are excellent is not a valid argument for failing to require Supreme Court judges to be bilingual.

The subtlety and nuance of a language simply cannot be translated flawlessly. Labour-intensive translation services, which slow the legal process and delay court rulings, cannot replace good comprehension of both official languages and good comprehension of the arguments and documents used to plead a case.

Honourable senators, it is unfortunate that the motion for the government to appoint bilingual judges to the Supreme Court of Canada was not agreed to unanimously. Four members, Conservative members of the Official Languages Committee, voted against the motion.

Bilingualism and equality are at the core of the spirit of the Charter and of Canadian identity and values. Federal judges must have sufficient linguistic ability to understand legal arguments without the need for simultaneous translation, thereby ensuring the right of all citizens to be judged in the official language of their choice.

Let us reaffirm our commitment to linguistic duality and bilingualism by demanding that judges of the Supreme Court of Canada be bilingual.

[English]

## NATIONAL NURSING WEEK

### CONGRATULATIONS TO THE HONOURABLE LUCIE PÉPIN ON RECEIVING CANADIAN NURSES ASSOCIATION'S CENTENNIAL AWARD

**Hon. Wilbert J. Keon:** Honourable senators, May 12 to 18 is National Nursing Week. This year's theme is "Think you know nursing? Take a closer look." The theme calls on Canadians to challenge and expand their perception of the role of nurses in our health system.

Canada's 270,000 nurses are improving clinical care, leading advocacy work and advancing technological innovation in all practise settings. Every day, they offer solutions to the challenges facing our health system.

The Canadian Nurses Association, CNA, is the national voice for registered nurses, and has been at the forefront of efforts to improve quality and accessibility of health care for Canadians. In 2008, the association is celebrating its centennial, and is using this milestone to showcase both the achievements of nursing and its future.

During National Nursing Week, CNA is releasing the names of recipients of the CNA's Centennial Awards, which recognize 100 registered nurses for their exceptional contribution to Canada's health care system.

Senator Pépin, senator for the district of Shawinigan, in Quebec, is receiving this prestigious award. Born in Saint-Jean d'Iberville, Senator Pépin studied nursing with a specialization in obstetrics and gynaecology. A pioneer in birth planning in Canada, she brought credit to the nursing profession by helping to establish Quebec's first outpatient birth planning clinic in 1966. This early career track led to a lifelong dedication to social justice and human rights advocacy, with a special emphasis on women and children.

Senator Pépin's work also had a positive impact on nursing through her research with the Canadian Committee for Fertility Research and her teaching at the University of Montreal.

In the Senate, she currently sits on the Standing Senate Committee on Social Affairs, Science and Technology, which has undertaken studies on palliative care and population health, among other subjects.

Senator Pépin became the Chevalier, Ordre national du Québec in 1999, and in 2004 received the Florence Prize from the Fondation de recherche en sciences infirmières du Québec.

National Nursing Week is a time to congratulate Senator Pépin and the hundreds of thousands of other Canadian nurses who demonstrate their commitment daily to achieving health system renewal and to advancing health for all.

Please join me in offering her our warmest congratulations.

• (1345)

## NATIONAL JUNIOR A HOCKEY CHAMPIONSHIP

### CONGRATULATIONS TO HUMBOLDT BRONCOS

**Hon. Rod A.A. Zimmer:** Honourable senators, I rise today to celebrate and congratulate the Humboldt Broncos for winning the National Junior A Hockey Championship. This is their second championship in five years. Humboldt's Edward Gale scored the game's lone and winning goal late in the first period. Goaltender, Taylor Nelson, made that goal stand up as the winner with a 30-save shut-out performance as the Broncos claimed the Royal Bank Cup win over the Camrose Kodiaks on Sunday at the Cornwall Civic Complex. The win came five years to the day,

May 11, 2003, after the Broncos won their first national championship, beating, ironically, the Camrose Kodiaks 3-1 in Charlottetown, P.E.I.

Honourable senators, the fabric of this remarkable team goes beyond hockey. It encompasses not only the community of Humboldt but also the community of Muenster — the location of my alma mater, St. Peter's College — and other towns and villages throughout the province. The family values and lessons in life that these young men are taught at an early age will stand them in good stead for the rest of their lives.

Honourable senators, when the team won the Anavet Cup as Western Champions by sweeping the Portage Terriers in four straight games, I had the opportunity to go into the locker room and meet some of the coaches and players at that final game. I witnessed first-hand how polite, professional, engaging and dedicated these young men were. They demonstrated the same virtues on the ice as champions and ambassadors of the game. As they move on in their lives, these family values and good lessons in life will guide them along the way.

Honourable senators, I am proud to congratulate General Manager and Coach Don Brockman; the assistant coaches; management; Captain Russell Nielson, who is their inspirational leader; and the team and their fans on this remarkable accomplishment as national champions and ambassadors on and off the ice.

## WORLD WAR I

### NINETIETH ANNIVERSARY

**Hon. Consiglio Di Nino:** Honourable senators, this year marks the ninetieth anniversary of the end of the First World War. It is a time to reflect on the sacrifice and service made by the more than 600,000 Canadians who served in that terrible conflict. Their sacrifice helped to give Canada an identity, one of which we can all be proud.

Worldwide, we know of only 12 remaining veterans of the Great War: six natives of Britain, one Australian, one Canadian, one American, two Italians and one Austro-Hungarian. Of these, two have a connection to Canada: Gladys Powers of Abbotsford, British Columbia, and John Henry Foster Babcock of Spokane, Washington, U.S.A. Gladys Powers is the last remaining female veteran of the First World War. She served in Britain's Women's Auxiliary Air Force during the war and later immigrated to Canada.

The last living veteran of the Canadian Expeditionary Force is Mr. John Babcock, who has just resumed being a Canadian citizen. Mr. Babcock was raised on a farm just north of Kingston, Ontario, not far from Lake Sydenham. At the age of 15, he enlisted in the Canadian Expeditionary Force and became a member of the 146th Battalion. Upon his arrival at the training depot in Val Cartier, Quebec — a place through which nearly every man and woman serving in the Canadian Expeditionary Force transited — it was discovered that young Master Babcock was under age and, thus, unable to serve. A persistent man, Mr. Babcock then attempted to join the Royal Canadian Regiment and eventually made his way to Britain. When his true age was discovered again, he was placed into the Young Soldiers' Battalion, as only those over the age of 19 were permitted to serve in combat.

Still being under age, Mr. Babcock never made it to France to fight in the trenches and, for this reason, he claimed repeatedly that he never felt like a real soldier. I am sure that all honourable senators in this place can assure him that we think of him with honour and as a soldier of the Great War.

• (1350)

Following the end of the war, Mr. Babcock moved to the United States, joining the U.S. army, where he trained to be an electrician. A resident of the U.S. since 1919, he became an American citizen in 1946, a time when dual citizenship was not permitted.

Beyond serving King and country, Mr. Babcock can be seen as an example of persistent youthfulness. He has never allowed his age to prevent him from trying new things or gaining new skills. At the age of 65 he became a pilot, and at the age of 95 he received his high school diploma. At 107, he is almost certainly the oldest person to become a Canadian citizen.

In a letter to Prime Minister Stephen Harper, Mr. Babcock expressed the desire to have his citizenship restored, a request that was quickly granted by our Prime Minister. I am sure all honourable senators will join with me in congratulating Mr. Babcock. Welcoming him back to Canada as a citizen is a fitting way to acknowledge the service he rendered to his country more than nine decades ago.

## VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of a group of students from the Nashwaaksis Middle School in Fredericton, New Brunswick. They are Chase Bartlett, Morgan Hornibrook, Carly Smith, Alex Nelson, Annie Sherry and Brett MacMullin. The group is accompanied by their Vice-Principal, Mr. Brent Springer.

Please welcome these young Canadians to the Senate of Canada.

**Hon. Senators:** Hear, hear!

## ROUTINE PROCEEDINGS

### STUDY ON FEDERAL GOVERNMENT RESPONSIBILITIES AND MATTERS GENERALLY RELATING TO ABORIGINAL PEOPLES

#### INTERIM REPORT OF ABORIGINAL PEOPLES COMMITTEE TABLED

**Hon. Gerry St. Germain:** Honourable senators, I have the honour to table, in both official languages, the fifth report of the Standing Senate Committee on Aboriginal Peoples entitled: *Honouring the Spirit of Modern Treaties: Closing the Loopholes*.

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

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

### BUDGET IMPLEMENTATION BILL, 2008

#### NATIONAL FINANCE COMMITTEE AUTHORIZED TO STUDY SUBJECT MATTER

**Hon. David Tkachuk (Acting Deputy Leader of the Government):** Honourable senators, with leave of the Senate and notwithstanding rules 58(1)(e) and 74(3), I move:

That, in accordance with rule 74(1), the Standing Senate Committee on National Finance be authorized to examine the subject-matter of Bill C-50, An Act to implement certain provisions of the budget tabled in Parliament on February 26, 2008 and to enact provisions to preserve the fiscal plan set out in that budget (*Budget Implementation Act, 2008*), in advance of the said Bill coming before the Senate.

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

**Hon. Senators:** Agreed.

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

Motion agreed to.

### NATIONAL FINANCE

#### COMMITTEE AUTHORIZED TO MEET DURING SITTINGS OF THE SENATE

**Hon. David Tkachuk (Acting Deputy Leader of the Government):** Honourable senators, with leave of the Senate and notwithstanding rule 58(1), I move:

That the Standing Senate Committee on National Finance have power to sit from Monday, May 26, 2008 to Friday, May 30, 2008, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

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

• (1355)

**Hon. Lowell Murray:** Honourable senators, I do not have the text of the motion in front of me, but it appears to me to be an accommodation or compromise, and not an entirely satisfactory one, with regard to the business of committees and of this house.

Not long ago, we went through almost three weeks in this place when there was virtually no government business on the Order Paper. Indeed, when I looked at the Order Paper, for many days running, I saw “Government Business, Bills — Nil; Government Motions — Nil,” and so on. I do not disparage in the slightest the other business that was on the Order Paper, private members’ motions, resolutions, notices of inquiries and so on, but it struck me — and I said privately to a number of colleagues at the time, and I will repeat it today, though briefly — that at times when

committees are overburdened with work and, in particular, when we have important legislation in the House of Commons that we know will come late in the session to the Senate, it would be a course of wisdom to adjourn this chamber for some days, perhaps for as long as a week or more, to allow committees to sit morning, afternoon, and evening to finish their work.

In the case of one bill to which we have now decided belatedly to give pre-study, that is to say, the budget implementation bill, Bill C-50, this bill is complex, like all omnibus bills. I have not reviewed it in detail, but I believe that it is controversial. It is made to order for the pre-study process, especially when we know that it will arrive formally from the House of Commons in the month of June. Yet, we seem unable to come to any agreement in this place to adjourn the Senate for some days at a time to complete this committee work. That is unfortunate. Often, we find ourselves rushing bills through at the last minute — complex, important and controversial bills. With the technique of pre-study, we can study the detail of the bill; we can even recommend amendments, which sometimes the House of Commons will take on board and implement before the bill arrives in the Senate. We thus avoid the confrontation and the extra time that is taken — I will not say “wasted” — in such a process.

Honourable senators, I intervene at this stage to express some satisfaction that we will be able to have a committee week in June. I will miss some sittings of the Standing Senate Committee on National Finance, of which I am a member, because I will be with the Standing Senate Committee on Official Languages in New Brunswick. However, I continue to believe that when we have a lot of business to be done, the proper way to go about it is to allow the committees to sit for extended periods and to adjourn this chamber during those times, especially when there is little or no government business before us.

Honourable senators, I urge the leadership on both sides to show more collaboration and imagination in planning our business.

**Hon. Colin Kenny:** Honourable senators, I would like to associate myself with the remarks of our honourable colleague. I, too, find that it would be of assistance if we could focus more on committee work, particularly when the government does not have business before us.

There is an element that we do need to take into account, namely, the issue that when we do a pre-study and do improve a bill, little notice is taken of the fact that it came from here. Some may lift their eyebrows, shrug and say “So what?” That is a very altruistic motive to have, but I would say that we also have a duty to the Senate to ensure that people understand that we are making a difference to legislation and that they clearly know that those changes originated here and were a result of the efforts made by senators in this place.

• (1400)

I find myself very much in Senator Murray’s camp if we can find a way to ensure that the bills that we do examine in advance are presented in such a way that it is clear to everyone that the Senate has not only recommended changes to the legislation but will insist on them when the legislation later returns.

**Hon. Sharon Carstairs:** Honourable senators, I, too, want to associate myself with the comments of Senator Murray. The Special Senate Committee on Aging has been very cautious and careful to plan not only our meetings, which are always held on Mondays, but also our travel, so as not to interfere with the activities of this chamber.

To give honourable senators an example, last Friday we were in Welland, Ontario. On Monday we were in Halifax, Nova Scotia. On Tuesday we used a Senate sitting day to travel to Moncton, New Brunswick. We are leaving at four o'clock this afternoon to go to Sherbrooke, Quebec. Again, we will be holding hearings on a Friday.

I understood, because I knew discussions were taking place, that the week of June 2 would be a committee week. I know that six committees have chosen to travel. We are now in the ludicrous situation where six committees will be on the road while this chamber will be sitting. I think that is an affront to this chamber and it is a slap in the face to those committees that dutifully planned their travel for a week in which we were told the Senate would not be sitting.

It is incumbent upon the government to get its act in some kind of gear in order to achieve respect for this chamber and for the committees of this chamber.

**Senator Tkachuk:** Honourable senators, this motion is for the end of May, the week of May 26. I am not the permanent Deputy Leader of the Government, but the agreement was, if I understand Senator Tardif, who may be able to assist, that the first week in June is a committee week. The Senate will not be sitting pursuant to its regular schedule, but it will be sitting until it receives the bill, after which time we will revert to a committee week.

**Senator Carstairs:** Someone has to be here.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** I can perhaps add to the honourable senator's comments. It had been agreed that the first week of June would be a committee week, but because we are expecting Bill C-50 to arrive from the other place, the Senate will only sit to receive the bill and move it to second reading, if this chamber so decides. Apart from that, June 2 to 6 will be considered a committee week. Six committees will be travelling. Other committees will be in Ottawa doing their work and may have the possibility of extended hours.

**Hon. Terry M. Mercer:** Honourable senators, I wish to associate myself with Senator Murray's comments. I also remind the government of my comments earlier in the session that we would find ourselves in just this predicament, that we would receive bills late in the session and that there would be pressure to proceed with them.

I am concerned about the committee week. We have six committees travelling and several committees meeting in Ottawa. I will be on one of the travelling committees, and I am happy to do so. However, I am concerned about the lack of representation by the government at these committee meetings across the country. It is a tradition in this place that we do not have meetings with only one side in attendance. We usually wait for meetings to begin until one member of the other side shows up.

**Senator Rompkey:** Why are their ranks so low?

• (1405)

**Senator Mercer:** It is funny that the honourable senator should ask that question. This is a real problem. The Prime Minister has put the caucus of the government in this chamber in a position where they cannot function. I have no idea how they will have a minimum of six people at the committees on the road, have people in the committees that are meeting here and also have people who fulfill those important roles of leadership, such as the Speaker and the Leader of the Government in the Senate. Of course, Senator Fortier is the Minister of Public Works and Government Services and has other duties and has a great deal of respect for those duties, I am sure.

I am concerned, honourable senators, that if we proceed with this week in June and even with the pre-study of Bill C-50, we will still not be able to function properly and damage will continue to be done to the reputation of this chamber.

Last week, as Senator Carstairs has indicated, the Special Senate Committee on Aging met with no representatives of the government present. That is not right. We need to have that input. The report of the Special Senate Committee on Aging will be an extremely important one. Senator Keon is dutiful in his attendance in Ottawa, but like all other members of the government, he sprints in because the Prime Minister will not do his job and fill the vacancies in this chamber.

**Senator Mitchell:** He is not doing his job.

**Hon. James S. Cowan:** If I may add a word, the practice is that if committees wish to meet outside of their ordinary time, they seek the consent of the whips. Senator Stratton and I have had discussions, and it is our agreement that committees who wish to sit outside their normal hours during that committee week will be entitled and will get the permission to hold those extended hearings and extra hearings.

The only exception to that is because of Bill C-50. We have agreed on both sides that committees will not meet for the brief periods during that week that are required to process that bill through the various stages to get it to the Standing Senate Committee on National Finance, where the legislation can be considered.

Certainly, the intention is that that week is not a break week; it is a committee work week. Some committees will be travelling and other committees will be meeting here, if they wish, outside of their normal times. They are not confined to their meeting times. They can meet as long and as often as they want, the only exception being that we must have a certain number of people here to process the bill.

**Some Hon. Senators:** Question!

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

**Hon. Senators:** Agreed.

Motion agreed to.

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• (1410)

## QUESTION PERIOD

### THE CABINET

#### SUPPORT FOR RULE OF LAW

**Hon. Sharon Carstairs:** Honourable senators, once again this government has chosen not to obey the law; the gun law. This law was supported in this chamber while the Liberals were in the minority and passed because of the openness and support of some members of the other side. This act requires that Canadians register their guns.

Yet, despite this law, this government has again introduced an amnesty. Canada is a country that believes in the rule of law, which means, first and foremost, that governments obey the law. If they do not like the law, they change the law. Until the law is changed, they obey it.

Not this government: When the Conservatives do not like a law, they ignore it. I want to know from the Leader of the Government in the Senate why.

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, I hasten to point out again that the toughest gun laws ever brought into Parliament were by two previous Conservative governments; one in the 1930s, and the other in the 1980s.

With regard to the recent announcement by Minister Day, he announced an amnesty, fee waiver and the ability to apply for new possession-only licences. They are designed to strengthen public safety and not weaken it. They will facilitate compliance with the Firearms Act and enable previously licensed individuals to come back into compliance with the law. The three measures are complementary and will be in effect until May 16, 2009.

Since 2004, more than 100,000 possession-only licences have expired. Under the regulations enacted by the previous government, they were not renewable. Our government has amended the firearms licence regulations to enable eligible persons whose possession-only licences expired to apply for a new one up until May 16, 2009.

**Senator Carstairs:** Honourable senators, that answer is not believable. Bill C-68, the name of the bill, requires Canadians to register their guns. It was the will of the Canadian people. It was even the will of some members who now sit on the other side.

Why does this government not believe in the rule of law?

**Senator LeBreton:** I disagree with Senator Carstairs vehemently. Not only does this government believe in the rule of law, but we have taken strong measures by our various justice-related legislation to strengthen the law.

We believe in strong gun laws and stiffer sentences for gun crimes. We are focusing on combating the criminal use of firearms and supporting gun-control measures that work. This focus includes introducing legislation to repeal the requirements to register long guns. We have known all along that the crimes

involving guns in this country are not those of hunters and farmers; they are the crimes resulting from smuggled handguns that come across the border.

As a result, we have brought in legislation and we have committed \$14.2 million over two years to enhance the screening of new firearms licence applicants and we are enacting the tackling violent crime legislation, which increases mandatory jail sentences for serious and repeat firearms offenders and provides tougher bail rules for serious weapons-related offences.

As is always the case on this particular issue, there is this deliberate attempt by the opposition to confuse people. The issue here is not legally owned long guns.

I remember the debate here, and I remember many of us saying, rather than spend all this money on a long-gun registry and penalizing people — I was one of them — are we not better to put that money into strengthening our borders and investing in facilities to deal with violence?

• (1415)

I was raised on a farm and my father had a long gun. My father would not commit a crime; he would just not do that. He was a law-abiding citizen and law-abiding citizens are not the problem in relation to the long-gun registry. The problem is with people who use illegal firearms to commit serious crimes in this country.

**Senator Carstairs:** Honourable senators, surely Canadians deserve better.

**Some Hon. Senators:** Hear, hear!

**Senator Carstairs:** This is a government elected by a minority. This is a government that ran on a law-and-order platform, a government that now says, we like that law now so we will obey it and we do not like that law so we will not obey it.

What does that say to the ordinary Canadian who now wonders why he or she should obey the law if the government does not obey the law? "Well, gee, if my government doesn't obey its own laws, why should I?"

**Senator LeBreton:** Honourable senators, that is not the case at all. As I pointed out in my first answer, this extends the ability to re-register firearms until next May. There was no provision like that before. However, the fact is that we have brought in very tough measures to combat gun crimes.

I think it is obvious and it is obvious to the honourable senator's party that the long-gun registry was a huge, billion-dollar boondoggle that did not work and cost a great deal of money. The money is better spent on border security and increasing our crime prevention as well as increasing the number of police officers.

For Senator Carstairs to say to ordinary Canadians that they somehow or other believe that we cherry-pick what laws we like and what laws we do not like, only a Liberal would believe such a thing.

**Hon. Joan Fraser:** Honourable senators, with respect, first, one must distinguish between “hang ‘em high laws,” of which we have seen a number from this government, and respect for laws that are already on the books. It is the laws that are already on the books that appear to be giving the government trouble. Certainly, flouting the law on gun control gives me a lot of trouble, but it is not the only example of what Senator Carstairs has been talking about.

This government did not like the Canadian Wheat Board, so it broke the law on the Canadian Wheat Board. This government did not like the law governing the Canadian Nuclear Safety Commission, so it got rid of the head of the commission because she was obeying the law. This government did not like the law with respect to the Law Reform Commission of Canada, so it just got rid of the funding which, in effect, disestablishes the Law Reform Commission of Canada without having to go through the little technicality of passing a new law.

These are precedents that have been set. These are the messages being sent to the people of Canada. As Senator Carstairs so rightly says, if we like the law, we will obey it; but if we do not, we will not.

Would the Leader of the Government in the Senate be gracious enough to tell us what other laws this government does not like?

**Senator LeBreton:** With respect to Senator Fraser, the honourable senator must get some new writers because Senator Goldstein and Senator Banks have already used that argument.

When we came into government, we made certain commitments to the Canadian public. Some of those commitments were to change some of the institutions, for instance, the Canadian Wheat Board. That is not breaking the law. Agencies and actions of governments that are in place are not in place forever. When a government runs on a platform to change some of these bodies and institutions, it is within its right to make such changes.

We have had many examples in the past where, when there has been a change of government, there has been a complete change in policy despite signed and written contracts.

• (1420)

With respect to Senator Fraser, she stretches the so-called “obeying the law” to areas that have nothing to do with the law but in fact have everything to do with policy changes of the government, which we were elected to implement.

**Senator Fraser:** No one disputes the right of a government to bring before Parliament proposed changes in policy and to carry those changes into law if it can win the support of Parliament to do that. Granted, it is easier when there is a majority government. However, all of the members of the House of Commons were elected by their constituents. They all have legitimacy and an equal right to determine which proposals shall and shall not pass in that House, and then those same proposals come to us for normal consideration.

As the honourable senator knows, this chamber very rarely quarrels with the right of a government to implement its electoral platform, particularly when that has been endorsed by the House of Commons. No one is disputing that. What is terribly troubling is to see this government’s tendency to say, “The fact is, we would not be able to get that through the House of Commons.” In other

words, a majority of the elected representatives of the people of Canada would not support this given change, so we will just make the change, regardless. My question is fundamental. What kind of message does that send to the people of Canada, particularly the young people of Canada?

**Senator LeBreton:** As the honourable senator points out, the members of the House of Commons make decisions based on the legislation the government puts before them. The government has the right to pursue its policy objectives.

Senator Fraser used the example of the Canadian Nuclear Safety Commission. I point out to the honourable senator that that matter was put to the House of Commons in the form of a bill and was passed unanimously in the House of Commons and the Senate. Then the honourable senator, somehow or other, in her revisionist way of lecturing us, says that was breaking the law. The law was not broken. We established a law to which we all agreed.

By the way, in regard to the long-gun registry, the Liberal deputy leader, Mr. Ignatieff, recently spoke of the failed long-gun registry. On May 6 *The Lindsay Post* reported:

Ignatieff discussed the gun registry and how it angered rural residents. The Liberal government will have to learn from that and continue to regain the trust of rural citizens, he added.

He is acknowledging the very measure that Minister Day took in announcing the amnesty, fee waiver and the ability to apply, until May 16, 2009, for a new possession-only licence, designed to strengthen public safety.

People who want to acquire a firearm in this country must go through a vigorous application. They cannot just walk in and acquire a firearm. Those acquisition laws are in place. All that was done here was extension of the amnesty until May 16, 2009. No laws were broken. We still have strict handgun laws, as I pointed out, brought in by a Conservative government in the 1930s and again in the late 1980s.

When the Liberals came into office, they inherited this strict gun policy, but they added the long-gun registry. Long guns were never the problem. Farmers and duck hunters are not the problem. The problem is thugs and street gangs who fire their weapons on the streets in our cities and towns, mostly smuggled firearms that come across the border. Surely we are within our right to say we should be using that money to strengthen our border and to increase the ability of police to deal with them. Such initiatives do not break but rather strengthen the law.

• (1425)

**Senator Fraser:** I would never accuse the Leader of the Government in the Senate of selective editing, ever. I note that the actual quote the honourable senator read to us from the newspaper — I think it was from Lindsay, Ontario — did not say what Senator LeBreton indicated Mr. Ignatieff said. It quoted him as saying we Liberals needed to learn some lessons from our experience with the gun registry. That statement is undoubtedly true. I do not think honourable senators will find a living, breathing Liberal who would not agree. Then, Senator LeBreton went on to say that he had indicated it was all a failure and such. I did not hear him say that.

However, I want the Leader of the Government in the Senate to admit that the problem with the Canadian Nuclear Safety Commission was not the bill that was passed by Parliament — perhaps too rapidly, but we passed it. I voted for the bill.

The problem was what happened to the head of the Canadian Nuclear Safety Commission, who was relieved of her duties in the dark of night because she had done what the law instructed her to do in terms of interpreting her mandate. That was the problem.

**Some Hon. Senators:** Hear, hear!

**Senator LeBreton:** It is clear that the government had lost faith in her. The minister said that. This situation is not unusual. It has happened in previous governments and I can cite many examples.

As the honourable senator probably noticed the other day, we appointed the new head of the Canadian Nuclear Safety Commission, a well-respected public servant. Hopefully, now we will not be in a situation where the health and safety of Canadians and, indeed, our customers around the world will be put in danger, as was the case in the medical isotope situation when people could have died or become seriously ill because of the lack of a needed medical element.

The government is within its right to replace people that they believe do not have the confidence of the public and the government itself. That is completely within its right.

We have had worse cases in the past. I hasten to remind the honourable senator that her old newspaper, the *Montreal Gazette*, if she went back and checked the record, did a lot of work covering the case of François Beaudoin.

**Hon. Yoine Goldstein:** I have a supplementary question. Honourable senators, with respect to this series of questions, I think it is worthwhile at this juncture to paraphrase Alcoholics Anonymous and to suggest that perhaps this government should have the courage to obey the existing laws, the strength to change the laws it wants to change and the wisdom to know the difference.

**Some Hon. Senators:** Hear, hear!

**Senator Goldstein:** All we ask this government to do is to obey the existing laws, no more, but no less.

**Senator LeBreton:** I can assure the honourable senator that we do obey the laws. Providing and announcing openly an amnesty for a year is not breaking the law. I am not a lawyer, but even I can figure that out.

This government and all members of this government work extremely hard. We are cognizant of taxpayers' dollars and we are cognizant of the law.

I thought it was interesting that the honourable senator would dig into Alcoholics Anonymous to make his point. That leap is a strange one in my books.

## INFRASTRUCTURE AND COMMUNITIES

### BUILDING CANADA FUND—APPROVAL OF DISBURSEMENT FOR SPECIFIC PROJECTS

**Hon. James S. Cowan:** My question is for the Leader of the Government in the Senate. Last March, more than a year ago, the government announced its Building Canada Fund, which it billed as the largest commitment to provincial, territorial and municipal infrastructure in the last 50 years. That announcement required that framework agreements be signed between the federal government and provincial and territorial levels of government. Is it true that the federal government has signed the necessary framework agreements with eight provincial and territorial governments? If so, can the Leader of the Government in the Senate tell us when Canadian municipalities can expect to see some funds?

• (1430)

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** I thank the honourable senator for his question. I will have to take that question as notice. I know that there has been a significant amount of work done with many provinces on the subject of infrastructure. Within the last few days the head of the Federation of Canadian Municipalities was complimentary of the government for its work in the area and the impact it will have on various municipalities.

Another area of great assistance to municipalities is the transfer of gas taxes directly to municipalities on a permanent basis. This has meant hundreds of millions of dollars have gone directly into the hands of all municipalities, large and small.

I will take the question on signed agreements on infrastructure as notice.

**Senator Cowan:** Honourable senators, I am glad that the Leader of the Government in the Senate referred to the President of the Federation of Canadian Municipalities, because I was planning to do so in my supplementary question. It is my understanding that the president described the Building Canada Fund as “a mere re-branding.” Can the leader explain to this chamber exactly how re-branding helps Canadian municipalities?

**Senator LeBreton:** I am glad the honourable senator asked me the supplementary question, because that will give me a chance to find the quotation.

Mr. Gord Steeves, President of the Federation of Canadian Municipalities, stated in his presentation to the Standing Senate Committee on National Finance on Tuesday:

Although the near history of federal investments in municipal infrastructure stretch back to the first program launched in 1994, it is the last three to five years that has seen a sea change in the government's approach to funding municipal governments. The key difference has been the government's focus on the long term, which is much welcomed. Starting in Budget 2006, the government clearly recognized the need for a long-term investment horizon for infrastructure, at the time defined as seven years. Budget 2008 took a significant step further by making the tax permanent. For the first time, the government is recognizing the reality of infrastructure planning and investment. Incredibly long time horizons are required to fund same.

**Hon. Lorna Milne:** Honourable senators, last week I asked the Leader of the Government in the Senate about delays in funding for Ontario communities under the Community Development Trust even though senators were assured that the money could begin to flow once the legislation was authorized by Parliament and agreements were signed with the provinces.

Today I want to follow up on Senator Cowan's question about the Building Canada Fund, another fund where there was a big ballyhoo over getting agreements signed with the provinces. Fourteen months later, projects are experiencing delays in getting started. In fact, in the same meeting of the Standing Senate Committee on National Finance, the Federation of Canadian Municipalities also stated:

... no money from the Building Canada Fund has flowed, nor have applications been received nor considered in any jurisdiction, because there are logistical issues in all provinces and territories that need to be addressed before those applications have been received.

Can the Leader of the Government in the Senate confirm that absolutely no money has gone into a single project in Canada under the \$8.8 billion Building Canada Fund since March 19, 2007, the day the fund was announced?

**Senator LeBreton:** Honourable senators, I cannot confirm something that Senator Milne has in her mind. That is quite impossible. The fact is that we have been working very closely with the provinces. We have great respect for the role of the provinces in all of this. Applications must be received and processed.

As I indicated to Senator Cowan, as well as to Senator Milne when she asked the question a few days ago, I will be happy to obtain a full report on the status of these infrastructure applications. That will require some work by the department, but I am happy to provide as detailed an answer as I can to this chamber.

• (1435)

**Senator Milne:** Honourable senators, I thank the Leader of the Government in the Senate for her offer to bring the facts before the Senate, but I am reminded that projects like the IPSCO Place revitalization in Regina are being delayed due to nothing more than either Treasury Board and Transport Canada's inability to process applications or they are being instructed not to give their final approval to these projects for political means. Perhaps the motto of the current government is: Why have one press conference when you can have two or possibly three?

In the case of the IPSCO project, the federal government signed an agreement in September 2007, yet the money is on hold until it has received approval from Treasury Board, which could occur, perhaps, in June at the latest, or earliest.

Can the Leader of the Government in the Senate undertake to find out why Treasury Board and Transport Canada have chosen to delay these projects by not providing their final approval for months after the agreement has been signed? It is costing them millions of dollars.

**Senator LeBreton:** I think the honourable senator owes an apology to hard-working public servants in both the Department of Transport and the Treasury Board in relation to her insinuation that they have been instructed not to proceed with this. I happen to sit on Treasury Board. Honourable senators in this chamber who have sat on Treasury Board know the amount of work that is required between departments — the Minister of Public Works could give us a good lesson on that as well — to get expenditures through the various levels of government and then through Treasury Board.

The honourable senator asked about a specific project. I will have to add that to the list. The honourable senator must not impugn motives that are not there, either to the government or to the hard-working public service.

## TRANSPORT

### NOVA SCOTIA—DREDGING OF HALIFAX AND SYDNEY HARBOURS—FUNDING

**Hon. Terry M. Mercer:** Honourable senators, yesterday I asked why the Halifax Port Authority is paying to dredge Halifax harbour when it is clear that it ought to be a matter for the Department of National Defence and/or the Department of Public Safety to pay, since it was their policy that built the security fence and their policy which has changed the shipping route within the harbour.

Today, we see that Paris-headquartered Galaxy SARL is committing to a \$200 million container terminal project at the Port of Sydney. That is very good news. The Premier of Nova Scotia, a friend of this government, has a large wish list in mind for Nova Scotia when it comes to the Atlantic Gateway. One of these items is the dredging of Sydney harbour.

Would the Leader of the Government in the Senate assure me that, using her power as a member of the cabinet, and as a member of the Treasury Board, she will press to have this money released for the dredging of Sydney harbour and Halifax harbour as quickly as possible?

**Senator Rompkey:** Let us get to the bottom of this!

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** That is a good interjection, Senator Rompkey. At least the honourable senator displays some sense of humour in this place, which is needed at times.

Honourable senators, we have a minister in the person of Peter MacKay, Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, who is also a proponent of all things regarding Atlantic Canada and the Atlantic Gateway.

With regard to specific projects, as anyone would understand, we are obviously watching our money right now. In terms of when that money will be allocated, I will be happy to let the honourable senator know.

On the subject of Sydney harbour, there were questions yesterday about how we have taken one ship away from Sydney harbour for the Coast Guard College and sent it into the St. Lawrence for active duty in order to save lives. Somehow or

other, this measure would not allow the Coast Guard College to train their students. However, they did not point out to us that another 30 ships are sitting at the Coast Guard College in Sydney.

• (1440)

## DELAYED ANSWER TO ORAL QUESTION

**Hon. David Tkachuk (Acting Deputy Leader of the Government):** Honourable senators, I have the honour to table the answer to the oral question asked by Honourable Senator Dallaire on April 8, 2008, concerning justice, Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.

## JUSTICE

### OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT— CASE OF OMAR KHADR

(Response to question raised by Hon. Roméo Antonius Dallaire on April 8, 2008)

Canada has a multi-faceted approach to implementing its international human rights obligations, including those found in the *Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflicts* ("OP CRC (Armed Conflict)").

Prior to ratification in 2000, a comprehensive assessment of federal laws, policies, and practices was conducted to determine if they complied with the OP CRC (Armed Conflict). A similar assessment was also undertaken by the provinces and territories. Canada did not signal its intention to be bound until after these comprehensive reviews had been completed. As a result of this review, Canada amended its *National Defence Act* (NDA) to entrench into law the Canadian Forces pre-existing policy of precluding persons under the age of 18 years from being deployed into areas where hostilities are taking place. This amendment (section 34 of the NDA) came into effect on June 29, 2000.

Canada also relies on the constitutional protections that are already in place under the *Canadian Charter of Rights and Freedoms*, as well as through existing legislation, policies, programs, and public education to implement its international human rights obligations respecting children.

As with each of the major United Nations human rights treaties, Canada must periodically report to the United Nations on measures taken to implement Canada's international human rights obligations. Canada submitted its first report on the OP CRC (Armed Conflict) to the United Nations Committee on the Rights of the Child in 2004. It can be found at: [http://www.pch.gc.ca/progs/pdp-hrp/docs/crc/pfcdeca\\_e.cfm](http://www.pch.gc.ca/progs/pdp-hrp/docs/crc/pfcdeca_e.cfm)

Through this multi-faceted approach to implementation, the Government has determined that Canada is in compliance with the OP CRC (Armed Conflict), and as a result, the Government does not plan on passing specific implementing legislation.

## ORDERS OF THE DAY

### SPECIFIC CLAIMS TRIBUNAL BILL

#### SECOND READING—DEBATE ADJOURNED

**Hon. Gerry St. Germain** moved second reading of Bill C-30, An Act to establish the Specific Claims Tribunal and to make consequential amendments to other Acts.

He said: Honourable senators, it is my pleasure to speak to Bill C-30, the Specific Claims Tribunal Act.

While specific claims and the resolution process have been the subject of debate and consternation since 1948, Bill C-30 is a direct consequence of the work of our own Standing Senate Committee on Aboriginal Peoples.

This committee, along with the clear support of the Indian Affairs Minister, Jim Prentice, decided to identify the fundamental obstacles to resolve legal liability claims and to make practical recommendations that would expedite the claims analysis process, and to do so by creating an independent claims determination body that could authorize settlement awards to be paid out from a dedicated allocation of funds.

Bill C-30 is before us today as a direct consequence of the committee's work. I believe it right to acknowledge the dedication and concentrated effort of the members of the committee to produce what Aboriginal and non-Aboriginal Canadians have labelled an excellent report.

I, along with the honourable Senators Sibbeston, Campbell, Dyck, Gill, Gustafson, Hubley, Lovelace Nicholas, Peterson, Segal and Watt, undertook three months of concentrated work to produce our recommendations to the government.

Honourable senators, I must point out that our report would not be the success it is without the contributions of the sound advice offered by Stephen Stewart in my office and Hayden Trenholme in Senator Sibbeston's office. As well, the excellent work of the committee researcher, Lisa Patterson, along with the clerk of the committee, Gaëtane Lemay, is to be commended. Their efforts epitomize the very essence of service to the public.

This important legislation will go a long way toward improving the process in place for the resolution of these claims, and deserves our wholehearted support.

Bill C-30 proposes to establish an independent body, the specific claims tribunal, and to grant it the power to settle specific claims. The establishment of such a body is long overdue. The first calls for a tribunal to adjudicate claims were heard 60 years ago. Similar calls were featured in numerous reviews and

reports prepared by several authoritative groups, including the Standing Senate Committee on Aboriginal Peoples and the Royal Commission on Aboriginal Peoples.

As honourable senators will soon appreciate, Bill C-30 responds to these calls effectively. Under the terms of the proposed legislation, the tribunal would feature the equivalent of six full-time judges. Candidates would be selected from the existing bench of experienced superior court judges. The National Chief of the Assembly of First Nations would have a role in the selection process.

The tribunal will have the power to make final decisions on the legitimacy of claims and on levels of financial compensation up to \$150 million per claim. This will ensure that the lion's share of specific claims will have access to this mechanism.

Tribunal decisions will be binding, and while these decisions cannot be appealed, they may be the subject of judicial review. Provinces and territories may choose to participate in the tribunal as long as they agree to be bound by its decisions. The tribunal will not have the power to award land. The tribunal can only award cash settlements, even when land is the subject of a specific claim. However, the First Nation may use compensation awarded by the tribunal to purchase land from willing sellers. When the tribunal reaches a decision on a land-based specific claim, any uncertainty regarding title to that land would be resolved.

To ensure the settlement of even the most difficult claims, Bill C-30 establishes a series of deadlines. Should a filed claim remain unresolved after three years, a First Nation can refer it to the tribunal for settlement. Claims already in the system can be referred to the tribunal three years from the date Bill C-30 becomes law. Claims may also be referred earlier should both parties agree. This accountability tool has never before been a part of the specific claims process and will reduce the backlog. These deadlines directly address a key concern that was raised by First Nations during previous attempts to fix the problems within the system.

Bill C-30 includes a number of other accountability measures. Annual reports, complete with financial statements, must be tabled in Parliament. In addition, the Minister of Indian Affairs and Northern Development must conduct a review of the legislation within five years to make sure it has met the expectations of all concerned, and table the results in Parliament. First Nation representatives will participate in the review and their representations will be reflected in the reports.

Honourable senators, legitimate claims left unresolved represent nothing less than justice denied. The tribunal will provide First Nations with the legal recourse they need to attain justice.

I am confident that the new specific claims process created under Bill C-30 will eliminate, in a fair and timely manner, the massive backlog of unresolved specific claims.

Settlements not only serve to rectify past wrongs but also help to create strong, prosperous First Nation communities. The positive economic impact of settled claims was a key finding of the *A Hand Up, Not A Handout* study on economic development completed last year by the Standing Senate Committee on Aboriginal Peoples.

To quote from the report:

... the timely settlement of land claim and treaty land entitlement agreements ... is seen as essential to unlocking economic opportunities for Aboriginal people.

Honourable senators, an earlier report by the same committee also serves to support Bill C-30. The report, entitled *Negotiation or Confrontation: It's Canada's Choice*, focused on the issue of specific claims and made four recommendations: the establishment of an independent body to adjudicate specific claims; a fund of at least \$250 million per year dedicated to settlements; an overhaul of existing processes; and a reform effort based on fairness, inclusion and dialogue.

I tip my hat to everyone who contributed to the report. The wisdom of these recommendations is now apparent.

Last year, the Government of Canada, working closely with the Assembly of First Nations, began to implement an action plan based largely on these recommendations, past studies and lessons learned.

The action plan includes this legislation to establish an independent tribunal, as well as \$250 million per year to fund settlements and an overhaul of existing processes. The overhaul includes increased and better access to mediation and improvements in the way the government processes the claims.

The principles of fairness, inclusion and dialogue have informed every aspect of the reform effort.

• (1450)

Indeed, a joint task force developed both Bill C-30 and an agreement to collaborate on issues not explicitly addressed in the legislation. These issues include additions to reserve and claims value in excess of \$150 million.

Honourable senators, Bill C-30 is the centrepiece of a comprehensive plan fully informed by six decades of research and analysis of the issues. The proposed legislation has earned the support of all parties during its progress to date through Parliament.

Outside experts in the relevant legal and Aboriginal issues have also endorsed Bill C-30. Bryan Schwartz, for instance, is a widely respected academic and lawyer. When the Standing Senate Committee on Aboriginal Peoples conducted its study of specific claims, Mr. Schwartz testified as an independent expert. He also appeared both independently and on behalf of the Assembly of First Nations during the review of Bill C-30 by the Standing Committee on Aboriginal Affairs and Northern Development in the other place.

To quote from Mr. Schwartz's testimony:

I believe that the new specific claims bill that is before you is a tremendous achievement. ... I think it is the best agreement, the best piece of legislation achievable, at this point in history. It represents, finally, a successful conclusion of efforts to achieve something like this that

has literally taken over 60 years. It would be a great accomplishment to now see it passed into law and passed into law quickly.

Bill C-30 also enjoys the support of the Assembly of First Nations. During his testimony at the same committee, National Chief Fontaine made these remarks:

The bottom line is that a new, independent tribunal . . . will indeed make a significant difference in improving the process and in expediting claims resolution. . . . Therefore, it is very important to seize this historic opportunity to pass this legislation . . .

Honourable senators, the Minister of Indian Affairs and Northern Development has stated repeatedly that the Government of Canada remains committed to settling specific claims through negotiation. Negotiated settlements are superior because they are the product of collaboration, mutual respect and informed conciliation.

Bill C-30 in no way diminishes this government's commitment to negotiation. Indeed, the proposed legislation strengthens this commitment by permitting the First Nation to bring its claim to the tribunal after three years of unresolved negotiations, or sooner, if both parties agree.

Bill C-30 is the product of a historic, collaborative effort that aims to create a brighter future for Canada by reconciling past mistakes.

In essence, the legislation now before us proposes to change the relationship between First Nations and Canada. Bill C-30 seeks to build mutual respect and trust. It strives to unite all Canadians in common purpose. It envisions a fair and accountable justice system for all citizens, Aboriginal and non-Aboriginal alike. After 60 years of good intentions and credible research, Bill C-30 offers an opportunity to make tangible progress on specific claims.

We must not fail to take advantage of this opportunity, honourable senators. The legislation now before us warrants our unequivocal support and rapid passage.

I want to mention as well at this time the great work that members of the Department of Indian and Northern Affairs — some of whom are here today — accomplished in working with everyone, keeping us informed and assisting us. We need to recognize the dedication of many of our civil servants.

This moment is a historic one, and we all share in the success. It is not mine; it is not about me; it is about us. Let us hope that we will pass the bill as quickly as possible, and justice will at last take its rightful place in this country.

**Hon. Elaine McCoy:** Will the honourable senator entertain a question?

**Senator St. Germain:** Yes.

**Senator McCoy:** I congratulate the honourable senator because everything he said in his presentation is true, particularly what he said about the excellent work that the Senate committee completed in leading the way on this important initiative.

The last time I checked, however, the number of settlements and expedited land claims on the website of Indian and Northern Affairs Canada was only a handful.

Is the honourable senator, as sponsor of this bill and as chair of our Standing Senate Committee on Aboriginal Peoples, tracking that situation, and can he assure us that he will keep the pressure on the government to put its plans into action in a timely fashion?

**Senator St. Germain:** Honourable senators, we are keeping close track of the 54 specific claims resolved in 2007-08. As a committee, we feel it is our responsibility. I cannot think of any greater level of cooperation. I came here in 1983. Senator Rompkey and others were here. I have never seen cooperation like we have experienced in this particular instance.

Of the 54 specific claims resolved in 2007-08, 37 claims have been settled; 17 were rejected. We are monitoring this. The Department of Justice and the Department of Indian and Northern Affairs and the ministers themselves are monitoring these settlements. We were in conversation with Minister Strahl last night as a group of committee members, and this subject was part of the conversation as well. We are well aware of the importance of not allowing these claims to languish on the sidelines.

On motion of Senator Tardif, debate adjourned.

## CANADA MARINE ACT CANADA TRANSPORTATION ACT PILOTAGE ACT

### BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Oliver, seconded by the Honourable Senator Cochrane, for the second reading of Bill C-23, An Act to amend the Canada Marine Act, the Canada Transportation Act, the Pilotage Act and other Acts in consequence.

**Hon. Bill Rompkey:** Honourable senators, I want to make some brief remarks on this bill. They can be brief for one reason, which is that Senator Oliver covered it so thoroughly and so well yesterday in his speech. I am tempted to reread that speech, but I will not. I am not surprised that Senator Oliver covered it so thoroughly and so well, being a son of Nova Scotia.

However, I want to make a few remarks to point out to the chamber that, at the present time, the president of the Association of Canadian Port Authorities is from Newfoundland and represents the Port of St. John's. It would be fitting, it seems to me, if this bill were passed while he was in that position.

As Senator Oliver knows, the Port of St. John's goes back hundreds of years. It is said that John Cabot sailed there on June 14, 1497, but we know there were people there in the 1500s, and Sir Humphrey Gilbert claimed it for Britain in 1583. The port goes a long way back, and we have a history with the sea, as the honourable senator does in his province.

I urge rapid passage of this bill by the Senate because, as we all know, things are changing on the sea. Those of us who have lived close to the sea, and with it, and sailed on it for hundreds of years are well aware that we must keep up with changing patterns.

I had the privilege of travelling with His Honour to Panama a couple of years ago, and we met with the Port Authority of the Panama Canal. It was instructive to us at that time to learn that they were doubling the size of the Panama Canal to increase the traffic.

• (1500)

As a matter of fact, I remember His Honour raising the question about how Canadian ports could benefit from the increased traffic that was to come from the south. Even with the doubling of the size of that canal, it will still not be able to handle the size of the ships that are now being built in China, India and elsewhere. The increase of sea traffic will be immense, and we need to be prepared, in this country, with the longest coastline in the world, to take advantage of it.

I do want to refer to the bill, however, and make comments on it. This bill is very similar in some respects to its predecessor, Bill C-61, An Act to amend the Canada Marine Act and other acts, which was introduced in the House of Commons on December 22, 2005 by the then Liberal government. That bill died on the Order Paper with the dissolution of Parliament without having gone beyond first reading.

In 1998, during the Liberal government's term of office, the Canada Marine Act received Royal Assent. The Canada Marine Act was the first comprehensive legislation to govern several aspects of Canada's marine legislation. In addition, the act allowed for the establishment of Canadian port authorities, port facilities and the continued divestiture of certain harbour beds. The CMA assisted on the commercialization of the St. Lawrence Seaway and provisions for further commercialization of federal ferry services.

In 2003, the CMA was subject to a legislative review. Since 2003, Transport Canada carried out a number of studies, from which Transport Canada was able to compile several recommendations to improve the CMA.

Canada's policy framework of 1995 for federal ports focused on the elimination of overcapacity and a new governance structure to support a more commercial system. Global trading patterns — which I have talked about — have changed the context in which federal ports operate. Port modernization is required to ensure that ports have the tools needed to compete in the global trade environment and to support the government's new national policy framework for strategic gateways and trade corridors.

Canadian port authorities are found at St. John's, Belledune, Halifax, Saint John, Sept-Îles, Saguenay, Quebec, Trois-Rivières, Montreal, Hamilton, Windsor, Thunder Bay, Port Alberni, Nanaimo, Prince Rupert and Vancouver, which will be amalgamated with Fraser River and North Fraser. I do not see Goose Bay on that list, but I would very much like to have it there because, as honourable senators will know, the Arctic is opening up. The Port of Goose Bay is rapidly becoming an entry port for

the Arctic. With the road across Labrador, there is now access for goods coming in on rubber from Montreal that can be easily shipped to Nunavut.

As a matter of fact, Senator Adams and I have been discussing this. There is a significant amount of cooperation between Newfoundland and Labrador and Nunavut. It seems that if we can find a mechanism to enhance that particular port, we would be providing a great service, not only to that port but to the whole of Nunavut. It is an hour and a half steam from Goose Bay to Iqaluit. We can see many possibilities for enhancing trade and service between those two regions. I put that on the record for future reference and consideration.

This bill will change the access to contribution funding. Many of these points were outlined yesterday by Senator Oliver in his excellent speech. The Canadian port authorities would be permitted to apply for contribution funding related to infrastructure, environmental sustainability and the implementation of security measures.

I will now turn to the subject of borrowing limits. A tiered approach would be implemented that would permit larger Canada port authorities — those with 25 million in operating revenues for three consecutive years — to move to a commercially-based borrowing regime. Certain CPAs would be subject to a code that governs borrowing rather than a fixed borrowing limit.

The legislation includes provisions that would allow for a consistent approach to facilitate any potential future amalgamation and would complement the regulations established in May 2007 with respect to amalgamation.

The bill incorporates proposed amendments related to governance that are more responsive to CPA needs and will promote a more stable long-term management framework.

An administrative monetary penalty regime has been introduced to make the enforcement of minority violations easier to manage.

These are measures we support, largely because they are not entirely new measures. They were introduced before, they should be introduced again and we should pass them as quickly as we can.

I conclude where I started, by pointing out to everyone that we are a maritime country. We sometimes forget that. Canada needs to bring its ports into the 21st century with the proper infrastructure, funding, administration and the creative management that will see us benefit from the immense global marine trade that will take place shortly.

I urge honourable senators to pass this legislation, to send it to committee and pass it as quickly as we can. I think it is supported by all port authorities across the country, and they are keen to have these measures in place as soon as possible.

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

**Hon. Senators:** Question!

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Tkachuk, bill referred to the Standing Senate Committee on Transport and Communications.

## PARLIAMENT OF CANADA ACT

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

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Banks, for the third reading of Bill S-224, An Act to amend the Parliament of Canada Act (vacancies);

And on the motion in amendment of the Honourable Senator Brown, seconded by the Honourable Senator Nancy Ruth, that Bill S-224, An Act to amend the Parliament of Canada Act (vacancies), be not now read a third time, but that it be amended in clause 1, on page 1:

(a) by replacing lines 8 to 12 with the following:

“13.1 Within 180 days after a vacancy happens in the Senate, the Prime Minister shall recommend to the Governor General for appointment to fill the vacancy a person who is fit and qualified, and in doing so shall have regard to;

(a) in the case of a vacancy related to the Province of Alberta, any consultation that has taken place under the *Senatorial Selection Act* of that province; or

(b) in the case of a vacancy related to any other province or territory, shall have regard to any consultation that has taken place within the past six years in a provincially-held consultation for persons to represent that province or territory as members in the Senate.”; and

(b) by replacing lines 16 to 19 with the following:

“within 180 days after the day of that assent, recommend to the Governor General for appointment to fill the vacancy a person who is fit and qualified, and in doing so shall have regard to

(a) in the case of a vacancy related to the Province of Alberta, any consultation that has taken place under the *Senatorial Selection Act* of that province; or

(b) in the case of a vacancy related to any other province or territory, within the past six years any consultation for persons to represent that province or territory as members in the Senate.”.—(*Honourable Senator Banks*)

**Hon. Wilfred P. Moore:** Honourable senators, the debate on this matter stands in the name of Senator Banks, and he has agreed to let me take his place and speak to it today.

Honourable senators, Senator Brown’s amendment would transform my modest proposal to limit vacancies in both Houses of Parliament and turn it into a bill to provide for Senate elections. I regret that the honourable senator was unable to attend any of the meetings of the committee when we heard from a variety of witnesses and had very useful discussions on the bill. From his very brief remarks, I was able to discern that Senator Brown at least read the statement of Mr. Van Loan, as it appears to be the only basis for the amendment he proposes.

I cannot support the amendment. It would turn Bill S-224 into a cheap imitation of Bill C-20, a Senate election proposal that even the government has now backed away from, since three of the four founding provinces of Confederation have threatened to challenge it in court.

I have scrupulously avoided engaging in a discussion of Senate reform in the context of Bill S-224. My bill has nothing to do with Senate reform. It merely seeks to constrain the Prime Minister and require him to fulfill his constitutional duties within a reasonable time. Such a constraint is needed for the current Senate and would be needed in the future, no matter what changes may be made to the institution.

The government, unable to articulate a rational argument against the bill, has tried at every turn to turn this into a discussion about Senate reform. Thus, we have Senator Brown’s amendment before us.

I have tried to maintain the focus of my interventions on the bill and I have stayed away from Senate reform discussions because they are not relevant. Senators opposite have tried to draw me in, but I have resisted. On this occasion, however, I must respond. Senator Brown’s amendment would completely alter the bill and make it into a Senate reform initiative, one that I personally regard as unconstitutional. Let me indulge the other side with a few remarks on Senate reform as I explain my opposition to Senator Brown’s amendment.

• (1510)

Honourable senators, the current government’s attempt to fulfill its promises on Senate reform is an utter failure. Everyone knows it and, frankly, they do not even have anything to put in the window to make it look good at the next election.

The Prime Minister knows he has failed. With nothing to show for his efforts, he now expends his energy creating a narrative that assigns blame to anyone but himself. Stephen Harper would like to lay his failure at the feet of the opposition in the House of Commons and the Liberal majority in the Senate. That is the narrative preferred by the Conservative communications brain

trust; and so, they are attempting to sow the bill with a poison pill. If we vote against this amendment, they will say that is further evidence that Stephen Harper's failure is not his fault.

Neither the opposition in the House of Commons nor the Liberal majority in the Senate have it in their power to amend the Constitution. The Prime Minister's objectives require the consent of the provinces, yet he does not even talk to them. However, for Stephen Harper, the Constitution of this country is an inconvenient truth standing between him and his righteous mission. He does not like the fact that the Constitution requires him to respect the rights of the partners of Confederation, and the amending formula that guarantees they have a say in institutional change that affects their interests. He prefers to try to achieve constitutional change surreptitiously, unilaterally and contrary to the position of Ontario, Quebec and New Brunswick. He will not attempt to forge an agreement with the provinces because he fears failure. Instead he seeks approval from us, who have no power to grant it, so that he may blame us.

The truth is that Parliament is not to blame. Stephen Harper has failed to achieve his vision of a renewed federal chamber because he has behaved like the leader of a unitary state, not a federation. We have seen an incredible transformation from the man who participated in the "firewall letter" to the unilateralist, centrist Prime Minister we see today.

Stephen Harper has failed because he has alienated the provinces when he needed to lead them. He has divided them when he needed to build consensus among them. He has failed because he is the first Prime Minister in over 80 years not to have a first ministers' conference. Instead, he has sent his ministers to attack their provincial counterparts, indulging in insults and epithets rather than dialogue. Despite an economic downturn brewing in our neighbour to the South, Stephen Harper has failed to unite the provinces in fiscal and economic matters, and has instead sowed discord with high-handed tactics such as breaking his solemn promise on the Atlantic Accord. Little wonder, then, that the party in government in Nova Scotia, the Nova Scotia Progressive Conservative Party, at its most recent convention, voted to reject the Prime Minister's initiative to establish so-called Senate "consultative" elections.

Stephen Harper has failed because, instead of inspiring Canadians with a coherent vision, instead of rallying the premiers to a common purpose, he has resorted to a kind of constitutional extortion, telling the provinces, in effect, "If you don't implement my reform plan, I will not appoint any senators from your province."

Senator Brown's amendment, then, is the last gasp of a government mired in the hostility it has cultivated among its provincial partners in Confederation. I regard the amendment as a transparent attempt to reinforce the false narrative that Stephen Harper is not to blame for his failure. The amendment is so transparent, in fact, that I do not hesitate to vote against it.

Let us reject this distraction and return to the objective of the bill. Let us pass this bill to ensure that every Canadian in every province and territory will have their full representation in both Houses of Parliament as enshrined in the Constitution.

On motion of Senator Andreychuk, debate adjourned.

[ Senator Moore ]

[Translation]

## INCOME TAX ACT

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

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Day, for the second reading of Bill C-253, An Act to amend the Income Tax Act (deductibility of RESP contributions).

**Hon. Consiglio Di Nino:** Honourable senators, I am pleased today to speak to Bill C-253, which would make Registered Education Savings Plan (RESP) contributions tax deductible.

It is important to have a thorough debate on this bill, which has some serious deficiencies and which has even been described as malicious publicity gimmick.

Bill C-253 does not do much to help the majority of Canadian families who want to see their children continue on to post-secondary education. It primarily benefits high-income families, and has some major design flaws that would mean earlier contributions are taxed twice.

In this time of economic uncertainty, it could also cause the federal government to run a deficit, which would be unacceptable.

It is estimated that Bill C-253 would cost the federal government \$900 million and its provincial counterparts \$500 million.

[English]

These are, if anything, conservative estimates. In fact, some private-sector economists suggest the annual costs could be significantly higher. For example, Don Drummond, chief economist at the TD Bank, believes Bill C-253 would cost the government approximately \$2 billion a year.

Little wonder observers from across Canada have been highly critical of Bill C-253 for being, as a recent *Montreal Gazette* editorial stated, "hopelessly irresponsible."

Indeed, the reaction to Bill C-253 in the editorial and opinion pages of major newspapers right across Canada has been almost universally negative, and has pointed to the flaws in the bill that I will examine in the course of my remarks today.

For instance, the *Toronto Star* rhetorically asked:

Is a tax dodge, built upon another tax dodge that, in turn, is topped up by Ottawa, the best way to help university and college students, especially when the wealthiest parents will inevitably receive the most help?

*The Globe and Mail* was also highly critical of the bill as it would:

... stick the young recipients with the tax bill for the entire amount that they withdraw, when they tap the funds. That would be an enormous burden for many students. Worse, the bill would push Ottawa dangerously close to a deficit.

The respected C.D. Howe economist Finn Poschmann, writing in the *Financial Post*, was adamant in his opposition to Bill C-253, remarking:

To make RESP contributions deductible is an expensive and unnecessary proposition, and would not sit coherently with other parts of the tax system.

• (1520)

Columnist Alan Caplan with the *Edmonton Sun* expressed concern with Bill C-253, noting:

... those who need the most fiscal help actually benefit the least because a tax deduction occurs at a taxpayer's highest marginal rates. So the higher the income, the higher the tax incentive. . .

He goes on to say that Bill C-253 was:

... constructed to score political points instead of the best interests of the folks who need help the most.

Honourable senators, this is in direct contrast to this government's most recent budget. It is a budget that is prudent, focused and fiscally responsible. It builds on the decisive and timely tax deductions for individuals, families and businesses that our government has introduced since 2006. It is a budget that helps students, seniors and workers.

A key element of Budget 2008 is a new Tax-Free Savings Account, TFSA, which will allow Canadians to invest up to \$5,000 a year. These flexible, general-purpose accounts will improve incentives for Canadians to save by allowing them to earn tax-free investment income on their savings. As the C.D. Howe Institute declared, "this tax policy gem is very good news for Canadians, and" the Finance Minister "and his government deserve credit for a novel program."

[Translation]

Getting back to today's debate, honourable senators, the government is fully aware of the need to help Canadians obtain the educational support they need. That is why Budget 2008 includes an investment of \$350 million in 2009-10, which will increase to \$430 million by 2012-13, for a new, consolidated Canada Student Grant Program, from which 245,000 college and university students will benefit every year. This initiative is aimed at increasing participation and success rates in post-secondary studies in order to create the skilled, energetic workforce we need to guarantee Canadians a better future.

This assistance will encourage many students to enrol and to stay in school, thereby giving themselves the means and the opportunity to enjoy a prosperous future.

[English]

To complement the program, Budget 2008 commits \$123 million over four years starting in 2009-10 to streamline and modernize the Canada Student Loans Program. The contribution of the new Canada Student Grant Program and measures to streamline and modernize the Canada Student Loans Program will contribute to Canada's knowledge advantage by helping to develop a highly educated workforce well equipped to take on the challenges of a fast-paced, global economy, which will benefit all our citizens.

I note for the benefit of my colleagues that student groups were highly supportive of the changes in Budget 2008. The College Student Alliance said that Budget 2008 "shows that the federal government is keeping an eye to the future and to our future leaders of tomorrow."

The Canadian Federation of Students added, "by implementing a national system of grants" in Budget 2008, "the government has responded to a long-standing call by students and their families."

In light of the intent of this bill, I will provide background for senators on the Registered Education Savings Plan, RESP, program with respect to assistance from post-secondary education savings.

In the fiscal year 2008-09, the government is expected to provide \$860 million in tax grant assistance to encourage savings in these plans. Contributions attract the Canada Education Savings Grant, CESG, up to \$7,200 per beneficiary. Extra support is provided to assist low-income individuals through the enhanced CESG and the Canada Learning Bond.

Investment income and grants accumulate tax free while in the plan, and are taxed in the hands of the student, usually at a time when their incomes are low and they pay little or no tax. Contributions are not taxed when withdrawn. This point is an important one I will return to later.

Honourable senators may also be aware that because of these features, contributions to RESPs can earn a higher after-tax rate of return than is available from other tax plans, such as the Registered Retirement Savings Plans, RRSPs. Since the year 2000, annual contributions to RESPs have grown to an average of over 7 per cent each year. Participation in these plans is also growing. A few years ago, roughly 25 per cent of children between the ages of 5 and 9 had RESP savings. Today, that number is over 42 per cent.

Nevertheless, that increase has not stopped the current government from taking affordable and responsible action to improve RESPs by expanding the program and making it more flexible and more available to students.

[Translation]

In Budget 2007, the government increased the lifetime contribution limit from \$42,000 to \$50,000. It also eliminated the annual contribution limit and increased the maximum annual Canada Education Savings Grant from \$400 to \$500. This was the

first time the limits had been changed since 1998 and it was long overdue. Budget 2007 also allowed part-time students to take advantage of Registered Education Savings Plans in order to help those who must continue to work while they study.

Budget 2008 improved the program even further by increasing the time limit over which individuals may contribute to an RESP and the duration of these plans. This should help families with more than one child and students pursuing an education over an extended period of time.

[English]

I am sure we all agree on the importance of families saving for their children's education. The government has amply demonstrated its commitment to this objective. The bill we are debating today proposes substantial changes to the RESP program, which some have suggested are positive. However, I suggest that not only are they not positive; more importantly, they are not good public policy.

One key concern is the cost. As I mentioned at the outset, the estimated annual cost of these changes is about \$900 million plus almost \$500 million annually in foregone tax revenues to the provinces. This government stands for responsible leadership, and that means we need to be prudent during these times of global economic uncertainty. We cannot afford to make rash spending decisions that could put the government's finances at risk and push us back into deficit, but that is exactly what this bill would have us do.

A second concern is that the proposed bill is an ineffective means to promote savings education. RESP contributions now exceed \$2.5 billion annually. Providing a deduction for these contributions represents over \$650 million of the estimated \$900-million cost of the bill. In other words, the measure proposes to spend about \$650 million before generating a single dollar in additional RESP savings. This measure does not represent good value for money.

A third concern is that most of the tax relief provided by the bill would go to higher-income families. Indeed, evidence suggests the lion's share of the tax relief would go to families earning \$75,000 or more.

Just listen to the assessments of independent observers who have reviewed Bill C-253 on that account. Economist Craig Alexander of TD Bank asserted that Bill C-253 "is going to proportionately benefit the higher-income families."

Academic Kevin Milligan of the University of British Columbia, after a study of the bill, concluded:

It is clear that most of the benefit of RESPs goes high up the income scale. . . Canadians interested in good tax policy and smart education policy should hope that, one way or another, this ill-conceived proposal is rejected.

Listen to a student group like the Canadian Alliance of Students Association who declared:

It is important to recognize that the students who will benefit the most will be those from high-income and middle-income backgrounds . . .

Bill C-253 will not be helpful for low-income students.

• (1530)

The Canadian Federation of Students has also pointed out that Bill C-253 favours richer families and announced:

We are not in support of this bill.

Finally, Bill C-253 also contains some serious technical flaws. First and most obvious, the bill would tax all contributions as they are withdrawn. The inclusion of all contributions in the income of the contributor as they are withdrawn would result in a substantial new tax for them.

Furthermore, contributors would be unable to predict the timing of the income inclusion, as this would depend on decisions made by the beneficiary regarding when to pursue post-secondary education.

Second, on account of a technical flaw, the bill would tax contributions that had not received a deduction. This means that Canadians, who have contributed some \$15 billion to RESPs in the past, would receive a tax bill upon withdrawal if Bill C-253 were to go forward as it stands.

I will explain how. First, the bill repeals a section of the Income Tax Act that ensures that withdrawals of contributions were not included in the income.

[Translation]

**Hon. Fernand Robichaud (The Hon. the Acting Speaker):** I regret to inform the honourable senator that his time is up.

**Senator Di Nino:** May I have five more minutes?

**Some Hon. Senators:** Agreed.

[English]

**Senator Di Nino:** By eliminating this provision, Bill C-253 will force contributors to include every withdrawal of RESP contributions in their taxable income. There is no time frame, so someone who made an RESP contribution 10 years ago would end up having to pay tax on this contribution when it is withdrawn.

Nonetheless, when these funds are withdrawn to cover university expenses, the parents will have to pay tax on the contributions. If the family income was \$75,000 in 2008, and they lived in Ontario, they would have an additional tax bill of \$6,300 because of this bill.

Second, the bill expressly requires that all RESP contributions made after 2005 be included in the contributor's income on withdrawal. However, Bill C-253 only comes into force on Royal Assent and thus the deduction would only apply until then. This means that contributions made in 2006 and 2007 would be taxed on withdrawal even though they never would have benefited from

[ Senator Di Nino ]

the deduction. It also means that a parent who makes a contribution that exceeds the deduction limit would, under the legislation, be required to pay tax on the excess when it is withdrawn.

The proposed annual deduction limit on the taxpayer's RESP contribution is equal to the lesser of \$5,000 and the excess of \$50,000 over the total amount of RESP contributions made by the taxpayer in the previous year. These limits apply per contributor regardless of how many children they may be making RESP contributions for.

[Translation]

In summary, the measures proposed in Bill C-253 would be both costly and inefficient, and they would chiefly benefit higher-income families. They would not be a good use of taxpayers' hard-earned money. They would entail huge costs and would risk causing a federal budget deficit in these times of economic uncertainty, when we should be acting prudently and responsibly.

Like others who have expressed serious concerns about this matter, I do not believe that a private member's bill can or should dictate government operations.

[English]

The integrity of the budget process must be respected. The *Lethbridge Herald* said "That the bill passed the House of Commons at all suggests a malfunction of the parliamentary function."

A *Winnipeg Free Press* editorial states:

Parliament should move to reform the rules that frame private members' bills.

Budgets or parts of them cannot be crafted by individual parliamentarians. This is the responsibility of the government and it is a principle of responsible government. Tinkering with this long-standing tradition would be a dangerous slippery slope.

Clearly, this bill is flawed beyond repair. I ask honourable senators to, as the headline of a recent *Vancouver Sun* editorial pleaded, "Kill this ill-considered education tax break."

In his recent *National Post* comment, Finn Poschmann said:

The more dignified resolution would be for the Senate simply to vote down the bill. Partisan sentiment will militate against this responsible course, but it is the route that will preserve the notion of responsible government.

In closing, honourable senators, our government told Canadians that we would maintain a balanced budget, and we intend to keep our word. That, combined with the reasons I have outlined today, is why I cannot support this legislation and neither should honourable senators. Rejecting this bill would reflect the role that the Senate was constitutionally mandated to play.

On motion of Senator Cowan, debate adjourned.

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

### SEVENTH REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the seventh report of the Standing Committee on Internal Economy, Budgets and Administration (committee budget), presented in the Senate on May 14, 2008.—(*Honourable Senator Furey*)

**Hon. Joan Cook** moved the adoption of the report.

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

Motion agreed to and report adopted.

## THE SENATE

### MOTION TO URGE GOVERNMENT TO ESTABLISH NATIONAL PORTRAIT GALLERY IN NATIONAL CAPITAL REGION—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Callbeck:

That the Senate urge the Government to establish a National Portrait Gallery in the National Capital Region without delay.—(*Honourable Senator Di Nino*)

**Hon. Consiglio Di Nino:** Honourable senators, I will take a few moments to put on the record my thoughts on this issue.

The concept that all national galleries and/or museums be located in the National Capital Region is both wrong and short-sighted, and, frankly, not reflective or respectful of other regions of Canada or their residents and the contributions they have made to building Canada.

During debate on Bill C-42, An Act to Amend the Museums Act, I reminded honourable senators that national establishments such as museums have an explicit mandate to preserve and protect the heritage of our country and that they must be relevant and accessible to all Canadians. Frankly, I do not see the relationship of our capital city to the exclusive display of national artifacts of historical, artistic, cultural or other values as one that should be assumed from the outset.

• (1540)

Indeed, I believe there is great value in locating national institutions in different regions of our nation. It is a recognition and an affirmation that the particular region is as important as all other parts of our country. A great country, honourable senators, is the sum of its parts. One can make an argument that certain institutions should be in specific regional centres because of their focus or ties to the community.

For example, as alluded to by our honourable colleague Senator Comeau, a national Acadian museum should be located in a region traditionally inhabited by the Acadian community. This location would not make it any less a national historic

institution. The same may be said for other institutions in Aboriginal or other communities. Some of us believe that Pier 21 in Halifax should be a national museum. The mere idea that it should be in Ottawa I find bizarre.

National institutions should also be tools for nation building; tools to strengthen the fabric of our country, where our history, culture, arts and crafts can be displayed as a recognition and celebration of our national identity, which includes all of Canada. My friend, Senator Munson, suggested that learning about our history, our institutions, and all the men and women who pioneered and continue to make extraordinary contributions to Canadians should happen only in the National Capital Region. I respectfully disagree.

Honourable senators, I believe locating national institutions across the whole of Canada would reflect Canadians' collective contributions to building the best country on earth.

**Hon. Percy E. Downe:** Will the honourable senator accept a question?

**Senator Di Nino:** Absolutely.

**Senator Downe:** Is this position articulated by the honourable senator about spreading national institutions across the country also the position of the government? Can the honourable senator urge the government to take the same position on the relocation of government departments and agencies throughout the country? As the honourable senator knows, the bulk of national headquarters are in the greater Ottawa National Capital Region, with few exceptions. The Canadian Tourism Commission, with fewer than 100 employees, is in British Columbia; the National Energy Board is in Calgary; and, of course, Veterans Affairs Canada is in Charlottetown. All Canadians pay taxes, but the benefits from the Government of Canada remain in this region, to the exclusion of most other regions of Canada.

As honourable senators may be aware, not only are most departments here, but also most of the high-paying jobs are in this region. Over 93 per cent of the EX category and higher positions are in the Ottawa-Gatineau area of Canada.

To give honourable senators an indication of the beneficial impact of a national department, in Charlottetown last year, there were 1,345 full-time employees of Veterans Affairs Canada and the annual payroll was \$99 million. That investment in the region is significant.

The problem with the portrait gallery is that it is not really a benefit to the regions because they must have a competition and put up funding to enter the process. As well, it excludes areas like Charlottetown, Prince Edward Island, from competing. I was interested in the honourable senator's enthusiasm for spreading the benefits of the Government of Canada throughout the regions. I hope that the honourable senator will take that message to government and try to relocate some departments and agencies throughout Canada.

**Senator Di Nino:** Honourable senators, allow me to state that these are my strong personal opinions. I suspect that the government has similar opinions, since we worked hard in this

chamber to pass the Canadian Human Rights Museum, which is located in Winnipeg. That, again, was done by our government.

In respect of the other issue concerning the location of government departments and agencies, obviously the honourable senator knows that a Conservative government put the GST centre in his province, and other institutions have been placed as well. It is my view that it would be appropriate for some of these institutions to be placed in other parts of the country, as the Conservative government has done in the past few years.

**Senator Downe:** Honourable senators, it is hard for most Canadians to understand why the Department of Fisheries and Oceans is located on floors 14 to 16 of an office tower on Kent Street in Ottawa, where employees cannot see an ocean or anyone who works in the fishing industry. There are all kinds of opportunities here for the Government of Canada to do what they did with Veterans Affairs Canada. The honourable senator has articulated a principle, and I hope that it is popular throughout the government. I see the minister has agreed that there should be more decentralization, and I thank her for her support as well.

**Senator Di Nino:** The honourable senator is opening such a big hole I could drive a truck through it. I suggest to the honourable senator that I am not sure we agree that it is enough or not enough, but that is not the issue. I suggest that under the Conservative umbrella, some of these institutions have been placed in other parts of the country. My dear friend and respectful colleague, Senator Downe, was chief of staff to a former prime minister who was in power for a long time. I suggest respectfully it would have been a good time then to consider that decentralization.

Allow me to assure the honourable senator that in principle I agree with him and if it is of any value, I will make my thoughts known.

**Senator Downe:** As the minister would know because she worked in a former prime minister's office, when one works for a prime minister, one is not the prime minister. Rather, one merely works for a prime minister.

**Hon. Roméo Antonius Dallaire:** In December 1946, my mother, a Dutch war bride, and I came through Pier 21. I am here to assist the honourable senator in the suggestion regarding Pier 21. I agree that Pier 21 should stay in Halifax because that is where it was used. Its infrastructure and location are reflective of its purpose. Certainly, we would not move the Citadel from Quebec City.

Perhaps I can attempt to meet the honourable senator halfway and suggest that the portrait gallery be in Gatineau. There is an enormous amount of infrastructure and capability on this side of the Ottawa River, but we have not met even the minimum of 25 per cent capacity on the other side. There are four buildings, and the Prime Minister has said that he will rent more, but it is still way below the minimal level. Why not increase that capacity to exceed 25 per cent and show the population our confidence in Quebec staying in the country. I suggest creating greater capacity on that side of the Ottawa River, unless there is a concern that the river is more of a border than it should be. Is that an option?

**Senator Di Nino:** It is not up to the honourable senator or me to make those decisions. I do not believe that buildings, in particular, museums and galleries that reflect contributions of Canadians to the building of this country, should be restricted to the National Capital Region or, indeed, to Ottawa. Developing such institutions across the country would recognize the roles played by the various peoples of the regions, such as the Acadians and others, and the valuable contributions they have made. In principle, I do not have any disagreement.

**Senator Dallaire:** When we had the extensive debate on the Canadian War Museum, in which we invested nearly \$200 million, the idea of putting it where most of our casualties came from, as reflective of the price paid by the region in the maturing of our nation, was never considered. It was never on the radar screen because it was not perceived as reflective of the nation if it were located anywhere other than the nation's capital, where people took the decisions for the ultimate future of the country by sending those troops overseas. Would that not still be a viable argument for the national portrait gallery?

• (1550)

**Senator Di Nino:** I come from a town that is 15 miles from Ortona. I do not have to tell you what Ortona means to Canadians. No, honourable senators, I would not suggest that the Canadian War Museum be located in Ortona. However, I think the criteria must be flexible enough to allow some reason behind why one would establish an institution in one part of the country versus another. I certainly would not suggest that we should have any national institutions outside our country, obviously — I was being facetious when I said that. The principle of locating such a museum where it is most appropriate should be what is used as opposed to the idea that everything should be exhibited in Ottawa.

**Hon. Marcel Prud'homme:** Honourable senators, I agree that there should be a better distribution of museums in Canada.

Was the honourable senator not surprised that one of the strongest supporters of having a museum in Ottawa did not participate in the debate when we spent over \$200 million for the Museum of Civilization in Winnipeg? It seemed that everyone thought it was okay because it is a federal museum. It will now cost over \$25 million a year for cost overruns. No one was surprised then and no one raised the issue. I did not raise the issue.

Suddenly, because the honourable senator is proposing support, there could be redistribution. Everyone says no, that it should be in Ottawa.

**Senator Di Nino:** The honourable senator is referring to the Canadian Museum for Human Rights in Winnipeg, just for clarification. It is not a question of being surprised. This is a chamber where those who wish to participate in debate, participate in debate.

I was asked about that issue when I debated the bill and I responded. I think I quoted from some of my responses in the comments that I made today. Everyone has a right to participate if they so wish.

On motion of Senator Tkachuk, debate adjourned.

[Translation]

## THE SENATE

### MOTION URGING GOVERNMENT TO NEGOTIATE WITH THE UNITED STATES FOR THE IMMEDIATE REPATRIATION OF OMAR KHADR—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Dallaire, seconded by the Honourable Senator Day,

That the Senate call on the Government of Canada to negotiate with the Government of the United States of America the immediate repatriation to Canada of Canadian citizen and former child soldier Omar Khadr from the Guantánamo Bay detention facility;

That the Senate urge the Government of Canada to undertake all necessary measures to promote his rehabilitation, in accordance with this country's international obligations on child rights in armed conflicts, namely the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict; and

That a message be sent to the House of Commons to acquaint that House with the above.—(*Honourable Senator Di Nino*).

**Hon. Roméo Antonius Dallaire:** Honourable senators, Motion No. 102 by Senator Di Nino contains a nuance and I would like to know if this nuance is covered by the *Rules of the Senate*.

[English]

We have a motion that is time-sensitive; that is, if it is not debated by a certain time, the value has been eliminated, even though it is not within the 15-day period.

I will give you the example of Omar Khadr. If we have not gone through this motion by the end of this session, Mr. Khadr will be on trial and then the whole thing will not be worth it.

Do we have a rule regarding emergency or time-sensitive debate?

[Translation]

**The Hon. the Acting Speaker:** Honourable senators, since no such rule exists, there cannot be a point of order. However, if Senator Di Nino would like, he could advise us of the date on which he will speak to this motion.

[English]

**Hon. Consiglio Di Nino:** I have indicated to Senator Dallaire that I would probably speak on it this week, but I will be honest: Some new information arose in Senator Dallaire's testimony at the other committee for which I would like to read the transcript. Hopefully, I will deliver my presentation when we come back after the break.

Order stands.

## CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

NEED FOR REFORM—INQUIRY—  
DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Stollery, calling the attention of the Senate to the need for reforms to the Canadian International Development Agency.—(*Honourable Senator Di Nino*)

**Hon. Consiglio Di Nino:** Honourable senators, I am working with the mover of this particular item, Senator Stollery. I spoke with him again today and he agreed that it would be best if I continued to stand this item. I am not quite ready with all the information that we need to make the presentation. Therefore, I would like to adjourn the debate in my name for the rest of the time that I have.

On motion of Senator Di Nino, debate adjourned.

## ADJOURNMENT

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

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

That when the Senate stands adjourned today, it do stand adjourned until Tuesday, May 27, 2008, at 2 p.m.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, May 27, 2008, at 2 p.m.

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## THE SENATE OF CANADA PROGRESS OF LEGISLATION

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

**(2nd Session, 39th Parliament)**

**Thursday, May 15, 2008**

*(\*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 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-2	An Act to amend the Canada-United States Tax Convention Act, 1984	07/10/18	07/11/13	Banking, Trade and Commerce	07/11/15	0	07/11/21	07/12/14	32/07
S-3	An Act to amend the Criminal Code (investigative hearing and recognizance with conditions)	07/10/23	07/11/14	Special Committee on Anti-terrorism	08/03/04	2	08/03/06		

### GOVERNMENT BILLS (HOUSE OF COMMONS)

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-2	An Act to amend the Criminal Code and to make consequential amendments to other Acts	07/11/29	07/12/12	Legal and Constitutional Affairs	08/02/27	0 observations	08/02/27	08/02/28	6/08
C-3	An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act	08/02/06	08/02/07	Special Committee on Anti-terrorism	08/02/12	0 observations	08/02/12	*08/02/14	3/08
C-8	An Act to amend the Canada Transportation Act (railway transportation)	08/01/29	08/02/12	Transport and Communications	08/02/14	0	08/02/14	08/02/28	5/08
C-9	An Act to implement the Convention on the Settlement of Investment Disputes between States and Nationals of Other States (ICSID Convention)	08/01/31	08/02/12	Foreign Affairs and International Trade	08/02/28	0	08/03/04	*08/03/13	8/08
C-10	An Act to amend the Income Tax Act, including amendments in relation to foreign investment entities and non-resident trusts, and to provide for the bilingual expression of the provisions of that Act	07/10/30	07/12/04	Banking, Trade and Commerce					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-11	An Act to give effect to the Nunavik Inuit Land Claims Agreement and to make a consequential amendment to another Act	07/10/30	07/11/29	Legal and Constitutional Affairs	08/01/31	1 observations	08/02/07 Message from Commons-agree with Senate amendment 08/02/12	*08/02/14	2/08
C-12	An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act, the Wage Earner Protection Program Act and chapter 47 of the Statutes of Canada, 2005	07/10/30	07/11/15	Banking, Trade and Commerce	07/12/13	0 observations	07/12/13	07/12/14	36/07
C-13	An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)	07/10/30	07/11/21	Legal and Constitutional Affairs	07/12/11	6 observations	08/01/29 Message from Commons-agree with 4 amendments and disagree with 2 08/04/17  Senate did not insist on its 2 amendments 08/05/13		
C-15	An Act respecting the exploitation of the Donkin coal block and employment in or in connection with the operation of a mine that is wholly or partly at the Donkin coal block, and to make a consequential amendment to the Canada–Nova Scotia Offshore Petroleum Resources Accord Implementation Act	07/11/21	07/11/29	Energy, the Environment and Natural Resources	07/12/13	0	07/12/13	07/12/14	33/07
C-18	An Act to amend the Canada Elections Act (verification of residence)	07/12/13	07/12/14	Committee of the Whole	07/12/14	0	07/12/14	07/12/14	37/07
C-23	An Act to amend the Canada Marine Act, the Canada Transportation Act, the Pilotage Act and other Acts in consequence	08/05/07	08/05/15	Transport and Communications					
C-28	An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007 and to implement certain provisions of the economic statement tabled in Parliament on October 30, 2007	07/12/13	07/12/13	Pursuant to rule 74(1) subject-matter 07/12/12 National Finance	Report on subject-matter 07/12/13	—	07/12/13	07/12/14	35/07
C-30	An Act to establish the Specific Claims Tribunal and to make consequential amendments to other Acts	08/05/13							
C-31	An Act to amend the Judges Act	08/04/15	08/05/14	Legal and Constitutional Affairs					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-35	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 ( <i>Appropriation Act No. 3, 2007-2008</i> )	07/12/11	07/12/11	—	—	—	07/12/13	07/12/14	34/07
C-37	An Act to amend the Citizenship Act	08/02/26	08/03/04	Social Affairs, Science and Technology	08/04/16	0 observations	08/04/16	*08/04/17	14/08
C-38	An Act to permit the resumption and continuation of the operation of the National Research Universal Reactor at Chalk River	07/12/12	07/12/12	Committee of the Whole	07/12/12	0	07/12/12	*07/12/12	31/07
C-40	An Act to amend the Canada Labour Code, the Canada Student Financial Assistance Act, the Canada Student Loans Act and the Public Service Employment Act	08/02/14	08/03/04	National Security and Defence	08/04/16	0 observations	08/04/16	*08/04/17	15/08
C-41	An Act respecting payments to a trust established to provide provinces and territories with funding for community development	08/02/05	08/02/05	National Finance	08/02/07	0	08/02/07	*08/02/07	1/08
C-42	An Act to amend the Museums Act and to make consequential amendments to other Acts	08/02/14	08/02/26	Human Rights	08/03/04	0	08/03/05	*08/03/13	9/08
C-44	An Act to amend the Agricultural Marketing Programs Act	08/02/26	08/02/27	Agriculture and Forestry	08/02/28	0	08/02/28	08/02/28	7/08
C-48	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 ( <i>Appropriation Act No. 4, 2007-2008</i> )	08/03/12	08/03/13	—	—	—	08/03/13	*08/03/13	10/08
C-49	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009 ( <i>Appropriation Act No. 1, 2008-2009</i> )	08/03/12	08/03/13	—	—	—	08/03/13	*08/03/13	11/08
C-50	An Act to implement certain provisions of the budget tabled in Parliament on February 26, 2008 and to enact provisions to preserve the fiscal plan set out in that budget			Pursuant to rule 74(1) subject-matter 08/05/15 National Finance					

## COMMONS PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-253	An Act to amend the Income Tax Act (deductibility of RESP contributions)	08/03/06							
C-280	An Act to Amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171)	07/10/17	08/03/04	Human Rights					
C-287	An Act respecting a National Peacekeepers' Day	07/11/22	08/02/26	National Security and Defence					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-292	An Act to implement the Kelowna Accord	07/10/17	07/12/11	Aboriginal Peoples	08/04/29	0			
C-293	An Act respecting the provision of official development assistance abroad	07/10/17	07/12/12	Foreign Affairs and International Trade	08/04/03	0 observations + 4 at 3rd	08/04/16 Message from Commons-agree with Senate amendments 08/05/13		
C-298	An Act to add perfluorooctane sulfonate (PFOS) and its salts to the Virtual Elimination List under the Canadian Environmental Protection Act, 1999	07/12/04	08/03/11	Energy, the Environment and Natural Resources	08/04/10	0	08/04/15	*08/04/17	13/08
C-299	An Act to amend the Criminal Code (identification information obtained by fraud or false pretence)	07/10/17							
C-307	An Act respecting bis(2-ethylhexyl)phthalate, benzyl butyl phthalate and dibutyl phthalate	07/11/29	08/05/13	Energy, the Environment and Natural Resources					
C-343	An Act to amend the Criminal Code (motor vehicle theft)	08/02/28	08/04/10	Legal and Constitutional Affairs					
C-428	An Act to amend the Controlled Drugs and Substances Act (methamphetamine)	08/02/12							

## SENATE PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-201	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	07/10/17	07/11/28	National Finance	08/02/27	4	08/03/06		
S-202	An Act to amend certain Acts to provide job protection for members of the reserve force (Sen. Segal)	07/10/17	Dropped from Order Paper pursuant to Rule 27(3) 08/04/01						
S-203	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	07/10/17	07/11/13	Legal and Constitutional Affairs	07/11/22	0	07/11/27	*08/04/17	12/08
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	07/10/17	08/02/13	Social Affairs, Science and Technology	08/04/17	0	08/04/29		
S-205	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	07/10/17	08/03/05	Banking, Trade and Commerce					
S-206	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	07/10/17	08/04/03	Energy, the Environment and Natural Resources					
S-207	An Act to repeal legislation that has not come into force within ten years of receiving royal assent (Sen. Banks)	07/10/17	07/11/28	Legal and Constitutional Affairs	07/12/06	0	07/12/11		

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
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)	07/10/17		Subject matter 07/11/13 Energy, the Environment and Natural Resources	Report on subject- matter 08/02/28				
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	07/10/17	08/03/13	Legal and Constitutional Affairs					
S-210	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	07/10/17	08/02/28	Legal and Constitutional Affairs	08/04/17	0			
S-211	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	07/10/17							
S-212	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	07/10/18	08/04/17	Rules, Procedures and the Rights of Parliament					
S-213	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	07/10/23	07/12/06	Legal and Constitutional Affairs	08/01/31	0	08/02/05		
S-214	An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	07/10/24	08/04/01	National Finance					
S-215	An Act to protect heritage lighthouses (Sen. Carney, P.C.)	07/10/30	07/12/06	National Finance	07/12/13  Report amended 07/12/13	19	07/12/13  Message from Commons- 7 amendments 08/05/06  Senate agree with Commons amendment 08/05/07		
S-216	An Act to amend the Access to Information Act and the Canadian Wheat Board Act (Sen. Mitchell)	07/10/30	Dropped from Order Paper pursuant to Rule 27(3) 08/03/13						
S-217	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Carney, P.C.)	07/10/31							
S-218	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)	07/10/31	08/03/05	Human Rights					

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-219	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and establishment of national area of selection) (Sen. Ringuette)	07/11/13	07/12/11	National Finance	08/04/03	1	08/05/01		
S-220	An Act respecting a National Blood Donor Week (Sen. Mercer)	07/11/15	07/11/27	Social Affairs, Science and Technology	07/11/29	0	07/12/04	*08/02/14	4/08
S-221	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	07/11/28	08/04/15	Transport and Communications					
S-222	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	07/12/04	08/04/15	Social Affairs, Science and Technology					
S-223	An Act to amend the Non-smokers' Health Act (Sen. Harb)	07/12/04	08/03/13	Social Affairs, Science and Technology					
S-224	An Act to amend the Parliament of Canada Act (vacancies) (Sen. Moore)	07/12/13	08/03/04	Legal and Constitutional Affairs	08/05/08	0			
S-225	An Act to amend the State Immunity Act and the Criminal Code (detering terrorism by providing a civil right of action against perpetrators and sponsors of terrorism) (Sen. Tkachuk)	07/12/14	08/04/09	Legal and Constitutional Affairs					
S-226	An Act to amend the Business Development Bank of Canada Act (municipal infrastructure bonds) and to make a consequential amendment to another Act (Sen. Grafstein)	08/01/29							
S-227	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	08/02/12	08/05/08	Energy, the Environment and Natural Resources					
S-228	An Act to amend the Canadian Wheat Board Act (board of directors) (Sen. Mitchell)	08/02/13							
S-229	An Act to amend the Constitution Act, 1867 (Property qualifications of Senators) (Sen. Banks)	08/02/26							
S-230	An Act to amend the Excise Tax Act (zero-rating of supply of cut fresh fruit) (Sen. Milne)	08/02/26							
S-231	An Act to amend the Citizenship Act (oath of citizenship) (Sen. Segal)	08/03/12							
S-232	An Act to prohibit the transfer of certain assets and operations from MacDonald, Dettwiler and Associates Limited to Alliant Techsystems Incorporated (Sen. Grafstein)	08/04/08							
S-233	An Act to amend the Library and Archives of Canada Act (National Portrait Gallery) (Sen. Grafstein)	08/04/15							
S-234	An Act to establish an assembly of the aboriginal peoples of Canada and an executive council (Sen. Gill)	08/04/30							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-235	An Act concerning unsolicited commercial electronic messages (Sen. Goldstein)	08/05/07							
S-236	An Act to amend the Financial Administration Act (borrowing of money) (Sen. Murray, P.C.)	08/05/08							

## PRIVATE BILLS

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

## CONTENTS

Thursday, May 15, 2008

	PAGE		PAGE
<b>SENATORS' STATEMENTS</b>		<b>Transport</b>	
<b>Visible Minorities in Winnipeg Police Force</b>		Nova Scotia—Dredging of Halifax and Sydney Harbours—Funding.	
Hon. Sharon Carstairs . . . . .	1352	Hon. Terry M. Mercer . . . . .	1360
<b>International Conscientious Objectors Day</b>		Hon. Marjory LeBreton . . . . .	1360
Hon. Nancy Ruth . . . . .	1352	<b>Delayed Answer to Oral Question</b>	
<b>Bilingualism of Federal Judges</b>		Hon. David Tkachuk . . . . .	1361
Hon. Claudette Tardif . . . . .	1352	<b>Justice</b>	
<b>National Nursing Week</b>		Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict—Case of Omar Khadr.	
Congratulations to the Honourable Lucie Pépin on Receiving Canadian Nurses Association's Centennial Award.		Question by Senator Dallaire.	
Hon. Wilbert J. Keon . . . . .	1353	Hon. David Tkachuk (Delayed Answer). . . . .	1361
<b>National Junior A Hockey Championship</b>			
Congratulations to Humboldt Broncos.			
Hon. Rod A.A. Zimmer . . . . .	1353		
<b>World War I</b>			
Ninetieth Anniversary.			
Hon. Consiglio Di Nino . . . . .	1354		
<b>Visitors in the Gallery</b>			
The Hon. the Speaker. . . . .	1354		
<hr/>		<b>ORDERS OF THE DAY</b>	
<b>ROUTINE PROCEEDINGS</b>		<b>Specific Claims Tribunal Bill (Bill C-30)</b>	
<b>Study on Federal Government Responsibilities and Matters Generally Relating to Aboriginal Peoples</b>		Second Reading—Debate Adjourned.	
Interim Report of Aboriginal Peoples Committee Tabled.		Hon. Gerry St. Germain . . . . .	1361
Hon. Gerry St. Germain . . . . .	1354	Hon. Elaine McCoy . . . . .	1363
<b>Budget Implementation Bill, 2008 (Bill C-50)</b>		<b>Canada Marine Act</b>	
National Finance Committee Authorized to Study Subject Matter.		<b>Canada Transportation Act</b>	
Hon. David Tkachuk . . . . .	1355	<b>Pilotage Act (Bill C-23)</b>	
<b>National Finance</b>		Bill to Amend—Second Reading.	
Committee Authorized to Meet During Sitzings of the Senate.		Hon. Bill Rompkey . . . . .	1363
Hon. David Tkachuk . . . . .	1355	Referred to Committee . . . . .	1365
Hon. Lowell Murray . . . . .	1355	<b>Parliament of Canada Act (Bill S-224)</b>	
Hon. Colin Kenny . . . . .	1355	Bill to Amend—Third Reading—Motion in Amendment—Debate Continued.	
Hon. Sharon Carstairs . . . . .	1356	Hon. Wilfred P. Moore. . . . .	1365
Hon. Claudette Tardif . . . . .	1356	<b>Income Tax Act (Bill C-253)</b>	
Hon. Terry M. Mercer . . . . .	1356	Bill to Amend—Second Reading—Debate Continued.	
Hon. James S. Cowan. . . . .	1356	Hon. Consiglio Di Nino . . . . .	1366
		Hon. Fernand Robichaud . . . . .	1368
		<b>Internal Economy, Budgets and Administration</b>	
		Seventh Report of Committee Adopted.	
		Hon. Joan Cook . . . . .	1369
		<b>The Senate</b>	
		Motion to Urge Government to Establish National Portrait Gallery in National Capital Region—Debate Continued.	
		Hon. Consiglio Di Nino . . . . .	1369
		Hon. Percy E. Downe. . . . .	1370
		Hon. Roméo Antonius Dallaire. . . . .	1370
		Hon. Marcel Prud'homme. . . . .	1371
		<b>The Senate</b>	
		Motion Urging Government to Negotiate with the United States for the Immediate Repatriation of Omar Khadr—Order Stands.	
		Hon. Roméo Antonius Dallaire. . . . .	1371
		Hon. Consiglio Di Nino . . . . .	1371
		<b>Canadian International Development Agency</b>	
		Need for Reform—Inquiry—Debate Continued.	
		Hon. Consiglio Di Nino . . . . .	1372
		<b>Adjournment</b>	
		Hon. David Tkachuk . . . . .	1372
		<b>Progress of Legislation</b> . . . . .	i
<b>QUESTION PERIOD</b>			
<b>The Cabinet</b>			
Support for Rule of Law.			
Hon. Sharon Carstairs . . . . .	1357		
Hon. Marjory LeBreton . . . . .	1357		
Hon. Joan Fraser . . . . .	1358		
Hon. Yoine Goldstein. . . . .	1359		
<b>Infrastructure and Communities</b>			
Building Canada Fund—Approval of Disbursement for Specific Projects.			
Hon. James S. Cowan. . . . .	1359		
Hon. Marjory LeBreton . . . . .	1359		
Hon. Lorna Milne . . . . .	1360		









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