



CANADA

Debates of the Senate

1st SESSION

•

40th PARLIAMENT

•

VOLUME 145

•

NUMBER 2

OFFICIAL REPORT
(HANSARD)

Wednesday, November 19, 2008



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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

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

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

THE SENATE

Wednesday, November 19, 2008

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

[Translation]

Prayers.

The Hon. the Speaker: As there is no business before the Senate, is it your pleasure, honourable senators, that the Senate do now adjourn during pleasure to await the arrival of Her Excellency the Governor General of Canada?

The Senate adjourned during pleasure.

At 2:15 p.m., Her Excellency the Governor General having come and being seated upon the Throne —

The Hon. the Speaker said:

Usher of the Black Rod,

You will proceed to the House of Commons and acquaint that House that it is the pleasure of Her Excellency the Governor General of Canada that they attend her immediately in the Senate chamber.

The House of Commons being come,

Their Speaker, the Honourable Peter Milliken, said:

May it please Your Excellency,

The House of Commons has elected me their Speaker, though I am but little able to fulfil the important duties thus assigned to me. If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me, and not to the Commons, whose servant I am, and who, through me, the better to enable them to discharge their duty to their Queen and Country, humbly claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to Your Excellency's Person at all seasonable times, and that their proceedings may receive from Your Excellency the most favourable construction.

The Hon. the Speaker of the Senate answered:

Mr. Speaker, I am commanded by Her Excellency the Governor General to declare to you that she freely confides in the duty and attachment of the House of Commons to Her Majesty's Person and Government, and not doubting that their proceedings will be conducted with wisdom, temper and prudence, she grants, and upon all occasions will recognize and allow, their constitutional privileges. I am commanded also to assure you that the Commons shall have ready access to Her Excellency upon all seasonable occasions and that their proceedings, as well as your words and actions, will constantly receive from her the most favourable construction.

SPEECH FROM THE THRONE

Her Excellency the Governor General was then pleased to open the First Session of the Fortieth Parliament with the following speech:

Honourable Senators,

Members of the House of Commons,

Ladies and gentlemen,

[English]

Two hundred and fifty years ago, on October 2, 1758, the first parliamentary assembly of its kind in Canada was held in Nova Scotia. It is worth solemnly remembering in this Chamber the historic significance of that event.

Because today, we are free to reach our full potential thanks to the efforts of women and men, young and old, who established democracy in this country, where anything is possible.

This country is made up of every hope we cherish, every dream we pursue, every project we realize.

[Translation]

Upholding the ideal of democracy that we embody in the world is a responsibility that each of us bears.

As the great-great-granddaughter of slaves, born under one of the most brutal dictatorships in history, I know just how precious this legacy is to the citizens of this country. They have again and again expressed their pride in this legacy to me, through their words and deeds, over the past three years.

In these uncertain economic times, it is more important than ever that our spirit of solidarity prevails and reaches beyond our borders, so that Canada represents not only a hope of renewal, but also a promise for the future.

[English]

Today, in this democratic tradition, the representatives of the Canadian people gather for the 40th time in this great nation's history to open a new federal Parliament.

For over 140 years, since the era of Queen Victoria, Sir John A. Macdonald, Sir George-Etienne Cartier and the other Fathers of Confederation, the Parliament of Canada has assembled to deliberate upon the great issues of the day.

This institution thus represents one of the longest and most unblemished records of peaceful, democratic self-government anywhere on Earth.

The people spoke once again in a general election on October 14th, and entrusted this Government with a renewed and strengthened mandate.

At the same time, the people also chose to elect a minority Parliament. And in a parliamentary democracy such as ours, the government must always be responsible and accountable to the people's representatives.

Our Government is mindful of both the privilege and the responsibility with which we have been entrusted.

This is a time of extraordinary global economic challenge and uncertainty. The world's financial system faces pressures not seen for many generations. Governments around the world have taken unprecedented steps to restore confidence in the face of a global economic slowdown.

[Translation]

As Canadians watch these developments unfold, they rightly wonder about what they might mean here at home, for their jobs, their savings and their families' well-being. Canadians know that, as Canada is a trading nation in the global economy, these events—while originating outside our borders—will nevertheless reverberate here.

In the face of this uncertainty, just as when faced with difficulties before, Canadians will prevail.

Canada was founded on the belief that, by joining our strength in confederation, our united country would be able to meet and rise above any challenge set before us.

[English]

From the explorers and pioneers to the settlers and railroad builders, this vast country was built by people who took tremendous risks and braved unforgiving elements for the prospect of a better future.

The dawn of a new century saw new challenges. In a war that ended ninety years ago last week, our young country came of age on battlefields whose names echo across our history—Ypres, Vimy, Passchendaele. The generation that followed overcame the Depression and again confronted the devastation of war. The achievements of these generations are marked not only by monuments to their bravery and sacrifices, but also by their legacy in forging Canada as one of the most peaceful and prosperous nations on Earth.

We know that Canadians will face the problems of today with the same spirit of determination and resolve as those who came before us faced the challenges of their generation. And like them, we know that we will emerge stronger than ever.

In this time of global economic instability, we can be reassured that the hard work of millions of Canadians has laid a solid foundation for our country. We have pursued policies different from those of many of our trading partners. We have paid down debt and kept spending under control. We have set public pensions on a sound footing and refinanced important programs such as health care and post-secondary education. Our banks are among

the strongest and best regulated in the world. Canadian households and businesses have been prudent and avoided taking on the excessive debt witnessed elsewhere.

Embarking on its renewed mandate, our Government is committed to providing the strong leadership that Canadians expect. It will protect Canadians in difficult times. It will work with Canadians to secure our future prosperity. It will support Canadian workers and businesses in their pursuit of a better future. And our Government will continue its pursuit of distinctly Canadian policies that will contribute to a better economy.

[Translation]

Our Government has a clear approach to Canada's economic security. It will work with its partners to help address the current international crisis. It will maintain a prudent course for the country's finances. It will take action to support the economy today while building a stronger economy for the future.

As our Government dedicates its efforts over the months ahead to supporting the Canadian economy, so too does it rededicate itself to working in partnership with others to achieve this goal. Canadians expect federal and provincial governments to work together to steer us through the current economic turmoil and, ultimately, build a stronger Canada. To this end, First Ministers met on November 10th and will meet again in the New Year.

Reforming Global Finance

The first order of business must be to put the international financial system on a sounder footing. Just as these troubles began beyond our borders, so will their solution demand that Canada engage its partners and allies around the world.

[English]

Canada will use its experience in developing a strong model of financial regulation to help lead the world in the repair and strengthening of the international financial system. The Prime Minister and Minister of Finance began this important work on November 15th, joining the leaders of the G20 in Washington, D.C., to re-examine and renew the rules and institutions that underpin the global financial system.

The financial sector exists to serve the economy. Without sound financial institutions, loans would not be available for home ownership. Businesses would be cut off from the credit needed to expand and hire new workers. By choking off financing to the global economy, the credit crisis has dramatically weakened the prospects of growth. Canada will play a leading role to help resolve the crisis, maintain free and open markets, and advance Canada's interests.

The credit crisis has also underlined the dangers of a fragmented financial regulatory system. To further strengthen financial oversight in Canada, our Government will work with the provinces to put in place a common securities regulator.

Ensuring Sound Budgeting

Canada's relative success in weathering the global economic turmoil thus far can be attributed in no small measure to our country's solid fiscal fundamentals, the best among all major industrialized countries.

A strong fiscal foundation is not an end in itself, but it is the bedrock on which a resilient economy is built. Responsible budgets, significant debt repayment, and declining corporate and personal income taxes have provided an important competitive advantage. As Canada navigates today's economic uncertainties, it is even more important that we keep our sights fixed on responsible fiscal management.

The Minister of Finance will provide details on our Government's approach to economic and fiscal management in the Economic and Fiscal Statement to be delivered next week.

Ongoing, unsustainable deficits are quite rightly unacceptable to Canadians. These structural deficits must never return. At the same time, in a historic global downturn, it would be misguided to commit to a balanced budget in the short term at any cost, because that cost would ultimately be borne by Canadian families.

Hard decisions will be needed to keep federal spending under control and focused on results. Grants, contributions and capital expenditures will be placed under the microscope of responsible spending. Departments will have the funding they need to deliver essential programs and services, and no more. Our Government will engage Parliament and encourage members to take a more active role in scrutinizing spending and suggesting areas for restraint.

[Translation]

Our Government is also committed to responsible fiscal management of public sector compensation, and will table legislation to ensure sustainable compensation growth in the federal Public Service.

Our Government will ensure that the provinces receive the generous transfer payments planned for health care and social programs. We will ensure that equalization payments also grow, but that they do not grow more quickly than our economy as a whole.

Any new measures to support the economy will also be carefully chosen and targeted for maximum benefit.

[English]

Securing Jobs for Families and Communities

Global turbulence is translating into real challenges for Canada. Our Government understands the pressures on ordinary hard-working Canadians and the businesses that provide them with jobs.

Canada's economy will only remain as strong as its workers and families. Our Government will strengthen Canada's workforce for the future by continuing to support

student financial assistance and taking measures to encourage skilled trades and apprenticeships. Our Government will also work with the provinces to make the recognition of foreign credentials a priority, attract top international students to Canada and increase the uptake of immigrant settlement programs.

Our Government will also take steps to ensure that Aboriginal Canadians fully share in economic opportunities, putting particular emphasis on improving education for First Nations in partnership with the provinces and First Nations communities.

Our Government will support workers facing transition. It will ensure that existing programs and services are as effective as possible in meeting the needs of Canadians. Targeted help will be available to those who need it the most.

Our Government has already cut taxes to lower costs for business and help them compete and create jobs. To further reduce the cost pressures on Canadian business, our Government will take measures to encourage companies to invest in new machinery and equipment.

[Translation]

The Canadian manufacturing sector, particularly the automotive and aerospace industries, has been under increasing strain. Our Government will provide further support for these industries.

Canada's traditional industries, such as fisheries, mining and forestry, sustain the economic well-being of many regions and communities. Our Government will continue to assist these industries through measures aimed at marketing Canadian products abroad and helping businesses to innovate.

[English]

Our Government will continue to support Canada's farmers by ensuring freedom of choice for grain marketing in Western Canada and strongly supporting our supply-managed sectors at home and in international negotiations.

Public infrastructure is vital not only to create jobs for today, but also to create the links between communities and regions to help generate jobs for the future. Our Government is committed to expediting our Building Canada plan to ensure that projects are delivered as quickly as possible.

Expanding Investment and Trade

Canada's prosperity depends not just on meeting the challenges of today, but on building the dynamic economy that will create opportunities and better jobs for Canadians in the future. As one of our greatest hockey legends has observed, we need "to skate to where the puck is going to be, not to where it has been."

[Translation]

Building a more dynamic economy will require new ideas and new investment. Our Government understands that advances in science and technology are essential to strengthen the competitiveness of Canada's economy. Our Government will start at home, working with industry to apply the best Canadian scientific and technological know-how to create innovative business solutions. It will invest in new world-class research facilities.

Our Government will also expand the opportunities for Canadian firms to benefit from foreign investment and knowledge, while taking steps to safeguard consumers and our national security. Our Government will proceed with legislation to modernize our competition and investment laws, implementing many of the recommendations of the Competition Policy Review Panel.

Cultural creativity and innovation are vital not only to a lively Canadian cultural life, but also to Canada's economic future. Our Government will proceed with legislation to modernize Canada's copyright laws and ensure stronger protection for intellectual property.

[English]

Both investment and trade matter to Canada's prosperity. Our Government is committed to seeking out new opportunities for Canadians and to promoting global prosperity through free trade. It will work with the new administration in the United States in addressing shared challenges, especially during the current economic downturn, and seek opportunities to enhance North American competitiveness. New trade agreements will be pursued in Asia and the Americas, as well as with the European Union, to open markets for Canadian firms. Our Government will proceed with legislation to ratify the results of trade negotiations that have been concluded with the European Free Trade Association, Peru, Colombia and Jordan.

Our Government will continue to invest in expanding gateways on our Atlantic and Pacific coasts, and in vital border corridors such as the Detroit River International Crossing, to ensure that Canadian goods and services can reach markets in Europe, Asia and the United States.

Better positioning Canada to compete for investment and market opportunities will require action at home. A fragmented regulatory environment for internal trade and commerce has for too long restricted the flow of labour and investment across the country. Our Government will work with the provinces to remove barriers to internal trade, investment and labour mobility by 2010.

[Translation]

Making Government More Effective

Part of a solid economic and fiscal foundation is the sound management of government. To make Canada's national government more effective, our Government is committed to reform and streamline the way it does business.

Our Government will pursue innovative reforms to the administration of programs and services, drawing on the successful experiences of other governments around the world. It will build partnerships with third parties and the private sector to deliver better services at a lower overall cost.

[English]

Our Government will review all program spending carefully to make sure that spending is as effective as possible and aligned with Canadians' priorities.

Our Government will cut the red tape faced by the private and not-for-profit sectors when doing business with the government.

Fixing procurement will be a top priority. Simpler and streamlined processes will make it easier for businesses to provide products and services to the government and will deliver better results for Canadians. Military procurement in particular is critical: Canada cannot afford to have cumbersome processes delay the purchase and delivery of equipment needed by our men and women in uniform.

Our Government will also strengthen and improve the management of Canada's federal agencies, boards, commissions and Crown corporations to achieve greater cost-effectiveness and accountability.

Securing Our Energy Future

Energy is vitally important to our country. Our geography and climate mean that Canadians depend on affordable and reliable energy. The development of our rich energy resources is an important source of wealth and Canadian jobs.

Our Government will support the development of cleaner energy sources. The natural gas that lies beneath Canada's North represents both an untapped source of clean fuel and an unequalled avenue to creating economic opportunities for northern people. Our Government will reduce regulatory and other barriers to extend the pipeline network into the North.

These measures will bring jobs to northern Canada and create employment across the country, just as they will bring new energy supplies to markets in southern Canada and throughout the world. Economic development in Canada's North, led by a new stand-alone agency, is a key element of our Northern Strategy.

Nuclear energy is a proven technology, capable of reliable, large-scale output. In Canada and around the world, energy authorities are investing in nuclear power to meet both energy security and climate change goals. Our Government will ensure that Canada's regulatory framework is ready to respond should the provinces choose to advance new nuclear projects.

Tackling Climate Change and Preserving Canada's Environment

Our Government understands that Canada's economic prosperity cannot be sustained without a healthy environment, just as environmental progress cannot be achieved without a healthy economy. Our Government will continue its realistic, responsible approach to addressing the challenge of climate change.

Our Government has committed to reducing Canada's total greenhouse gas emissions by 20 percent by 2020. We will meet this goal while also ensuring that Canada's actions going forward remain comparable to what our partners in the United States, Europe and other industrialized countries undertake. We will work with the provincial governments and our partners to develop and implement a North America-wide cap and trade system for greenhouse gases and an effective international protocol for the post-2012 period.

[Translation]

To meet the challenge posed by climate change, we will also need to make greater use of technologies that do not emit greenhouse gases. Our Government will set an objective that 90 percent of Canada's electricity needs be provided by non-emitting sources such as hydro, nuclear, clean coal or wind power by 2020. In support of this ambitious national goal, our Government will continue to provide support for biofuels, wind and other energy alternatives.

To ensure protection of our vital resources, our Government will bring in legislation to ban all bulk water transfers or exports from Canadian freshwater basins.

Our Government will work with all parties in Parliament to introduce sensible policies that can help consumers and improve our environmental well-being, such as increasing incentives for energy-saving home retrofits.

[English]

Helping All Canadians Participate

Canada is built on a promise of opportunity, the chance to work hard, raise a family and make a better life. Today, it is more important than ever to deliver on this promise, and ensure that all Canadians share in the promise of this land, regardless of cultural background, gender, age, disability or official language. This Government will break down barriers that prevent Canadians from reaching their potential.

Many working-age Canadians are faced with the dual pressure of holding down a job and caring for their family. Increasing numbers of Canadians are taking care of elderly parents while also raising young children. Our Government is committed to supporting working families and helping make ends meet.

[Translation]

Our Government will improve the Universal Child Care Benefit and take measures to increase access to maternity and parental benefits under Employment Insurance.

We will act to help families caring for loved ones with disabilities and to assist Canadians buying their first home.

Some Canadians face other barriers to participation in the economy and society, whether in the form of homelessness or debilitating illness. Our Government will extend the Homelessness Partnering Strategy and help more Canadians find affordable housing. It will take creative measures to tackle major heart, lung and neurological diseases and to build on the work of the Mental Health Commission.

[English]

Keeping Canadians Safe

In times of uncertainty as in times of prosperity, Canadians need to be assured that they are safe in their homes and communities.

Canadians look to governments to ensure that the justice system is working effectively and that Canadians are safe. Our Government will take tough action against crime and work with partners to improve the administration of justice. Serious offences will be met with serious penalties. Legal provisions will be strengthened in key areas, such as youth crime, organized crime and gang violence. Gun laws will be focused on ending smuggling and stronger penalties for gun crimes, not at criminalizing law-abiding firearms owners. More broadly, Canada's criminal justice system will be made more efficient. Citizens need to know that justice is served, and that it is served swiftly.

Safety and security also mean that Canadians must be assured that the food on their dinner table, the toys they buy their children, and the medicines on which they rely are safe. Our Government will follow through with legislation providing better oversight of food, drug and consumer products. It will strengthen the power to recall products and increase penalties for violators. It will also move quickly to launch an independent investigation of this summer's listeria outbreak and act quickly upon its findings.

National security is the most fundamental duty of any national government to its citizens. Our Government will table a national security statement to explain how we intend to balance the new threats and challenges to national security that we face with the need for oversight, accountability and the protection of civil liberties.

[Translation]

Contributing to Global Security

Our national security depends on global security. Our Government believes that Canada's aspirations for a better and more secure world must be matched by vigorous and concrete actions on the world stage.

Security ultimately depends upon a respect for freedom, democracy, human rights and the rule of law. Where these values are imperilled, the safety and prosperity of all nations are imperilled. Canada must have the capacity and willingness to stand for what is right, and to contribute to a better and safer world.

Our Government is transforming Canada's engagement in Afghanistan to focus on reconstruction and development, and to prepare for the end of our military mission there in 2011. The hard work and heroic sacrifices of Canada's men and women in the field—military, diplomatic and development—will leave the people of Afghanistan the lasting legacy of a more secure, more peaceful and better governed country.

[English]

Our Government will also continue to rebuild and arm the Canadian Forces with the best possible equipment. We will renew all of our major air, sea and surface fleets over the next two decades, creating new, high-technology jobs in Canada in the process.

Canada's international assistance will continue to increase and will be spent more effectively in the promotion of development goals. A new, non-partisan democracy promotion agency will also be established to support the peaceful transition to democracy in repressive countries and help emerging democracies build strong institutions.

Building Stronger Institutions

Canada's institutions are the cornerstone of our democracy, our freedom and our prosperity.

Parliament is Canada's most important national institution. It is the only forum in which all Canadians, through their elected representatives, have a voice in the governance of the nation. Parliament should be an expression of our highest ideals and deepest values, our greatest hopes and grandest dreams for the future of our children. Our Government believes these ideals can only be achieved if Parliament truly reflects the character and aspirations of the Canadian people.

Our Government will introduce legislation to move toward representation by population in the House of Commons for Ontario, British Columbia and Alberta. Legislation will also be introduced to allow for nominees to the Senate to be selected by voters, to serve fixed terms of not longer than eight years, and for the Senate to be covered by the same ethics regime as the House of Commons.

[Translation]

The Public Service of Canada is a key national institution. Public servants inspect our food and police our borders. They deliver programs and services to millions of Canadians in every region of this country, from our largest cities to the most remote Arctic communities. Drawing on the recommendations of the Prime Minister's Advisory Committee on the Public Service, our Government is committed to the continued renewal of the public service.

Our Government will also take steps to strengthen the Canadian confederation. It will respect the jurisdiction of the provinces and territories and will enshrine its principles of federalism in a Charter of Open Federalism. The federal spending power will be constrained so that any new shared-cost program in an area of exclusive provincial responsibility will require the consent of the majority of the provinces to proceed, and that non-participating provinces can opt out with compensation, provided that they implement compatible programs or initiatives.

Conclusion

Canadians have renewed their confidence in our Government. They have placed their trust in their representatives. And they have asked us to work together to meet the challenges before our country.

[English]

Our Government is committed to Canada's continued success at this time of global economic instability. All its energy will be directed to addressing the challenges Canadian families, businesses and workers face, both today and in the future. It will continue to establish effective policies that give a competitive advantage to this country. It will strengthen the institutions that keep Canadians safe, secure and prosperous. And it will work in partnership—with its allies, with the provinces and territories, with industry and with the millions of Canadian families—to keep Canada the true North, strong and free.

Canadians have faced times of uncertainty and renewal before and have always emerged a stronger and more united people. Gathered here in this Chamber, we remember the men and women who went before us and the legacy of freedom and prosperity that they have bequeathed to us. It is now our duty to protect and enhance this legacy for those who will follow us.

Honourable Members of the Senate and Commons, yours is a most important task. May Divine Providence guide you in your deliberations.

[Translation]

The sitting was resumed.

RAILWAYS BILL

FIRST READING

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, pursuant to rule 8, I have the honour to present Bill S-1, a *pro forma* bill entitled: "An Act relating to railways," which serves to assert the right of the Senate to deal with other business before proceeding to the consideration of the matters expressed in the Speech from the Throne.

Bill read first time.

SPEECH FROM THE THRONE**CONSIDERATION AT NEXT SITTING**

The Hon. the Speaker: Honourable senators, I have the honour to inform you that Her Excellency the Governor General has caused to be placed in my hands a copy of her Speech delivered this day from the Throne to the two Houses of Parliament. It is as follows —

Hon. Senators: Dispense.

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

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

That the Speech of Her Excellency the Governor General, delivered this day from the Throne to the two Houses of Parliament, be taken into consideration at the next sitting of the Senate.

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

Motion agreed to.

COMMITTEE OF SELECTION**APPOINTMENT—
MOTION FOR APPOINTMENT ADOPTED**

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

That, pursuant to rule 85(1), the Honourable Senators Brown, Carstairs, P.C., Cochrane, Di Nino, Fairbairn, P.C., Hervieux-Payette, P.C., Munson, Robichaud, P.C., and Tkachuk be appointed a Committee of Selection to nominate (a) a Senator to preside as Speaker *pro tempore* and (b) the Senators to serve on the several select committees, except the Committee on Conflict of Interest for Senators, during the present Session.

That the Committee of Selection report with all convenient speed the names of the Senators so nominated.

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

Motion agreed to.

The Senate adjourned until tomorrow at 2 p.m.

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