



CANADA

# Debates of the Senate

---

2nd SESSION

•

40th PARLIAMENT

•

VOLUME 146

•

NUMBER 13

---

OFFICIAL REPORT  
(HANSARD)

**Thursday, February 26, 2009**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

## CONTENTS

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

*Debates Service:* D'Arcy McPherson, Chambers Building, Room 943, Tel. 613-995-5756  
*Publications Centre:* David Reeves, Chambers Building, Room 969, Tel. 613-947-0609

---

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, February 26, 2009

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

Prayers.

### DISTINGUISHED VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, before I call for Senators' Statements, I call to your attention the presence in the gallery of the Honourable Len Gustafson, Privy Councillor.

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

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, I received a notice from the Leader of the Government who requests, pursuant to rule 22(10), that the time provided for the consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Senator Gustafson, who retired from the Senate on November 10, 2008.

I remind all honourable senators that pursuant to our rules each senator will be allowed only three minutes and may speak only once. However, is it agreed that we continue our tribute to Senator Gustafson under Senators' Statements?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** We will have 30 minutes for tributes. The balance of the 30 minutes after tributes, if there is any, will be used for other statements. Is it agreed?

**Hon. Senators:** Agreed.

---

• (1335)

## SENATORS' STATEMENTS

### TRIBUTES

THE HONOURABLE LEONARD J. GUSTAFSON, P.C.

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, I rise today to pay tribute to a former colleague and good friend, the Honourable Senator Leonard Gustafson, who retired from the Senate in November.

Len Gustafson arrived on Parliament Hill 30 years ago when he was elected member of Parliament for Assiniboia, Saskatchewan. He was re-elected in Assiniboia in 1980 and 1984. In 1988, he was elected in the riding of Souris—Moose Mountain. He defeated Ralph Goodale in 1979. As a matter of fact, a Conservative had not represented the Assiniboia riding since the Diefenbaker era in

the 1960s. It was quite an accomplishment. To prove how excellent Senator Gustafson was, he held the riding until he left.

Len was a member of the House of Commons until he was summoned to the Senate in May 1993. Len Gustafson was elected in 1979 as a government member, then in 1980 as an opposition member. He went back into government in 1984 and 1988. When he was appointed to the Senate, he was on the government side for the first few days and then on the opposition side and then back on the government side again. One can see that Senator Gustafson has well-rounded experience, not only in both houses but also on both sides of the aisle.

Senator Gustafson served for 14 years in the House of Commons, 14 1/2 years in the Senate, with 13 years in government and 15 years in opposition.

Len, as we all know, is a true-blue Conservative and always demonstrated great loyalty and commitment to our party and its leaders. In fact, Len was appointed to the greatly-coveted position of Parliamentary Secretary to Prime Minister Brian Mulroney, a position he held for the entire term of the Mulroney government, from 1984 to 1993.

Even with these additional responsibilities, Len Gustafson always put the interests of his family and constituents first. Senator Gustafson also remained an active businessman and farmer throughout his parliamentary career and, as such, always brought first-hand experience to his work in this chamber and, in particular, to the Standing Senate Committee on Agriculture and Forestry. More often than not, Len knew more about agricultural commodity prices than the witnesses he questioned, which put them at a distinct disadvantage.

Len also served with distinction on several Senate committees, including the Standing Senate Committee on Aboriginal Affairs; the Standing Senate Committee on Banking, Trade and Commerce; the Standing Senate Committee on Foreign Affairs and International Trade; and the Standing Senate Committee on Transport and Communications.

Honourable senators, Len Gustafson is one of the most unpretentious and down-to-earth people who has ever graced the threshold of this place. He is today as he was when he first came to Parliament — a decent, honest and humble person who never forgot his roots or why he was here.

Honourable senators, in recognition of Senator Gustafson's outstanding service to Canada and his beloved Saskatchewan, he was appointed to the Privy Council on the advice of Prime Minister Stephen Harper. He will now forever be known as the Honourable Len Gustafson, P.C.

Len, I wish you, Alice and all of your family the very best and I thank you for your many years of service to Canada.

**Hon. Joyce Fairbairn:** Honourable senators, it is with great difficulty and sadness that I say farewell to one of the finest senators I have met in my 25 years in this chamber. Len Gustafson is a first-class politician and I think our friends in the other place would agree. I think Ralph Goodale would also agree that Len was a first-class politician. However, he is also an icon of support and understanding in rural Canada and especially in the farm community of Macoun, Saskatchewan, which has been at the centre of his life. We all know now where Macoun is because of Len Gustafson.

Senator Gustafson entered the House of Commons in 1979 and, later, Prime Minister Brian Mulroney did not hesitate to lasso this cheerful farmer as a parliamentary secretary, an agricultural adviser and a loyal friend during each day he participated in political life on Parliament Hill.

When Len entered the Senate in 1993, he became the voice of farmers and small rural towns in the Standing Senate Committee on Agriculture and Forestry, where we became friends. If one of us was the chair of the Agriculture Committee, the other was the deputy chair. We worked together during very difficult times in our country's rural life. His honesty, good humour and devotion to his wonderful wife, Alice, and their family has helped him lift the spirits of all who worked with him, especially his long-time assistant, Helen Krzyzewski.

As I look at Len and Alice, I recall that one of our most exciting moments was when we were caught in the middle of the riots and tear gas at the 1999 World Trade Organization meeting in Seattle, Washington, and managed to get through it in good spirits.

• (1340)

As Len departs, he leaves behind great friendship and challenges for this chamber to continue to insist that every government open its mind and its heart for the future of a fair chance for rural Canadians. I know our colleague will never be forgotten. Already, he is missed.

Thank you, Len, from the bottom of my heart.

**Hon. Gerry St. Germain:** What an honour, honourable senators, as I stand today to pay tribute to a good friend and colleague.

Saskatchewan has produced many great senators, and I am sure will produce many more in the future, but two stand out in my mind — Senator Len Gustafson, and I am sure all senators remember Senator Herb Sparrow. I respect them greatly, possibly because I worked so closely with them and knew them both on a personal level.

Len has always been a defender of the farmer and those who provide the country with high quality, inexpensive food, often at the personal expense of the farmer.

I first saw Len on stage with former Senator Brenda Robertson at the 1983 Progressive Conservative Leadership Convention in Ottawa when he nominated Brian Mulroney. The sincerity and integrity of Senator Len Gustafson attracted many party supporters to take up Len's call for Brian to be our next leader. Senators will recall with great admiration that this was a leader who went on to win the largest electoral majority in Canada's history, and Len was part of it.

Len has never forgotten how he became a senator, and this reinforces his loyalty and qualities as a genuine human being. Former Prime Minister Brian Mulroney named Len as his Parliamentary Secretary — a position he held with distinction from 1984 to 1993. As the National Caucus Chair from 1984 until 1988, I worked shoulder to shoulder with Len and the Prime Minister. I saw straight away Len's tenacity, a characteristic that has never allowed him to abandon his friends or the causes in which he believes. I remember well our discussions in the Prime Minister's office. Whether we were discussing defence issues, social issues or whatever, Len would always be able to bring the conversation back around to his favourite subject. His favourite statement would be, "Prime Minister, this has an effect on agriculture," and then he would leave.

As Senator Fairbairn has pointed out, Len could always rise above partisan politics in trying to bring about positive results for the causes he championed. He did it with a sincere passion, as many honourable senators on both sides have witnessed.

Len, you and I share many of the same spiritual beliefs and we always supported the sanctity of life. Your contribution to the pro-life caucus will be greatly missed. You carried out your part very well in every aspect of your public life in service to your constituency. I know you will be missed by your friends and colleagues in this place.

Len, on a personal note, I will miss you because when I sat as a Canadian Alliance senator, you were one of the few who always stood by me because you knew what had to be done.

• (1345)

Honourable senators, I had the pleasure of visiting Macoun, Saskatchewan, a place I like to call "Gustafsonville." Once you enter the town limits, you find yourself facing a fleet of grain silos and an army of John Deere tractors. The place looks like an agricultural war zone. Much of this agricultural war zone is controlled by the Gustafson family.

However, there is more to Macoun than this area. There is something special there that I mention time and again. That something is the presence of one fine lady — Alice Gustafson — who has been a great supporter of Len's, and she has done a great job raising their family.

Honourable senators, raising a family is not always easy, but it is always a challenge for a politician's partner. I have no doubt Alice has always been the source of Len's strength throughout his three decades in public service. I know from personal experience the importance of great spousal and family support. Len, you have received both in abundance. You have been blessed and I know you know that. With that, may Godspeed carry you for many more years in this life.

**Hon. Lowell Murray:** Honourable senators, Senator Gustafson and I came to Parliament in the same year: 1979. He came by election to the House of Commons and I came by appointment to the Senate.

On December 13, 1979, Len Gustafson, MP, was the final speaker in the debate on the Crosbie budget. It was his maiden speech and he issued a challenge to the opposition Liberals and

NDP: "If we should be challenged at the polls in just a few minutes, the crossroads that the people will face is: 'Are you willing to do the right thing right now?'"

Then he sat down. With those words ringing in their ears, MPs rose to vote immediately. The budget was defeated; the government fell; we lost the election. We had put Len Gustafson's question to the people of Canada and found they were only too ready to answer it.

I do not suggest that he has always been the champion of lost causes. He has had plenty of winners, including his own successful campaigns for the House of Commons — four times elected from Assiniboia and Souris-Moose Mountain. Still, it needs to be said that he never waited to see which way the public or caucus wind was blowing before taking his own position.

The farmers of Western Canada had a no more authentic or fearless spokesman in Parliament than Len Gustafson. As he told us in his maiden speech in the Senate on February 8, 1994, his grandfather had come to Canada in 1909 and began farming. Len's father farmed. Len farmed and he had ridden a tractor with his own grandson. His contribution to agricultural issues in committee and in the chamber — including his generous and patient attempts to inform and educate some of us who needed it — will always be remembered and appreciated by me and many others.

He has never hidden, but has never flaunted, his deeply held religious faith and convictions. To the extent there is disagreement here, it is not usually over core beliefs, but rather on the role of the state in some of these matters. It needs to be said also that he was unfailing in the respect and consideration he gave to his colleagues, whatever their differences.

Finally, I want to acknowledge, as others have, the valuable role he played as Parliamentary Secretary to Prime Minister Mulroney. He held that appointment, as Senator LeBreton noted, for the entire nine years that our government was in office. What he brought to the Prime Minister's Office was his personal perspective; political philosophy; regional, cultural and family roots; his understanding of the ever-changing currents of parliamentary opinion; the gift of loyalty and friendship; and, even more crucial, the candour, unselfishness and integrity of his advice. He and his family should be proud of his years in the public service of our country.

**Hon. David P. Smith:** Honourable senators, I rise to say a few words of recognition in tribute for, and appreciation of, the contribution to public life in this country and in these oak chambers of Senator Len Gustafson.

• (1350)

I regard Len as a friend, a true-blue Tory from Saskatchewan, a gentleman, a farmer, a husband, a father and, very importantly, a great singer. Honourable senators might not be aware of that.

Len and I served together in the House of Commons well over 25 years ago. He was part of team Clark and then team Mulroney, and I was part of team Trudeau. After a rather unfortunate election in 1984, when the Liberal ship went down with most

hands, including me, I went back to being a lawyer on Bay Street. That is not such a bad thing, actually. Len, of course, continued on. I would see him on television. Every time Brian Mulroney came down the stairs heading into Question Period, Len was 18 inches behind him, always there.

Whenever I think of Len, I think of Saskatchewan, of farming and of agriculture. He really knows those areas. However, we are also friends for another reason. We belong to a fellowship group that meets Wednesday mornings, and we both wound up in the Senate, which was obviously the Lord's will.

I could tell honourable senators many stories about Len, but I will tell only one. In January 2003, we were in Israel on a trip organized by the Canadian Jewish Congress. For some time, I had been co-chair of a group called Liberal Parliamentarians for Israel. We were on a bus. We were quite a large group; approximately half had a Christian background and half were from the Jewish community. All of a sudden we mounted a hill, and in the distance we could see the Sea of Galilee. I turned to Len and asked if he knew the old song "This is Like Heaven to Me." He said, "I know it," and I suggested that we sing.

Len has a much better voice than I, and I will not subject honourable senators to my singing, but the song goes like this:

Oh, this is like Heaven to me,  
Yes, this is like Heaven to me;  
I've crossed over Jordan to Canaan's fair land,  
And this is like Heaven to me.

Stockwell Day was sitting at the back of the bus. He jumped up and we had a trio going. Within 30 seconds, we had that whole bus singing. A bonding occurred then, and I will never, ever forget that, Len. I will miss you. I wish you all the best.

**Hon. David Tkachuk:** Honourable senators, I was on that bonding trip. Len Gustafson and I were an item long before it became fashionable.

**Some Hon. Senators:** Oh, oh!

**Senator Tkachuk:** I moved in with Len in 1981, while working on the Ontario provincial election. At that time, I did not know him well, but I figured that anyone who beat Ralph Goodale twice was okay with me.

What a road Len has travelled. He built a large farm operation, owning some 10,000 acres of land, owning an automobile dealership, real estate holdings and a moving company. He then went on to a political career, winning four elections in the House of Commons and serving nine years as Parliamentary Secretary to the Prime Minister.

Len is a unique politician, holding malice for no one, always extending a kind hand to his colleagues and adversaries and to anyone experiencing a difficult time or personal tragedy. He was a Conservative who understood the power of government to help people in tough times. He matched this with an open chequebook to help the hungry in other parts of the world.

Len saw his farm not just as an occupation but as a vehicle to feed the world. He believed that if you ask government to use other people's tax dollars, you should match this with a commitment to personal generosity and compassion.

Not far from Macoun is Rafferty Dam, a fitting tribute to the work of Len Gustafson, an oasis in one of the driest and most flood-prone areas of Saskatchewan, a dream of Premier Grant Devine that Len Gustafson, Prime Minister Mulroney and then Environment Minister Jean Charest adopted. These four made this project happen against tremendous skepticism and political opposition. Len worked hard to mend the relationship with the Western wing of our party that chose a different path in 1993. The personal relationships and friendships he built proved invaluable as Prime Minister Harper and Minister MacKay worked to heal the party.

• (1355)

In his personal life, Len let his actions speak for him. He practised tolerance and kindness to everyone, no matter race or religion, culture or economic status. Len did not have to make speeches about what a great guy he was. If you knew him, you knew it.

Honourable senators, Len was a good guy who finished first. He was helped by a great lady, his wife Alice, and children and grandchildren who love him. There is little else a man could want.

[Translation]

**Hon. Pierre De Bané:** Honourable senators, today we have the pleasure of paying tribute to our former colleague, Senator Leonard Gustafson. As you know, Senator Gustafson represented the senatorial division of Saskatchewan in this chamber. He was born and raised in Macoun, in the southern part of that magnificent province. He was a farmer and businessman before embarking on a career in public life.

[English]

Throughout his career as a parliamentarian in Ottawa, Senator Gustafson remained committed to his profession as a farmer and to his prairie roots. He represented the people of Saskatchewan with great pride. More than that, he was the best example that we could have of someone who represents the common people of this country.

It was not by chance that Prime Minister Mulroney, with whom I was a classmate at university, selected Len to be his Parliamentary Secretary. There is a lot of meaning in that decision because it is the Prime Minister who appoints parliamentary secretaries to all ministers, but he kept for himself Leonard Gustafson, which speaks volumes about the person we are celebrating and paying homage to today. Senator Gustafson was and is exactly the opposite of someone who has a bureaucratic view of the world. He eloquently conveyed the aspiration of the prairie farmers and, more than that, the people of the whole country.

[Translation]

Senator Gustafson began his career in the House of Commons as the member for Assiniboia in 1979. He was re-elected three times. During his career, he held various parliamentary committee chair and deputy chair positions. Agriculture being his passion, he was a member of both the Senate and Commons agriculture committees, and he spoke with authority about the sector, which he knew well and loved.

[ Senator Tkachuk ]

[English]

Senator Gustafson had a unique sense of humour. He would often end a meeting by saying, "I have to leave now because I have to turn my combine around and move to another field." He was also an expert on the price of grain. He knew by heart the daily price of all types of grain, and invariably he considered the price to be too low, even when these prices established new records.

[Translation]

Shortly after retiring last November, Senator Gustafson was made a Privy Councillor by the Prime Minister of Canada in recognition of his many years of service to the country.

[English]

We wish Len all the best in this new chapter of his life, which hopefully will give him more time to enjoy another passion in his life — curling.

• (1400)

**Hon. Robert W. Peterson:** Honourable senators, I rise to pay tribute to the Honourable Len Gustafson.

When I first arrived in this place a short time ago, Len counselled me that I should enjoy what I did and have fun. That was good counsel, and since we were on the same committees, it worked for me.

Although I hail from Saskatchewan, my experience with farming and knowledge of agriculture is limited, and I, along with most other members of the Agriculture Committee, relied on Len for his sage advice and to enlighten us with his knowledge of agriculture, which will be missed in future deliberations of the Agriculture Committee.

My friend, it is the end of a long journey. You are to be commended for your service to your community, your province and your country. I wish you, Alice and your family well. Godspeed.

**Hon. Donald H. Oliver:** Honourable senators, I rise today to pay tribute to our former colleague Senator Len Joe Gustafson.

Len Gustafson is a devout Christian farmer from the West. He has a rare, keen sense of what is political and what things are really of fundamental importance. Len was one of those down-to-earth thinking senators.

He is perhaps most at home sitting on one of his high-powered, air-conditioned tractors, air seeding some of his 10,000 acres with pulse crops or grains and oilseeds and always, of course, his beloved durum wheat, which sometime last year was trading at around \$29 a bushel, a price that was a long, long time coming.

He said in this chamber five years ago:

... in 1972, both the price of a barrel of oil and a bushel of wheat was \$2. Today, the price of a bushel of wheat is \$2 ... and we know that oil is priced at about \$55 a barrel.

For Senator Gustafson, it was always about doing what is right for Canadian farmers. He said:

We need a Canadian farm bill that looks at not only the global challenge but also the opportunities that Canada lays out for us. We have a great land and a great country. . . . We have a great responsibility both to that land and to our farmers.

Senator Gustafson's service to his countrymen began 35 years ago when he was first elected to municipal government in Saskatchewan in 1973. Six years later, he ran a successful campaign in Assiniboia, about which we have already heard.

His love of agriculture was manifest through his work in both houses. He sat on the Standing Committee on Agriculture in the other place for four Parliaments. He was also a member of the Standing Senate Committee on Agriculture and Forestry throughout his entire career as senator, acting as chair from 1996 to 2002.

I had the honour of serving with Len on the Agriculture Committee both as chair and member. His questions were always thought-provoking and deep, always carefully thought out, always with the interests of Canadian farmers in mind, and always probing to find new ways to have more value and more money left at the farm gate.

As Prime Minister Harper once said, Len Gustafson "has served Canada with dedication," which is why, two months after his retirement, our Prime Minister appointed Len as a Privy Councillor. This is a richly deserved appointment for a man who spent almost half of his life in public office.

His absence in our chamber is felt today, and most notably by Canadian farmers who could always count on Len to defend their interests in Ottawa.

Len was an outstanding parliamentarian but, above all, he is a devoted husband to his wife of 57 years, Alice, and father to his four children.

Honourable senators, it is my honour to congratulate Senator Gustafson for his brilliant career on the Hill and his outstanding contributions to our country. Please join me in wishing our friend Leonard a happy retirement and all the best in this next chapter of his life.

**Hon. Pana Merchant:** Honourable senators, Senator Gustafson has been my friend and valued colleague for the six years we have worked together in this chamber, one for whom I have the highest regard and great affection.

• (1405)

He offered me wise counsel through the benefit of his long and varied experience, and our political propensities did not impede our shared desire to better the lives of the people of our province.

Len Gustafson was a strong, effective parliamentarian in the House of Commons and in the Senate. He always put the welfare and good of the Saskatchewan people ahead of his own personal interest. He served our province and nation with great honour and resolve, first in the House of Commons for 15 years, and then in this chamber for 14 years.

Len has good common sense, good judgment and a well thought out and tolerant approach toward others and others' sentiments. If he did not believe in something, he said so. If he did, he said so as well.

Len has deep respect for our Constitution and our chamber. He was of the view that this country is served best when we keep this chamber distinct and independent of the other place, aware of the precariousness of the rule by majority and the value of unencumbered sober second thought.

The Honourable Len Gustafson was akin to his roots as farmer, rancher, citizen of the Macoun area. His love and attachment to the land and his community is his hallmark.

I would like to believe that this spring, when Len is out on his tractor, he might just once in a while be thinking about us here.

To everything there is a season. The time has come to say adieu to his long and dedicated service to Parliament and to Saskatchewan. I would like to thank Len and Alice for their friendship and good humour. May they be blessed with many healthy and happy years with their family and friends.

[Translation]

## ROUTINE PROCEEDINGS

### CLERK OF THE SENATE

#### 2008 ANNUAL ACCOUNTS TABLED

**The Hon. the Speaker:** Honourable senators, pursuant to Chapter 3:05, paragraph 5(1) of the *Senate Administrative Rules*, I have the honour to table the statement of receipts and disbursements for the fiscal year ended March 31, 2008.

[English]

### INFORMATION COMMISSIONER

#### SPECIAL REPORT TABLED

**The Hon. the Speaker:** Honourable senators, I have the honour to table, in both official languages, the Special Report from the Information Commissioner, entitled *Report Cards 2007-08 and Systemic issues affecting access to information in Canada*, pursuant to section 39 of the Access to Information Act.

[Translation]

## THE ESTIMATES, 2009-10

### PARTS I AND II TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I have the honour to table, in both official languages, Parts I and II of the 2009-10 Estimates for the fiscal year ending March 31, 2010.

[English]

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

### REPORT PURSUANT TO RULE 104(2) TABLED

**Hon. George J. Furey:** Honourable senators, pursuant to rule 104(2) of the *Rules of the Senate*, I have the honour to table the first report of the Standing Committee on Internal Economy, Budgets and Administration, which deals with the expenses incurred by the committee during the Second Session of the Thirty-ninth Parliament.

(For text of report, see today's Journals of the Senate, p. 145.)

### SECOND REPORT OF COMMITTEE PRESENTED

**Hon. George J. Furey,** Chair of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Thursday, February 26, 2009

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

### SECOND REPORT

Your Committee has approved the Senate Main Estimates for the fiscal year 2009-2010 and recommends their adoption. (Annex A)

Your Committee notes that the proposed total budget is \$90,605,800.

An overview of the 2009-2010 budget will be forwarded to every Senator's office.

Respectfully submitted,

GEORGE J. FUREY  
Chair

(For text of report, see today's Journals of the Senate, Appendix A, p. 157.)

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

(On motion of Senator Furey, report placed on the Orders of the Day for consideration later this day.)

[Translation]

## TRANSPORT AND COMMUNICATIONS

### REPORT PURSUANT TO RULE 104(2) TABLED

**Hon. Lise Bacon:** Honourable senators, pursuant to rule 104(2) of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Transport and Communications, which outlines the expenses incurred by the committee during the Second Session of the Thirty-ninth Parliament.

(For text of report, see today's Journals of the Senate, p. 146.)

• (1410)

[English]

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

### REPORT PURSUANT TO RULE 104(2) TABLED

**Hon. W. David Angus:** Honourable senators, pursuant to rule 104(2) of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Energy, the Environment and Natural Resources, which deals with the expenses incurred by the committee during the Second Session of the Thirty-ninth Parliament.

(For text of report, see today's Journals of the Senate, p. 147.)

[Translation]

## THE ESTIMATES, 2008-09

### SECOND REPORT OF NATIONAL FINANCE COMMITTEE ON SUPPLEMENTARY ESTIMATES (B) PRESENTED

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

Thursday, February 26, 2009

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

### SECOND REPORT

Your committee, to which were referred the Supplementary Estimates (B), 2008-2009, has, in obedience to the Order of Reference of Tuesday, February 10, 2009, examined the said estimates and herewith presents its report.

Respectfully submitted,

JOSEPH A. DAY  
Chair

(For text of report, see today's Journals of the Senate, Appendix B, p. 164.)



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

(On motion of Senator Day, report placed on the Orders of the Day for consideration later this day.)

[English]

## BANKING, TRADE AND COMMERCE

### REPORT PURSUANT TO RULE 104(2) TABLED

**Hon. Michael A. Meighen:** Honourable senators, pursuant to rule 104(2) of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Banking, Trade and Commerce, which deals with the expenses incurred by the committee during the Second Session of the Thirty-ninth Parliament.

(For text of report, see today's Journals of the Senate, p. 148.)

[Translation]

## THE ESTIMATES, 2009-10

### NOTICE OF MOTION TO AUTHORIZE NATIONAL FINANCE COMMITTEE TO STUDY MAIN ESTIMATES

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

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Estimates for the fiscal year ending March 31, 2010, with the exception of Parliament vote 10.

### NOTICE OF MOTION TO REFER VOTE 10 TO THE STANDING JOINT COMMITTEE ON THE LIBRARY OF PARLIAMENT

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

That the Standing Joint Committee on the Library of Parliament be authorized to examine and report upon the expenditures set out in Parliament vote 10 of the Estimates for the fiscal year ending March 31, 2010; and

That a message be sent to the House of Commons to acquaint that house accordingly.

## INTER-PARLIAMENTARY FORUM OF THE AMERICAS

### REGIONAL WORKSHOP FOR CENTRAL AND SOUTH AMERICAN PARLIAMENTARIANS, NOVEMBER 7-8, 2008—REPORT TABLED

**Hon. Céline Hervieux-Payette:** Honourable senators, pursuant to rule 26(3), I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Inter-Parliamentary Forum of the Americas respecting its

for Central and South American Parliamentarians, entitled "Trade Liberalization: the WTO, the Doha Round and Development Challenges," held in San José, Costa Rica, November 7 and 8, 2008.

[English]

## CANADA-AFRICA PARLIAMENTARY ASSOCIATION

### BILATERAL VISITS TO KENYA, BURUNDI AND RWANDA, JUNE 22-28, 2008—REPORT TABLED

**Hon. A. Raynell Andreychuk:** Honourable senators, I have the honour to table in the Senate, in both official languages, the report of the Canadian delegation of Canada-Africa Parliamentary Association respecting its bilateral visits to Kenya, Burundi and Rwanda held in Nairobi, Kenya; Bujumbura, Burundi; Kigali and Butare, Rwanda, June 22 to 28, 2008.

• (1415)

[Translation]

## BANKING, TRADE AND COMMERCE

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY PRESENT STATE OF DOMESTIC AND INTERNATIONAL FINANCIAL SYSTEM AND REFER PAPERS AND EVIDENCE SINCE THE FIRST SESSION OF THE THIRTY-NINTH PARLIAMENT

**Hon. Michael A. Meighen:** Honourable senators, I give notice that at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon the present state of the domestic and international financial system; and

That the papers and evidence received and taken and work accomplished by the Committee on this subject since the beginning of the First Session of the Thirty-ninth Parliament be referred to the Committee; and

That the Committee submit its final report no later than December 31 2010, and that the Committee retain until March 31, 2011, all powers necessary to publicize its findings.

[English]

## ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

### NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO STUDY ISSUES RELATED TO MANDATE AND TO REFER PAPERS AND EVIDENCE SINCE SECOND SESSION OF THIRTY-NINTH PARLIAMENT

**Hon. W. David Angus:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be authorized to examine and report on emerging issues related to its mandate:

- (a) The current state and future direction of production, distribution, consumption, trade, security and sustainability of Canada's energy resources;
- (b) Environmental challenges facing Canada including responses to global climate change, air pollution, biodiversity and ecological integrity;
- (c) Sustainable development and management of renewable and non-renewable natural resources including but not limited to water, minerals, soils, flora and fauna; and
- (d) Canada's international treaty obligations affecting energy, the environment and natural resources and their influence on Canada's economic and social development.

That the papers and evidence received and taken and work accomplished by the Committee on this subject since the beginning of the Second Session of the Thirty-ninth Parliament be referred to the Committee; and

That the Committee submit its final report no later than June 30, 2010, and that the Committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

#### THE HONOURABLE LEONARD J. GUSTAFSON

##### NOTICE OF INQUIRY

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, with leave of the Senate and notwithstanding rule 57(2), I give notice that, later this day:

I will call the attention of the Senate for the purposes of paying tribute to the Honourable Leonard Gustafson, P.C., in recognition of his outstanding career as a member of the Senate of Canada and for his many contributions and service to Canadians.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

#### NEWFOUNDLAND AND LABRADOR

##### NOTICE OF INQUIRY

**Hon. Joan Cook:** Honourable senators, I give notice that, two days hence:

I will call the attention of the Senate to Newfoundland and Labrador — 60 years of being Canadian.

## QUESTION PERIOD

### MINISTER OF STATE (SENIORS)

#### NEW HORIZONS FOR SENIORS PROGRAM

**Hon. Sharon Carstairs:** Honourable senators, my question is to the Leader of the Government in the Senate but in her particular role as Minister of State for Seniors.

On Monday of this week, the minister, together with the Minister of Human Resources and Skills Development, announced that \$4 million would be given to four programs to help reduce the incidence of abuse against older adults. This was part of the \$13.3-million program announced in the budget of March 2008 and is a most welcome announcement.

However, the minister announced in June that this program would be rolled out at the end of September. We know it could not have been rolled out at the end of September because we were in an election period, but the election was held in mid-October.

Why did it take this long for the announcement to be made? Can the minister tell this chamber how much of this money can actually be spent in this fiscal year, which ends 34 days from today?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, the announcement to which Senator Carstairs refers was in connection with the New Horizons for Seniors Program. We have increased the funding for that program from \$25 million to \$35 million per year.

• (1420)

I made that announcement with Minister Finley on Monday. These programs specifically relate to community-based programs to tackle the issues of elder abuse.

The \$13-million program over three years, for which I received approval from the government and from my colleagues, is a targeted national campaign directed at elder abuse. The honourable senator is right; with the intervening events, this program was delayed. At present, we are working on a new launch date for this national public awareness program.

The \$13 million is a three-year program, but it is not to be confused with the elder abuse announcements that were part of the New Horizons for Seniors Program.

**Senator Carstairs:** Unfortunately, honourable colleagues, this announcement is part of a pattern. The government makes an announcement in a budget, we wait several months, they make another announcement that it is coming and then we wait and wait until 37 days before the end of the fiscal year.

I asked the minister a specific question: How much of that money will be spent in this fiscal year?

**Senator LeBreton:** Honourable senators, I take my responsibilities as Minister of State for Seniors seriously. I would be happy to outline all the things we have done with regard to seniors since I became the minister.

The announcement we made was for funding under the New Horizons for Seniors Program. As honourable senators know, there are three components under that program. As part of that program, we set aside monies to work with community-based organizations to follow the criteria of the New Horizons for Seniors Program where this organization develops programs in their communities to assist the community. We put aside specific money for elder abuse issues, working within the community.

The \$13 million over three years that the government announced specifically for a national public awareness campaign on elder abuse, which we hoped to launch last fall, has been delayed because of intervening events.

I have a budget of \$13 million for elder abuse awareness. I expect the government and the programs will fully utilize the \$13 million. Hopefully, once we work through some of the issues that we face right now, we will be part of the launch of the national campaign, which would be conducted over three years. The fact that it may not take place in this fiscal year does not affect in any way the \$13-million envelope that I have.

**Senator Carstairs:** I can only assume that no money will be spent this fiscal year, judging by that answer from the honourable minister.

The problem with the New Horizons for Seniors Program is that it does not allow for multiple-year funding. If it does not allow for multiple-year funding, how will any of those programs announced this week be funded in the next fiscal year without reapplication, re-evaluation and redetermination?

**Senator LeBreton:** The funding we announced for the specific portion of the elder abuse of New Horizons is a larger amount. The funding is for more than one year. Unlike the New Horizons for Seniors Program under the community-based programs which, as the honourable senator rightly stated, apply to a particular period of time, that is not the case for this portion.

• (1425)

Senator Carstairs, I will provide honourable senators with information on who these New Horizon for Seniors Program grants were awarded to, the amounts awarded and the period of time over which they plan to work.

**Senator Carstairs:** Honourable senators, I received in my office this morning, as I am sure was the case for many honourable senators, a copy of the estimates for 2009-10. When I compared funding for the New Horizons for Seniors Program under these estimates with last year's, I discovered that the estimate budget or amount for last year was \$26,340,000; however, this year it is \$24,440,000, which is a decrease of almost \$2 million.

What is the explanation for that decrease when, presumably, we will be announcing all of these additional expensive and much-needed programs?

**Senator LeBreton:** Senator Carstairs, I will take that question as notice. There is a good explanation for it.

Problems of senior citizens and elder abuse are no laughing matter, Senator Milne. It is not a laughing matter and you would be wise not to laugh about it.

As I said to Senator Carstairs in my last answer, I will provide her with an explanation. The monies expended under New Horizons for Seniors for the elder abuse portion are larger sums and they extend over a longer period of time.

**Hon. Lorna Milne:** Since the Leader of the Government in the Senate has brought up my name, I will ask her a question. I was not laughing at the sad situation that so many of our seniors are in; I was laughing at the fact that she does not have these figures right at the tips of her fingers, which she should as the minister.

Why does she not have them?

**Senator LeBreton:** Senator Milne, we have expended great sums of money on behalf of senior citizens across this country through the New Horizons for Seniors Program.

We have assisted not only community-based organizations. Minister Finley and I were at an event last week where a group of seniors who have physically- and mentally-challenged children assist other seniors in preparing for looking after these children when they are no longer able to. It is a great program where seniors with children with these issues help other seniors. The announcement was a great and rewarding one to be part of.

At the moment, we are working on the New Horizons for Seniors Program in three specific areas: the community-based programs; the capital costs where we are allowing seniors' organizations to use New Horizons money to upgrade existing facilities; and then, of course, the much larger component on elder abuse. In addition, there is the \$13-million national public awareness campaign for educating the country as a whole on the serious problem of elder abuse.

Many projects were announced and they are on the departmental website. Regardless, I will be happy to go through all those numbers, Senator Milne, and provide the honourable senator with line-by-line detail on every cent we are spending on seniors.

[Translation]

#### ALARMING SUICIDE RATES

**Hon. Dennis Dawson:** Honourable senators, in the same vein, earlier in the month, on the occasion of the Quebec Suicide Prevention Week, the Government of Quebec, in collaboration with the Association québécoise de prévention du suicide, launched a program specifically aimed at seniors. This new program is a response to the alarming suicide statistics for seniors. In spite of progress made in suicide prevention in recent years, the 50 to 64 and 65 and over age groups were the only ones that did not record a significant decrease in suicide. Given that the dynamics change from group to group, the fight against suicide among seniors requires a special program for this age group.

Can the Minister of State (Seniors) tell this chamber whether the Government of Canada will follow Quebec's lead with a specific plan for the prevention of suicide among seniors? If so, what strategy will the government adopt to solve this serious problem?

• (1430)

[English]

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, my ministry is responsible for a number of community support programs, including grants issued under the New Horizons for Seniors Program, and I have a good working relationship with Marguerite Blais, the minister responsible for seniors in Quebec.

With regard to a specific program for the serious issue of suicide among seniors, we have been dealing with the various ministers on several issues. On the matter of low-income seniors, the National Seniors Council submitted a report that was made public a few weeks ago. The previous report was on the issue of elder abuse.

With regard to specific action to highlight the serious problem of the high suicide rate among seniors, I will meet with the National Seniors Council during the parliamentary March break. The NSC has representatives from across the country, including three from the province of Quebec. I will be happy to express to them my honourable friend's concerns on this serious issue. Perhaps I could ask them to devote some of the upcoming year's study to how we can deal with this problem. As well, I would ask for suggestions on working effectively with the provinces to raise awareness of this and other problems specific to seniors, such as elder abuse.

[Translation]

**Senator Dawson:** I thank the minister for her reply. I appreciate the fact that she will pay special attention to this matter. The results of various studies tend to show that one of the main causes of suicide is the lack of financial security resulting from loss of employment. In a context of economic uncertainty, where many Canadians are losing their jobs, seniors find themselves in a precarious situation. Will the minister explain what types of economic measures the government intends to implement to prevent seniors from finding themselves in dire straits and committing an act of desperation?

[English]

Can the minister tell the house what economic measures she and the government will put forward at this time to comfort our seniors? Can she assure honourable senators that she will put forward changes to come to the aid of the most fragile group of Canadians in society? Give them an option, Madam Minister.

**Senator LeBreton:** Many seniors are still in the workforce, and the government has announced specific programs to benefit them, such as retraining older workers. Some seniors have been forced to leave the workforce because their earnings affected their eligibility to collect the Guaranteed Income Supplement. As the honourable senator knows, our government raised that level from \$500 so that seniors would be allowed to earn up to \$3,500 without paying a penalty on their GIS. We have done many things.

There is no question that older workers are under significant strain. The economic situation in Canada as a result of the global economic downturn has caused great stress among our seniors. I have met with many seniors groups and have found that the

issues are complex and varied, requiring different solutions in different parts of the country. For example, in the province of Quebec we are targeting single-industry towns by assisting older workers, who, through no fault of their own, have lost their jobs. We are retraining them to work in other jobs.

• (1435)

## HUMAN RESOURCES AND SKILLS DEVELOPMENT

### SERVICE CANADA—CANADA PENSION PLAN

**Hon. Catherine S. Callbeck:** Honourable senators, my question is to the Leader of the Government in the Senate. Thousands of Canadians are not receiving their Canada Pension Plan retirement benefits because they do not know that they are entitled to them.

When the National Finance Committee studied this issue about a year ago, we were shocked to hear that front-line workers are not required to tell people that they are eligible for CPP when they are applying for their Old Age Pension. The committee made some recommendations, one of which was that the federal government find new ways to ensure Canadians are receiving their rightful benefits. What steps have been taken to make this happen?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, as a result of Senator Callbeck's questions in the past and concerns raised by others with regard to seniors not being properly informed about their rights and eligibility for the Canada Pension Plan, there has been a great effort on the part of Human Resources and Skills Development Canada and Service Canada — especially Service Canada — in informing seniors. I participated in a seniors' workshop in Cambridge on Friday, February 13, where this issue was raised. Officials from the Canada Revenue Agency and Service Canada were in attendance to explain to these seniors how to go about accessing these pensions.

As honourable senators know, the government has vastly increased the number of Service Canada employees. We have increased the number of offices, and Service Canada now has mobile offices that move from community to community so they can reach people who do not have easy access to permanent Service Canada offices.

I can assure honourable senators that we have made great inroads in the area of information dissemination to seniors and to others. From my travels and meetings with seniors, I am hearing increasingly less concern about this matter. The inquiries came from a few people who were about to retire. The information was readily available at this meeting thanks to a local Service Canada representative providing the information.

I would be happy to request a report card and update on how much this service has improved and how many more people we have managed to collect under this program as opposed to past years.

**Senator Callbeck:** I thank the minister for her answer. I am glad to hear that the government has taken action in this area.

The honourable senator said she would provide me with information. I would like to have the specific details of the government's outreach policies and activities regarding the CPP,

particularly the policy for front-line workers. As well, I would like to have the recent figures on the number of Canadians over 70 years of age who are entitled to CPP retirement benefits but are not receiving them.

**Senator LeBreton:** The honourable senator will find that this number is decreasing each year. I would be happy to forward the answer provided that the Honourable Senator Callbeck promises me one thing: When her question makes it into *The Guardian* in Charlottetown, would the honourable senator have the courtesy to include my answer?

**Hon. Hugh Segal:** Honourable senators, I have a supplementary question to the Leader of the Government in the Senate. Further to the questions posed by the honourable senator from Prince Edward Island, would the minister determine whether it would be possible to table in this chamber the general operating instructions given to counter service staff of Service Canada across the country, not only as they relate to the CPP, but as they relate to an informal policy that I believe exists? If an individual shows up and asks about eligibility to a particular program, have staff been instructed to indicate whether or not the individuals are eligible?

• (1440)

However, even if that individual might be eligible for another program, staff have been instructed, at least in the past — and I have heard this since 2005, so it is not about any particular government — not to inform or in any way to promote the other program because that is not their job. I think that, in an unwitting way, that policy may contribute to some of these difficulties, which I appreciate the effort of government to overcome.

If we can look at the actual instructions to counter staff for Service Canada people across the country, if that is possible — and there may be difficulties on that front — I am sure it would help us all to be supportive in this respect.

**Senator LeBreton:** I know for a fact that at Service Canada, as with any service that is provided, the person who provides the service plays a major role in terms of how much of an interest that person takes in a client.

I attended a meeting in Cambridge where 250 seniors were gathered in the Newfoundland Club hall. A Service Canada representative was there. Someone rose and inquired about a specific program, and the Service Canada representative said, “No, you are not eligible for that program, but you are eligible for another program.” The representative went on to explain the other program. This information was greatly appreciated by the individual who asked the question.

We were involved with Service Canada when it was first started under the previous government. During meetings I had with Service Canada people when Monte Solberg was the minister, it was clearly understood that when someone approached Service Canada, the intent was to deal not only with the person’s inquiry but also to steer that person in the direction of other programs.

Knowing the bureaucracy the way I do, I am sure that there is probably some mandate, form or instruction that Service Canada must follow. If such a document is available, and I am sure it is, I will provide it and table it in the Senate.

**Senator Segal:** I have a supplementary question. I agree with the minister’s view that the front-line civil servants desperately want to help the applicants who appear before them but are sometimes instructed by superiors not to go beyond answering the question.

The fact that, in the leader’s presence, at a meeting she attended, civil servants went beyond simply answering the question is helpful and extremely constructive. The leader will understand, because of her long experience with the public service, that sometimes when programs are under-subscribed, it allows intermediate managers to move money from one category to another if the categories are not specifically defined by a parliamentary vote. Under-subscription creates flexibility. Our goal, all honourable senators on both sides, is to ensure Canadians receive the programs for which they are eligible in as timely a fashion as possible. I appreciate the minister’s leadership on this issue.

**Senator LeBreton:** That is a big concern, and I and members of our government are doing everything we can to ensure that all Canadians are well served by the government. In my case, I deal more specifically with seniors. When I attend seniors’ meetings, it is in my interest to know that these things are happening because ultimately I must answer for the government. It is encouraging when I realize that government people, such as those I met on February 13 from the Canadian Revenue Agency and Service Canada, are more than helpful to this group. The meeting was positive and I have received positive feedback.

## MINISTER OF STATE (SENIORS)

### LOW INCOME ASSISTANCE

**Hon. Grant Mitchell:** Honourable senators, Canadian seniors are predominantly women and one of the fastest-growing segments of the population of this country. They can be particularly vulnerable economically. Their incomes, often low to begin with, are on average \$10,000 lower than those of their male counterparts.

What is this government doing to redress this income disparity, particularly in the case of women seniors living in poverty?

• (1445)

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** I am very concerned about low-income seniors and I acknowledge that a significant number of them are women. That is precisely why, last year, I requested that the National Seniors Council study and make recommendations with regard to low-income seniors. They have now presented their report to me and I will be happy to provide you with a copy. The government is now in the process of going over the recommendations of the National Seniors Council with a view to considering programs to assist seniors, especially those who are in the low-income group.

I have the report sitting on my desk in my office because I read it often. I would be happy to provide the honourable senator with a copy and an update on the government’s reaction to the report.

**Senator Mitchell:** I would appreciate a copy of that report.

Given that one in five Canadian senior women have never worked outside the home, in the deliberations of the minister on this topic, does she consider that changes to RRSP and CPP regulations would provide some form of recognition to women who often work in the home on behalf of their families for no financial remuneration at all?

**Senator LeBreton:** Honourable senators, this was one of the reasons the government introduced the popular income splitting measure, which has been helpful to women who worked in the home and were not in the paid workforce. However, I have met many single women who do not have a spouse with whom to split pension income. As I said previously, this is an area that I specifically asked the National Seniors Council to focus on. The council has made several excellent recommendations and I will be happy to forward a copy of them to the honourable senator. Furthermore, I will be responding to the National Seniors Council on behalf of the government as to what we plan to do concerning their recommendations.

In case people have forgotten, I wish to point out that the National Seniors Council is made up of 12 individual Canadians from coast to coast who were chosen because they work specifically with seniors' organizations in their area. Part of their mandate is to work with provincial and municipal officials and to work within their areas. Each member brings a unique experience to the National Seniors Council because, as the honourable senator knows, a senior from one part of the country experiences different living conditions than a senior from another part of the country. The group is valuable in terms of the input that each member brings to the council.

We have just received the council's report and we have made it public. I will keep the honourable senator updated as to how we intend to respond.

#### POINT OF ORDER

**Hon. Joan Fraser (Acting Deputy Leader of the Opposition):** Your Honour, I rise on a point of order rather than a question of privilege, although the subject might qualify for the latter. A few moments ago, in response to a question from Senator Callbeck, the Leader of the Government in the Senate said that she would provide certain information under certain conditions.

I would like to draw to the attention of all members of this honourable chamber that rule 24, which is the basic rule governing Question Period, does not set out such conditions for the provision of information that is sought in Question Period. It certainly does not suggest that the provision of information by a minister of the Crown should be conditional upon the publication policies of a newspaper whose policies are beyond the ambit of any member of this chamber.

We all understand that partisan give and take can become extremely tempting on both sides in Question Period, but it did seem to me that that particular response was over the line of where we should be in this chamber. Senators have a right to ask for information from the Crown; indeed, that is what Question Period is all about. That information should be provided subject only to a limited number of circumstances, for example, is the information physically unavailable? The minister cannot tell us how many angels can dance on the head of a pin. Is it in some way

a breach of national security, for example, NATO codes or NORAD codes? Beyond that, it is important that we all understand that requests for information are legitimate and should be treated as such.

• (1450)

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Your Honour, I look forward to your ruling. I do not expect there is any indication for a ruling. I think this is a point of view, and points of view are perfectly legitimate in Question Period.

**Hon. Sharon Carstairs:** Honourable senators, it is much more than a point of view and could easily be dealt with by the minister rising in her place and apologizing to the Honourable Senator Callbeck.

**The Hon. the Speaker:** Honourable senators, I will review the debates and respond as requested, Senator Fraser having raised the matter as a point of order.

[Translation]

## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, pursuant to rule 27(1), I wish to inform the Senate that, when we proceed to Government Business, the Senate will begin with items under Committee Reports, followed by other items according to the order in which they appear on the Order Paper.

[English]

### THE ESTIMATES, 2008-09

#### SECOND REPORT OF NATIONAL FINANCE COMMITTEE ON SUPPLEMENTARY ESTIMATES (B) ADOPTED

The Senate proceeded to consideration of the second report of the Standing Senate Committee on National Finance (Supplementary Estimates (B), 2008-2009), presented earlier this day.

**Hon. Joseph A. Day** moved the adoption of the report.

He said: Honourable senators, the report we are dealing with is the second report of the Standing Senate Committee on National Finance. All senators have been provided with a copy of Supplementary Estimates (B) for 2008-09. Your committee has studied these supplementary estimates and now reports to the chamber. The report has been circulated, and I will be referring to certain portions of it. I will not, of course, go through the entire report, but I do recommend that you read it at your leisure.

Honourable senators, one item I wish to turn your attention to is at page 4 of the French version of the report.

*[Translation]*

On page 4 of the French version of the report, there are three paragraphs at the bottom of the page, beginning with “nouvelles prévisions de Finances relatives.” The way the amount is indicated is unclear. On the second line, it says, “1 225,9 millions de dollars.” Writing it as “1 milliard 225,9” would be better, so that should be changed.

The same goes for the last line, where the amount should be written as “2,174 milliards de dollars” instead of “2 174 millions”. We discussed this change yesterday evening with the other committee members, but unfortunately, the change was not made.

*[English]*

Honourable senators, with that slight change I will briefly outline what is in this report so that you have an understanding of what your committee did in studying the matter.

The first point that I wanted to make relates to the purpose for supplementary estimates, which is outlined in precise wording here. However, in general terms, supplementary estimates are used after the time when the Main Estimates come forward for a fiscal year. The Main Estimates will typically come out in March, or maybe even today for the Main Estimates for next year. The Main Estimates for the fiscal year that is ending in March came out in March of 2008. A number of items were not fully developed by the government at that time, including a number of budget items that were not reflected in the Main Estimates.

Supplementary estimates are brought forward in the course of the fiscal cycle. They represent a request by the government to Parliament to allow the government to spend additional funds related to the amount that was predicted at the beginning but funds that were not developed specifically enough at the time that the Main Estimates were issued.

We saw Main Estimates in April, May, June of last year. The first supplementary estimate was Supplementary Estimates (A), which reflected much of the budget for February and March of 2008.

This is the second of three supplementary estimates during this fiscal year. These Supplementary Estimates (B) began to be developed last summer but were delayed due to the election. They were made available to Parliament in November 2008, but Parliament then prorogued. They were reintroduced in the same fashion, unchanged, on January 29, 2009.

Another supplementary estimate will finish out the year, and that is Supplementary Estimates (C).

Honourable senators, none of these supplementary estimates deal with the items that are probably on your minds at this time, namely the stimulus package and the most recent budget by the Minister of Finance. We will be getting to those, but this is, in effect, catch-up. I want honourable senators to understand that these supplementary estimates deal with items related to the last budget, not the current budget.

Now that the items have been developed fully, the government is asking for permission to spend an additional \$2.8 billion, in rounded numbers. They are voted appropriations. There is also

some comment on funds that have been saved, almost half a billion dollars, and I will mention those because it is important to understand where those funds originated.

That is the document with which we are dealing, honourable senators. If you are following the report that we filed, to give some perspective, the total estimate was \$227 billion. Supplementary Estimates (A) was \$4.1 billion, and this Supplementary Estimates (B) is \$2.8 billion. That puts into perspective the small percentage Supplementary Estimates (B) represent of the overall annual budget for those items that I have indicated.

• (1500)

It would be helpful for honourable senators to know what is included in this \$2.8 billion, beginning with \$331 million in funding for National Defence for our military mission in Afghanistan.

Next is \$326 million in funding for the Office of Infrastructure Canada for the Provincial-Territorial Infrastructure Base Funding Program to provide long-term, predictable and flexible funding to provinces and territories. The amounts had not been developed earlier, partly because many of the funding agreements had not been completed between the federal government and the provinces when the Main Estimates came out.

Next is \$170 million in funding for the Treasury Board Secretariat in respect of compensation for salary adjustments.

There is funding for the operation of the Canadian Air Transport Security Authority, which is an ongoing authority. I suspect that they needed another \$156 million because, as this chamber will be aware, we expanded their role to do work for passengers at not only the front end but also in relation to the back end at airports. We asked CATSA to come before us on short notice. They were not able to have anybody come and explain this funding, but the good thing about the Senate is we do not forget such things. We will be after them again to appear before our committee to provide the precise reason. It is best not to speculate when we are talking about \$156 million.

Next is an increase in pay and allowances for the Armed Forces in the amount of \$90 million.

We are all interested in ensuring that the Royal Canadian Mounted Police are properly funded. The RCMP have multi-year real property projects, namely, the acquisition and replacement of air, land and marine assets. That funding is in the amount of \$73.4 million.

With respect to funding to Foreign Affairs, it is in regard to the ongoing programs where Canada helps other nations to destroy stockpiles of chemical weapons. Many of the smaller nations, of which I believe Vietnam is one, will enter into an agreement to destroy some of that stockpile of weapons, some of which are close to being weapons of mass destruction, if we help them with the cost.

Funding for Public Works and Government Services is for increased costs of property, which is not difficult to follow.

Next is funding for the Indian Residential Schools Truth and Reconciliation Commission Secretariat in the amount of \$58 million, but the money is not for a settlement with respect to individuals who were violated; rather, the \$58 million is to establish and maintain the secretariat. It would be helpful for our committee to bring in the representative of the secretariat and find out how they plan to spend \$58 million, and we will do that on your behalf in the future.

We again have funding for the Office of Infrastructure Canada, and it is a transfer out. Infrastructure Canada is housed in Transport Canada. They run most of their infrastructure programs through that department and sub-department, but they also provide border infrastructure funding to reduce border congestion. That money has been transferred to the Canada Border Services Agency. Therefore, a significant amount of funds were transferred.

Honourable senators, I have not touched on all of the items included in the Supplementary Estimates (B) that make up the \$2.8 billion the government is requesting. Most seem reasonable under the circumstances.

Regarding statutory budget spending, it is the vote that I just talked about. We have to vote either today or later on these items. Until both houses give approval through a vote, there is no authority for the executive branch to spend the money, unless the executive branch has been given authority through a statute. Sometimes statutes have a Royal Recommendation and it provides for funding for a particular initiative. They are the statutory aspects. The government has the authority to spend that money through a statute as opposed to through the estimate process. It works out to roughly a 50-50 split between statutory authority and voted authority through the estimate process and appropriation bills. Some years, it is 60-40, but it is roughly half and half.

We do, however, ask for and receive information in our supplementary estimates for information purposes only. It is important for us to understand the overall government purse and where the money comes from.

There is a significant saving in the supplementary estimates. This is not an annual occurrence; it is just for this particular period. There is a revised forecast from the Department of Finance for transfer payments to provincial and territorial governments. Transfer payments are made in the areas of health and social services and equalization payments. There is a saving of \$1.2 billion.

**The Hon. the Speaker:** I am sorry to interrupt, but the honourable senator's 15 minutes have elapsed.

**Senator Day:** I would request an additional five minutes, Your Honour.

**The Hon. the Speaker:** Is it agreed?

**Hon. Senators:** Agreed.

**Senator Day:** Thank you. I promise not to speak much on the bill that comes later, if honourable senators would let me explain a little, but I could hold some of the information for Bill C-12, which perhaps is a way of balancing my remarks.

Honourable senators, provinces were anticipating \$1.2 billion more than they will be getting this year. This is money that has never gone out from the federal government. It is important for us to pursue this issue.

There is also a saving in relation to the Softwood Lumber Products Export Charge Act, which is the money that was going to communities that were hard done by in the softwood lumber dispute with the United States. Half a billion dollars was not disbursed to the communities.

Finally, there is the revised forecast from the Department of Finance with respect to public debt charges. That is the amount of money we owe as public debt. Given reduced interest rates and our ability, until this year, to reduce our accumulated debt significantly over the years, there is a saving of \$2.1 billion in debt charges that we did not have to pay. Honourable senators can put that into perspective when they think in terms of the increase in debt that the stimulus package will create. One of the long-term effects of that will be an increase in debt service charges. Right now, part of the saving is as a result of low interest rates, but if interest rates were to ever increase significantly, they would create an extremely heavy burden by taking away money that could be used for other purposes.

Honourable senators, I also want to speak about Treasury Board vote 5. It is a matter of ongoing work of our committee that was raised in the hearings we held and by the activity that took place with respect to this. I will speak about that later when we deal with the bill that goes along with this.

• (1510)

Honourable senators will know that this report forms the support for the supply bill, or the appropriations bill, in this instance Bill C-12, that we will be asked to deal with. We will not send Bill C-12 to committee in the normal course here because we have already studied it.

The bill has two schedules attached to it. Those schedules are in the Supplementary Estimates (B), and they have been studied.

Honourable senators, I thank all members of the committee for their hard work. We recognize that an important aspect of the machinery and business of government is to have supply.

**Hon. Eymard G. Corbin:** Under statutory budgetary spending, "Payments to the provinces under the Softwood Lumber Products Export Charge Act," Senator Day qualified the \$419 million as a saving. Is it a saving because it has not been paid?

**Senator Day:** That is right.

**Senator Corbin:** Why has it not been paid and will it be paid eventually?

**Senator Day:** In part, I want to know why too. It is a saving because it is less than Finance Canada forecast would be paid out at the beginning of the year. The department anticipated that it would pay out \$419 million more. If that money has not been paid for a reason other than that the communities do not qualify or have not applied, we want to know.



We will follow up on that item. Senator Corbin is right that \$419 million forecasted to be paid has not been paid under that program.

**Senator Corbin:** Senators will recall that we were under pressure to give our approval to the deal made with the United States and were told that this deal would be of great benefit to the lumber industry. However, two or three years later there is still money to be paid out. What the heck is going on? I do not fault Senator Day.

**Senator Day:** I remind honourable senators that this item is a statutory item. It is here for information purposes. It poses a number of interesting questions that may be pursued, but from the point of view of supplementary estimates, the voting of supply for government, it is not relevant. It is for information purposes only.

**Hon. Irving Gerstein:** Honourable senators, I thank Senator Day for tabling the second report of the Standing Senate Committee on National Finance, which deals with our study of Supplementary Estimates (B). Senator Day did an excellent job of keeping us on track during our committee hearings. He has also been a great source of help and advice to me, as someone new to the complexities of the supply process, for which I thank him. I am confident we will work well together.

Indeed, only yesterday we acted together to resolve an urgent problem in the functioning of the committee, the lack of funds to order supper. By putting aside party differences and sharing the cost of take-away pizza for the committee and its staff, we provided a timely illustration of inter-party cooperation in the face of a grave problem.

As the timelines for the supply process are tight, the National Finance Committee typically studies the estimates and supplementary estimates as soon as possible after they are tabled, in advance of the Senate receiving the relevant bill. Our committee started work as soon as possible on February 11 and finished examining the supplementary estimates this past Tuesday.

As Senator Day has already mentioned, we had the opportunity to question officials from the Treasury Board, from Transport Canada and from Infrastructure Canada. I can reassure Canadians that members of the committee asked many pertinent questions on their behalf. Our questions related to many subjects, including the Crown Share Adjustment Payments, the mission in Afghanistan, infrastructure investment, public debt charges, the real property program, the Canada Small Business Financing Act and the insured mortgage buyback program undertaken as part of the government's measures to ensure stability in financial markets.

Honourable senators asked many questions and, indeed, we could have continued longer, had time permitted. However, unlike in the other place, in this place these estimates remain before our committee throughout the year, and officials have committed to come back, should we require them to do so.

Finally, I thank those officials who appeared before the committee, both for answers they gave and answers they have promised to forward to honourable senators. We express our gratitude.

**Senator Kenny:** Would the honourable senator take a question?

**Senator Gerstein:** Yes.

**Senator Kenny:** Was the pizza all-dressed or vegetarian?

**Senator Gerstein:** That issue was a serious one but we overcame it, as we overcame other issues.

**An Hon. Senator:** Question!

**Hon. Lowell Murray:** Honourable senators, my understanding of the convention may have been overtaken by events of which I am unaware, but the situation, as I understand it, has always been, as both Senator Day and Senator Gerstein have described it, that the supplementary estimates go to committee, we receive an interim supply bill and we do not act on that interim supply bill until we have a report by the committee on those estimates. However, it is no part of the convention that we must adopt the report before we proceed to the interim supply bill. It would be legitimate, and maybe even desirable, to adjourn debate on the report and to keep it before us in the event that any honourable senator wishes to intervene and deal with one or another aspect of it.

If my understanding of the convention is correct, rather than have the question put now, I move the adjournment of the debate, after which we can proceed to the interim supply bill, if that is the wish of the house.

**The Hon. the Speaker:** It has been moved by the Honourable Senator Murray, seconded by the Honourable Senator McCoy, that further debate on this report be —

**Senator Day:** Is that a debatable motion?

**The Hon. the Speaker:** We are in debate on the report, and the motion to adjourn the debate is in order, so we are adjourning the debate on the report. We are adjourning the debate on the question, which is the motion of Senator Day, seconded by Senator Callbeck, to adopt the report. Is that correct?

**Hon. Sharon Carstairs:** I think that Senator Day asked whether the adjournment motion is debatable.

**The Hon. the Speaker:** I am sorry.

**Senator Murray:** If I have misstated the convention as I understand it, I would be happy to be corrected, but I do not think I am wrong on that, and there is every reason why we should keep the report open. We received it only today and there may be aspects that people want to debate. In no way should or would my adjournment motion interfere with debate on and passage of Bill C-12, if that is the wish of the house.

**The Hon. the Speaker:** If the chair can be helpful, if Senator Murray is speaking in the debate on Senator Day's motion, this information might be teased out of the chamber. However, the motion that you have brought forward to adjourn the debate is not debatable.

• (1520)

**Senator Murray:** I understand.

**The Hon. the Speaker:** We are in debate. Senator Murray has the floor, and he is debating Senator Day's motion.

**Senator Day:** I wonder if I could take that as a question. If I took it as a question, then I could comment on Senator Murray's comment. That very issue of whether the report needs to be adopted before the final adoption of the supply bill that flows from it is something that has been debated here a number of times in the past. I have always erred on the side of caution on these matters and taken a more conservative point of view. If Senator Cools were here, she would point out that her view has always been that the report must be adopted before the supply bill is adopted.

We have moved from second to third reading stage — that is not a difficulty — but the reason I am urging the adoption of the report is that I would not want to cause any difficulty with respect to the adoption of the bill. Some honourable senators could object to the adoption of the bill and if we adjourn this motion now, we will not be able to deal with third reading of the supply bill that flows from this report.

**Senator Murray:** I disagree with my friend on this point, as I have with Senator Cools in the past. There are quite a number of items in this report that we have seen for the first time today. It seems to me that it could be quite desirable to adjourn debate on the report and proceed with debate and approval of Bill C-12, if that is the wish of the house.

If we decide that we must adopt this report first and honourable senators wish to debate it, that would have the effect of delaying the supply bill. It is no part of my ambition or desire to delay the bill, nor do I think it is useful to do so.

We have the report. The convention, as I understand it, has always been that we must have the report. We do not need to have adopted it before passing to the approval of the supply bill, and I think it would be a very bad precedent for us to set if we took the position that those two steps must be taken *seriatim*.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Honourable senators, I also take a conservative view on such items, but I have to disagree with Senator Day and agree with Senator Murray. We do not need to have the report passed in the chamber in order to deal with third reading of the budget bill. The budget bill, on its own, can be dealt with after the equivalent of having examined the bill at committee. We do not need to adopt the committee report, which is the report on the estimates, in order to be able to proceed with the budget bill.

I agree with Senator Murray; the convention is that we can proceed to third reading of the budget bill without passing the report.

**Senator Carstairs:** Honourable senators, it may be correct procedurally, but I think this is very dangerous ground. What might happen in the future is there will be a desire to send the bill to committee, and we have never done that. We have never sent the budget bill to committee; we have sent the estimates to committee.

By virtue of this report, what we are doing — normally what we would do — is reporting back on the bill. We are not reporting back on the bill; we are reporting back on the estimates. Technically, I agree that Senator Murray is probably correct, but in terms of a precedent, I suspect it is not a good one to set.

**The Hon. the Speaker:** We are still on debate on Senator Day's motion. Is there further comment? We are on Senator Murray's time.

**Senator Murray:** If there are no further interventions on what has become almost, if not a discussion of order, of what we all regard and interpret differently as being a convention, I will put the matter to a test by moving the adjournment of the debate on the Finance Committee report.

**The Hon. the Speaker:** It is moved by the Honourable Senator Murray, seconded by the Honourable Senator McCoy, that further debate on this item be adjourned in his name to the next sitting of the Senate. Are honourable senators ready for the question?

**Hon. Senators:** Question!

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

**Some Hon. Senators:** Agreed.

**Some Hon. Senators:** No.

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

**Some Hon. Senators:** Yea.

**The Hon. the Speaker:** Will those contrary minded please say "nay."

**Some Hon. Senators:** Nay.

**The Hon. the Speaker:** The "nays" have it. The motion is defeated. Shall I put the question on the motion?

**Hon. Senators:** Question!

**The Hon. the Speaker:** It was moved by the Honourable Senator Day, seconded by the Honourable Senator Calbeck, that this report be adopted now.

Is it your pleasure, honourable senators, to adopt the motion?

(Motion agreed to and report adopted.)

## APPROPRIATION BILL NO. 4, 2008-09

### THIRD READING

**Hon. Irving Gerstein** moved third reading of Bill C-12, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2009.

He said: As you are well aware, this bill provides for the release of supply for Supplementary Estimates (B) 2008-09, providing Parliament's sanction for the funds that are needed by the government. Since I am moving the third reading, I do not propose to list the contents of the Supplementary Estimates (B) in detail. I put you through that experience on Tuesday, honourable senators, and I think you will agree that once in a week is probably enough.

As you know, the Standing Senate Committee on National Finance has done due diligence in its report on the estimates on which this bill is based. I would like to thank the members of the committee for their excellent work.

I would like to extend my sincere appreciation to our colleagues opposite for agreeing to move this legislation forward speedily. It is a magnanimous and productive gesture at this difficult time in our nation's history. I thank you.

**Hon. Joseph A. Day:** Honourable senators, I want the record to be clear that from a point of view of having our report open for debate, I fully support the concept of continuation of the debate. The reason I took the position that I did with respect to Senator Murray's motion to adjourn debate of the report is because I know there are others here who feel very strongly for the other position, and it was important that position be put forward.

As Senator Carstairs indicated, you can liken this report coming back from the study of the Main Estimates to the bill having been sent there, and we have to wait until that committee reports back before we can proceed. I ask honourable senators to draw that analogy with respect to this report. We cannot proceed with the bill until the report is back here, and that has been, in my view, the tradition we have followed since I have been involved in this particular matter. I thank Senator Murray for bringing forward the issue for consideration one more time.

Honourable senators, Bill C-12 is a supply bill. Supply is one of the most fundamental issues dealt with by parliamentarians, both houses of this Parliament. If the government does not have approval through a statute, it must get approval through supply, through the Main Estimates, interim supply or supplementary estimates. This is one of the bills dealing with a supplementary estimate, as I indicated earlier.

• (1530)

There are two exceptions to the government needing to have parliamentary approval to spend money. One of those exceptions is Governor General's warrants; and we saw the use of Governor General's warrants recently, quite extensively, during the transition from the Martin government to the Harper government. Our committee was inclined toward studying the warrants at that time but unfortunately, other matters have taken our time thus far.

The other exception to the government not being able to spend money without parliamentary approval is Treasury Board vote 5. Treasury Board vote 5 is a government contingency; if the government is in a situation where there is an urgent need for money, Treasury Board can authorize the government to spend certain money. Then, Parliament approves that extraordinary action at the next supply bill.

In this particular bill, in these particular estimates, there is, at page 20 — and I draw honourable senators' attention to it — an indication of the fact that Treasury Board did provide for certain funds to be expended. There is a Treasury Board vote 5 rule that I have asked to be attached, and my colleagues have agreed, to the report that we have just dealt with. I hope honourable senators will take a look at that wording.

Unfortunately, that wording is not always the same. We vote on it each year. However, the wording of the Treasury Board vote 5 next year — because I have seen the Main Estimates, which are out today — is slightly different because there are now government-wide initiatives that are dealt with by Treasury Board that are no longer in vote 5. Pay increases in salary are no longer in vote 5. Our committee recommended that change when Senator Murray chaired that committee and finally that has been changed.

Vote 5 is Parliament's authority to Treasury Board. Treasury Board then takes that authority and has guidelines or criteria on how they will apply it. There has been some concern expressed. If honourable senators look at the report that has been filed, they will see in the addendum the criteria that are currently followed, the guidelines.

They are not the same guidelines that we studied when Senator Murray was chair of the Standing Senate Committee on National Finance. At that time, there were eight of them; four primary ones and then a double-check of four more. There are only four now. Treasury Board has taken the eight and made them into four; and they have taken the change in wording and incorporated it into the guidelines that are being applied.

The concern, honourable senators, with respect to the guidelines is difficult to explain without looking at the words. Sometimes the word "or" appears, such as in the case of "urgent, miscellaneous, minor or unforeseen" on page 21. In other places, it is the word "and." There is a significant difference between "urgent and unforeseen" or "urgent or unforeseen."

That kind of wording change appears, along with the change with respect to the government-wide initiatives that have now been lifted out of vote 5. Those kinds of issues cause us some concern.

The Auditor General looked at this vote 5 in 1986. Our National Finance Committee looked at this subject in 1988, and then again in 2002. A number of the points that we made at that time were adopted. However, I submit to honourable senators that because this practice of the government going ahead on the approval of the civil service and not on the approval of the Parliament is so extraordinary, it is important for us to continue to look at Treasury Board vote 5.

The most recent wording for vote 5 that I could find, the one that we are following, was in 2006-07. As I told honourable senators, the wording changes again this year into next because of that government-wide initiative. Therefore, the salary aspect is no longer in vote 5. That aspect was only the department saying government must pay more because they have a new collective agreement; please transfer more money to them. We understand that; there was a collective agreement between the government and its employees.

The four guidelines that we have now were first applied in 2007-08. I want honourable senators to know that I will urge our committee, which has a continuing mandate on this issue, to bring that issue forward and bring in Treasury Board Secretariat to explain that particular aspect to the committee.

Infrastructure, honourable senators, is another area that we will want to keep an eye on. There are 14 different infrastructure programs administered by the federal government. Some of these programs were administered under the previous government, and Infrastructure Canada continues with some of those programs, plus all the new initiatives. There are 14 programs at various stages, honourable senators, and that is another important area for us to keep an eye on.

The final point with respect to Bill C-12 is that there is an error in the bill. We brought this error to the attention of Treasury Board. It is almost de minimus; it is only a \$500 difference. However, I have stood here year after year and told honourable senators that I have looked at the supplementary estimates or the Main Estimates and that the schedules that appear here are the same ones that are attached to the bill. That is why we can do a prestudy with the supplementary estimates.

This year our committee found, in comparing those schedules, that there is a discrepancy. That error was admitted to by Treasury Board. They thanked us for bringing it to their attention and they indicated that because of the amount, it could be and will be changed clerically. The French version was right and the English one was wrong. That discrepancy will be corrected, but I think it is important for honourable senators to understand what their committee is doing for them with respect to these particular documents.

With that change, I can tell you that the schedules A and B that we studied in these supplementary estimates, with the change that we have been assured will be made, are the same schedules that are attached as schedules 1 and 2 to Bill C-12.

**Senator Gerstein:** Honourable senators, I have a clarification. I found after one week of working on the committee that I usually agree with most of what Senator Day says, so I will continue in that vein — that I continue to agree with most of what he says.

Having said that, I want to clarify — as I understand it after being on the committee for a week — the Treasury Board vote 5 situation. As I understand it, a version of Treasury Board vote 5 has been in use since 1874 and successive governments since 2004 have used the criteria established by Minister Alcock in 2002.

• (1540)

**Senator Day:** We do not agree on that point. I have told the honourable senator that it is 2007 and, in fact, they are changing again next year. Honourable senators, we must keep an eye on Treasury Board vote 5. I can point out Treasury Board vote 5 wording in these estimates worded three different ways.

**The Hon. the Speaker:** Honourable senators, including the question before us, it is my duty to point out that Senator Day has alluded to what is referred to as a parchment error. The authority

to correct that parchment error rests with the law clerks of this house and the other place and Senator Day has placed that parchment error on record.

I will put the question. It is moved by the Honourable Senator Gerstein, seconded by the Honourable Senator Wallin, that this bill be read the third time.

Is it your pleasure, honourable senators, to adopt the motion?

(Motion agreed to and bill read third time, and passed.)

[Translation]

## ROYAL ASSENT

### NOTICE

**The Hon. the Speaker** informed the Senate that the following communication had been received:

### RIDEAU HALL

February 26, 2009

Mr. Speaker,

I have the honour to inform you that the Right Honourable Michaëlle Jean, Governor General of Canada, will proceed to the Senate Chamber today, the 26th day of February, 2009, at 5:30 p.m., for the purpose of giving Royal Assent to a bill of law.

Yours sincerely,

*Secretary to the Governor General*  
Sheila-Marie Cook

The Honourable  
The Speaker of the Senate  
Ottawa

## THE SENATE

### ROYAL ASSENT—MOTION TO PHOTOGRAPH ROYAL ASSENT CEREMONY ADOPTED

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

That photographers be authorized in the Senate Chamber to photograph the ceremony, with the least possible disruption of the proceedings.

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

(Motion agreed to.)

[ Senator Day ]

[English]

## BUDGET 2009

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Comeau calling the attention of the Senate to the budget entitled *Canada's Economic Action Plan*, tabled in the House of Commons on January 27, 2009 by the Minister of Finance, the Honourable James M. Flaherty, P.C., M.P., and in the Senate on January 28, 2009.

**Hon. Elaine McCoy:** It gives me great pleasure to address the inquiry calling the attention of the Senate to the budget entitled *Canada's Economic Action Plan*, which was tabled at the end of January of this year.

I am particularly pleased on a number of grounds. First, I have not seen this much progressive thinking from a federal Conservative government in quite a long time. As an independent P.C. myself, it warms the cockles of my heart.

Of course, the document is a lot larger than that. One could truly say that it is a non-partisan effort because in many ways, the best thinking of four different parties — the Conservatives, the Liberals, the NDP and the Bloc Québécois — went into building this document.

I also must say that, in listening to the repartee in this chamber over the last several days, I am struck by a common theme. Every senator in this chamber is keen to help Canada out of its current recession. It is true there are genuine differences of opinion amongst many of us as to how best to do that, but the one thing we all have in common is that we want to do the right thing.

I am also very pleased to say this may be the first time I am able to agree with a statement made by the Minister of Finance, the Honourable Jim Flaherty. Regarding the stimulus package, he was quoted yesterday as saying “some mistakes will be made.” I agree with that statement and I hazard a guess that many Canadians would also agree.

I will give you one example of this agreement. An unsolicited comment was written on my blog last night by a man or woman — it is not possible for me to tell. He or she said:

I am very concerned about amendments to the Competition Act, the Investment Canada Act, the Navigable Waters Protection Act and other statutes that were not addressed during Question Period or raised by the media. I was shocked to hear that the clause-by-clause committee review. . .

He or she is referring to the House of Commons here.

. . . of a 500-plus page implementation bill was already completed and passed. I barely had a chance to write to my MP or any opposition leader.

. . . I have seen the Investment Canada Act be watered down throughout the years, and those amendments do not get reversed. Unfettered free trade, deregulation and careless

economic management has led to the alarming situation we have today. Now is not the time to tinker around with Milton Freedman-inspired policy changes.

Of course, we know that Senator Murray raised this very point earlier this week. He did so by asking Senator Day, who is the chair of the National Finance Committee, whether he would . . .

. . . undertake to do all he can to ensure that people who are concerned about amendments to the Competition Act, the Investment Canada Act, the Navigable Waters Protection Act and other statutes that have nothing to do with immediate economic recovery have full opportunity to be heard by that committee.

There are other examples in Budget 2009 that need to be looked at, as well. One is the \$154 million dedicated to setting up an office for the national securities commission. This, too, honourable senators, has nothing with immediate economic recovery.

The government is relying in large part on a report written by one Mr. Thomas Hockin. Honourable senators, this is like history revisited for me. For 20 years, Mr. Hockin has been trying to nationalize the securities industry. When I was a minister in the Alberta government, I was responsible for the Alberta Securities Commission. I fought him then and I fought him with a very good ally, Mr. Pierre Fortier, who was my counterpart in Quebec. We fought him to a standstill and that illustrious P.C. Prime Minister Brian Mulroney agreed with us. We fought for our regional interests then and we will fight for them again now.

The main point we have to keep our eye on is this: it was the asset-backed commercial paper — the ABCP — that led to the financial crisis, which has led to the recession. We must remember the Canadian banks owned the majority of ABCP in this country. There was a total of \$110 billion of that paper in Canada. Our banks had \$80 billion of it.

Senators in this room of course know that the banks in Canada are regulated by the Office of the Superintendent of Financial Institutions Canada, OSFI. It is OSFI, a federal regulator, not the Ontario Securities Commission, Alberta Securities Commission, Quebec Securities Commission or any other securities commission, that is responsible for regulating Canada's banks. OSFI failed to stop this crisis, which has nothing to do with a national securities regulator. I will return to this point at the earliest opportunity when other proposed legislation comes forward.

• (1550)

People ask me: Where has the \$80 billion in asset-backed commercial paper gone? There are many answers, although it might not be the best question. We know that Canada Mortgage and Housing Corporation has bailed out, or is in the process of bailing out, Canadian banks to the tune of \$125 billion. This week we heard that the banks are making money, and yet they are not lending money. There is \$50 billion in corporate debt coming due this year and our Canadian banks are not lending money. The Leader of the Government in the Senate said that during Tuesday's Question Period this week. The Bank of Canada must step up to the plate by lending to non-banks and by taking riskier collateral than is its usual practice. My point is that there are big, important issues that need our closest attention.

Honourable senators, I have a suggestion. We have a great deal of talent in this chamber. For example, many people know the banking industry like the backs of their hands. We should not be sitting on our hands in this chamber but rather, now that we are fully up to strength, we should turn ourselves into the “economic recovery Senate.” In effect, we could continue the all-party approach to shaping this stimulus package so that it delivers what all Canadians, not only a majority of Canadians, need.

One thing we could do is to hive off the provisions in Budget 2009, those elements that need immediate passage in order to get the money out the door to help Canadians, to get the ball rolling. Such an approach would help the government to meet one of its own goals for Budget 2009. We could target elements in Budget 2009 that are part of the stimulus package and move things forward to help Canadians. As well, we could divvy up other important issues amongst our committees and give them a thorough hearing. For example, the Navigable Waters Protection Act could go to the Standing Senate Committee on Energy, the Environment and Natural Resources; the matter of a national securities commission could go to the Standing Senate Committee on Banking, Trade and Commerce; and the proposals in respect of Natural Sciences and Engineering Research Council of Canada, NSERC, and other granting councils could be reviewed by the Standing Senate Committee on Social Affairs, Science and Technology.

Let us do a blitz and have many different Canadians appear before the committees. We could address a broad array of issues that are not central to the stimulus package and, in relatively short time, report them back to the Senate. This process would allow us to hear the concerns of all Canadians while honouring the government’s other goals to be timely and transparent.

Honourable senators, we do not need to stop there. My blogster, who did not have time to write to his member of Parliament, wrote on my blog last night in a way that I found heartwarming but also poignant:

Should we start writing to our senators? It certainly helped when it was uncovered that a censorship bill had been snuck into a housekeeping omnibus taxation bill (last session’s Bill C-10).

I believe that an economic recovery Senate could do more than simply hold hearings. President Obama is doing it and we can do it too. We can reach out to all Canadians to help us to monitor, in real time, with real information, whether the stimulus package is helping Canadians and Canadian businesses. We can have that information in a timely fashion and it would be truly transparent.

This morning, the Parliamentary Budget Officer released a draft discussion paper looking for comments from parliamentarians, the government and other Canadians, and has provided the framework for this monitoring of the stimulus package. We need only a little imagination and a lot of collaboration in reaching out to Canadians. I have been in discussions with a number of Canadians across Canada, and excitement is building at the prospect of participating in real-time monitoring of our stimulus package in the same way that President Obama has invited Americans to participate in their process.

If honourable senators want to join us in this stimulus watch — this citizens’ evaluation of Canada’s Budget 2009 — I can promise honourable senators this: we could make this institution one of

the best ever at helping Canadians to rise up and out of this recession as soon as possible.

(On motion of Senator Comeau, debate adjourned.)

• (1600)

## THE SENATE

### MOTION TO TELEVISION PROCEEDINGS— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Segal, seconded by the Honourable Senator Cochrane:

That the Senate approve in principle the installation of equipment necessary to the broadcast quality audio-visual recording of its proceedings and other approved events in the Senate Chamber and in no fewer than four rooms ordinarily used for meetings by committees of the Senate;

That for the purposes set out in the following paragraph, public proceedings of the Senate and of its Committees be recorded by this equipment, subject to policies, practices and guidelines approved from time to time by the Standing Committee on Internal Economy, Budgets and Administration (“the Committee”);

That selected and packaged proceedings categorized according to subjects of interest be prepared and made available for use by any television broadcaster or distributor of audio-visual programmes, subject to the terms specified in any current or future agreements between the Senate and that broadcaster or distributor;

That such selected proceedings also be made available on demand to the public on the Parliamentary Internet;

That the Senate engage by contract a producer who shall, subject only to the direction of that Committee, make the determination of the programme content of the selected and categorized proceedings of the Senate and of its committees;

That equipment and personnel necessary for the expert selection, preparation and categorization of broadcast-quality proceedings be secured for these purposes; and

That the Committee be instructed to take measures necessary to the implementation of this motion.

**Hon. Grant Mitchell:** Honourable senators, this motion is enlightened and inspired. It was presented by Senator Segal. Its basic premise is to bring the Senate more into the 21st century. I know that there are tremendous traditions here and, to some extent, a concern among some of us with the impact of television audio-visual feeds. I would argue a podcast might be a place to start. That would mean the audio-visual would go straight to a person’s computer.

All of those options are possible. I believe there are strong reasons why we need to do this. I would also like to spend a couple moments dealing with some of the objections that have been raised in this debate.

The most often-quoted objection, at least in my opinion, is that the behaviour in this chamber will change and change for the worst because senators will be playing to the cameras. I think we have some precedent in televising committees. I would argue that that has not changed senators' behaviour for the worst at all. In fact, we have all spoken to witnesses who have presented before the House of Commons and Senate committees, and they tell us that their experience before Senate committees is much more substantive and professional. It is a tribute to the Senate when these kinds of things are said; it is a tribute to the Senate that these committee proceedings have not been thwarted or inhibited because they have been televised.

People will also say that televising the committees is good enough because everyone can see the great work we are doing. However, the difficulty with that is that in committee we are only allowed, more or less, to ask questions. We have a short preamble. Each committee chair that I have ever seen wants to keep those preambles short. In the Senate chamber, senators make some world-class speeches and make arguments about issues often not discussed in the House of Commons. Their political framework often drives them in such a focused way to issues that have much more electoral advantage. Senators deal with issues that would not necessarily appeal to politicians worried about an election every two months these days, or every year or two.

I am reminded of Senator Fairbairn's tremendous work over the years on literacy; Senator Carstairs' work on palliative care; former Senator Kirby's work on mental health; and Senator Pélipin's work to establish family support centres on army bases to aid families of soldiers deployed around the world who simply do not have the money to afford computers to communicate with their family member stationed away. These issues, among others, are ones for which Canadians do not have the benefit of debate in this remarkable place.

Some of the senators who stand up in this house have given world-class speeches. If Canadians were to see these speeches being delivered, they could no longer accept the conventional wisdom outside these doors, perpetrated by certain people and members of the press, that this place is not worthy of respect and that the Senate and the people in it do not contribute to public policy debate and to making this country better. If we could televise such speeches and debate, we would absolutely communicate those messages.

To those who believe that it would make our behaviour worse, I say if we are worried about our behaviour being bad, then we had better fix it because no one is making us misbehave except ourselves. If for one moment we thought we would misbehave, maybe we would look up to the cameras and think there are impressionable people watching.

**Senator Mercer:** I have not misbehaved.

**Senator Mitchell:** Senator Mercer has not misbehaved, absolutely not. He has simply spoken from his heart, every time. People should see that kind of intensity and they would understand.

It reminds me of a statement someone made the other day. He said, "People will not care about you until they know what you care about." They do not know what we care about because no one gets to see us. Some senators give speeches and some speak to schools. I am sure many give more speeches than others. However, if one were to add up the number of people who hear a senator speak to an issue or who see the work senators do, that number would be minimal.

Someone also said to me recently that televising Senate sittings would ruin this place. I would ask them, what is the point of being perfect if nobody sees it? Yes, we can be perfect, but we are perfect in isolation. If we get a little less perfect — I do not think we would — it would be worth the risk.

The idea of empty seats is also raised. We have a far better attendance in our house than the House of Commons. I have watched the House of Commons sometimes when there has been as few — I swear — as two MPs. What do they do generally? They allow MPs to sit behind or around the person who is speaking. If we are concerned about that, we simply get the camera to come in close, which would solve the problem.

**Senator Munson:** Bring it on.

**Senator Mitchell:** There is not a senator in this house who does not believe in open and transparent government. How many times have we heard that "our party will provide more open government, our party will provide more accountable government and we will be transparent"?

This is the 21st century, honourable senators. How could one possibly argue that we are being transparent — that we have put our money where our mouths are — if people cannot use this digital world to see us?

Moreover, if I live in Ottawa, I have a special privilege because I could, if I wanted, come here every day and see these proceedings. If I live in Edmonton, what am I to do? Am I to spend \$3,000 to come here and watch the Senate once a year?

No, it is not fair. Everyone in this country, in this day and age of electronic access and technology, has a right to equal access to the proceedings of this Senate. They pay for it and depend upon it, and we can fashion the future in many respects of their lives.

Honourable senator, I want to emphasize the point that we receive a bad rap. We are criticized unduly, and there is almost no way we can fight back and demonstrate how that criticism is fundamentally wrong.

The people in this Senate are outstanding, by and large. In the history of this Senate, there have been leaders who are above and beyond what people would expect of their political leaders.

The proceedings in this house are elevated above and beyond what people believe and understand of their politics and their political process. If Canadians could see it, not only would they feel better about the Senate, but I believe they would feel better about the political process, better about their democracy and better about these wonderful, remarkable, beautiful institutions.

Honourable senators, this is the 21st century. Each one of us accepts that Hansard should be printed and put in libraries where people can access it. However, do you know that one cannot even search the paper Hansard on our website? That is 1978 technology, and we have not even gotten around to a search. However, we should take it much further. Think of this not as something new but as an evolution to the 21st century of an electronic — a digital — Hansard. We could search it and people could take their clips out of it and send it across the country. People would begin to understand that this is literally one of the best institutions and forms of government on the face of the earth.

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

**Senator Mitchell:** It should have been on television.

**The Hon. the Speaker *pro tempore*:** Will Senator Mitchell entertain a question?

**Senator Mitchell:** Yes.

• (1610)

[Translation]

**Hon. Roméo Antonius Dallaire:** Honourable senators, about seven months ago, I was invited to present a brief to the foreign affairs and external affairs committees of South Africa, after which I met with the minister and the president.

When I visited their institutions, what struck me was that all the debates were available electronically. Each senator and member had a screen on his or her desk. The whole procedure was incredibly transparent and easy to follow. Their democratic institutions are being revolutionized. It has been scarcely 15 years since they took this new direction, and they believe that this technology is a good thing for the country.

In the event this motion should be adopted and we can have the necessary equipment to broadcast the debates in this chamber, instead of giving the responsibility to an archaic institution like CPAC, the Senate could go its own way, and we could view the debates in real time.

**Senator Mitchell:** Honourable senators, I thank Senator Dallaire. I agree with his comment. It is true that many countries have recognized the importance of using electronic equipment in the conduct of their parliamentary affairs.

[English]

I wish to respond to several points the honourable senator made. First, he did not actually say this, but I was reminded that we all worry about youth involvement in politics. How many times have we said that we must get youth out to vote and that they have not participated or engaged? Youth are the future; they have a huge stake in the future.

I have sons who are under 25. They do not have televisions. They can hardly imagine reading a book in print. They do not research in libraries using paper. They communicate through the Internet.

[ Senator Mitchell ]

This brings me to the honourable senator's point. Yes, we could have a continual stream. Our proceedings do not have to be on CPAC because that has its limitations. We might not even be able to get a channel.

In fact, as an initial step, and probably an adequate step, our proceedings could be streamed to people's computers and they would be more than happy to be able to watch that. I would bet that 100 per cent of the young people in this country who are not in poverty would be drawn to that because of the power of what goes on in this chamber.

There is much evidence in the world illustrating where people are ahead of us and where we need to catch up. We are a modern society. I congratulate whoever made the decision that we are now allowed to bring our laptops into the chamber. This is the first faltering step into the 21st century. This is evidence of across-the-aisle, as it were, non-partisan cooperation. There is a Conservative and a Liberal who both have laptops.

**Hon. Percy E. Downe:** I trust the honourable senator will take another question. I do not quite share the honourable senator's enthusiasm for laptops and/or BlackBerrys in the Senate, because I think that when other senators are speaking, we should all be listening. The attention of senators is diverted by checking emails and websites.

My major concern about this provision is regarding Question Period. I think it was Senator Greene, in his maiden speech, who mentioned the elimination of Question Period. He may have said it in a joking manner; I am not sure.

If Question Period is televised, I am not sure that would advance the interests of the Senate because Question Period will tend to become, in my opinion, more and more partisan. Does the honourable senator share that concern?

**Senator Mitchell:** I, of all people, worry every day about partisanship. I wake up in the morning worrying about it. In fact, I had a nice, private discussion with Senator Lang. We agreed that partisanship is not a negative thing; it is simply a way to structure debate. I often say that if you do not want partisanship, go to Russia, where they only have one party.

However, it is important that we subdue ourselves to some extent in this place, and I think we do. Will televising Question Period make us more aggressive? We have a question period in committees all the time. Admittedly, sometimes it involves non-political, non-party people.

If we were to take Senator Downe's point to its logical conclusion, then we would want to shut off the cameras when we had a minister in committee because it would make us grandstand more, which I do not believe is true. If we do get somewhat aggressive, it is because people have different values in which they fundamentally believe.

As for the problem of people being distracted, the Internet cannot be accessed in this room. I am not advocating use of the Internet. Therefore, senators would not be sending emails or looking at websites or doing research. However, senators might be composing something or reading something, such as a paper. I notice that senators are reading and writing right now. We do



that all the time. The difference is that we have used 17th century technology, and now we have another technology that is more effective, efficient and saves paper.

**The Hon. the Speaker *pro tempore*:** Senator Mitchell's time is up. Is the honourable senator asking for more time?

**Hon. Senators:** More, more.

**The Hon. the Speaker *pro tempore*:** Is it agreed that there will be one more question?

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** We have been allowing an extra five minutes and I am not about to suggest that we break that tradition.

**Hon. Jim Munson:** I just want to know if Senators Mitchell and Segal will guarantee me equal time with Senators Duffy and Wallin.

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

## THE HONOURABLE LEONARD J. GUSTAFSON, P.C.

### INQUIRY—DEBATE ADJOURNED

**Hon. Gerald J. Comeau (Deputy Leader of the Government)** rose pursuant to notice given earlier this day:

That he would call for the attention of the Senate in order to pay tribute to the Honourable Leonard Gustafson, P.C., in recognition of his outstanding career as a member of the Senate of Canada and for his many contributions and service to Canadians.

**Hon. Catherine S. Callbeck:** Honourable senators, it is an honour for me to join with everyone in paying tribute to a good friend and our former colleague the Honourable Len Gustafson.

Len has had a very distinguished career in Canadian politics, as has been outlined this afternoon. As we all know, Len came to the Senate in 1993. He has ably served on a number of committees over the past 15 years but none better than the Agriculture Committee, chairing it for more than six years. As a member of that committee, it was clear to me the passion and the knowledge that Len brought to the committee as a working farmer, and I can say that his input was always very much appreciated by the committee members.

We certainly learned a lot from Len. He was always cheerful, kind and humble and, I must say, a great storyteller.

• (1620)

It was an honour to serve on the steering committee with him. When the Senate was on breaks, if we needed to hold a conference to discuss committee business, it was not uncommon to find Len out on the tractor, using his cellphone to speak to us while farming the land that he loved so well. His work on the committee has been a testament to his dedication to the agricultural community.

Len, you certainly are missed in the Senate, especially on the Agriculture Committee, as is your assistant Helen. I wish you and Alice all the best in your retirement, and good health and happiness always.

**Hon. Terry M. Mercer:** Honourable senators, it is a pleasure for me to stand today to pay tribute to Len Gustafson. When I came to this place in 2003 and I was asked to serve on the Agriculture Committee, I asked the leadership of the day if they had lost their marbles because I knew nothing about agriculture. I was born and raised in the city and lived there most of my life. They said they wanted me to go to that committee temporarily because they did not have someone else to join the committee.

I went and I quickly learned some things from the members there. The best teacher on the committee was Len Gustafson. Senator Oliver referred to a story earlier today about Senator Gustafson talking about the price of a bushel of wheat and a barrel of oil being equal in 1972. The economics of farming was pretty easy. He reiterated the story again in 2004. A bushel of wheat was still \$1.50, but a barrel of oil at that time was about \$60 and on its way up to \$120, as we have seen. We do not have to be rocket scientists to figure out some of the things that are wrong in the agriculture sector.

I most appreciated two things about him. First, there was his compassion for the people who worked in the industry. He felt their pain. He probably had suffered that same pain at some point during his career as a farmer and as a politician. Second, he had a passion for the industry and a passion for what farmers do. Never once did he fail to express that passion for farming and that compassion for the people who work in the industry. It did not matter whether we were talking to farmers with big operations in Western Canada or with a small farm in Eastern Ontario or in rural Nova Scotia. He could feel it.

Len was and is wise and he knew when not to speak. When we were preparing our study on rural poverty, we took a trip to Western Canada. Since Senator Fairbairn was the chair, we made two stops in most provinces but in Alberta we made about eight. That was fine, though, because I had not seen many of the places that we visited.

We visited a hog farmer somewhere in southern Alberta. When we went to meet him, we wanted to talk about hog farming, obviously. The whole committee jammed into his kitchen and sat around the table and had a cup of tea and a cookie.

The hog farmer then proceeded to say, "I am sorry you are here to talk about hog farming because I am getting out of the hog farming business." We said, "That's too bad. What are you going to do?" He then proceeded to tell us in some detail that he was getting into the business of raising pigeons.

Len sat across the table from me, looked at me and gave me that knowing look that this may not be a good idea. Len was kind and compassionate enough not to tell the farmer that. The man had already invested thousands of dollars in buying the breeding stock needed to raise pigeons and he told us how he would make a tidy sum of money.

Those who have been paying attention since then know that Len Gustafson was right in that knowing nod because everyone who has invested in raising pigeons in Canada has been taken. A man in western Ontario duped people by telling them he would buy back their stock as the pigeons bred and, like all similar schemes, it collapsed. The real problem remains about what to do with the stock once they are out of the business because they are left with thousands of pigeons.

Honourable senators, I want to tell a story about Len Gustafson that was not mentioned today. Everyone talked about his political success and about how he beat the great Ralph Goodale twice, how he spent all those years at the elbow of Brian Mulroney as his parliamentary secretary, and how he was chair or deputy chair of the Agriculture Committee in this place and sat on the agriculture committee in the other place. All those things are interesting, but what honourable senators do not know — maybe some do — is that it almost never happened. I called Senator Peterson this morning to confirm that I had not dreamt this story. Len Gustafson had been asked, and was close to saying yes, to run as a Liberal.

**Some Hon. Senators:** Oh, oh!

**Senator Mercer:** What a great loss that was for the Liberal Party. I am the first one to tell honourable senators that we have made many mistakes over the years but that one is huge, and one we have lived to regret; Ralph Goodale certainly lived to regret it a couple of times. That shows how respected Len was before he went into politics. He was recruited and people tried to twist his arm to have him run for us but he chose to run for the Conservatives, and he served that party well. More importantly, he served his province and the people of Saskatchewan well; he served the people of his profession well. They are lucky to have had him. We will miss him greatly.

Senator Wallin, who fills his seat, has big shoes to fill. This man will be difficult to replace — not only for Saskatchewan but also, as we proceed with our studies on the Standing Senate Committee on Agriculture and Forestry, for the institutional knowledge that he carried with him every day on that committee and was willing to share with us. He will be greatly missed.

I am the most partisan person in this place and Len was a partisan person, too.

**Some Hon. Senators:** No.

**Senator Mercer:** I know you are shocked to hear that. Senator LeBreton is shocked; someone might have to get her an Aspirin.

Not once did my partisanship stand in the way of Senator Gustafson helping me to do my work on the Agriculture Committee. I thank him for that. I thank his family for allowing us to have Len for as long as we have. I also pay tribute to his long-time assistant Helen, who travelled sometimes with the committee. We did not have a lot of staff travelling with us, and Helen was not only Len's assistant, she was our assistant. She took care of all of us when we were on the road. We all appreciated that care. We admired her and were proud of the way that she helped Senator Gustafson perform his duties. We will miss her and we will miss Len. We wish them well as they go forward and enjoy their retirement. All the best, Len; we will miss you.

**Hon. Sharon Carstairs:** Honourable senators, I think what should be well noted by the 18 new senators who have gathered in this place is that this afternoon's tributes to Senator Gustafson have come as much, if not more, from this side as from the other side. That is because honourable senators on the other side are fewer in numbers and because, unfortunately, the 18 senators who

have been recently appointed probably do not know Senator Gustafson. However, I think that honourable senators should take note of the enormous respect with which this individual was held in this chamber by everyone. That is because he is a very fine and decent human being.

• (1630)

As the Leader of the Government in the Senate, I found that one of the least enviable jobs was standing up here every day answering questions. Some of those questions could be very partisan. I counted up one time that I answered 124 questions on helicopters from Senator Forestall. However, I always knew that when Senator Gustafson stood in his place his question was based on his passionate commitment to the farmers of Canada. He brought to the discussions in our chamber a civility that, quite frankly, does not exist in the other place and does not exist in many of the legislatures of this country but does exist in this chamber. We all are well-served by individuals such as Len Gustafson who bring that calibre of knowledge and of participation to the debate on the issues of the day.

Like all of you who have spoken, we will miss you, the Honourable Leonard Gustafson. We will miss you because you were a very special part of this place and you have a very special place in the hearts of those who served with you.

**Hon. Jim Munson:** When I first arrived on Parliament Hill in 1867 — and now that I have honourable senators' attention, what I want to say to you, Len, is from a different perspective. I arrived on Parliament Hill 1974. I remember the elections in 1979 and my excitement as a young reporter to go back on the campaign trail again. I want to say, on behalf of those of us who were in the press gallery in those days, that you had such tremendous respect from all of us, and I sincerely mean that. I am speaking for the many people who worked on the Hill in those days when we did not have television in the House of Commons and where there was a learned debate.

We learned much from you. We learned much about agriculture, but we learned about being a good person in this country. As a former reporter, I just want to acknowledge the fact that we cared for you because you are that good person.

Thanks, Len.

**Hon. Joan Fraser (Acting Deputy Leader of the Opposition):** Honourable senators, a few years ago I did a stint as chair of the Standing Senate Committee on Transport and Communications at a time when the bulk of our work consisted of a study of public policy affecting the news media in Canada; that is to say, the communications part of that committee's mandate. For a portion of that time, Senator Gustafson was the deputy chair of that committee. I know that what he would really have liked us to be looking at was freight rates and hopper cars for the transportation of western grain and similar concepts.

That short — in many ways too short — time we spent working together taught me what so many others have said today: and that is that Senator Gustafson is an extraordinarily kind, warm, decent and patient man. I knew I was fortunate to have a human being like him on that committee as we set out on our long voyage.

I have told many other people these nice things about Senator Gustafson, but I do not think I ever said them to him, so I want to say this today. Thank you so much and Godspeed.

**Hon. Fred J. Dickson:** I am one of the 18 new senators. I am from Atlantic Canada and after listening to the Honourable Senator Carstairs, I thought as a good PC I would tighten up the numbers a bit. Hopefully, now everyone will stand up and speak.

On behalf of everyone in Atlantic Canada and particularly the farmers in Nova Scotia, you did a fantastic job. When you joined the PCs, you joined the right party.

I wish you well and good luck.

(On motion of Senator Comeau debate adjourned.)

[Translation]

## WILDFIRES IN AUSTRALIA

### INQUIRY—DEBATE CONCLUDED

**Hon. Céline Hervieux-Payette** rose pursuant to notice of February 10, 2009:

That she would call the attention of the Senate to the alarming situation of the disastrous fires in Australia, which have taken hundreds of lives as well as totally razing some areas of that continent, and the fact that protecting the safety and well-being of its citizens in the face of such disasters requires a clearer ecological and humanitarian direction for the sake of all mankind.

She said: Honourable senators, I would like to take this opportunity to salute our former colleague, Senator Gustafson. I also had an opportunity to rub shoulders with him while studying the genetically modified organisms file. I think we did some excellent work and produced an excellent report. His contribution was outstanding, and I always enjoyed spending time with Senator Gustafson. I wish him all the best in the world, and I thought I would say this in French, since other senators have spoken in English, to say that Quebec also recognizes the talents of Len Gustafson.

[English]

My motion is related to the extremely difficult situation in Australia.

[Translation]

Honourable senators, I wish to offer my sincere condolences to all Australian families who have suffered harm or loss and who have lost family members.

Many regions are affected by extreme climate change and, as a parliamentarian in a system similar to that of Australia, I would also like to offer my sympathy to the Australian Prime Minister and tell him that we are all saddened by the situation, which has recurred again this week. New fires started yesterday, February 25. The entire Australian population is affected by these devastating events, the likes of which the country has never seen before.

I am passionate about this because I have family who live in Australia and who will have to make sacrifices to face the future.

In case you have not been following this disaster, I should inform you that Australia often has fires like this, but right now the country is in the midst of the worst drought it has ever experienced. On the other hand, as a result of climate change, the state of Queensland — home of the current Prime Minister — is beleaguered by floods brought on by unprecedented rains from cyclones. Water is lacking: potable water, groundwater; everything is compromised in that country.

I would like to report that Barry Brook, Director of the Research Institute for Climate Change and Sustainability, and Zhai Panmao, Director-General of the China Meteorological Administration, both feel that there is a very probable link between climate change, the issue of emissions in the atmosphere and the major shifts that this country is seeing.

Jean-Pascal Van Ypersele, a Belgian researcher and vice-chair of the IPCC, the Intergovernmental Panel on Climate Change, which studies atmospheric issues, confirms that these events are on track with their weather forecasts.

This issue is currently being closely followed by the relevant international organizations.

• (1640)

Earlier, we were talking about agriculture. In 2007, periods of drought and significant climate change caused agricultural production to drop by 10 per cent, which bankrupted many rural communities. We can see how that affected the country. Things are looking pretty bad. Temperatures reached 46°C in early February, winds blew at 100 km/h, entire towns were destroyed, 450,000 hectares were burned, 3,400 firefighters and the army were deployed, and 2,029 houses were destroyed. The death toll is now at 210, and 30 people are still missing. Insurance companies have paid out \$504 million U.S. so far. The final total is sure to be much higher. To date, \$10 million, Australian, has been spent on emergency aid.

Such are the consequences of negligence on the part of those who ignored the effects of climate change and of the previous government's decision not to sign on to the Kyoto Protocol. We fail to act at our peril.

Right now, we are all thinking about the fires, but the damage caused by Hurricane Katrina in New Orleans is still being added up. The storm killed 1,836 people and, to date, has caused \$81.2 billion in damages. The Bahamas, Florida, Cuba and Alabama have also paid the terrible price of climate change.

When a government refuses to reduce its greenhouse gas emissions and takes none of the steps called for in the Kyoto Protocol, the consequences can be dramatic.

Faced with these incredible numbers, let us bear in mind that neither Mr. Howard, nor Mr. Bush, both friends of Stephen Harper, signed the Kyoto Protocol. Canada's Parliament passed a law to implement Kyoto, but the current government is ignoring it.

We, therefore, need to do some soul-searching and ask ourselves what, as parliamentarians, we should do.

I would like to remind honorable senators what the U.S. President, who visited us last week, said in a press release.

[English]

He pledged \$15 billion a year to develop cleaner sources of energy — including wind power, solar power and biofuels — and urged Congress to “send me legislation that places a market-based cap on carbon pollution and drives the production of more renewable energy in America.”

[Translation]

In light of our new neighbour’s intentions, we must ask ourselves certain questions.

I looked very carefully in the current budget for the amount of money the Government of Canada intends to spend to meet its commitment to cooperate and work in the same spirit as President Obama, and I found the amount of \$1 billion over five years, that is, \$200 million a year.

Taking the sum of \$15 billion a year that the American government plans to spend, and dividing it by 10, since that is the ratio of Canada’s population to that of the United States, we should be spending \$1.5 billion a year in order to be on a level playing field.

In my opinion, the current government is not serious in its desire to work with the American government to find new technologies, develop a new approach and reduce greenhouse gases. The current budget does not provide the funds needed to bring about real change.

We have all read the report issued by the National Geographic Society. I would like to quote Mr. Ignatieff.

[English]

My concern is that, at the moment, it’s barely environmentally sustainable, and it’s barely socially sustainable. The Conservative government has done nothing about this. We need to move forward.

[Translation]

I would like to remind honourable senators that the first research and spending on the oil sands took place in the 1980s under the Trudeau administration. Those were the early days of oil sands research and development, and Canada had a very bright future in this area.

There is a difference between developing a resource and developing it properly. I would like to remind you of some rather troubling facts I learned. We heard the concerns expressed by Environment Canada experts about fish living in the rivers adjacent to development sites. David Schindler had this to say:

[ Senator Hervieux-Payette ]

[English]

The thing that angers me . . . is that there’s been no concerted effort to find out where the truth lies.

[Translation]

There are people living along the rivers adjacent to these development sites. These people are worried about the quality of the water, especially their drinking water. According to Mr. Schindler, John O’Connor, a family physician, visited Fort Chipewyan to study the environmental impact on the health of individuals. He found that certain rare forms of cancer were 500 times more prevalent. Where ordinarily there is one case in 100,000, in these communities there were five cases in 1,000.

This is no time for a witch hunt. What we need to do is determine exactly how watertight the ponds are, find a technology to clean up the rivers and make sure that, in future, the oil sands are developed properly and safely.

The people who are in the best position to judge are Albertans. In 2007, the Pembina Institute, which all politicians know about, said that 71 per cent of Albertans wanted the government to take a good look at the situation before going full speed ahead with development. That was when there was plenty of money for development. Now, times are tougher, and the Canadian government has to step in and provide companies with financial assistance for safe development.

In conclusion, I would just like to point out that when governments do nothing, they pay a high price. If we had acted sooner, if we had discovered technologies to reduce environmental damage due to oil sands development, if we had started five or ten years ago, when the economy was in good shape, we would not have to jeopardize the development of this resource for lack of technology.

I doubt President Obama is using his \$15 billion to develop technologies for developing the oil sands. No doubt he will be looking to solar energy, wind power and bioenergy.

• (1650)

The example of the disaster gripping our friend Australia demonstrates that the new government of Kevin Rudd — who is from Queensland — is very open to these matters. He has decided to adhere to the Kyoto Protocol. We are in good company, given that the United States and President Obama have also decided to get on board. Countries such as Australia that were aligned with Mr. Bush and Mr. Harper have now decided to adopt the Kyoto Protocol.

Honourable senators, I have come to the conclusion that we must invest in this sector to avoid excessive harm to our citizens. Otherwise the price will be too high. An ounce of prevention is worth a pound of cure.

In closing, I again extend my sympathy to the citizens of Australia and assure them that they can count on our collaboration to find solutions that will respect our planet and better serve our citizens.

**The Hon. the Speaker *pro tempore*:** If no other honourable senator wishes to speak, this inquiry is considered debated.

[English]

## SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

### MOTION TO AUTHORIZE COMMITTEE TO STUDY ACCESSIBILITY OF POST-SECONDARY EDUCATION—DEBATE ADJOURNED

**Hon. Catherine S. Callbeck,** pursuant to notice of January 28, 2009, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the accessibility of post-secondary education in Canada, including but not limited to:

- (a) analysis of the current barriers in post-secondary education, such as geography, family income levels, means of financing for students, debt levels and challenges faced specifically by Aboriginal students;
- (b) evaluation of the current mechanisms for students to fund post-secondary education, such as Canada Student Loans Program, Canada Student Grants Program, Canada Access Grants, funding for Aboriginal students, Canada Learning Bonds, and Registered Education Savings Plans;
- (c) examination of the current federal/provincial transfer mechanism for post-secondary education;
- (d) evaluation of the potential establishment of a dedicated transfer for post-secondary education; and
- (e) any other matters related to the study; and

That the Committee submit its final report no later than December 31, 2010, and that the Committee retain until June 30, 2011, all powers necessary to publicize its findings.

She said: Honourable senators, during the last Parliament, I introduced a motion to have the Standing Senate Committee on Social Affairs, Science and Technology launch a study on the accessibility of post-secondary education in Canada. My motion asked the committee to look at all aspects of this serious issue, including current barriers for potential students — such as income or geography — current funding mechanisms, transfer payments, and evaluation of a dedicated post-secondary education transfer.

The new motion that I am moving today is only slightly different from the first. When I last spoke on the motion, Senator McCoy shared her concerns about Aboriginal access to post-secondary education and suggested that additional wording under paragraph (a) would give the committee broader terms to examine the unique challenges facing Aboriginal peoples. I have taken her suggestion and applied it to the motion, and I thank her for her comments.

Education and training is not a cost but rather an investment in Canadians and in the country. We must invest wisely and strategically in our human resources, in the skills and knowledge

of our people. It is essential that our governments have plans and policies in place to help the country move forward.

Honourable senators, we all recognize the importance of education to social and economic development. It has been more than a decade since our late colleague Dr. Bonnell led the Special Committee on Post-Secondary Education. Since Dr. Bonnell's report, there have been a lot of changes. As examples, tuition has increased dramatically, the percentage of students requiring financial assistance has gone up and the average debt load has continued to grow.

It is still a fact that youth from low-income families are half as likely to attend a post-secondary institution as youth from higher-income families. Increasing costs are not the only factor affecting the decisions not to pursue post-secondary education. A large number of factors are at play, but there is a correlation of many of these factors with low-income.

Honourable senators, we need to study accessibility to post-secondary education and recommend ways to help more Canadians overcome the barriers and move forward with their education and training in universities, colleges and trade schools. This is why I am again proposing that the Standing Senate Committee on Social Affairs, Science and Technology undertake this examination of accessibility to post-secondary education in Canada.

We recognize the importance of education to our economic and social development goals, but, sadly, Canada is falling behind many other countries. According to the OECD's report entitled *Education at a Glance 2008*, Canada has one of the highest attainment levels. Forty-seven per cent of the working age population has some form of post-secondary education. However, we are still slightly below the OECD average for graduation, and the OECD notes that other countries are making faster progress. For example, Canada's graduation rate was 35 per cent in 2005. That is up from 28 per cent in 2000, which is an increase of 7 percentage points. Australia, on the other hand, had improved its graduation rate from 36 per cent in 2000 to 59 per cent in 2005. Iceland rose from 33 per cent to 56 per cent. We need to do better.

There can be no argument that post-secondary education is the key to a skilled workforce and therefore a key to this country's overall prosperity. Labour market forecasts suggest that higher education and training are fast becoming a prerequisite for employment. Between 2006 and 2015, approximately 1.7 million new jobs will be created in this country, although undoubtedly the current economic downturn will affect this figure, but more than two thirds of those jobs, 69.2 per cent, will be in occupations that require post-secondary education.

Demand will be especially high for those jobs that require a university degree. Employment in this category is projected to increase by an average of 1.6 per cent per year, mostly due to our continued shift to a knowledge-based economy and increased public spending in the health care sector. Jobs that require college education or apprenticeship training will grow by an annual rate of 1.1 per cent. In contrast, lower-skilled occupations will see much weaker job growth. For example, jobs that require only on-the-job training will see an average growth rate of only about 0.6 per cent each year.

Besides greater job growth, there are many advantages to the individual with a post-secondary education, one of which is income. According to a Statistics Canada report released last year, the average hourly wage for a man under 35, if he has completed high school, is \$14.47. That wage increases to \$16.54 if he has some post-secondary education, to \$17.93 with a trades certificate or diploma, and \$21.58 with a bachelor's degree. The wage difference between a man with a high school diploma and one with a university degree is almost 50 per cent.

The advantages to individuals go well beyond annual income. There is a strong association between education levels and overall health and well-being. Those with post-secondary educations are healthier, have a higher quality of life, and are employed in higher-paying, more fulfilling jobs. The OECD, in its 2006 report *Society At A Glance*, found that the higher the level of education, the higher the level of life satisfaction.

In addition to the benefits to the individual, there are also benefits to society. The Canadian Council of Learning has found a link between educational attainment and community engagement. Educated citizens participate more actively and make greater contributions in volunteering and charitable giving. These types of activities help whole communities and positively shape the world around us.

• (1700)

Each and every Canadian will benefit from the work of people who pursued their education to the post-secondary level, be it through a university degree, college diploma or trades certificate. They increase our productivity and our economic prosperity.

Canadians with secondary education contribute to a large portion of Canada's tax base, which helps fund our health care system, social benefits and other government programs. Tuition, extra fees, debt load, family income levels, means of financial assistance, parental attitude, geography and socio-cultural challenges are all barriers to equal access to post-secondary education. These barriers must be broken down so that everyone who has the ability to attend university or college does so.

It is for this reason that I have asked the committee to examine all barriers so that it might recommend positive policy changes that are within the federal government's grasp.

We all know that the provinces have constitutional jurisdiction over post-secondary education, but there is of course precedent for the federal government's involvement in post-secondary education. The federal government has been providing direct assistance in a number of ways, including the Canada Student Loans Program, Canada Study and Access Grants, Canada Education Savings Grants and the Millennium Scholarship Foundation, set to expire and be replaced by the Canada Student Grants Program.

Funding specifically for Aboriginal students is available under Indian and Northern Affairs Canada's Post-Secondary Student Support Program and the University College Entrance Preparation Program.

The committee must study all of these means of financial assistance and funding. We must know how well these programs are helping increase accessibility to post-secondary education and make recommendations to increase that accessibility.

The federal government also provides for indirect assistance to provinces in the Canada Social Transfer through which the federal government distributes funding for post-secondary education and for social programs in each province. This motion, if adopted, will allow the Social Affairs Committee to examine the feasibility of a dedicated transfer specifically for post-secondary education.

Finally, the committee may also want to examine other related matters, such as the state of post-secondary education in other countries, especially those that have improved dramatically, to see what Canada can learn.

As I have said, increased accessibility and participation in post-secondary education is fundamental to Canada's competitiveness in the global knowledge-based economy. For a nation that prides itself in providing opportunities for all its citizens, we are certainly not fulfilling that role. As policy-makers, we must do what we can to ensure that Canadians are equipped with the knowledge and the skills that will help us succeed as a nation.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** Would Senator Callbeck accept a question?

**Senator Callbeck:** Yes.

**Senator Comeau:** I understand that sometime in the 1990s the Senate conducted a study with one of the honourable senator's old friends from Prince Edward Island, Senator Bonnell. I assume this study will re-examine those issues.

I do not take exception or issue with the merits of the honourable senator's study. However, has she approached the members of the committee to discuss with them whether such a study would fit with their desires, or would she wish to state that her priorities will have to be superseded by what the chamber decides?

**Senator Callbeck:** I have spoken individually to the members on the committee, and they have all been very open to this type of study. Currently, the Standing Senate Committee on Social Affairs, Science and Technology has a lot on its plate. If this motion is accepted, it will be some time before the committee gets to this study.

**Senator Comeau:** I think it is commendable that the honourable senator approached the members of the Social Affairs Committee individually. However, as a group decision — and I may be one of few who believes this, I do not know; it might be a good point of discussion — I have always been of the opinion that the members of a committee should be the people looking at the overall priority issues that committees should be studying, whether it be the Fisheries Committee, the Social Affairs Committee, the Defence Committee or what have you.

The members of the committee are the people who will have to live with the order of reference and therefore should be the people coming back to this chamber providing their list of priorities and the studies they wish to effect.

With all due respect to the merits of Senator Callbeck's report, or anyone else's, the members of the committee should be the people seeking the order of reference from this chamber rather

than us telling the committee what to study. Members of the committee should seek permission from this chamber to have their priorities take precedence over other priorities.

**Senator Callbeck:** It is my understanding that the members of the committee decide what studies they want to undertake. I thought the procedure was that a proposal is brought to the floor of the Senate in the form of a motion, and if it passes, then the committee at some time would study it. However, many motions may be passed, and it is up to the committee to decide which they want to do first, second and so on.

**Senator Comeau:** This does not add up. The honourable senator's motion is her motion. It is not the motion of the committee. It is a motion of an individual senator seeking permission of the Senate to have this study adopted as one order of reference of the Standing Senate Committee on Social Affairs, Science and Technology. This is a priority as established by Senator Callbeck and not the committee.

If the committee wishes to present a motion on the floor stating their priorities and the orders of reference they are seeking permission from the Senate to study, then that is a request from the committee and not from an individual senator. In this case, there is an individual senator asking the Senate to instruct the Standing Senate Committee on Social Affairs, Science and Technology to conduct a study on post-secondary education.

Honourable senators, I do not wish to cast any negative feelings on the importance of the study. However, in my view, I would think that if the committee were to come back to this chamber and inform honourable senators about their priorities, I am almost positive that such a motion would pass. Should it not come from the committee rather than from an individual senator?

**The Hon. the Speaker *pro tempore*:** I must advise the Honourable Senator Callbeck that her time has expired. Is the honourable senator asking for more time?

**Senator Comeau:** Five minutes.

**Senator Callbeck:** My understanding has always been — and there are other motions on the Order Paper standing in the name of other individual senators — that one debates the motion on the floor of the Senate. If it is passed, it is referred to committee, but that may not be the first priority of the committee. It is up to the membership to agree. If they receive five motions instructing them to study five items, then it is up to the committee to decide how they want to prioritize those motions.

**Senator Comeau:** I come back to the issue again. If this chamber, by way of passing a motion, instructs a committee to carry out an order of reference, the committee is honour-bound to complete that order of reference. Members of the committee will not say that they do not want to carry it out because it is not a priority of theirs; they have been instructed by the Senate to study an order of reference.

Senator Callbeck is entirely within her rights to move a motion on the floor of the Senate seeking the permission of the Senate to instruct the Standing Senate Committee on Social Affairs, Science and Technology to carry out this study as an order of reference.

• (1710)

What I am leading to is whether it would be prudent to ask the members of the committee whether they might look at this motion as one of their orders of reference rather than seeking it from the chamber, seeking it from the committee.

**Senator Callbeck:** I understood that I was following correct procedure here, a procedure that has been followed in the past. The chair of the committee is here and maybe he will comment.

**The Hon. the Speaker *pro tempore*:** Senator Eggleton.

**Hon. Art Eggleton:** Perhaps to keep this item in the proper order, I will do it in the form of a question. I will note in the preamble that I understood, in the time I have been chair — from my predecessor as chair of this committee, Senator Kirby, and from the clerk of the committee — that the appropriate way to proceed is to have an order of reference from the Senate before the committee deals with it. The committee does not take a position on a matter and then ask the Senate to confirm it; it is the other way around. That is my understanding, and honourable senators can correct me if I am wrong in that.

Senator Callbeck consulted with all the members of the committee. She may not have consulted the committee in a formal meeting, but she consulted with the members of the committee, including myself. I indicated to her that, because of the amount of work we have, we have to complete the study of the Population Health Subcommittee of Senator Keon, which is expected to be done by June, before we can entertain taking on this study, as much as I think it would be a worthy study. It would start in the fall and she is including dates here that correspond to the study starting in the fall.

My question to her is: Did she consult all members of the committee, as I believe she did, because I think that is the proper way to proceed in an informal way, as opposed to a formal motion from the committee?

**Senator Callbeck:** I consulted all the members when I started. However, since 18 new senators have been appointed, there are some senators on the committee that I did not consult, and I regret that.

**Hon. Joan Fraser (Acting Deputy Leader of the Opposition):** I have a question preceded by a comment. Senator Callbeck has been here longer than I have and she has had parliamentary experience before that, which is more than I have had.

Nonetheless, it seems to me — if I may steal a word that Senator Cools likes — novel to suggest that there should be any limits on the ability of an individual senator to stand up and put to this chamber the proposition that a committee should be given an order of reference to study a given topic. Indeed, several such orders of reference may be uttered by the chamber, and then the committee will weigh its priorities accordingly.

Is the honourable senator aware of what I am driving at here? I will explain. I am not aware of any case in which an order of reference has been sought by someone who stood up and said, in

that order of reference, “the Standing Senate Committee on National Finance or Human Rights or Legal and Constitutional Affairs seeks an order of reference to the effect that . . .”

In my, I grant you, limited experience, all such orders of reference are launched by an individual senator in that senator's name — even if that senator happens to be the chair of the committee. They are launched by that senator in that senator's name and they are all subject to the same — can I turn this into a speech?

**The Hon. the Speaker *pro tempore*:** Senator Callbeck's time has expired. Are you on the debate, Senator Fraser?

**Senator Comeau:** Debate.

**Senator Fraser:** I rise to continue, if I may, and then perhaps Senator Callbeck can give a comment to my remarks.

I am not aware of any case where it has ever been suggested that there should be any limits at all on an individual senator's ability to seek an order of the Senate that a given order of reference go to a given committee. I find it a little alarming that any such suggestion may be made, even indirectly. My question obviously is, does she agree?

**Senator Callbeck:** Yes, I agree. That is the procedure since I came here.

**Senator Fraser:** Senator Callbeck, I believe, is making a comment under the heading of questions and comments on my remarks to the chamber.

**Senator Callbeck:** That was the procedure that has been followed in this chamber since I came here. Right now, on the Order Paper, other senators have asked for the same thing. In other words, the procedure is that it goes through the Senate.

The honourable senator asked me if I approached the other members. I did because I wanted them to know exactly what I intended to propose and why. However, I do not think there was any obligation to discuss it with members. As I say, this is not the first time I have introduced this motion.

**The Hon. the Speaker *pro tempore*:** Honourable senators, the Speaker has read the letter that there will be Royal Assent. I understand that the Governor General is here.

**Senator Comeau:** I move the adjournment of this debate.

(On motion of Senator Comeau, debate adjourned.)

**The Hon. the Speaker *pro tempore*:** Is it your pleasure, honourable senators, to adopt the motion that the sitting be suspended to await the arrival of Her Excellency the Governor General?

**Hon. Senators:** Agreed.

(The Senate adjourned during pleasure.)

---

(The sitting of the Senate was resumed.)

## VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I have the honour to draw your attention to the presence in the gallery of the Honourable Barbara A. Hagerman, the Lieutenant Governor of Prince Edward Island. On behalf of all honourable senators, I welcome you to the Senate of Canada.

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

(The Senate adjourned during pleasure.)

---

• (1740)

[*Translation*]

## ROYAL ASSENT

Her Excellency the Governor General of Canada having come and being seated on the Throne, and the House of Commons having been summoned, and being come with their Speaker.

The Honourable Peter Milliken, Speaker of the House of Commons, then addressed Her Excellency the Governor General as follows:

May it please Your Honour.

The Commons of Canada have voted certain supplies required to enable the Government to defray the expenses of the public service.

In the name of the Commons, I present to Your Excellency the following bill:

An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2009 (Bill C-12, *Chapter 1, 2009*)

To which bill I humbly request Your Excellency's assent.

Her Excellency the Governor General was pleased to give the Royal Assent to the said bill.

The House of Commons withdrew.

Her Excellency the Governor General was pleased to retire.

---

(The sitting of the Senate was resumed.)



[English]

### THE SENATE

MOTION TO REQUEST GOVERNMENT RESPONSE  
TO REPORT OF ABORIGINAL PEOPLES COMMITTEE  
ENTITLED: *HONOURING THE SPIRIT OF MODERN  
TREATIES: CLOSING THE LOOPHOLES*  
DURING SECOND SESSION  
OF THIRTY-NINTH PARLIAMENT ADOPTED

**Hon. Ethel M. Cochrane**, pursuant to notice of February 24, 2009,  
moved:

That, pursuant to rule 131(2), the Senate request a complete and detailed response from the government to the fifth report of the Standing Senate Committee on Aboriginal Peoples, entitled *Honouring the Spirit of Modern Treaties: Closing the Loopholes*, tabled in the Senate on May 15, 2008 and adopted by the Senate on May 27, 2008, with the Minister of Indian Affairs and Northern Development and Federal Interlocutor for Metis and Non-Status Indians, and the Minister of Intergovernmental Affairs and President of the Queen's Privy Council for Canada being identified as Ministers responsible for responding.

(Motion agreed to.)

### LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO STUDY PROVISIONS  
AND OPERATION OF DNA IDENTIFICATION ACT

**Hon. Joan Fraser**, pursuant to notice of February 25, 2009,  
moved:

That the Standing Senate Committee on Legal and Constitutional Affairs be authorized to examine and report on the provisions and operation of the *DNA Identification Act* (S.C. 1998, c. 37); and

That the committee submit its final report no later than June 30, 2009.

(Motion agreed to.)

[Translation]

### ADJOURNMENT

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

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

That the Senate do now adjourn until Tuesday, March 3, 2009, at 2:00 p.m.

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

**Hon. Senators:** Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, March 3, 2009, at 2 p.m.)

---

# THE SENATE OF CANADA

## PROGRESS OF LEGISLATION

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

**(2nd Session, 40th Parliament)**

**Thursday, February 26, 2009**

(\*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 Customs Act	09/01/29							
S-3	An Act to amend the Energy Efficiency Act	09/01/29	09/02/24	Energy, the Environment and Natural Resources					

### 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-12	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. 4, 2008-2009</i> )	09/02/12	09/02/24	—	—	—	09/02/26	09/02/26	1/09

### COMMONS PUBLIC BILLS

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.

### 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 Library and Archives of Canada Act (National Portrait Gallery) (Sen. Grafstein)	09/01/27							
S-202	An Act to amend the Canada Elections Act (repeal of fixed election dates) (Sen. Murray, P.C.)	09/01/27							
S-203	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)	09/01/27							
S-204	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	09/01/27							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-205	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	09/01/27							
S-206	An Act respecting the office of the Commissioner of the Environment and Sustainable Development (Sen. McCoy)	09/01/27							
S-207	An Act to amend the Employment Insurance Act (foreign postings) (Sen. Carstairs, P.C.)	09/01/27	Bill withdrawn pursuant to Speaker's Ruling 09/02/24						
S-208	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	09/01/27							
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Herveux-Payette, P.C.)	09/01/27							
S-210	An Act respecting World Autism Awareness Day (Sen. Munson)	09/01/27							
S-211	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)	09/01/27							
S-212	An Act to amend the Canadian Environmental Protection Act, 1999 (Sen. Banks)	09/01/27							
S-213	An Act to amend the Income Tax Act (carbon offset tax credit) (Sen. Mitchell)	09/01/27							
S-214	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	09/01/27							
S-215	An Act to amend the Constitution Act, 1867 (Property qualifications of Senators) (Sen. Banks)	09/01/27							
S-216	An Act to amend the Federal Sustainable Development Act and the Auditor General Act (Involvement of Parliament) (Sen. Banks)	09/01/27							
S-217	An Act respecting a National Philanthropy Day (Sen. Grafstein)	09/01/27							
S-218	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	09/01/29							
S-219	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	09/02/03							
S-220	An Act respecting commercial electronic messages (Sen. Goldstein)	09/02/03							



## CONTENTS

Thursday, February 26, 2009

	PAGE		PAGE
<b>Distinguished Visitor in the Gallery</b>		<b>Canada-Africa Parliamentary Association</b>	
The Hon. the Speaker. . . . .	255	Bilateral Visits to Kenya, Burundi and Rwanda, June 22-28, 2008—Report Tabled.	
<b>Business of the Senate</b>		Hon. A. Raynell Andreychuk . . . . .	261
The Hon. the Speaker. . . . .	255		
<hr/>			
<b>SENATORS' STATEMENTS</b>		<b>Banks, Trade and Commerce</b>	
<b>Tributes</b>		Notice of Motion to Authorize Committee to Study the Canadian and International Financial Situation and Refer Papers and Evidence since the First Session of the Thirty-ninth Parliament.	
The Honourable Leonard J. Gustafson, P.C..		Hon. Michael A. Meighen. . . . .	261
Hon. Marjory LeBreton . . . . .	255	<b>Energy, the Environment and Natural Resources</b>	
Hon. Joyce Fairbairn . . . . .	256	Notice of Motion to Authorize Committee to Study Issues Related to Mandate and to Refer Papers and Evidence since Second Session of Thirty-ninth Parliament.	
Hon. Gerry St. Germain . . . . .	256	Hon. W. David Angus . . . . .	261
Hon. Lowell Murray . . . . .	256		
Hon. David P. Smith . . . . .	257	<b>The Honourable Leonard J. Gustafson</b>	
Hon. David Tkachuk . . . . .	257	Notice of Inquiry.	
Hon. Pierre De Bané . . . . .	258	Hon. Gerald J. Comeau . . . . .	262
Hon. Robert W. Peterson . . . . .	258		
Hon. Donald H. Oliver. . . . .	258	<b>Newfoundland and Labrador</b>	
Hon. Pana Merchant . . . . .	259	Notice of Inquiry.	
		Hon. Joan Cook . . . . .	262
<hr/>			
<b>ROUTINE PROCEEDINGS</b>		<b>QUESTION PERIOD</b>	
<b>Clerk of the Senate</b>		<b>Minister of State (Seniors)</b>	
2008 Annual Accounts Tabled. . . . .	259	New Horizons for Seniors Program.	
<b>Information Commissioner</b>		Hon. Sharon Carstairs . . . . .	262
Special Report Tabled . . . . .	259	Hon. Marjory LeBreton . . . . .	262
<b>The Estimates, 2009-10</b>		Hon. Lorna Milne . . . . .	263
Parts I and II Tabled.		Alarming Suicide Rates.	
Hon. Gerald J. Comeau . . . . .	260	Hon. Dennis Dawson . . . . .	263
<b>Internal Economy, Budgets and Administration</b>		Hon. Marjory LeBreton . . . . .	264
Report Pursuant to Rule 104(2) Tabled.		<b>Human Resources and Skills Development</b>	
Hon. George J. Furey. . . . .	260	Service Canada—Canada Pension Plan.	
Second Report of Committee Presented.		Hon. Catherine S. Callbeck. . . . .	264
Hon. George J. Furey. . . . .	260	Hon. Marjory LeBreton . . . . .	264
<b>Transport and Communications</b>		Hon. Hugh Segal . . . . .	265
Report Pursuant to Rule 104(2) Tabled.		<b>Minister of State (Seniors)</b>	
Hon. Lise Bacon . . . . .	260	Low Income Assistance.	
<b>Energy, the Environment and Natural Resources</b>		Hon. Grant Mitchell. . . . .	265
Report Pursuant to Rule 104(2) Tabled.		Hon. Marjory LeBreton . . . . .	265
Hon. W. David Angus . . . . .	260	<b>Point of Order</b>	
<b>The Estimates, 2008-09</b>		Hon. Joan Fraser. . . . .	266
Second Report of National Finance Committee on Supplementary Estimates (B) Presented.		Hon. Gerald J. Comeau . . . . .	266
Hon. Joseph A. Day. . . . .	260	Hon. Sharon Carstairs . . . . .	266
<b>Banking, Trade and Commerce</b>			
Report Pursuant to Rule 104(2) Tabled.		<b>ORDERS OF THE DAY</b>	
Hon. Michael A. Meighen. . . . .	261	<b>Business of the Senate</b>	
<b>The Estimates, 2009-10</b>		Hon. Gerald J. Comeau . . . . .	266
Notice of Motion to Authorize National Finance Committee to Study Main Estimates.		<b>The Estimates, 2008-09</b>	
Hon. Gerald J. Comeau . . . . .	261	Second Report of National Finance Committee on Supplementary Estimates (B) Adopted.	
Notice of Motion to Refer Vote 10 to the Standing Joint Committee on the Library of Parliament.		Hon. Joseph A. Day. . . . .	266
Hon. Gerald J. Comeau . . . . .	261	Hon. Eymard G. Corbin. . . . .	268
<b>Inter-Parliamentary Forum of the Americas</b>		Hon. Irving Gerstein . . . . .	269
Regional Workshop for Central and South American Parliamentarians, November 7-8, 2008—Report Tabled.		Hon. Lowell Murray . . . . .	269
Hon. Céline Hervieux-Payette . . . . .	261	Hon. Sharon Carstairs . . . . .	269
		Hon. Gerald J. Comeau . . . . .	270

	PAGE
<b>Appropriation Bill No. 4, 2008-09 (Bill C-12)</b>	
Third Reading.	
Hon. Irving Gerstein . . . . .	270
Hon. Joseph A. Day . . . . .	271
<b>Royal Assent</b>	
Notice . . . . .	272
<b>Business of the Senate</b>	
Royal Assent—Motion to Photograph Royal Assent Ceremony Adopted.	
Hon. Gerald J. Comeau . . . . .	272
<b>Budget 2009</b>	
Inquiry—Debate Continued.	
Hon. Elaine McCoy . . . . .	273
<b>The Senate</b>	
Motion to Televisе Proceedings—Debate Continued.	
Hon. Grant Mitchell . . . . .	274
Hon. Roméo Antonius Dallaire . . . . .	276
Hon. Percy E. Downe . . . . .	276
Hon. Gerald J. Comeau . . . . .	277
Hon. Jim Munson . . . . .	277
<b>The Honourable Leonard J. Gustafson, P.C.</b>	
Inquiry—Debate Adjourned.	
Hon. Gerald J. Comeau . . . . .	277
Hon. Catherine S. Callbeck . . . . .	277
Hon. Terry M. Mercer . . . . .	277
Hon. Sharon Carstairs . . . . .	278
Hon. Jim Munson . . . . .	278
Hon. Joan Fraser . . . . .	278
Hon. Fred J. Dickson . . . . .	279

	PAGE
<b>Wildfires in Australia</b>	
Inquiry—Debate Concluded.	
Hon. Céline Hervieux-Payette . . . . .	279
<b>Social Affairs, Science and Technology</b>	
Motion to Authorize Committee to Study Accessibility of Post-Secondary Education—Debate Adjourned.	
Hon. Catherine S. Callbeck . . . . .	281
Hon. Gerald J. Comeau . . . . .	282
Hon. Art Eggleton . . . . .	283
Hon. Joan Fraser . . . . .	283
<b>Visitor in the Gallery</b>	
The Hon. the Speaker . . . . .	284
<b>Royal Assent</b> . . . . .	284
<b>The Senate</b>	
Motion to Request Government Response to Report of Aboriginal Peoples Committee Entitled: <i>Honouring the Spirit of Modern Treaties: Closing the Loopholes</i> during Second Session of Thirty-ninth Parliament Adopted.	
Hon. Gerry St. Germain . . . . .	285
<b>Legal and Constitutional Affairs</b>	
Committee Authorized to Study Provisions and Operation of DNA Identification Act.	
Hon. Joan Fraser . . . . .	285
<b>Adjournment</b>	
Hon. Gerald J. Comeau . . . . .	285
<b>Progress of Legislation</b> . . . . .	i





*If undelivered, return COVER ONLY to:*  
Public Works and Government Services Canada  
Publishing and Depository Services  
Ottawa, Ontario K1A 0S5