



CANADA

Debates of the Senate

1st SESSION

• 39th PARLIAMENT

• VOLUME 143

• NUMBER 29

OFFICIAL REPORT
(HANSARD)

Wednesday, June 28, 2006



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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

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

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

THE SENATE

Wednesday, June 28, 2006

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

Prayers.

SENATORS' STATEMENTS

YUKON RIVER QUEST

Hon. Ione Christensen: Honourable senators, I have told you about the Yukon Quest, the toughest dog race in the world. Today I am going to tell you about another quest, the Yukon River Quest, the world's longest canoe race. Yes, everything in the Yukon is big.

Seven years ago today, my daughter-in-law and I, under the team name Generation Gap 99, left Whitehorse by canoe in the first International Yukon River Quest. There were 15 teams in that first race, but today at 11:30 a.m., just about now, 75 teams with 167 paddlers will leave Whitehorse for the seventh annual 740-kilometer race to Dawson City. Two-person canoes, single-tandem kayaks and a voyageur canoe paddled by breast cancer survivors all make up the competitors for this challenging adventure. There were only two mandatory stops, one seven-hour break at Carmacks, a third of the way, and one three-hour stop at Kirkman Creek, which is two thirds of the way. For the serious racers, these will be the only stops they will make. The race is usually completed with the winners arriving in Dawson City between 47 hours and 65 hours after leaving Whitehorse. It is a gruelling undertaking that tests the stamina of the competitors, and on arriving at Dawson City, racers are seldom able to exit their boats without assistance. Eating, drinking, resting and answering the call of nature are all ingeniously managed without leaving the vessel. This is not a race for the faint of heart. I look forward to the records being broken this year and invite all senators who are enthusiastic paddlers to come to the Yukon and enter the race next year.

• (1335)

UNIVERSITY OF OTTAWA AND MICHIGAN STATE UNIVERSITY LAW PROGRAM

Hon. David Tkachuk: Honourable senators, I would like to draw your attention to a program from which I had the pleasure of hosting one of its interns. This year, I hosted a young man, Glenn Carbol, who has worked in my office as a legal intern for the last six weeks. Glenn is one of the students in the joint law program between the University of Ottawa Faculty of Law and the Michigan State University College of Law. This worthwhile program allows students from the U.S. and Canada to spend two years at each institution and earn both an American law degree and a Canadian law degree in just four years. The program is currently in its twentieth year and is designed to provide law students with an educational experience regarding the Canadian political and legal systems at work.

During Glenn's internship in my office, he had the opportunity to work on a Senate public bill, which I introduced on June 15; he has attended several committee meetings of different Senate committees, such as Agriculture and Forestry, National Security and Defence and Banking Trade and Commerce; he has written drafts for statements delivered in the Senate, not only by me but even by another senator; and he has prepared briefing notes and participated in numerous meetings regarding strategy and procedure. He had an opportunity to attend Question Period in both Houses. Honourable senators, working in a senator's office has provided a window into Canada's political process that, most days, we take for granted.

Canada and the U.S. not only share an 8,893-kilometre common border and are signatories to over 300 treaties and agreements that govern their relationship with each other, but both nations are also founding members of the North Atlantic Treaty Organization and the United Nations. As we are often reminded, the United States is also Canada's largest trading partner, where U.S.-Canada surface transportation trade totalled \$44 billion in March, the highest monthly level ever recorded, according to the Bureau of Transportation Statistics in the United States.

Joint programs, such as the international and comparative law program that encourage cooperation and, more important, understanding, are fundamental to our continued prosperity in North America, especially in light of the complex trade, culture and legal relationships that Canada and the United States have with each other.

Interestingly, the Senate Banking Committee and the Defence Committee meetings that Glenn attended were concerned with border security and trade issues with the United States. These meetings heard testimony from a U.S. Congresswoman, U.S.-Canadian trade organizations, Canadian and American tourism authorities and trade and security bureaucrats from both sides of the border. The hearings were an excellent example of what instructors and professors can only describe from past memory, recollection or history, but for Glenn they presented a real-life opportunity for learning — testimony from legislators, stakeholders and concerned organizations.

This unique capacity that we provide is one of the Senate's most valuable attributes and I am pleased that we had an opportunity to host a student in the international comparative law program. I want to thank our intern and the internship program director, Professor John Reifenberg, Jr., for recognizing the value that we may offer, both individually and as an institution, to the educational experience of future legislators and members of the legal profession.

BATTLE OF THE SOMME

NINETIETH ANNIVERSARY

Hon. Jack Austin: Honourable senators, our colleague Senator Bill Rompkey is away from the Senate this week on important public business. He is accompanying members of the Royal

Newfoundland Regiment to Europe to celebrate the ninetieth anniversary of the Battle of the Somme and to honour the extreme sacrifice of the young men of Newfoundland who died in that battle and in the first Great War.

To put it starkly, on July 1, 1916, on the first day of the Battle of the Somme, 733 of 801 men of the 1st Newfoundland Regiment were killed. From their starting position in a British trench, they had to cross a firestorm of German machine gun-covered ground. The British commander paid the men of Newfoundland what he believed was the ultimate compliment:

It was a magnificent display of trained and disciplined valour, and its assault failed of success because dead men can advance no further.

The bloodbath of the Somme killed more than 310,000 soldiers from the armies of Britain, Canada, France and Germany in just four months. Canada alone lost 24,029 soldiers either killed or wounded. None of the objectives set for the Allied offensive were achieved.

This evening at the magnificent Canadian War Museum, British historian Sir Martin Gilbert will present a lecture on the Battle of the Somme. My presentation here is drawn from his just published work, *The Battle of the Somme: The Heroism and Horror of War*.

• (1340)

BOYCOTT BY CANADIAN UNION OF PUBLIC EMPLOYEES-ONTARIO AGAINST ISRAEL

Hon. Jeremiah S. Grafstein: Honourable senators, I rise to speak to a recent resolution passed by CUPE-Ontario, the Canadian Union of Public Employees, with 200,000 members, some of whom, I believe, might be employed by Parliament. The CUPE resolution calls for the boycott of goods and services from Israel, sanctions, and divestment of investments in Israel. It stereotypes Israel's defence measures against violence to its citizens as "apartheid."

This resolution that singles out the only democratic state in the Middle East is curious, confusing, contradictory and counterproductive. It flies in the face of President Abbas of the Palestinian Authority who has repeatedly called for a cessation of violence by Palestinians in order to return to the bargaining table. It flies in the face of Canadian foreign policy that seeks a negotiated settlement between the Israelis and the Palestinians. It flies in the face of UN resolutions that call for the same principle. It flies in the face of the principles of the ILO, the International Labour Organization in Geneva, whose organizing principle is based on fair and free negotiations to any dispute. It flies in the face of the organizing principle of the labour movement in Canada whose core principle has always been the negotiation of any dispute without threats, coercion or violence. It flies in the face of many of CUPE-Ontario's own membership who disagree with the process, timing and substance of this resolution to the extent that one local has withdrawn from CUPE.

Criticize Israel if you must. That is the nature of democracy. There is no current shortage of Israel's critics in Canada. Boycott it if you will, but boycott those states that do not recognize the rights of labour or a free labour movement and instead prohibit

and proscribe them. Boycott those states that do not believe in the freedom of worship. Boycott those states that abuse women and fail to respect their rights. Boycott those states that prohibit free media. Boycott those states that do not believe in equality of citizenship or respect for their minorities. Boycott those states that use and abuse children as political propaganda pawns and worse. Boycott those states that commit violence against the innocent.

This CUPE resolution seeks to deliberately isolate and stereotype Israel, the only practising democracy in the Middle East, whose founding principles were grounded in the policies of a free labour movement. The CUPE resolution is a contrary idea. Withdraw this resolution. Rescind it. Move on to advance, enhance and protect the contested rights of labour everywhere.

SUDAN

CONFLICT IN DARFUR

Hon. Roméo Antonius Dallaire: Honourable senators, as we prepare for the summer recess, I should like to bring to your attention a humanitarian catastrophe, which some have qualified as genocide, that is ongoing and will continue while we are at our homes and residences.

The people of Darfur are still being murdered, raped and starved to death. Despite media attention, valiant efforts from civil society and student organizations, and much political mumbling for the past three years, the international community has stood by and has not brought to conclusion a peace agreement that would permit 3 million people to return to their homes. After perpetually jockeying with the international community, the Sudanese government has finally allowed the Joint African Union and the UN Technical Assessment Team to enter the country. The team carried out a needs assessment of the African Union mission in Sudan and of a possible transition from the African Union mission to a UN Chapter VII mission. Although the Government of Sudan is still being less than cooperative, most experts believe that this transition will take place, although realistically not until January 2007, with full deployment in April 2007, which is at least nine months away.

The humanitarian and peace support operations in Darfur need support during this vulnerable transition period. The Canadian government's recent pledge of \$40 million, albeit a step in the right direction, only scratches the surface of what Canada can and must contribute to that incredible need. Humanitarian operations under the auspices of the UN Office for Humanitarian Affairs need an additional \$648 million to continue operations until the end of this fiscal year. In recent months, donor fatigue, coupled with increased violence against humanitarian workers, has forced the organization to scale back its operations. Millions have been left without access to the most basic necessities.

Poorly equipped and underfunded, the African Union mission has been unable to provide the sense of security so required by those vulnerable people. Furthermore, the AU mission will literally run out of funds by the end of July. This will make a dire situation much worse. Canada must lobby its allies to ensure that the UN Pledging Conference in Brussels in July bears real fruit and not just empty promises. Canada must lead by example by increasing its financial commitment to the UN humanitarian effort and by deploying forces that can be of service in the transition period before the UN takes over the mission.

• (1345)

ROSS CREEK CENTRE FOR THE ARTS

GRAND OPENING

Hon. Jane Cordy: Honourable senators, I rise today with news of two happy events taking place in Nova Scotia on Canada Day. I am pleased to inform honourable senators that the Ross Creek Center for the Arts will celebrate its grand opening this July 1. In addition, there will be a celebration of Two Planks and a Passion's fifteenth season of theatre. These cultural institutions in rural Nova Scotia represent an important element of the social fabric of our nation. I am proud to be a member of a party that continues to support the arts and culture in all regions of Canada.

Whether through Two Planks and a Passion's presentation of *Pelagie* this past year or the Ross Creek Centre's artistic programs and exchanges, these institutions are fundamentally Canadian. They are diverse, multilingual and international, and they are centers for excellence in artistic expression. It truly is appropriate that they celebrate their achievements on Canada's National Day.

Honourable senators, I congratulate Chris O'Neil, Ken Schwartz and their team of tireless employees and volunteers on the grand opening of what will be an important cultural institution for years to come, the Ross Creek Center for the Arts. I would also like to congratulate them on the longevity and success of Two Planks and a Passion Theatre.

ROUTINE PROCEEDINGS

AUDITOR GENERAL

2005-06 ANNUAL REPORT ON PRIVACY ACT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the Auditor General's 2005-06 Annual Report on the Privacy Act, pursuant to section 72 of the Act.

[English]

CONFLICT OF INTEREST FOR SENATORS

REPORT PURSUANT TO RULE 104 TABLED

Hon. Serge Joyal: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Committee on Conflict of Interest for Senators. This report outlines the expenses incurred by the committee during the First Session of the Thirty-eighth Parliament.

(For text of report, see today's Journals of the Senate, p. 425.)

[Translation]

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO ENGAGE SERVICES

Hon. Serge Joyal: Honourable senators, pursuant to rule 58(1) (i), I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Conflict of Interest for Senators have power to engage the services of such counsel, technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such matters as are referred to it by the Senate, or which come before it as per the *Conflict of Interest Code for Senators*.

NOTICE OF MOTION TO REFER DOCUMENTS FROM PREVIOUS PARLIAMENT TO CURRENT SESSION

Hon. Serge Joyal: Honourable senators, pursuant to rule 58(1) (i), I give notice that, at the next sitting of the Senate, I will move:

That the papers and documents received and/or produced by the Standing Committee on Conflict of Interest during the First Session of the Thirty-eighth Parliament and the Intersessional Authority during the period following dissolution of the 38th Parliament, be referred to the Standing Senate Committee Conflict of Interest for Senators.

• (1350)

[English]

STUDY ON CURRENT STATE OF MEDIA INDUSTRIES

NOTICE OF MOTION REQUESTING GOVERNMENT RESPONSE TO REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, with leave of the Senate and notwithstanding rule 57(1)(c), I give notice that later this day I will move:

That, pursuant to rule 131(2), the Senate request a complete and detailed response from the Government to the Second Report of the Standing Senate Committee on Transport and Communications, adopted by the Senate on June 22, 2006, with the Minister of Industry, the Minister of Canadian Heritage, the Minister of Finance, the Minister of Justice and Attorney General of Canada, and the President of the Treasury Board being identified as Ministers responsible for responding to the report.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

[Translation]

NOTICE OF INQUIRY

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I give notice that two days hence:

I shall call the attention of the Senate to the second report of the Standing Senate Committee on Transport and Communications entitled *Final Report on the Canadian News Media*.

[English]

STATE OF LITERACY

NOTICE OF INQUIRY

Hon. Joyce Fairbairn: Honourable senators, I give notice of an inquiry on the state of literacy in Canada, which will give every person in this chamber an opportunity to speak on an issue that we have, in my view, forgotten.

[Translation]

QUESTION PERIOD

LABOUR

QUEBEC—ESTABLISHMENT OF FEDERAL OFFICES

Hon. Roméo Antonius Dallaire: Honourable senators, my question is for the Leader of the Government in the Senate. A committee is currently reviewing the implementation of a government regulation that imposes a certain distribution of public service jobs in the National Capital Region between Ontario and Quebec, equal to 75 per cent and 25 per cent respectively.

I would like to quote from an article that appeared in the *Ottawa Citizen* on June 21, 2006:

[English]

Real estate observers, however, argue the policy overlooks some of the limitations in Gatineau's capacity to handle thousands of new jobs, such as the lack of prime downtown sites, transportation, bridges, and infrastructure.

[Translation]

The argument about problems with bridges and transportation does not really hold up. If there were more jobs in Gatineau today, there would be fewer transportation problems. Public servants would live on the Quebec side, and those from Ontario would be travelling against traffic during rush hour.

Can the Leader of the Government tell us whether the government is opposed to the idea of public servants working in Quebec, as the article seems to suggest?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, a similar question was asked of my colleague, the Minister of Public Works. He acknowledged that the 75/25 split had been allowed to slip away under the previous government. The objective of his department and of the government is to restore that balance.

I do not believe, and I am certain most honourable senators do not believe, that there is a bias in the public service against people living on the Gatineau side of the Ottawa River.

• (1355)

[Translation]

Senator Dallaire: Honourable senators, when I was a member of the Armed Forces, some people who worked for me in Ottawa did not want to live on the other side of the river because it was such a problem.

Can the government guarantee that the jobs directly related to the federal government and those in the agencies, Crown corporations, CMHC and RCMP will be included in the calculation of the number of jobs located in Quebec and Ontario?

[English]

Senator LeBreton: Senator Dallaire, as my colleague Senator Fortier responded to a similar question, it is clear that the government and all of its components, whether departments, agencies or boards, would certainly not seek to get into a situation whereby the balances are not sought out and met.

HUMAN RESOURCES AND SOCIAL DEVELOPMENT

FUTURE OF NATIONAL LITERACY SECRETARIAT

Hon. Joyce Fairbairn: Honourable senators, I would like to ask a question of the Leader of the Government in the Senate. As we are moving toward our adjournment, I would like to get advice from the government leader on the message that we can communicate during summer visits to those in the literacy network. What message should we communicate across this country to those who need to know the views of our new government? What should we tell the more than 8 million citizens who are grappling with the challenges of getting through each day because of a profound difficulty in reading, writing and numeracy? I ask this question also because the tremendous strength of the federal presence in this field was introduced in what I believe to be the finest legacy left to us by Prime Minister Brian Mulroney. The National Literacy Secretariat was created in 1988 with the help of his Secretary of State, David Crombie. We worked together with this issue from the start. I was nicknamed the "token Grit."

There are anxieties across this country about the survival of the National Literacy Secretariat and whether funding for programs on the ground will be met for this year. There is a concern that the programs will continue through partnerships with all levels of government and with our outstanding national organizations that keep the issue alive on the ground. Neither the budget nor the Throne Speech mentioned this issue.

I would like to have assurances from the Leader of the Government that the National Literacy Secretariat does indeed live on. I would like assurances that funding will continue so that all Canadians at risk in every community in this country will have a fair chance to learn, build a decent life and get a decent job for themselves and their families.

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for that question and for the work she has done in this area over many years. If, in fact, she was the "token Grit," I can think of no better token than a Grit like the honourable senator.

I am glad to receive the honourable senator's kind words about Mr. Mulroney and his legacy. His legacy in this and many other areas is finally being acknowledged and recognized by parliamentarians and the Canadian public at large.

I was expecting some time ago that I would get a question like this from the honourable senator. Last night I made inquiries about the agency. I have not received a definitive response but I can say that just because the government has not addressed the program does not mean the program is in danger. The government is busy with reorganizing a downsized ministry. When the new government took over, there were so many programs in so many areas that needed to fit into the downsized ministry. There were many ministers and it involved a great deal of reorganization.

Honourable senators, suffice it to say, I have asked for a response to the honourable senator's question. Even though the Senate may not be sitting when I receive the response, I will take it upon myself to make sure it is delivered directly to the honourable senator's office.

• (1400)

Senator Fairbairn: Honourable senators, I understand that Minister Diane Finley, who is responsible for this file, has a huge responsibility in the re-joined Department of Human Resources and Social Development. My biggest concern is that in such situations things are often pulled together with the best of intentions but sometimes miss the mark.

I would appreciate hearing about the National Literacy Secretariat. This unique agency in the Canadian government can help small organizations across the nation to help people learn. The issue is not only about the labour movement; you cannot get into a workplace or be upgraded unless you are literate.

This agenda is an on-the-ground one, not a made-in-Ottawa one. Honourable senators met the people from the national organizations on Literacy Action Day. This issue greatly needs our help, and it has received that help since 1988. It would be a shame, when they are working out a national action program, if there should be any cutback or change in the organization of the NLS that would bring these innovative ideas to a halt to the detriment of millions of people.

Senator LeBreton: Honourable senators, Senator Cochrane is active on this front as well, and she is very persuasive when she makes her case in both our national caucus and the Senate caucus.

[Senator Fairbairn]

The government has emphasized skills and trades in our overall employment strategy. I will speak personally to Minister Finley. As Senator Fairbairn pointed out, the minister has been extremely busy with everything that has been put into her department, including dealing with the child care issue and the older workers issue. She has many issues on her plate, as well as this important one. I will get information for Senator Fairbairn on the status of the National Literacy Secretariat.

[Translation]

FUNDING OF VARIOUS PROGRAMS

Hon. Fernand Robichaud: Honourable senators, my question is for the Leader of the Government in the Senate. Numerous organizations submitted their grant applications some time ago. These organizations, some of which have been very successful, depend on grant money to continue the good work they do. How much longer will they have to wait before they receive an answer?

In New Brunswick, for example, people will be forced to stop what they are doing, which will mean lengthy delays for their organizations. Can the minister tell us when the government will consider the fate of these projects that are already in the system, ready to be approved?

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, that question is multifaceted. A new government would want to review and assess many programs and policies. When we were in government before, we found, as did the government of Senator Robichaud, that not every program is unending. They require review from time to time.

• (1405)

Honourable senators, I have to know the specific programs to which the honourable senator refers. There are so many programs in so many departments that it would be impossible for me to give a blanket answer, which may apply to some and not to others. I would have to know the exact programs in order to get a definitive answer.

[Translation]

Senator Robichaud: Honourable senators, I think I was quite clear when I asked the question two weeks ago. The question was about the status of the literacy project and the proposal submitted by the Kent dyslexic support committee in New Brunswick.

And as far as I know, there is only one group with that name. That is what I am asking in this case, and I am also asking on behalf of all the other groups who are waiting for answers.

[English]

Senator LeBreton: I thank Senator Robichaud for his question. When a question about a specific program is put to me and the response is by way of a delayed answer, I have been quite pleased with how the departments have responded. We have done well with delayed answers. I will find out why they have not answered that specific question.

NATIONAL REVENUE

FEDERAL ACCOUNTABILITY BILL—COST EFFECT ON DELEGATES TO POLITICAL CONVENTIONS

Hon. Hugh Segal: Honourable senators, my question is for the Leader of the Government in the Senate. It relates to the thoughtful speech made by Senator Fox yesterday relative to the burden that Liberal delegates will face upon attending their leadership convention should the fee of \$995 be counted as a political donation relative to the changes which are proposed in Bill C-2, which passed second reading in this place yesterday.

Independent of the financial burden, there are a wide range of burdens that Liberal delegates will carry with them when they go to the convention, none of which are within the purview of this house or the committee to deal with.

Will the Leader of the Government undertake to seek advice from the Minister of National Revenue as to the way in which the Canada Revenue Agency or any political party would determine the difference between the broad cheque that was written and the specific benefits to the delegate versus the deemed donation?

I am certain that most political parties will take the view that when one attends the convention, there are certain costs — whether it be food, the delegate's kit, the rental of the hall or entertainment — which constitute a specific benefit to the delegate and would reduce the \$995 amount, thereby creating room for a further donation should any Liberal be disposed to make one.

We would all benefit from understanding what those rules are. I would appreciate the Leader of the Government reflecting on that matter.

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for his question. I am not sure how all political parties operate their leadership conventions, annual meetings and policy conventions, but obviously a significant part of that amount is for the costs of running the convention.

I can only speak from personal experience. When our party has had similar meetings, we are told up front that if the fee was \$675, only \$200 of the registration fee would be considered a taxable donation, and the remaining \$475 was cost recovery for the convention. When I saw the \$995 amount, I did not for a moment come to the conclusion that that was a straight donation. That is not how the Canada Revenue Agency — in the past, in any event — has treated these contributions.

At the last policy conference the Conservative Party held in Montreal, the fee that we paid as delegate fees was strictly to pay the costs. There were no tax credits given to anyone. We were simply told this is a delegate fee, this is the cost, and they did not add on anything to bring in any more donations to the party.

I will seek to answer that specific question by way of some form of table outlining how they anticipate handling a delegate fee of that nature.

• (1410)

Hon. David P. Smith: Honourable senators, I have a supplementary to the previous question. Seeing as our convention ends in December, to change the rules in the middle

of the game just does not feel right. Assuming this bill becomes law, proclaiming it on January 1 would avoid having to answer any of these questions. Without getting into the merits of whether we agree with A, B, C, or D, would the Leader of the Government in the Senate concede that it is a touch unfair to change the rules in the middle of the game?

Senator LeBreton: Change whose rules in the middle of what game?

Senator Fox: The rules of the land.

Senator LeBreton: The fact is that the federal accountability act is a very important piece of legislation that this government has brought forward. The questions that Senator Smith has raised have been raised many times in the other place. I would imagine that all of the candidates running for the Liberal leadership are out raising money right now under the current rules. They should be anticipating the passage of this bill and raising as much money as they can before the bill is proclaimed.

Senator Segal: I want to make it clear to the Leader of the Government in the Senate that I was not enquiring into the specific arrangements between the Canada Revenue Agency and the Liberal Party of Canada. That is a confidential matter. I would be interested in the Canada Revenue Agency issuing, in a public memorandum, a clear table of how the division is sorted out between deemed benefits to the delegate and the actual donation. We have all had the experience of writing cheques for hospitality and other dinners where the amount on the face might have been \$200 or \$300 but the actual tax benefit was less because of the actual cost of the meal and the event. I wonder what clarity could be added to that process.

Senator LeBreton: I was simply using an example and relating it to my personal experience and what I have read in the media about delegate fees for the December meeting. I will certainly obtain from the Canada Revenue Agency the guidelines they use in terms of not only conventions and leadership conventions but also fundraising dinners and similar events.

[*Translation*]

Hon. Marie-P. Poulin: Honourable senators, I am glad to see that everyone in this chamber agrees that our democratic system is based on political parties and that strong political parties make for a strong democratic system.

If memory serves, when the Martin government was studying Bill C-24, the Conservative Party of Canada was in the midst of a convention to choose a new leader. An agreement was reached at the time to delay implementation of the new regulations under Bill C-24 until the Conservative Party had chosen a new leader.

Could the new government show the Liberal Party the same courtesy?

[English]

Senator LeBreton: Thank you for the question. When the Conservative Party held their leadership early in 2004, my understanding is that all of the candidates raised the amount of money that was allowable and all fully accounted for it, insofar as it was held relatively early in the year. I am not sure what arrangements were made at the time, but now we have the accountability bill, which was the first piece of legislation this government tabled in the other place. It is an important piece of legislation, not only to the government, but also to the public, who, by all evidence so far, are supportive of changing the way politics has been done, or is perceived to have been done. Either way, it is a problem.

• (1415)

As I have said earlier in this place many times, I had the benefit of travelling around the country for two months in the election campaign and it is clear to me that the Canadian public want fundamental change to the way government operates, both politically and in the bureaucracy.

LABOUR

LEGISLATION TO CONTROL SECOND-HAND SMOKE

Hon. Mac Harb: Yesterday the Surgeon General in the U.S. issued a strong report on the impact of second-hand smoke on the health of the individual.

As honourable senators know, recently we passed a motion in this house unanimously, asking the government to introduce legislation to ensure that the workplace in Canada is smoke-free and to declare Canada a smoke-free nation.

Is the Leader of the Government in the Senate aware of the response of the government, and if so, when can we expect such legislation?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for his question. I saw that report out of the United States, and I saw the tribute to our recently-departed Ottawa citizen, Heather Crowe, who championed the campaign against second-hand smoke. It was interesting to see her face appear on CNN and the U.S. news networks.

I will take the question as notice and I will discuss it with the Minister of Health. The Department of Health has, for a long time, under this government and the previous one, had targeted programs on the dangers of smoking, second-hand smoke and the incidence of lung disease and heart disease.

Senator Harb: I remind the minister that both the Canada Labour Code and the Non-smokers' Health Act are administered by the Minister of Labour, so I think the minister could easily undertake to amend both acts and introduce something as quickly as possible.

As you know, honourable senators, we have been signatories to international agreements. We made a commitment some time ago to fulfil that agreement and so far we have not done so. I hope the minister will take this opportunity to ensure that leadership is provided and the proper legislation is introduced before the end of the year.

Senator LeBreton: I am glad Senator Harb has acknowledged that in this area of fulfilling our international agreements nothing has been done for a considerable period of time. I will take the question as notice and hopefully we can do a better job in this area.

[Translation]

PRIME MINISTER'S OFFICE

TRANSPARENCY TOWARD MEDIA

Hon. Céline Hervieux-Payette: Honourable senators, my question is for the Leader of the Government in the Senate. As far as the national defence announcements are concerned, the Prime Minister preferred to use the media to announce \$15 billion in spending, thereby avoiding any confrontation during Question Period in the House of Commons.

Are we to understand that the Prime Minister decided to change his attitude after being accused of lacking transparency with the media? Does he now have more trust in the media than in the honourable members of the House of Commons of Canada?

[English]

Hon. Marjory LeBreton (Leader of the Government): I was not expecting that question on the last day.

Honourable senators, I think the government, not only in the other place but before committee, and certainly in the defence committee, made it clear that our intentions were to strengthen the military, not only with personnel but also with equipment. I do not think it is any great secret. I do not think anyone in the House of Commons would suggest that they were not fully aware of this intent and many of them participated in debates on this important task the government is undertaking.

An Hon. Senator: There goes the hidden agenda.

• (1420)

[Translation]

NATIONAL DEFENCE

FORMER LOBBYING ACTIVITIES OF MINISTER

Hon. Céline Hervieux-Payette: Honourable senators, with reference to all these changes and major procurements, Bill C-2, the Federal Accountability Act, in clause 75, would add subsection 10.11(1) to the Lobbying Act:

No individual shall, during a period of five years after the day on which the individual ceases to be a senior public office holder:

How can the current Minister of National Defence argue that a former public office holder cannot carry on a lobbying activity and yet allow a lobbyist, after less than two years, to hold a ministerial position in that field? We have here a former lobbyist holding a cabinet position. It seems to me that the five-year restriction should be reciprocal.

[English]

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, my honourable friend is making an argument for real retroactivity.

The fact is that Minister O'Connor had a long distinguished career in the Canadian military. When he left the military, he worked for a period of time representing many companies on all sides of these issues. He has no personal interest in nor does he own shares in any of these companies.

Minister O'Connor was elected as a member of Parliament in 2004. As he has pointed out many times, the decisions on who will be chosen will not be made by him. He is the minister responsible but he is not involved in the procurement process or in the recommendations on what equipment the government will be asked to buy for the military.

PUBLIC WORKS AND GOVERNMENT SERVICES

FEDERAL ACCOUNTABILITY BILL— PROPOSED PROCUREMENT POLICIES

Hon. Tommy Banks: My question is addressed, honourable senators, through the Leader of the Government in the Senate, to the Minister of Public Works and Government Services. The Standing Senate Committee on National Security and Defence, in a report issued about a year ago entitled *Borders Insecure*, identified a shortcoming with respect to the communication that exists between the land border crossings in Canada and the central intelligence source to identify persons of interest coming across the border in either direction. It found that several of those border posts did not have a direct and high-speed connection to that service. They could not be immediately informed of a problem and they could not do immediate research, which most of the border posts can. That fact places Canada's security at risk and it places the security of border services agents — customs officers who are present at the border — at risk from time to time.

In a meeting on June 19 of the Standing Senate Committee on National Security and Defence, I asked Mr. Alain Jolicoeur, President of the Canada Border Services Agency, whether this deficiency had been completely addressed — that is, the deficiency recognized by our report of more than a year ago and no doubt by others far sooner than that. He stated that it had not. When I asked him why that was so, Mr. Jolicoeur replied, in part:

...I agree that it could be a problem. We have issued directions to PWGSC to secure CBSA a contract for working through satellite connections for these three offices. They are working constantly to obtain that contract for us. There has been an administrative delay, but I am not sure why. We are confident that these offices will be connected through satellite before the end of the summer. It should have been done by now, but it is not done yet.

Minister, I say again that these problems were identified by our committee and, no doubt, by others over a year ago; and these problems place the security of Canada and Canadians at risk.

I then asked Mr. Jolicoeur whether anyone had explained to him why that delay had happened. I added that if he and I wanted to get a high-speed Internet connection from the middle of the

Gobi Desert, for example, we could do so in very short order. I asked him why this was happening with our border crossings. He said:

Procurement in public service is something that can be problematic on occasion because of challenges and rules.

He then went on to explain that his agency has spent a year and a half trying to get new uniforms.

• (1425)

I have a two-pronged question. One part is in the context of Bill C-2, which we are dealing with, and the other is in the context of fixing that problem. I would hope that the leader would ask the minister to please undertake to solve that problem immediately by cutting through the impenetrable spaghetti bowl of acquisitions so that those officers are not placed at risk, as they are every day; and so that Canada's security is no longer placed at risk, as it is every day. By putting in place more layers of difficulty in procurement, as in C-2, are we not exacerbating this problem?

Hon. Marjory LeBreton (Leader of the Government): I thank Senator Banks for the question. Certainly, I will speak to the Minister of Public Works and Government Services Canada. I was trolling the television channels the other night and I came across the hearings of the Standing Senate Committee on National Security and Defence on June 19, 2006. I was embarrassed as I watched the proceedings because I thought that some senators treated Mr. Jolicoeur, President of the Canada Border Services Agency, very badly during his testimony before the committee. A public servant appearing before any committee, Senate or House should not be so abused.

Honourable senators, in terms of the proposed accountability legislation, it is not our intention to add more layers but rather to have a process that is open, transparent and easily accessed by anyone who is interested. I will ask Minister Fortier for the status of the file on connecting border offices via satellite.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour of presenting answers to oral questions raised by Senator Fraser on June 13, 2006, concerning the first ministers' agreement on Indian affairs and northern development and by Senator Dallaire on June 21, 2006, concerning the multi-mission effects vehicle project.

INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

FIRST MINISTERS' AGREEMENT ON ABORIGINAL ISSUES—FUNDING OF INITIATIVES

(Response to question raised by Hon. Joan Fraser on June 13, 2006)

The government's approach to the issues raised by Mr. Goodale's letter is based on practical initiatives to achieve concrete results. Minister Prentice has addressed this issue in the House of Commons on May 12, 2006 and before

the Standing Committee on Aboriginal Affairs and Northern Development on May 31, 2006. More specifically, that is why in Budget 2006, the Government of Canada announced \$450 million toward initiatives for education, women, children and families, as well as water and housing on reserve. The government also announced \$300 million to off-reserve Aboriginal housing and \$300 million for affordable housing in the territories, where housing pressures are particularly acute. In addition, the Government has set aside \$2.2 billion to address the legacy of residential schools. These initiatives follow previously announced commitments, such as the plan of action of March 21, 2006, to address drinking water concerns in First Nation communities.

The document released by the previous government, which is referred to as the Kelowna agreement, still needed work to determine how funds were to be distributed among provinces and territories and national and regional Aboriginal Organizations. Most of all, the document lacked a detailed financial plan to deal with the issues that had been identified.

The government believes it can make a real difference in five areas to reduce Aboriginal poverty while working within its budgetary parameters:

- Ensure safe drinking water in First Nation communities;
- Create new opportunities for Aboriginal youth through education;
- Increase support to Aboriginal women, children and families;
- Improve housing on and off reserve; and
- Move forward in capable, accountable partnerships with Aboriginal organizations and provinces and territories.

With regard to the response to Mr. Goodale's letter, it will be sent to him in the near future.

NATIONAL DEFENCE

MULTI-MISSION EFFECTS VEHICLE— STATUS OF UPGRADE TO WEAPONS SYSTEM

(Response to question raised by Hon. Roméo Antonius Dallaire on June 21, 2006)

No decision on the Multi-Mission Effects Vehicle project has been taken at this time.

DND is currently in the process of developing a document that will provide a long-term plan for Defence, including guidance on equipment priorities. The release of this plan will provide more detail on the future of the MMEV project.

[Senator Comeau]

The government is committed to ensuring that the Canadian Forces have the right mix of air, land and maritime capabilities.

[English]

SPEAKER'S DELEGATIONS TO KENYA AND FRANCE

COMMONWEALTH SPEAKERS' AND PRESIDING OFFICERS' CONFERENCE, JANUARY 3-8, 2006 AND MEETING WITH REPRESENTATIVES OF FRENCH SENATE, JANUARY 9-12, 2006—REPORTS Tabled

Leave having been given to revert to Tabling of Reports from Inter-parliamentary Delegations.

Hon. Daniel Hays (Leader of the Opposition): Honourable senators, I have the honour to table, in both official languages, the report of my visit as Speaker of the Senate to the eighteenth Commonwealth Speakers' and Presiding Officers' conference held in Nairobi, Kenya, from January 3 to 8, 2006, and to a meeting with representatives of the French Senate, held in Paris, France, from January 9 to 12, 2006.

[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 would like to inform the Senate that as we proceed with government business, the Senate will address the items in the following order: government Motion No. 1, followed by Bills S-4, C-5 and C-3.

THE SENATE

MOTION TO EXTEND WEDNESDAY SITTING ADOPTED

Hon. Gerald J. Comeau (Deputy Leader of the Government), pursuant to notice of June 27, 2006, moved:

That, notwithstanding the Order of the Senate adopted on April 6, 2006, when the Senate sits on Wednesday, June 28, 2006, it continue its proceedings beyond 4 p.m. and follow the normal adjournment procedure according to rule 6(1).

• (1430)

[English]

Hon. Marcel Prud'homme: In order for honourable senators to fix their agendas, could Senator Comeau give us an indication of the expected time? We know that anything can happen, but many members have meetings later today and planes to catch. Could he give us an indication of the time that it is expected that the Senate will sit?

Senator Comeau: The reason we are asking for this motion is in case we go beyond 4 p.m., which we expect that we will. It is always dangerous to predict an hour, but my expectation is that once we get through the first order, Bill S-4, things should flow along quickly. We have a number of items on the Order Paper to which honourable senators may wish to proceed. I would say late afternoon.

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

Hon. Senators: Question!

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

Hon. Senators: Agreed.

Motion agreed to.

CONSTITUTION ACT, 1867

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator LeBreton, P.C., seconded by the Honourable Senator Comeau, for the second reading of Bill S-4, to amend the Constitution Act, 1867 (Senate tenure).

Hon. Jeremiah S. Grafstein: Honourable senators, as we approach Bill S-4, I ask myself this question: What does Alberta want? What do the Alberta school and its current leader want? Alberta and the Alberta school have always craved more power, first and foremost for its province, and in order to dilute the power of Parliament. In this sense, the Alberta school shares the political aspirations of the Bloc: to reduce the powers of central government and Parliament as a check and balance on that power.

We see that, honourable senators, in a strange, contradictory way in Bill C-2, which is clearly a sweeping dilution of parliamentary power into the hands of bureaucracy, who in turn will be ultimately accountable not to Parliament but to the executive.

Honourable senators, from my experience — and I give this as a travelogue of my own personal experiences since being in politics for over four decades — there are two competing visions of Canada. One vision was to enhance the powers of the federal government in order to ensure equality of treatment across the land, whether it came to issues of individual rights, health care, daycare, taxation or revenue sharing. The other competing notion was to enhance the powers of the provinces at the expense of the federal government and to narrow and dilute the powers of Parliament.

History has taught us, honourable senators, that questions affecting parliamentary and constitutional reform should be approached with great hesitancy and greater care. Many of us

in this chamber have witnessed constitutional initiatives, from the change in the Senate from 1965, to the reiterations of the “two founding nations” theories in the 1960s, to the major constitutional changes in 1982, through to Meech and Charlottetown in the 1980s and 1990s.

Where does Bill S-4 sit in these competing paradigms? Bill S-4 is a strikingly simple bill. There is a siren simplicity to it. It is innocent on its face. It seduces us to reduce the tenure of senators to eight years. “Let us do it quickly,” so says the leader from the Alberta school, “Let us trash the Senate if it deliberates and does not deliver quickly. Do not, on the way, notice that our mandate, the Alberta school’s mandate, is obtained by a minority government, where the Canadian public was divided on its mandate.”

However, honourable senators, the devil lies in the detail. This strikingly simple bill allows for reappointment by the government. Therefore, it is a simple bill: Let us surgically reduce the tenure of senators to eight years, but again, let us do it quickly.

This bill allows, however, for reappointment by the executive. What would this mean in practice? Appointees would immediately curry favour with the executive, from the first moment they were appointed. It is in the nature of the human condition: Get appointed and curry favour with those who appoint you if they have the power to reappoint you.

That is why, honourable senators, we did not follow the American view of electing judges. We felt that judges should have independence of tenure.

Bill S-4 would materially dilute the already weak independence of this Senate, but we are told: “Don’t worry; there are broader measures coming to elect senators.” This is a will-o’-the-wisp approach to parliamentary reform. Let us not be seduced by these larger promises.

However, let us return to Bill S-4, for that is the only bill that we have before us. Is it constitutional? Does it meet the minimum constitutional requirements for change?

In the 1980s, the Supreme Court of Canada, a great court, led by such luminaries as Bora Laskin, Brian Dickson and Bud Estey, said that any change done by Parliament alone must not change the independence or the essential characteristics of the Senate within Parliament.

Who cannot agree that one change in one house does not affect the essential characteristic of both Houses? It changes the nature of careful checks and balances, as articulated by Blackstone. I will not reiterate that history. It is well known to many in this chamber.

This change would, on its face, do more. It would simply place more power, more quickly, in the hands of the executive, with greater, more frequent powers of appointment.

Honourable senators will recall that calls for parliamentary reform, for Senate change, have been with us almost since the beginning of Confederation. Read any book on the history of Canada or on constitutional change. Senate change has been with us since the beginning of Confederation.

In 1923, a federal-provincial conference was called, and it makes refreshing, almost amazing reading today. The only issue that appeared to have consensus amongst the provinces and the federal government at that time was the reduction in age of senators from life to age 75 years. That appeared to have garnered wide consensus back in the 1920s. It took from the 1920s to 1965, when Mr. Pearson introduced that measure. Nobody can quarrel with the fact that the change of tenure to 75 years from life would reduce the independence of the Senate as a vital check and balance of executive power within Parliament. There was a wide consensus of provinces which supported that change at that time.

Some recent appointments, however, went against that principle. A number of appointees were appointed for short terms. There is a question, as Senator Joyal pointed out in his masterful book *Protecting Canadian Democracy: The Senate You Never Knew*, whether those short-term appointments enhance or reduce the independence of the Senate.

There is now a more substantive debate as to whether this S-4 amendment can be made by Parliament alone, without the consent of seven provinces and 50 per cent of the population.

One of our outstanding experts in the Senate, Senator Murray, former minister responsible for provincial affairs, one of the co-authors of two great, if rejected, initiatives, Meech and Charlottetown, has indicated that there are, in his view, constitutional problems. There is, in his belief, a constitutional requirement for provincial approval with respect to this amendment. He argues that it requires provincial concurrence, and I share that view.

Senator Murray shared my view some years ago when the Province of Alberta, seeking more power, passed a provincial law calling for the election of senators. It was my view at that time that that bill was unconstitutional, even though de facto Mr. Mulroney accepted an electee as a Senate appointee. That was doing, in my view, indirectly what one could not do directly. I argued then that the federal government should have disallowed that bill as a precursor to true, substantive national reform.

While there is a wide consensus in the country, honourable senators, for some sort of change in the Senate, there is absolutely no consensus across the regions for the nature of that change. Where are the various regions we represent in this Senate? What do our regions tell us?

• (1440)

The Maritimes are divided on the issue, but clearly they are not in favour of elections or an increase of the number of senators if that would dilute their power to represent their region in the Senate, with more regional voices than are present.

The last time I heard, Quebec was not in favour of elections. Quebec does not want to touch the Senate in any way, shape or form. Obviously, there is divided opinion in Quebec on that question. My own province, the Province of Ontario, has been episodic, from Mr. Robarts to Mr. Peterson to Mr. Rae to Mr. Harris to Mr. McGuinty. Opinions have ranged from no dilution of power, to a dilution of power, to an abolition of the Senate. That appears to be the most current reiteration: abolish

the Senate, says Mr. McGuinty. Yet, when Mr. Peterson offered to reduce Ontario's representation in the Senate, his government was soundly defeated.

British Columbia and Alberta crave more seats: witness Senator Austin's and Senator Murray's proposal to add yet another region. There is no clear consensus or leadership about parliamentary reform or about Senate reform. This simple bill, S-4, is tepid, as it appears to offend both history and the Constitution. Yet, we blithely proceed. We throw it into a brand new committee; not a committee of the Senate, mind you, but a committee to look at the subject matter of this material.

Let me give you another observation about the Alberta school and its consistency. The Alberta school has changed its tune. After years of promoting the Triple-E Senate, what we have now is a promise of an election. Honourable senators, we have beheld the facts, not the promise. What were the facts? The Alberta school's leader appointed a senator to this chamber and then seeks to reduce the independence of the Senate by this bill. This, honourable senators, is a tepid, timid step. Respectfully, it is unconstitutional without provincial concurrence.

When Mr. Trudeau commenced his constitutional initiatives, many of us on his side were concerned. We all recognized that it would involve an almost total expenditure of political capital. In his 1979 constitutional thrust, it was soundly rejected by the country and Mr. Clark was elected. In 1980, when Mr. Trudeau returned, he was determined — and many of us on this side were with him — to redeploy virtually all of his political capital in the pursuit of changing the Constitution and the governance structure of Canada. That vision was quite simple: It was based on the premise of equality — equal rights for each individual citizen across Canada.

Now that Charter, once scorned, is the one institution that Canadians in every region hold as their most important political and cultural symbol, especially in the Province of Quebec.

Now that constitutional amendment, once seriously objected to, is held in high regard. Quebec believes in the Constitution because it believes in rights as in any other part of the country. Eighty-eight per cent of the people in the Province of Quebec believe that the Charter is the most important symbol of Canadianism in the country.

Meech and Charlottetown were rejected. They were rejected, honourable senators, perhaps because they were too ambitious. I believe — and this is a personal viewpoint — Meech and Charlottetown were rejected because the country was not ready for a serious dilution of federal powers.

Honourable senators, I must commend Senator Murray. I must commend both Mr. Trudeau and Mr. Mulroney, who were prepared to invest their political capital in these constitutional initiatives.

Now we come back to Bill S-4, this timid, hesitant, incremental, tiny, unconstitutional step that neither achieves its objective nor is consistent with the careful balance in Parliament, the careful checks and balances, the thesis of checks and balances of Blackstone, which I need not reiterate. I say to the Alberta school: Change the government structures of Canada if you will;

change its constitutional underpinnings if you will; put forward a plan that all Canadians can determine that this is the way they wish to go. Do not do by indirection that which you are not prepared to do by direction.

I oppose this timid step precisely because it is too timid and too fraught with constitutional difficulties. It seeks to do, honourable senators, indirectly what it is not prepared to do directly.

For all these reasons, I reject the principle of this bill. It promises change for the sake of change; change that is half-baked and ill-considered; change that is counterproductive because it raises expectations without true reform.

Surely, honourable senators, this Senate that we all cherish deserves more thoughtful ideas. I await the outcome of the committee's deliberations.

Hon. Lowell Murray: May I ask the honourable senator a question?

Senator Grafstein: Of course.

Senator Murray: On what basis does the honourable senator assert that the eight-year term would be renewable? I see no mention in the bill as to the renewability of the term. I am aware that when the Leader of the Government in the Senate spoke and answered questions from the Leader of the Opposition, the government leader indicated that the term would be renewable but, as the government leader put it, predicated upon an elected Senate.

Senator Grafstein: Honourable senators, the bill is very clear on its face. The Leader of the Government in the Senate made this very clear, subject to a subsequent condition precedent. In the absence of an election, which we know is fraught with difficulties and has its own constitutional problems, if a person is appointed under this new bill for eight years, there would be nothing to prohibit the government from reappointing that senator.

Honourable senators, and particularly Senator Murray, know the human condition. Would not the government of the day place carrots in front of the eyes and nose of senators who are recalcitrant or difficult when appointments were coming nigh? Certainly there would be a desire for reappointment by most, if not all, senators. Therefore, on the face of it, *prima facie*, that is all we have. We do not have anything but the written words. On the face of it, the government can reappoint. If they can reappoint, they can do it any way they choose.

The Hon. the Speaker: Senator Grafstein's time has expired. I think Senator Murray has another question. Is it agreed, honourable senators?

Some Hon. Senators: Agreed.

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

Senator Murray: I will defer to the honourable senator. Proposed new section 29(1) says, "Subject to sections 30 and 31, a senator shall hold a place in the Senate for a term of

eight years." I take it the honourable senator's interpretation is that if the eight-year term were not renewable, the drafters would have had to be explicit on that point.

Hon. Tommy Banks: I was not going to speak, honourable senators, but I feel obliged to say something because of the references to the Alberta school. School is in. Given the substance of what the government has done so far in many cases, it is surprising to me the lack of substance in the present bill. It is, as Senator Grafstein has said, a wee, timorous mouse of a bill. It is a tap dance of a bill. It purports to be something that it is not. It is asking us to buy the roof of a house before the foundation and the first floor are in place, on the assurance that, never mind what happens afterwards, the roof will fit whatever comes up after the fact.

I cannot imagine that we would seriously be asked to buy such a thing. I am surprised the government would propose it, particularly in respect of something as important as parliamentary reform. This is not the real thing. It has the appearance of a real thing. It looks like a duck, quacks like a duck and walks like a duck, but on even a cursory examination, it is clear it is a cleverly contrived mechanical decoy that has no effect, but it may, however, lay an egg.

• (1450)

The question is — being from Alberta, I will refrain from asking where the beef is — where is the real duck here? The real duck is not in the bill.

The questions asked in the preamble of the bill have not ever been answered by anybody. In what way will this bill better reflect the democratic values of Canadians, as it says it will do in the preamble? Which principles of modern democracy will be made better by this bill? What advantages, in terms of the democratic deficit, are being addressed in this bill? Why the timidity in this bill? Why not be bolder by starting with the foundation, then the first floor and then the roof of parliamentary reform?

Hon. Ione Christensen: In regard to Bill S-4, when I look at my countertops in the kitchen and decide new ones are necessary, is it time for change? There is nothing wrong with the old ones, but new ones would be nice. I am making change for the sake of change. I will feel better about it, but the kitchen will still function as a kitchen.

If I were to go down in the basement and knock out one of the concrete pillars in the centre of the family room where it has been an annoyance for years, that would be a different story. That pillar is part of the foundation. It holds up the kitchen and the rest of the house. It should only be changed after a full assessment of the house. Many bearing walls are above it, and changes will affect everything from the roof on down to the kitchen.

Thus it is with our federal governing system, the foundation of our democracy and how it is built. While I have used a physical analogy of construction, the scholarly analogy of the construction of a constitution is far more complex and needs closer scrutiny before changes should be made. We should know the end result of these changes and how they will affect the total system. If we feel comfortable, by all means we should move ahead.

In the 1970s, when oil prices were starting to rise, the federal government put in place a number of home renovation programs, helping to keep houses draft-free, keeping the cold out, sealing up the cracks and keeping the heat in. By the 1980s, mould was growing in many of those homes and the air quality was deteriorating. It was then that the penny dropped and a new program came on line; namely, the house as a system. One system in a home cannot be changed without affecting other systems. One arm of government cannot be changed without having an effect on all other arms of government.

In my years as a senator, I have made it my mission to go to our Yukon schools to present to both teachers and students an overview of how Canada is governed, the structure of governance, the federal, provincial, territorial and municipal levels and First Nations and how they interconnect, the role and importance of our bicameral system, the House of Commons and the Senate, and how they complement each other to provide stronger legislative review.

At the end of such presentations, it is always my hope that the students will have a better understanding of the role they must play as informed citizens. It is always the teachers who say, "I did not know what the Senate did until now. When you really think about it, it makes sense."

Sadly, many Canadians and even members of the other place do not fully understand the role of the Senate. The Senate is seen more often than not as an annoyance. I am speaking of the institution and not individual senators.

Yes, the role of the Senate is not understood by the majority of Canadians and not seen as fulfilling a useful purpose. In a population where new is better and change is seen as renewal, it is perceived that electing or abolishing the Senate will make things more democratic, accountable and better. If it does not, well, we will just try something else.

Honourable senators, democracy is fragile. Like your heart, you must handle it with care, love and understanding; care keeps us free; the dedication of love will help keep it strong; and without understanding there can be no care or love.

All of that is not new to honourable senators. The Senate is the one chamber in our Canadian governing system where the importance of the Constitution, the history of our federation and the mechanics of governance are understood, where the corporate memory is stored, the wisdom of elders is available for guidance and the patience of age is practised. I am not representing a partisan view, but a personal one based on over 30 years in public service and seven years serving in this chamber.

I have a problem with Bill S-4. Like my home, the Senate is one of those concrete pillars, an integral part of the foundation of our federal democratic system. Where changes are made, we must ensure we have all the information on both the short- and the long-term effects so that the final decision is informed.

Sadly, I feel Bill S-4 presents more questions than answers. We are told it is just the first step, but what is the next step? If we are moving to an elected Senate, then Bill S-4 will lead in one

direction. If appointments are to continue, then Bill S-4 leads in another direction.

The Leader of the Government in the Senate wisely avoids responding to hypothetical questions. Yet, we have what is perceived as a hypothetical bill with all of the earmarks of partisan expediency.

The independence of the Senate is its core. The tenure of a senator provides for that independence. It logically follows that tenure is a fundamental feature thereby requiring provincial consent.

Of all the proposed changes to the Senate, the one that has the strongest argument is the regional imbalance. That has been addressed by the motion on the floor yesterday. Western Canada is not fairly represented. There again, provincial consent is required.

We are left with Bill S-4. Maybe we can get away with the bill, but how can considered study go forward when we do not know how Bill S-4 will be applied? The new tenants may not like the concrete pillar in the family room, but before we agree to change it, let us assess the effects on the tenants on the second and third floor. We want to keep structural integrity, and the forming of a special committee to address Senate change is a good first step. The support of the full Senate to accept this committee gives me confidence that the Senate is once again fulfilling its critical role of careful second thought.

I have read all the speeches given to date on Bill S-4. They all express caution and raise specific concerns, but no one has objected to the notion of change. Some presentations have been scholarly; others addressed regional and minority concerns and historical relevance. In reading the debates, one quickly sees the depth and the wide range of experience represented here and the value it brings.

This proposed legislation holds no threat to any sitting senator. Therefore, the discourse must be seen as objective, and only the concerns of how Canada is governed will be reflected in reports. Surely, how Canada is governed and how well it serves its citizens should be a concern to all.

Let us use this special committee to study the subject matter of Bill S-4 and, with the calling of witnesses from a wide spectrum of Canada, develop recommendations that will keep the foundation strong.

Hon. Percy Downe: Numerous senators have already spoken on Bill S-4. The government members are advancing the argument that the proposed bill is an attempt to start reforming the Canadian Senate; others disagree. It was best summarized by Senator Merchant when she said:

Bill S-4 was born in haste for political aims rather than for good government.

• (1500)

I share many of the concerns of my colleagues, but today I want to focus my remarks on the authority to approve the changes recommended in Bill S-4.

Many previous federal governments considered changes to terms for senators but were advised that a change in term would constitute a change in the method of selecting senators and therefore would be subject to the 7/50 rule in section 42 of the Constitution Act, 1982.

Governments were advised that since 1982 the Department of Justice has held the view that section 42 would apply to any change in tenure to a fixed mandate. It has been argued in the past and accepted by previous governments that the scope of section 44 is narrow and would not cover a radical change in mandate, which would change the essential character of the Senate. Even if such a change were not covered by section 42, it would still fall under the general amending formula of section 38, which is also the 7/50 rule.

I remind honourable senators that the change in tenure of senators in 1965, a reduction from life to age 75, was made through federal legislation, but that change was before the adoption of an amending formula.

I am of the opinion that Bill S-4 requires a constitutional amendment. The Constitution of Canada is the fundamental principle according to which Canada is governed. It is important to remember that constitutional government exists only when all the rules are followed consistently. On the other hand, arbitrary governments exist when rules and laws are altered only to suit the government's own purpose. Neither the federal government nor provincial governments should amend the Constitution simply to suit their own purpose.

It is well understood that the courts have the authority to interpret the Constitution and to resolve conflicts between the provincial and the federal governments. The courts can provide an external check, a safeguard against excessive concentration of power in the hands of the Prime Minister.

The rule of law is the absence of arbitrary government. Citizens of Canada are subject to the Constitution and so are the provincial and federal governments. The courts have the duty to interpret the law, and they are the guardians of the Constitution. Because judges are appointed to age 75, they can apply the law without fear or favour. Tenure allows them that security.

The desire to reform the Senate appears to be a priority of the current government. Attempting to transform an appointed body to an elected chamber is a difficult task and does indeed affect the central character of this chamber. Rather than this piecemeal approach, I urge the government to study examples of changes that have been attempted by other countries. For example, in the United Kingdom, discussions have occurred for decades on proposed changes to the House of Lords. In the 1997 general election, Prime Minister Tony Blair committed to reform that would make the House of Lords more democratic and representative without changing its powers.

The reforms undertaken in the United Kingdom since 1997 have involved, in addition to the election commitment, a white paper, a Royal Commission and a committee of the two Houses of parliament.

In conclusion, honourable senators, the Prime Minister should determine whether Bill S-4 is constitutional by seeking a ruling from the Supreme Court before proceeding with this bill. If the Prime Minister wants to change the Senate, he should withdraw Bill S-4, follow the example of Tony Blair and commission a white paper and a Royal Commission.

Canada deserves a better effort from the government. Prime Minister Harper should go back to the drawing board and rethink what his government and Canadians want from the Canadian Senate.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I want to put a few thoughts on the record, as so many senators have done in this fascinating debate. Yesterday I reread the speeches given in this place on this matter. They have been thought provoking and, in many instances, profound.

Like every other senator, I do not speak to this bill with any fear of being accused of self-interest because, even if this bill were to pass exactly as is, not one of us would be affected. Our jobs, our pay and our powers would remain unaffected. Therefore, we can all speak to this bill out of conviction with no taint of self-interest.

I have always thought that the first and best way to renew this place — I do not like the word “reform” — would be to establish term limits. I believe it is inherently unhealthy to have a situation in which people can hold a job for 45 years. Unless you are the Queen or the Pope, you are likely to falter under the strain of such a long tenure.

However, the bill before us must be considered extremely carefully because it sets out to amend the Constitution and to amend the mechanism of Parliament. Parliament is a complicated and delicate mechanism, and one cannot lightly change any part of it without affecting many other parts of it — possibly causing an unintended effect — in the same way that you cannot yank the cornerstone or any other major stone out of the foundation of a building and not expect some effect.

The first paragraph of the preamble of this bill says that it is designed to be in accordance with the expectations of Canadians. I found that to be staggering, because this bill came out of left field. When the present government campaigned for election, it talked about elected senators, but I do not remember discussions of an eight-year term for senators. I am not sure why the first element the government chose to focus on was tenure, even though, as I said, my own interest has always been to go first after term limits.

Senator LeBreton, in her careful and thoughtful remarks to us in presenting this bill, told us more than once that the bill was predicated on the assumption that we would soon move to elected senators. I suppose the first thing we need to do is look at the bill in that context. Like most of those who have spoken before me, I immediately find myself with many questions and not many answers. However, those answers are necessary before we start playing around with the mechanism of parliament.

What electoral system are we talking about? There have been references to some form of indirect election of senators, which I suppose might refer to having senators elected or, in some other way, nominated by provincial legislatures. As we know, some provinces want direct elections if we have elected senators. Alberta already has a law on its books in this regard, although I share the view that it may be constitutionally assailable.

What electoral system are we talking about? Are we talking about proportional representation? Who will set up the districts? Will it be “one province, one district” so that every senator from Ontario would represent 40 per cent of the Canadian population? In Quebec, would we be respecting the present districts of senators, and if so, is anyone quite sure where the boundaries of those districts lie?

• (1510)

Suppose we settle that matter. We move to elected senators. What is the impact? What are the consequences? What would the impact be on Parliament as a whole, bearing in mind that we operate on the Westminster system; with our own variations, I know, but fundamentally, the Westminster system of responsible government, where the government is responsible to the lower chamber, to the House of Commons.

If we get 100 elected senators in here, no matter how they are chosen, most will be able to claim with some legitimacy to represent more voters than does any MP. They will not sit still for long listening to people say that only the House of Commons shall determine who does or does not form the government, that only the House of Commons has the right to initiate money bills and all those good things. I can see some parliamentary crises right ahead of us, and I think we need to address those possibilities before and not after the fact.

If we move to an elected Senate, what are the prospects for further renewal if we have not, at the same time, made other changes in the Senate? Once again, you will have elected senators in this chamber who think they are as legitimate as anyone else and who have their own electoral prospects to protect. By definition, they will have come here under the old system. Why would they want to monkey with a system that has proved its value by electing them?

What will be the impact of an elected Senate on minorities? Members of minorities, by definition, are less likely to win elections than members of majorities. This chamber has always prided itself on representing minorities, and I include women in the category of “minorities” here, even though I know that statistically we are a majority. It is not an accident that women are stuck at 20 per cent of Commons seats while we hold about a third of the seats in this chamber. That is because of the appointment system. I am not saying that an elected Senate is necessarily a bad thing. I am saying that we need to think hard about it before we gallop down that road.

Last, but perhaps not least, what would the arrival of an elected Senate do to the balance of power between the federal and provincial governments? Do the provinces want another bunch of elected politicians in Ottawa claiming to represent their voters?

[Senator Fraser]

That raises the interesting question of provincial consent and the necessary constitutional amendment. The government has suggested we might be able to move to a system of electing senators without a full-scale constitutional amendment. Many other people, including some very learned people in this chamber, believe that to be a dubious assertion indeed.

If we do require a 7/50 constitutional amendment, how and when will we get it? Others before me have talked about how the road to constitutional reform of any magnitude in this country is long and tortured, which leads to the serious possibility that, despite the government’s intentions, this bill might be the only change that we actually had to live with for a very long time.

[*Translation*]

Someone once said, “There is nothing more permanent than temporary things”.

[*English*]

This might well be the situation that we find ourselves in. Again, on its merits, is this a good bill?

With regard to length of term, why only eight years? How, in that case, would we be different from the House of Commons, where MPs serve a couple of terms and move on? That is not an unusual occurrence. Why only eight years? I will have been here eight years in September, and I am just beginning to understand this place. I am just beginning to feel that I have some knowledge of the workings of the Senate. I have always thought that a good, long term of about 15 years would be appropriate because that would give us time to become skilled and to bring our expertise to bear, and then to move on.

If we have only an eight-year term, who will come? It has occurred to me that this might end up raising the average age of senators, because people would, perhaps — I do not know, but they might — tend to view their term in the Senate, as many do now, as the last step in their career; perhaps the last most fulfilling step in their career, but if the term is only eight years long, by definition, it will start closer to the end of their career than if it is longer.

Much more serious is the matter of renewability. We have heard exchanges this afternoon suggesting that there is serious uncertainty about whether the terms of senators would be renewable. On balance, I tend to think that the text as written supports the government’s assertion that they would be because I suspect that if they were not to be renewable, the bill would say, in English, that a senator shall hold a place in the Senate for a single term of eight years. In French, it is even clearer:

Le mandat des sénateurs est de huit ans.

The bill says nothing about not being renewable. At the very least we have some confusion, and we may have a system of renewability which puts every single senator in thrall forever to the Prime Minister of the day.

We all know how wonderful it is to work here. As was said earlier, there is a strong chance that the great majority of senators would want very much to be renewed, which would mean that they would hesitate to go against the wishes of the Prime Minister of the day, particularly as their term came close to expiry. Indeed, a Prime Minister who was in office for, say, nine years, would have ended up appointing every single member of this chamber and reappointing quite a number.

I know many of us, probably most of us, have, at one time or another, been in a situation evoked earlier in this debate by Senator Banks of angering the Prime Minister, of seeing the Prime Minister gaze at us with real rage. We can do that because we are free. Once we get here, he cannot or she — I hope, one day — cannot do anything about us unless we do something stupid like commit treason, but as we do our jobs, we are free to do them as we see fit. There will be occasions when the way we do that does not please the Prime Minister, even a Prime Minister of our own party. We will lose that if we are in thrall to the Prime Minister for a renewable term, particularly a short renewable term.

I feel that what this would do is give the Prime Minister of the day real control over what arguably is the only part of the government structure that the Prime Minister does not now control directly. The Prime Minister controls the House of Commons. Even in a minority government, the Prime Minister has a great degree of control over the House of Commons. The Prime Minister controls, through the cabinet, the public service. However, at the end of the day, particularly on major issues, the Prime Minister does not control us. Under this bill, the Prime Minister would have control because of that renewable term.

This leads me to note that the appointment process for senators is not touched, which is interesting. What is so democratic about continuing the system where one man gets to choose every member of a whole House of Parliament? That issue is not touched in this bill.

Finally, I note with grave concern the serious questions that have been raised in this chamber about the constitutionality of this bill. I am profoundly impressed by the arguments of those who say that, partly because of the short tenure chosen but particularly because of the erosion of the independence of senators, this bill would change the fundamental and essential nature and characteristics of this place. If that is the case, then it cannot be passed by Parliament alone. The Supreme Court has told us that.

However, we do not have definitive answers to that or any other question. There are so many questions about this bill to which we really need answers. We owe it to the people of Canada to have the answers to those questions, or as many of them as we can get, before we vote on second reading.

Might I have a few moments' leave to continue, honourable senators?

• (1520)

Hon. Senators: Agreed.

Senator Fraser: Thank you. I think we need those answers before we vote on second reading, which is approval in principle of the bill. This bill is sufficiently important that I think that is essential.

SUBJECT MATTER REFERRED TO COMMITTEE

Hon. Joan Fraser (Deputy Leader of the Opposition): Therefore, honourable senators, I move:

That Bill S-4 be not now read a second time, but that the subject matter thereof be referred to the Special Senate Committee on Senate Reform; and

That the Order to resume debate on the motion for the second reading of the bill remain on the *Order Paper and Notice Paper*.

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

Hon. Senators: Question!

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

On motion of Senator Fraser, subject matter referred to Special Senate Committee on Senate Reform.

[*Translation*]

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator Rompkey, P.C., for the second reading of Bill S-207, An Act to amend the Criminal Code (protection of children).—(*Honourable Senator Cools*)

Hon. Roméo Antonius Dallaire: Honourable senators, I rise today to speak in support of Bill S-207, which repeals section 43 of the Criminal Code. This section authorizes parents and teachers to use force to discipline a child.

I have risen for two reasons: first, because for many years I lived in an environment where I witnessed the abuse inflicted upon children by parents and elementary and high school teachers; second, because I chair an informal Senate committee established by Senator Landon Pearson to study ways to eliminate child abuse.

At a time when other countries, such as Germany, Israel, Sweden, Austria, Denmark, Norway, Cyprus, Finland, Latvia, Croatia and Italy, are banning this practice that, in my opinion, is not only useless, but plants the seed of human cruelty on the grandest scale, Canada is mired in legal confusion because of ambivalent and paradoxical legislation.

The three main reasons we as parliamentarians and Canadians must not tolerate section 43 of the Criminal Code are the following: the implementation of the United Nations Convention on the Rights of the Child, the aftermath of such punishment, and the prevention of the escalation and perpetuation of violence.

Canada ratified the United Nations Convention on the Rights of the Child and is committed to implementing its provisions, including Article 19, by taking, and I quote:

...all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence.

Therefore, it is clear that section 43 of the Criminal Code violates at least eight provisions of the international convention to which Canada is a signatory.

The Committee on the Rights of the Child has insisted on the fact that corporal punishment inflicted on children is incompatible with the convention. In October 2003, when Canada made its second report in respect of its obligations under the Convention, this same committee said it was:

...deeply concerned that the State party has not enacted legislation explicitly prohibiting all forms of corporal punishment and has taken no action to remove section 43 of the Criminal Code, which allows corporal punishment.

The Standing Senate Committee on Human Rights, in its report entitled *Who's in Charge Here?*, found that there could not be full compliance or real and complete protection of the rights of the child without concrete implementation of the convention.

The words and signatures on international treaties only have weight if they are accompanied with concrete action. Abolishing section 43 would be an unequivocal step towards implementing the Convention on the Rights of the Child.

As for the issue of rights, punishing a child violates those rights. In her book, *Corporal Punishment of Children: A Human Rights Violation*, which will soon be available in the Library of Parliament, Susan Bitensky supports this argument: to punish a child is to humiliate that child. Punishment implies that a person in a position of authority exerts control and power over a more vulnerable person — more vulnerable, but not inferior. Children are our equals. They are people in their own right.

The report *Who's in Charge Here?* confirms that a rights-based approach implies the obligation to respond to the rights of individuals. The three primary features of this approach, as described in the report, are as follows: first, all rights are equal and universal; second, all people, including children, are the subject of their own rights; and third, an obligation is placed on states to work towards ensuring that all rights are being met.

If we do not have the right to punish or strike an adult, why should we do so to a child or a young person, as young as that person may be? Age cannot and should not be a valid criterion, especially in a society such as ours. On the contrary, children's

vulnerability requires that we give them maximum protection without fail and without hesitation. We quite agree, honourable senators.

As Professor Katherine Covell of Cape Breton University confirms, respecting children's rights is essential to the healthy development of society. To develop a healthy society, we must listen to children and young people. We must allow them to have a say in decisions that concern them and affect their lives. Involving children in finding appropriate solutions to their problems is worthwhile and highly useful. Children are citizens. The report *Who's in Charge Here?* indicates:

Recognizing children as full participants along with their parents and the state, the rights-based framework required that adults justify their actions towards children based on reason, maximum social good, and consideration of children's rationality and preferences.

Honourable senators, the Committee on the Rights of the Child recommended that Canada, and I quote:

... adopt legislation to remove the existing authorization of the use of "reasonable force" in disciplining children and explicitly prohibit all forms of violence against children, however light, within the family, in schools and in other institutions where children may be placed.

Our children deserve to live in an environment where their development is encouraged, an environment where they are protected through prevention.

• (1530)

I am convinced that the greatest benefit of this bill, introduced by my colleague, Senator Hervieux-Payette, is to prevent an escalation in violence and the cycle of abuse.

Studies have again shown that not only is corporal punishment ineffective, but with it comes a high risk of escalation. Violence breeds violence. It has been proven that children who suffer minor physical violence — such as pinching and spanking — are seven times more likely to suffer more serious violent treatment — punching, kicking, or being hit with objects — than children who have not suffered minor physical violence.

Furthermore, studies have established a link between corporal punishment and increased aggressive behaviour in children. Children who receive corporal punishment are more likely to act out, attack their siblings, hit their parents and retaliate aggressively against their peers or future partners. In short, corporal punishment violates children's dignity and physical and moral integrity, thus constituting a violation of their human rights. According to Susan Bitensky, corporal punishment of children displays a lack of regard for our fellow human beings and the degradation of children to an anachronistic sub-human status.

As a responsible nation, we must take into account the recommendations of the Committee on the Rights of the Child, as well as those made in a joint statement by the Coalition in its Joint Statement on Physical Punishment of Children and Youth, which stated that:

Children in Canada must be given the same protection from physical assault as that given to Canadian adults and to children in a growing number of countries. Our children's rights to physical integrity and dignity must be recognized in our law.

Canadian laws must be consistent in communicating a clear standard compatible with Canada's 1991 ratification of the United Nations Convention on the Rights of the Child. Furthermore, the law must not contradict the growing body of conclusive evidence showing that physical punishment offers no benefit; rather, it only produces negative results for children and adolescents.

Finally, honourable senators, allow me to urge you to refer this bill, without delay, to the committee responsible for studying it. Let us not delay the inevitable any longer. Let us show our humanity by respecting the fundamental rights of human beings and repealing section 43 of the Criminal Code.

[*English*]

Hon. Sharon Carstairs: Honourable senators, I do not suspect it will come as any surprise for me to rise and speak on this bill, since I introduced an almost identical bill ten years ago.

I do want to put words on the record as to why I believe the time is right for us to repeal section 43 of Canada's Criminal Code. I challenge all of you to read the Criminal Code. There are, in the Criminal Code, few provisions that are permissive. Almost all sections of the Criminal Code are prohibitive: you cannot do this or that. We do, however, have this one clause that stands out and it is permissive. It says you may use corporal punishment against a child.

If one goes back in terms of the history of this country and of our mother Parliament, the United Kingdom, you will quickly learn that such laws did not always apply only to children. They applied to women as well. You could use corporal punishment as long as the rod was not any thicker than a man's thumb.

We have had the use of this law with respect to those who are mentally disabled. We have had the use of this law with respect to apprentices. We have had the use of this law with respect to midshipmen. Over the years each and every one of those provisions has been removed. Have women run amok around the country? Have midshipmen taken over the ships of the nation? Have apprentices taken over the plants? I think not.

Why are we so frightened to remove this provision with respect to children? I think there are two reasons. One is our concept of possession. Far too many of us still consider our children to be our possessions. Children are not our possessions. They are entrusted to our care, including the care to discipline, but they are themselves. They are their own intrinsic entity.

The other — and it is profound — is the belief that if we take this permission from parents and in some cases teachers — although the Supreme Court stated clearly that teachers no longer had this right — somehow or other we would have inadequate ability to discipline.

I can understand that fear by people who do not have strong parenting skills because as a society, frankly, we do a bad job of providing people with parenting skills.

I noticed when Senator Cochrane spoke on this subject, she made reference to prenatal classes we give everyone as a matter of course and right, but nothing in any of those classes — and I pulled up the curriculum for a number of them — ever talks about what to do after the child is brought home. No parenting skills are taught.

Most of us have experienced the incredible frustration of a child who constantly cries. After doing everything possible to make this child happy, nothing seems to work. Does that give us the right to hit the child or to use corporal punishment against this child?

Like Senator Cochrane, I have spent a number of years in the classroom and, yes, I had some unruly youngsters. My children always said, "You never had to hit us, you just had to use 'the voice'." That is true. The voice is strong. It worked well with high school students. It was a bit of a joke in almost every school I taught in that I was the only teacher in the school who could work the entire auditorium or gymnasium without a public address system.

I am a firm believer in discipline, but I am a firm believer in self-discipline. That is how children learn.

Children who get their driver's licence and insist on driving above the speed limit, even though they may not be caught by the police but are caught by their mothers, quickly know, when they walk in the back door, the keys are handed over and they do not get them back for several months. That is discipline.

• (1540)

A child who could not learn to sit properly at a table found themselves removed from the table. Timeouts, in a loving way, are the basis for discipline. When a child learns that inner discipline — that life is quite happily lived when that child can discipline himself or herself — then not only does one have a happier child, I would suggest that one has a much happier family.

Canada consistently has been in violation of the Convention on the Rights of the Child. When, with the Standing Senate Committee on Human Rights, I went to Geneva and we met with the UN committee, I was deeply ashamed to have to say that yes, Canada is in violation and that no, I do not know when we will ever be in compliance.

I remember particularly one member of the committee from Sweden who said to me, "Do you think Swedish children are that much more undisciplined than Canadian children?" I had to say no, because I have been in Sweden and have seen Swedish children, and they seemed every bit as disciplined as Canadian children. However, they prohibit corporal punishment.

Some people wonder how we will protect the child from self-injury — the child who wants to run across the street and does not want to hold its mother's hand. That is the common law defence of necessity. Of course, you grab that child. You cannot be accused of having committed a criminal act because you saved the child from being hit by a car. It is the defence of necessity.

Children learn from what they see, hear and feel. A child who hears violence learns violence. A child who feels violence knows that it is somehow or other acceptable to let others feel that violence.

Honourable senators, we have a responsibility to the children of this country. We have a responsibility to ensure that they not only have food, shelter and clothing; they have the right to be free — a disciplined free, but not through the use of corporal punishment.

On motion of Senator Comeau, debate adjourned.

DRINKING WATER SOURCES BILL

SECOND READING—DEBATE CONTINUED

On the Order:

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

Hon. Charlie Watt: Honourable senators, I would like to share with you the latest information I have in regard to the lack of clean drinking water. Since I last spoke in this house on this subject, the situation has not improved in the North or across the country. I am still very much concerned because for Aboriginal people across the country, especially in the Arctic, it is not easy to access clean drinking water.

As honourable senators know, chlorine is still being used to purify water. Also, certain regulations that should be followed do not exist in some remote northern communities. For that reason, I support what Senator Grafstein has been attempting to accomplish for a number of years. He has been trying to give the central government at least coordinating responsibilities in that area, even though water is under provincial jurisdiction. I do not understand why the government cannot take responsibility and coordinate matters related to clean drinking water. Water is important to everyone; it is our future.

More important, in regard to Aboriginal people's access to clean drinking water, it is at the point where we do not know anymore who is responsible for clean water. When the provincial government is approached, it has a tendency to say that it does not have any money and that drinking water is a federal responsibility. When we go to the federal government, we get the same response: This is a provincial responsibility, go to the provincial government. We keep getting the runaround.

We have to put a stop to this, honourable senators. Resolution of this issue is long overdue. This item has been on the Order Paper for quite some time, and we should move it forward without further debate.

I understand that the Standing Senate Committee on Energy, the Environment and Natural Resources is undertaking a study of the Canadian Environmental Protection Act, which was passed

back in 1999. I believe that Bill S-208 should be referred to that committee so that it can study the bill while it is reviewing CEPA.

I am led to believe, by Senator Adams, who is a member of the Energy Committee, that the committee is reviewing the shortcomings of CEPA and matters that were not taken into account at the time it was enacted. If we refer this bill to that committee now, the committee can deal with it.

[*Translation*]

Hon. Fernand Robichaud (The Hon. the Acting Speaker): Are honourable senators ready for the question?

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I believe some of you would like to speak to this motion. Accordingly, I would like to take the adjournment of the debate.

The Hon. the Acting Speaker: It was moved by the Honourable Senator Comeau, seconded by the Honourable Senator Stratton, that the debate stand until the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

[*English*]

Senator Watt: I am sorry, Your Honour. I am trying to say that I would like to refer this bill to committee and not just let it sit here on the Order Paper.

[*Translation*]

The Hon. the Acting Speaker: Honourable senators, we have before us a motion to adjourn the debate or stand it until the next sitting of the Senate. Before considering any other matter, we must first dispose of the motion now before us.

Hon. Eymard G. Corbin: Honourable senators, this is a fine example of how difficult it is for Senator Watt to express himself in a language other than his mother tongue.

• (1550)

I understood what he was doing at the end of his speech, in terms that, for him, were borrowed from English; he moved that the issue be referred to the committee. He may not have done so strictly according to the *Rules of the Senate*, but he definitely intended to do so, and he phrased the motion as he was able, in English.

I think that it is incumbent on the Speaker to put the question so that the Senate can dispose of it or debate it, as honourable senators choose.

I warn you, though, that there is a serious language problem in the Senate, and until we solve it, we will be faced with situations such as this.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, if memory serves, the Speaker clearly understood Senator Watt's motion and put the question. Senator Comeau then moved adjournment of the debate on Senator Watt's motion, in accordance with the Rules of the Senate.

However, Senator Watt is right; this bill has been on the Orders of the Day for a very long time already, and it appears that the Standing Senate Committee on Energy, the Environment and Natural Resources is about to begin a relevant study.

Since we are soon going to leave for the summer — and I assume that the committee will not be sitting over the summer — I wonder whether we could reach a compromise and agree to adjourn the debate today and hold a vote on Senator Watt's motion during the first week Parliament resumes in the fall. It seems to me that this would be a natural solution to our problems.

Senator Comeau: Honourable senators, we will try to proceed with diligence and all due respect so that this bill is referred to the committee as soon as possible.

However, I would like to reiterate my invitation to the honourable senators who would like to take part in the debate on this bill, because I would like to give them the opportunity.

Upon our return, if all of the honourable senators who wished to speak to this issue have done so, we will proceed with diligence and refer this bill to committee.

[*English*]

Senator Watt: I apologize for confusing honourable senators with my effort. Perhaps if I were to speak in Inuktitut I would be understood fully.

Honourable senators, I would agree to deal with this matter when we come back in the fall provided we expedite it and refer it to committee immediately. I have no difficulty with that.

Senator Comeau: I cannot let this go without saying that I understood quite clearly what Senator Watt was trying to say. I know that Senator Watt's second language is English and that he must search for words at times. I understood that his motion was to have the subject matter of this bill referred to committee this afternoon. I do not think the fact that English is his second language caused him to not express himself as fully as he is capable of doing.

I did get the message, Senator Watt.

[*Translation*]

The Hon. the Acting Speaker: Honourable senators, I did not understand Senator Watt's motion to refer the matter to committee, and I thought we were going to proceed to vote on second reading of the bill, then refer it to committee.

Of course, the Speaker is amenable, if there is agreement, to giving honourable senators one more chance to look over the bill when they return this fall before sending it to committee without further delay.

[*English*]

Senator Watt: Honourable senators, for correction, please, I did not say "subject matter," but rather I said "the bill" should be referred to committee. There is a difference between the two.

Senator Comeau: That is a good point.

[*Translation*]

The Hon. the Acting Speaker: Honourable senators, we still have before us Senator Comeau's motion to stand the item until the next sitting. I believe there has been some discussion about this to the effect that we will pay special attention to it this fall.

I would now ask honourable senators if they agree to Senator Comeau's motion, seconded by Senator Stratton, to stand the item until the next sitting.

Hon. Senators: Agreed.

On motion of Senator Comeau, debate adjourned.

[*English*]

NATIONAL PHILANTHROPY DAY BILL

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Joyal, P.C., for the second reading of Bill S-204, respecting a National Philanthropy Day.—(*Honourable Senator Prud'homme, P.C.*)

Hon. Jerahmiel S. Grafstein: Honourable senators, this bill has been on the Order Paper since May 9, 2006. Effectively, if this is put over to the fall, it will kill the bill, which calls for the establishment of a national philanthropic day in November. Consider the time frame to send it to the other place, even if it were passed quickly in this house. Senator Prud'homme supports the bill and wishes to speak to it today so that it can be referred to committee.

[*Translation*]

The Hon. the Acting Speaker: Honourable senators, in such cases, when someone indicates that they wish to have an item stand until the next sitting, it is assumed that they wish to have the debate is usually continued at the next sitting of the Senate.

[*English*]

On motion of Senator Prud'homme, debate adjourned.

FOOD AND DRUGS ACT

BILL TO AMEND—SECOND READING— ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Grafstein, seconded by the Honourable Senator Callbeck, for the second reading of Bill S-205, to amend the Food and Drugs Act (clean drinking water).—(*Honourable Senator Keon*)

Hon. Jeremiah S. Grafstein: Honourable senators, I do not want to try the patience of the Senate, but this is a companion piece to an earlier bill that Senator Watt wanted referred to committee. I had hoped that the Senate would give this bill the same consideration and refer it to committee at the same time. I understand that the committee is anxious to receive this bill and proceed with its consideration. Perhaps this bill could be afforded the same general understanding by the Leader of the Government in the Senate or the Deputy Leader of the Government in order to proceed with the bill. The committee is waiting for this bill so that it can be more effective and efficient by considering it in conjunction with other bills already before it.

The Hon. the Acting Speaker: Senator Grafstein, I understand your point. The Senate will endeavour to be as expeditious as possible in referring the bills to committee in the fall. This could be the last sitting day before the summer recess.

• (1600)

Hon. Tommy Banks: For the record, Senator Grafstein is correct. There is a certain efficiency attendant upon the committee to which I expect this bill will be referred in studying the bill with alacrity because that committee is now engaged in the mandated statutory requirement for a review of the Canadian Environmental Protection Act. There are clear connections between that act and this bill which will permit a piggybacking of certain kinds of questions and of certain important witnesses. If we had the reference before us, we would be able to deal with it efficiently.

Order stands.

STUDY ON STATE OF HEALTH CARE SYSTEM

REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the second report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled: *Out of the Shadows at Last*, deposited with the Clerk of the Senate on May 8, 2006.—(Honourable Senator Kirby)

Hon. Joan Cook: Honourable senators, on May 9, 2006, the Standing Senate Committee on Social Affairs, Science and Technology tabled a final report entitled *Out of the Shadows at Last: Transforming Mental Health, Mental Illness and Addiction Services in Canada*. I am honoured to be a member of this committee.

During 2005, we held a series of public cross-country hearings in every province and territory. We heard from approximately 300 witnesses, which produced more than 100 hours of hearings and created 2,000 pages of testimony. It was a most comprehensive study.

The report contains 118 recommendations, including the establishment of a Canadian mental health commission by September 1, 2006. On November 24, 2005, former Minister of Health Ujjal Dosanjh endorsed that recommendation. During the last federal election, Prime Minister Stephen Harper spoke

positively about this initiative by commending the Senate committee for its work and saying it would form a part of his government's overall health strategy. I am very hopeful that by the end of this year this initiative will become a reality.

The commission would establish a national focal point for objective, evidence-based information on all aspects of mental health and mental illness. It would serve as a source of advice for governments, stakeholders, and the public and would increase mental health literacy amongst Canadians.

It is important to note, however, that the commission would not provide any services itself, except for the management of a national stigma campaign and the development of a knowledge-based information exchange centre, which would collect and disseminate information on best practices.

To implement these responsibilities, the Social Affairs Committee recommended that the proposed mental health commission create a board that would operate at arm's length of government and mental health stakeholders. No single stakeholder group, including the government, would hold a majority on the board, which would remain fairly small and would be comprised of commissioners who have appropriate experience and qualifications.

Last month, I held a roundtable with 30 people in my home province of Newfoundland and Labrador. The participants included witnesses who came before us in June of 2005, plus a number of stakeholders, including representatives of the provincial government. I am pleased to share with honourable senators a summary of that event.

The participants were unanimous in their support of the work of the Senate committee and the proposed mental health commission. There was considerable support for the recommendation that the commission not be based on Health Canada because it was widely felt that bureaucracy may be in some cases difficult to work with.

We also learned from participants that it is important that the commissioners do not come to the commission with their own agendas in the forefront. Vision to see the broader picture is critical.

Honourable senators, the commission needs to help my province, in particular, to reach the national standard for mental health care. At present, we lag behind in structure as well as funding. The imbalance of funding across the country makes per capita funding unreasonable.

From the perspective of Newfoundland and Labrador, the priorities are as follows: First, move to a collaborative or team model of care for mental health consumers. We need a community-based model of care, realizing the continuing need for specialized tertiary care and that access is critical to recovery.

Second, increase the amount of mental health education material given to health care providers, mental health consumers and their families and the general public.

Third, improve services to those living in rural and remote areas.

Fourth, pay more attention to identifying and treating mental health conditions when they first occur, especially those beginning in childhood.

Honourable senators, in conclusion, *Out of the Shadows at Last* is the culmination of an unyielding commitment with a passion for change by witnesses, stakeholders, staff and senators alike in how mental health services are to be delivered in this country. Indeed, it is fair to say we have made our path by walking it.

On motion of Senator Cordy, debate adjourned.

THE SENATE

AMENDMENT TO THE CONSTITUTION OF CANADA— WESTERN PROVINCIAL REPRESENTATION— REFERRED TO COMMITTEE

On the Order:

Resuming debate on the motion of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Austin, P.C.:

That

Whereas an amendment to the Constitution of Canada may be made by proclamation issued by the Governor General under the Great Seal of Canada where so authorized by resolutions of the Senate and House of Commons and of the legislative assemblies of the provinces as provided for in section 38 of the *Constitution Act, 1982*;

And whereas it is desirable to amend the Constitution of Canada to provide for a better balance of western regional representation in the Senate;

And whereas it is desirable that the 24 seats in the Senate currently representing the division of the western provinces be distributed among the prairie provinces of Manitoba, Saskatchewan, and Alberta, and that British Columbia be made a separate division represented by 12 Senators;

Now, therefore, the Senate resolves that an amendment to the Constitution of Canada be authorized to be made by proclamation issued by Her Excellency the Governor General under the Great Seal of Canada in accordance with the schedule hereto.

SCHEDULE AMENDMENT TO THE CONSTITUTION OF CANADA

1. Sections 21 and 22 of the *Constitution Act, 1867* are replaced by the following:

- “21. The Senate shall, subject to the Provisions of this Act, consist of One hundred and seventeen Members, who shall be styled Senators.
22. In relation to the Constitution of the Senate, Canada shall be deemed to consist of Five Divisions:

1. Ontario;
2. Quebec;
3. The Maritime Provinces, Nova Scotia and New Brunswick, and Prince Edward Island;
4. The Prairie Provinces of Manitoba, Saskatchewan, and Alberta;
5. British Columbia;

which Five Divisions shall (subject to the Provisions of this Act) be represented in the Senate as follows: Ontario by Twenty-four Senators; Quebec by Twenty-four Senators; the Maritime Provinces and Prince Edward Island by Twenty-four Senators, Ten thereof representing Nova Scotia, Ten thereof representing New Brunswick, and Four thereof representing Prince Edward Island; the Prairie Provinces by Twenty-four Senators, Seven thereof representing Manitoba, Seven thereof representing Saskatchewan, and Ten thereof representing Alberta; British Columbia by Twelve Senators; Newfoundland and Labrador shall be entitled to be represented in the Senate by Six Senators; Yukon, the Northwest Territories and Nunavut shall be entitled to be represented in the Senate by One Senator each.

In the Case of Quebec, each of the Twenty-four Senators representing that Province shall be appointed for One of the Twenty-four Electoral Divisions of Lower Canada specified in Schedule A. to Chapter One of the Consolidated Statutes of Canada.”

2. Sections 26 to 28 of the Act are replaced by the following:

- “26. If at any Time on the Recommendation of the Governor General the Queen thinks fit to direct that Five or Ten Members be added to the Senate, the Governor General may by Summons to Five or Ten qualified Persons (as the Case may be), representing equally the Five Divisions of Canada, add to the Senate accordingly.
27. In case of such Addition being at any Time made, the Governor General shall not summon any Person to the Senate, except on a further like Direction by the Queen on the like Recommendation, to represent one of the Five Divisions until such Division is represented by Twenty-four Senators or, in the case of British Columbia, Twelve Senators, and no more.
28. The Number of Senators shall not at any Time exceed One hundred and twenty-seven.”

CITATION

3. This Amendment may be cited as the *Constitution Amendment, [year of proclamation] (western provincial representation in the Senate)*.—(Honourable Senator Comeau)

Hon. Sharon Carstairs: Honourable senators, I want to congratulate Senator Murray and Senator Austin for the very innovative idea they have put forward by way of this motion.

I have long advocated that British Columbia be considered a region. I must say, however, that I do not think the motion goes far enough. Let me briefly explain why.

It has been recommended that British Columbia be given 12 senators. If one looks at the population of the provinces of Quebec and British Columbia, then 14 senators for British Columbia would be a much more appropriate number. Indeed, that would make the ratio for Alberta, at 10, quite acceptable because senators would both represent about 310,000 people within that province.

I would also suggest that there should be room for growth. If we look at the Province of British Columbia, which is a fast-growing province, as is the province of Alberta, we should be looking to a time when British Columbia may be an absolutely full region, like the regions of Ontario and Quebec. As the census gives more numbers to the province of British Columbia, then British Columbia could, 30, 50 or 100 years from now, actually grow to having 24 senators.

Alberta would remain part of that equation, as would my home province of Manitoba and my next-door neighbour, Saskatchewan. I would like to see the new region, which I guess would be called the Western Region or the Prairie Region, have the potential to grow to 30 senators, like the Atlantic provinces.

That would give a certain balance, I would suggest. If a region is one province and one province only, then the maximum number could be 24. However, if a region included more than one province, then that region could have up to 30 senators, as of course has happened in Atlantic Canada.

• (1610)

In terms of representing western Canadians, of course western Canadians feel that they are inadequately represented in this place. While the numbers are certainly for them in the House of Commons, they are not increasing in the House of Commons for the provinces of Saskatchewan and Manitoba. For us to be part of a region, we would like to think that our representation will increase as well. The solution put forward by Senator Murray and Senator Austin goes some degree toward that.

Honourable senators, this other area is only one with respect to Senate reform that needs our care and our attention. I know that Senator Watt cares passionately — and I agree with his concern — that we have representation guaranteed for Aboriginal senators. I know that Senator Chaput has expressed interest in ensuring that francophones who live outside the province of Quebec be adequately represented.

We have always had thoughtful appointments by Prime Ministers, who have made sure that there was francophone representation for Quebec, but I can understand the desire of francophones in Quebec to have more of a guarantee than just the good wishes and the good sense, if I can put it that way, of a Prime Minister. Francophones in Quebec would like further representation in the Constitution.

Honourable senators, once again, I thank Senators Murray and Austin for putting this concept forward. It provides a whole

raison d'être for the special committee, and particularly for the concept of what rights we have in the House of Commons and Senate to amend the Senate of Canada.

I, therefore, leave with only this remark. I think we have little in the way of rights to amend the Senate of Canada by just the authority of the House of Commons and the Senate. We need to engage the provinces and territories of this country. We need to engage the First Nations of this country. Frankly, to be constitutionally wise, we should send a reference to the Supreme Court of Canada.

Hon. Marcel Prud'homme: I have a short question and comment. If it were to be sent, I would be more than happy.

Having been in Parliament 42 years, I do not need to apologize for saying that I have the impression that I am listening to a debate again that has taken place during my last 42 years about reform of the Senate, including the numbers of seats that were specifically designed, as I said, in the first proposal, in 1970, when I went all across Canada with Senator Molgat who became our Speaker, and Mr. MacGuigan. I have an impression from listening to this representation that we are back to square one with Meech Lake. The views expressed by some honourable senators seem close to some of the proposals that were included there.

I am fully supportive of this motion, except for the last “whereas.” It would have more strength if it were to direct where the 24 seats should be, and what should be sent to a committee is the two “whereas” clauses. With regard to the third one, that 24 seats, et cetera, honourable senators will remember that after a vigorous debate in the Liberal caucus one afternoon, the Right Honourable Prime Minister Chrétien added a fifth veto on certain matters. I must admit I had raised that question the day before. I said I am of the opinion that if the Liberals have any sense they will get up tomorrow morning in caucus and propose that British Columbia be given a veto, one of the five vetoes of Canada in certain matters. I do not want to debate that today.

Would it not add strength to the honourable senator's proposal to send it to a committee if the committee was not told exactly what to study, so that committee members would not get lost in the numbers?

What we want is better representation for Western Canada as a whole. How will it be done? That subject matter should be referred to the committee. However, it is only a proposal.

Senator Carstairs: Honourable senators, there are two ways of looking at the matter. You can send a general proposition or you can in fact send what Senator Murray and Senator Austin have proposed, which is a specific proposition.

The result will be the same. The committee will analyze this proposal, but I do not think that they will limit themselves to it. They will look at other proposals. I have put forward a broader definition of this proposal. I am sure other senators will come forward with more suggestions. I must say, my principal concern at this juncture is not so much the specific ideas but whether we have the constitutional authority to have a constitutional amendment passed only in the House of Commons and the Senate that will change forever the Senate as it currently exists. I do not think we have that authority.

[Senator Carstairs]

Senator Prud'homme: I do not think so either.

Senator Carstairs: I do not know what this committee will resolve. I am not sitting on the committee. However, I do not mind putting broad concepts and broad ideas before the committee, and I trust them to come back with a proposal to the entire chamber.

Hon. Charlie Watt: Honourable senators, I would also like to put myself on the record concerning the subject matter we are dealing with, so-called Senate reform.

Honourable senators, a few years back, trying to put Aboriginal subject matter into the minds of the political players leading up to 1982, I remember clearly one area that was on our agenda, but we did not have a chance to put it forward, to expedite it and make it happen. That is to say, Aboriginal people in this country have to participate when constitutional reforms are dealt with or taken into consideration.

More important, I would like to take advantage of the fact that Senator Murray has put forward the resolution or motion, with Senator Austin, describing the need for proper and equal representation from the West.

There is a group in this country that is currently unrepresented. I would like to highlight this point and make sure it goes on the record. The Aboriginal people in this country are under-represented. They happen to be the first people to occupy this land, the great land we call Canada today.

Unfortunately, our forefathers did not take into consideration that I would be standing here today, dealing with the subject matter that they dealt with many years ago, that is, how the country should be run. I believe our people have contributed to helping the newcomers in many different ways: safeguarding them, directing them and helping them to survive. I think it is only fair that they return the respect.

I believe this chamber is a good place to return the respect and increase the representation of Aboriginal people by way of a special appointment to guarantee a seat for the Aboriginal people.

When Senator Adams and I are gone, as well as the other Aboriginal senators, there is no assurance and no guarantee that we will be replaced by Aboriginal people. On that account, I would like to put on the record the idea of an amendment that will take place down the road, which would require provincial input. I believe the bill before us today requires provincial input.

For that reason, I would like honourable senators to agree that, when a genuine amendment is taken into consideration, the Senate will recognize that Aboriginal people deserve proper and equal representation.

• (1620)

Hon. Lowell Murray: Honourable senators, if there are no further speakers, it would be my intention to make a motion, which, as we were instructed last night, can be made without notice, to refer the motion to a committee.

The Hon. the Speaker: If Senator Murray does speak, it will have the effect of closing the debate.

Senator Murray: Let me make just a few remarks inspired by what we have heard today in particular. Listening to Senator Watt, I cannot forbear to recall that we have come a long way since Prime Minister Diefenbaker appointed James Gladstone to this house in the 1960s at about the same time that Parliament finally granted the vote to our Aboriginal peoples in House of Commons elections.

Since that time, the story has been one of increasing representation, both in quantity and quality, for the Aboriginal peoples in this place. However, I am extremely sensitive to what the honourable senator has just said. Senator Watt would seek some provincial consent to have a certain number or a certain proportion of seats set aside for representatives of the Aboriginal peoples. I appreciate the point the honourable senator makes, although there are half a dozen here now.

Senator Banks: There are seven.

Senator Murray: There is no guarantee they would be replaced by other Aboriginal people. Minorities, and they are a minority, can never depend indefinitely on the goodwill of the majority.

An Hon. Senator: Hear, hear!

Senator Murray: Other minorities have found that to be true. That is why we have a Charter and constitutional guarantees of various kinds. I am very sympathetic to the questions that the honourable senator raised, and I hope they will be canvassed properly and fully at the committee.

I am also quite sensitive to the issue that was raised by Senator Carstairs, which is whether we have achieved the right number in proposing 12 seats for the new region of British Columbia, and 24 seats to be divided 10, seven and seven among Alberta, Saskatchewan and Manitoba.

Senator Austin and I are not dogmatic on this point. He said last night he was open to persuasion. Senator Tkachuk would go farther than Senator Carstairs. He has suggested we go all the way and give British Columbia full regional representation in the Senate with 24 members. In that respect, Senator Tkachuk is a Liberal in a hurry.

Whether it is 12 or 14, as Senator Carstairs suggests, or 24, we propose 12 and 10, four and four for the Prairie region because that is what our soundings indicated to us was practical, feasible and politically palatable in the Senate and, to the extent we have knowledge of it, in the rest of the country among the provinces. I can say this for myself — and I think I can speak for Senator Austin — that if another and different consensus emerges, then we would submit to it and share it.

Finally, Senator Carstairs mentioned that while the representation of all of the West is increasing in the House of Commons, the representation of Manitoba and Saskatchewan has not been. It has been standing still. I should put this on the record because there is a balance between the Houses. Manitoba, Saskatchewan and five other provinces, namely, Quebec and the four Atlantic provinces, are overrepresented in the House of

Commons on the basis of representation by population. When the calculation is made as to the number of seats that each province is entitled to in the House of Commons, British Columbia, Ontario and Alberta have their quota. The representation of all of the other provinces is raised to take account, first, of the Senate floor established in 1915, that no province could have fewer seats in the House of Commons than it has in the Senate, a clause that protected Prince Edward Island and now protects all of the other Atlantic provinces. Second, the 1985 Representation Act brought in by our friend the Honourable André Harvey provided a grandfather clause for all the provinces, in that no province in the future redistributions would have fewer seats than it held in the Thirty-third Parliament, or in 1976. As a result, three of the Atlantic provinces have an extra seat or two on the Senate floor, and the grandfather clause. Manitoba, which I think would have nine seats, ends up with 14, and Saskatchewan, which would have 10, ends up with 14. Quebec, which would have 68, ends up with 75. I am speaking from memory, but I think I have the numbers right.

Boosting Alberta to 10 seats seems to me to be manifestly justified under those circumstances. Boosting British Columbia to 12 in the Senate is justified also because that province and Ontario are the only provinces that are not overrepresented in the House of Commons.

I just make those points, and for the record, Senator Carstairs and others have indicated that this motion to amend the Constitution is one of the matters that should be canvassed at the special committee that we established the other day.

Let me just say, since honourable senators in the two official parties here did me the honour of appointing me to that committee, that I hope we will not succumb to the temptation to make it an extended seminar in constitutional history, constitutional law, theory of federalism or any of those things. My enthusiasm for the project would quickly go south — or east, rather, to Cape Breton — if that were the case.

We all know how we got here. We have access to past studies and there is a particular context in which we are studying this matter today. The context is that the present government has brought forward a bill proposing to go to fixed eight-year terms for the Senate, and proposing to be able to do so under section 44 of the Constitution, at the same time promising that they will be moving, apparently, by non-constitutional means, to an elected Senate. Senator Austin and I have this motion on the floor. Let us try to crunch some of those issues as best we can, and we may serve the cause of Senate reform well and in a practical manner.

• (1630)

REFERRED TO COMMITTEE

Hon. Lowell Murray: Honourable senators, I move that the motion be referred to the Special Committee on Senate Reform.

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

Hon. Senators: Agreed.

An Hon. Senator: On Division

On motion of Senator Murray, motion referred to the Special Senate Committee on Senate Reform, on division.

[Senator Murray]

Hon. Willie Adams: I have a question for Senator Murray before the matter is moved to committee. Somehow the Speaker did not see me rising.

The Hon. the Speaker: It has been decided that the question will be referred to the committee.

Is there leave to allow Senator Adams to ask Senator Murray a question?

Hon. Senators: Agreed.

Senator Adams: Thank you, honourable senators. Nunavut has had a very small population since we settled our land claim in 1993. Nunavut has been operating for over ten years. Our current population of Inuit people is only about 30,000; other Canadians are living up there.

The land claim was for 1,900,000 square kilometres of water and land. I just came back last week from Grise Fjord, which is approximately 1,500 miles from Ottawa. I think that in the future, rather than having representation by population in the Senate, we should have representation based on land base. In this and the last two or three years, oil and gas and mining companies from southern Canada will spend an estimated \$10 billion in exploration in Nunavut. Yet, only one person represents that area in the Senate. Many people from Ontario are making money up there. Why should we not have representation based on land base rather than on population?

Senator Murray: Honourable senators, Senator Watt is welcome to try that on at the next set of negotiations or, indeed, at the Senate committee hearings.

I am not sure that representation in the Senate, however significant, authentic and symbolic that is, is the major problem facing Nunavut these days. I just concluded work on a provincial-territorial committee on fiscal matters. We met with the Government of Nunavut as well as the governments of other territories and some people there. It seems clear to us that the arrangements made in 1992 with the creation of Nunavut, less than ten years ago, have not been adequate. The economic and social conditions there are seriously in need of further investment, and we have made those recommendations. I note that the federal panel on equalization that looked at the financial arrangements between Ottawa and the territories also agreed that a special case must be made for Nunavut because of the conditions of which we are all aware.

Honourable senators, more than that I cannot say except that I think the problems of all the territories, and Nunavut in particular, should engage the priority attention of legislators here and in the House of Commons. I made the point in a debate here some months ago that the negotiations between the federal government and the Northwest Territories on resource revenue sharing have been dragging on for 20 years and have not come to a satisfactory conclusion. For every dollar of revenue produced by diamond mining and other harvesting of resources, less than a dime ends up in the territorial treasury. There is a lot to be debated and done, and I accept that.

I suppose that to some extent land is a factor. We have talked about geographical regions in setting up the Senate. However, I would not anticipate that in the present exercise there will be much increase in territorial representation in the Senate.

DALAI LAMA

MOTION TO BESTOW HONORARY CITIZENSHIP ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Di Nino, seconded by the Honourable Senator Cordy:

That

Whereas Tenzin Gyatso, the fourteenth Dalai Lama of Tibet, has been recognized with the Nobel Peace Prize as one of the world's leading champions of peace and non-violence;

Whereas His Holiness the Dalai Lama will visit Canada from September 9th to the 11th of this year; and

Whereas the Senate of Canada has previously acknowledged historic visits to Canada by other leading champions of human dignity, such as Raoul Wallenberg and Nelson Mandela, by adopting motions granting them "honorary Canadian citizenship";

Therefore, the Senate of Canada supports the resolution of the Other Place to bestow the title "honorary Canadian citizen" on His Holiness the Dalai Lama of Tibet.—(*Honourable Senator Di Nino*)

Hon. Consiglio Di Nino: Honourable senators, I wish to thank those who intervened on this item yesterday. This issue is one in which I obviously have a very strong interest. There are a couple of issues that need to be clarified.

I would first like to deal with the fact that the motion contains a reference to a visit by Raoul Wallenberg.

Hon. Eymard G. Corbin: On a point of order, is Senator Di Nino closing the debate?

The Hon. the Speaker: Senator Di Nino has five minutes remaining in his time. He adjourned the debate for the remainder of his time. During debate and questioning yesterday, some difficulties with the motion were commonly identified. I anticipate that we may hear from Senator Di Nino something about rewording the motion, for which he will need the consent of the house.

MOTION MODIFIED

Hon. Consiglio Di Nino: Honourable senators, there is a reference to a visit by Mr. Wallenberg. I should have known better because I did quite a bit of research when I presented my motion.

I would like to ask leave, pursuant to rule 30 of the Senate, to modify the motion to delete the words "historic visits to Canada by" in the third paragraph of the motion. The motion would then read:

Whereas Tenzin Gyatso, the fourteenth Dalai Lama of Tibet, has been recognized with the Nobel Peace Prize as one of the world's leading champions of peace and non-violence;

Whereas His Holiness the Dalai Lama will visit Canada from September 9th to the 11th of this year; and

Whereas the Senate of Canada has previously acknowledged other leading champions of human dignity, such as Raoul Wallenberg and Nelson Mandela, by adopting motions granting them "honorary Canadian citizenship";

Therefore, the Senate of Canada supports the resolution of the Other Place to bestow the title "honorary Canadian citizen" on His Holiness the Dalai Lama of Tibet.

I have that modified version in both official languages.

Honourable senators, the only change was the removal of the words "historic visits to Canada." Otherwise, the motion remains exactly as it was yesterday.

Yesterday, both Senator Austin and Senator Fraser asked me about criteria and procedures.

• (1640)

I engaged the Department of Citizenship and Immigration and the Library of Parliament. As of 3 p.m., the only information I could obtain was a number of references in debates that I will deal with momentarily. As far as I have been able to determine, there are no criteria or procedures established for granting honorary citizenship. However, in both instances where this occurred previously, both Houses passed resolutions to that effect.

When I was reviewing the information I was able to find that, on Thursday, June 7, 2001, in the other place, during the debate dealing with awarding honorary citizenship to Nelson Mandela, Mr. Deepak Obhrai said, among other things:

...I think the bestowing of honorary citizenship requires a procedure that all hon. members and all Canadians can support.

He also said:

That is why I propose that the government set up an all party committee to lay the ground rules for such a high honour. The committee would continue to accept and ponder recommendations and debate the merits of each nominee.

As well, in this chamber, honourable senators, once again dealing with the honorary citizenship for Mr. Mandela, Senator Prud'homme gave notice of a motion which I was unable to confirm was ever moved. His notice of motion said that it will call

the attention to the Senate to the way in which, in the future, honorary Canadian citizens should be named and national days of remembrance proclaimed for individuals or events.

The Hon. the Speaker: Honourable senators, Senator Di Nino's formal time has now expired. He is requesting leave for a continuance.

Some Hon. Senators: Five minutes.

The Hon. the Speaker: Five minutes.

Senator Di Nino: Senator Cools — and this is a little strange, because the motion was never moved — asked for and was given permission to speak on this issue. I quote what she said on this point.

At some point in time, perhaps we could begin, as a Senate chamber, to look at the question of how we choose those on whom we confer the phenomenon of honorary citizenship. While we are at that, we should also look at the whole phenomenon of how we confer honours, how we choose them, and what kinds of honours are most fitting to any nation or any country.

Therefore, it seems there are no established criteria for procedures, and there do not seem to be any rules as to whether we, as a Senate or in the other place, can do this on our own. I believe I have answered all questions that were posed yesterday. I hope honourable senators will see fit to pass this motion today.

Hon. Joan Fraser (Deputy Leader of the Opposition): Honourable senators, I want to be sure that I understand.

I believe the honourable senator said that in the previous cases both chambers passed resolutions. Basically, the motion is a resolution. In his view, are we following the same procedure that has been followed in the past?

Senator Di Nino: Yes.

Hon. Marcel Prud'homme: Honourable senators, I will make a few comments and take the adjournment of the debate.

We are now in a position of accepting something different from the House of Commons. I have hours of debate prepared. I tried to have a process underway, but I did not succeed. That is why I withdrew.

I was present in the House of Commons when honorary citizenship for Mr. Raoul Wallenberg was proposed. It was done on the evening of Monday, December 9, 1985, in the worst way possible, under the utmost of secrecy. It was during private members' hour. I allowed it to pass at one minute to six. I was the one who really said who Mr. Wallenberg was in the midst of the urgency of all the members attempting to have him declared an honorary citizen.

We have senators here today who were here on December 10, 1985, when that resolution, proposal or wish — that is the way it was put — came to the Senate. One honourable senator requested a day of reflection to consider his position. That was Tuesday, December 10, Human Rights Day. He said no. Therefore, having

no other business to deal with, the Senate adjourned for that day. Some senators from that day are here today.

However, our friend who was higher up at that time, in 1985, convinced former Senator Roblin, the Leader of the Government in the Senate at that time, to call Mr. Guy Charbonneau, a friend of mine, who was in Vaudreuil at the time. He was ordered back to Ottawa to call a completely new sitting of the Senate that afternoon past 4 p.m. It is the only time in the history of the Senate it was called back on the basis of national urgency. I see seven senators who were there.

The Senate sat a second full sitting, but some senators who had left did not come to the second sitting. For those who are interested, I refer you to December 9 and 10, 1985. It was completed in the wrong way for a great personality, a great and first honorary Canadian citizen. Remember, honourable senators, that there have been only two honorary citizens in the United States: Winston Churchill and Raoul Wallenberg.

Nelson Mandela was not dealt with in a much better way. Even though one member of the Alliance at that time, Mr. Anders, violently protested, calling him a communist and a terrorist, and refused to give consent five times, one of our distinguished colleagues here, Senator Oliver, called him back to order. I have the text of June 2001 here today. He strongly disagreed with Mr. Anders for his comments made in the other chamber.

Eventually, people saw the light. After five attempts, Minister Cullen succeeded, and the motion was then sponsored here by Senator Cools. I contacted the Ambassador of South Africa, who was in the gallery, and we agreed on the text. I have the transcript of the ceremony that took place on November 19, 2001, for those who are interested in how the proclamation was conducted. Honourable senators, that matter was put to the House of Commons at the last minute of Parliament last week, June 22, and it was written improperly.

We are now being asked, without familiarity with the process, to come establish a process for proclaiming an honorary Canadian citizen. I want the same thing to apply to national days of any kind. We must have a process. One cannot just stand up and ask for consent. At the time, the House of Commons on June 22, this was not serious.

• (1650)

I am not giving consent. I want to adjourn the few minutes I have left to the next sitting of the Senate so that we implement a process and a proper resolution. Tenzin Gyatso will be known in September as having been honoured erroneously by the House of Commons, but I hope not by the Senate.

The Hon. the Speaker: It has been moved by the Honourable Senator Prud'homme, seconded by the Honourable Senator Comeau, that further debate be adjourned until the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

The Hon. the Speaker: Those in favour of the motion will signify by saying "yea."

An Hon. Senator: Yea.

The Hon. the Speaker: Let me put it more formally. The motion is moved by the Honourable Senator Prud'homme, seconded by the Honourable Senator Comeau, that further debate be adjourned until the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion? Those in favour of the motion will please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

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

Hon. Jeremiah S. Grafstein: Honourable senators, just to clarify my position with respect to this resolution, I listened carefully, as always, to what my colleague Senator Prud'homme had to say about procedure, practice, policies and so on. To my mind, to be fair to our colleague Senator Di Nino, this resolution is absolutely clear on the face of it. He should know, as all senators should, that there is no weight to be given to recitals. They are preparatory and explanatory, but they have no weight. The key is the words, and I repeat them for the sake of the Senate:

Therefore, the Senate of Canada supports the resolution of the Other Place to bestow the title "honorary Canadian citizen" on His Holiness the Dalai Lama of Tibet.

This is absolutely clear. It is consistent with the resolution in the other place. We are asked to join the resolution in pith and substance. The recitals, to my mind, can be different, because there are different reasons for coming to a conclusion, but in terms of the practice and procedures of this place, this is an absolutely fine, concise and clear concurring resolution. I support it.

Senator Prud'homme: Having been misquoted by my colleague —

An Hon. Senator: Question!

The Hon. the Speaker: One minute please, honourable senator. We are on Senator Grafstein's time. If he would accept questions, questions can be put to Senator Grafstein. We will then be back at debate on the main motion.

Senator Prud'homme: I will put a question to him. In the name of consistency, it is not the same thing. Mr. Raoul Wallenberg never came to Canada. If you carefully read the resolution that was passed so quickly, moved by a gentleman named David Sweet, the member for Ancaster—Dundas—Flamborough—Westdale, he talks about honouring people who have visited us. He was speaking about Mr. Mandela.

I am sorry. The honourable senator is asking for consent to join the House of Commons in a motion that is not correct. What is the Senate all about? Is it to just rubber stamp something done incorrectly by the House of Commons? Read the motion from the House of Commons. The honourable senator knows very well the question I am talking about and that I allowed to pass at one minute to six on December 9, 1985. I was the only one who spoke

highly about Mr. Raoul Wallenberg because no one wanted, in their urgency, to declare him a Canadian citizen. We should at least know who was the first honorary Canadian citizen. Today we are asked to join with the House of Commons in a motion that is wrong. Please enlighten me. I am not stubborn; I would just like to be enlightened.

Senator Grafstein: Again, a recital is preparatory, explanatory and can be different in each House. The key question is whether or not, in pith and substance, the resolution joins the substance of the other House. Again, it reads, "The Senate of Canada supports the resolution of the Other Place ..."

I do not think, honourable senators, it is rubber stamping. We all appreciate the long and arduous arguments Senator Di Nino has made with respect to the Dalai Lama. We all understand it. We sat here and heard it. This is not new. This is not sudden. This is not surprising. This is consistent with his philosophy about this. Quite frankly, I agree with him that we should bestow an honorary Canadian citizenship upon His Holiness the Dalai Lama, each for our own reasons. I agree that he is a man of peace and non-violence and a Nobel Prize winner. That alone would be adequate justification in these circumstances to support this resolution.

[*Translation*]

Hon. Eymard G. Corbin: Honourable senators, I would like to reiterate certain comments I made in the past concerning this type of initiative.

Honourable senators will perhaps recall that I proposed, some time ago, that the Senate, Parliament and the government establish a procedure that would allow for the designation of certain days, months or years to recognize certain causes and special occasions or commemorate certain events or anniversaries, such as the Year of Maple Syrup or the Year of the Dalai Lama.

At present, that procedure is rather vague. Anyone can rise at any time and propose that a week be designated to recognize a special occasion.

Moreover, when I was a member of the other House, I proposed that a National Family Week be designated. Unfortunately, I was a member of the opposition at that time and government members defeated the motion, despite the support of the NDP.

I was appointed to the Senate shortly thereafter. My proposal was taken up by another MP, the other House adopted it and the Senate approved that decision to designate a National Family Week.

Since then, a number of other initiatives of this kind have been proposed. Two or three years ago, we had before us a proposal to designate 2004 the Year of Acadia. During the study in committee, I suggested that a process be established to determine what steps to take in such situations. I also proposed that a formal protocol be established to mark the occasion. My comments on this matter were ignored several times, in the Senate and in committee, and now we are here with another proposal.

I do not question the moral value of the people we are being asked to honour. Nonetheless, as a senator, I must be sure that things are done in a certain order and not according to the mood of the day, with spontaneity that pleases some and not others.

It is time for Parliament and the Government of Canada to join forces to establish procedural rules and to proceed with some dignity and a definite protocol.

Earlier today, Senator Grafstein spoke to Bill S-204, respecting a National Philanthropy Day. This initiative comes under the same category. We come up with all sorts of proposals. I listen to the intelligent comments, the arguments, and the logic of the motion, and yet, no one bothers with process.

• (1700)

All that I ask is that we establish rules once and for all so that we no longer end up at the close of a session, adopting, under the vague moral pressure that everyone is behaving themselves, motions to which we will not object because the cause is noble.

I would certainly like everyone to honour the first of my ancestors who came to Canada. What would stop me from proposing such a thing one day, and who among you would object? That is what is so ridiculous about this situation. Let us establish a process once and for all and proceed with these designations with honour and ceremony.

To resolve this issue, we ought to refer this motion to committee, but the Senate already decided a few moments ago that it was out of the question to send it to committee at this time. The debate remains open. I will not adjourn the debate today and it is with the greatest possible passion and sincerity that I say to you, honourable senators, ladies and gentlemen of the government — bring some order to all of this! It is starting to become ridiculous.

[English]

Hon. Hugh Segal: Honourable senators, I am always informed and educated by my colleague, Senator Corbin, whose judgment and sagacity I have come to respect on our Standing Senate Committee of Foreign Affairs, as I am by Senator Prud'homme whose great service to the Parliament of Canada for so many years reflects his commitment to fairness, decency and balance on some of the more difficult issues of our time.

Let me suggest, as a relatively new person and member of "le Parti vert ici" that there are really two issues before us. Like the two thirds majority in this house, I was appointed by a Liberal Prime Minister and let me say there are two issues before the chamber. The first aspect is the substantive issue of the Dalai Lama. I put it to colleagues that with the arrival of His Holiness in early September, before this chamber is likely to reconvene, based on whatever the leadership of the two parties decide, our opportunity to be supportive of the House, which did pass the motion unanimously on a multipartisan basis, is probably now or never. I would be troubled in view of what the Dalai Lama has come to represent not only to us in this place or only to those who have strong views about Tibet — I do not number myself amongst those — but to those who have strong views

[Senator Corbin]

about peaceful coexistence, cooperation and the spirituality of his linkage with so many millions of young people across the world, if we were to pass up this constructive opportunity. I would hope that colleagues would choose not to pass it up.

Having said that, I would be more than delighted to collaborate with other colleagues on a motion with respect to setting up precisely the formal committee that Senator Corbin so constructively underlined, relative to a process Senator Prud'homme has also referenced on so many prior occasions. We have an opportunity to affirm our support for the Dalai Lama as a personage of standing and spiritual significance for all Canadians and, at the same time, make a common undertaking across the floor, if honourable senators are prepared to do so by virtue of what we put on record, to deal with the issue in a constructive way in the fall so this kind of matter cannot come before this body in this fashion ever again. Certainly on that basis I would be very supportive of my colleague's motion.

Senator Fraser: Senator Segal has it just right. I believe that there is strong support in this chamber for the motion concerning the Dalai Lama, and I cannot blame Senator Di Nino for using the system as it now exists. That is the system. That is what he and our colleagues in the other place have used.

Senator Prud'homme, Senator Corbin, and now Senator Segal, are absolutely right; it is not as good a system as it should be. Therefore, I, too, would be glad to cooperate, if, when we return, we were to strike a working group to come forward with recommendations about how we could establish a better procedure to bring some regularity. I would not want to do away with all spontaneity. We are supposed to have spontaneity in Parliament; there is not enough of it. I agree, however, that the existence of some criteria and a better procedure would be a good thing. I would be very glad to cooperate in that.

Hon. Sharon Carstairs: Honourable senators, I hope I will make a useful suggestion. Shoot me down if I do not.

It appears that we have a resolution that has come from the other place, which is incorrect. Senator Di Nino has corrected our version of that. What we really want is the message of what we want the Dalai Lama to receive.

If, in the last paragraph, we took out the words "the resolution of the other place to bestow" and it read: "Therefore, the Senate of Canada supports bestowing of the title honorary Canadian citizen on His Holiness the Dalai Lama of Tibet..." if that would resolve some of the issues before us today, then I hope we could all support this resolution.

Senator Di Nino: I would totally support that.

Senator Prud'homme: Senator Carstairs is very helpful. I just proposed the same thing to Senator Di Nino, that we should not join the House of Commons in a motion that is erroneously written. I do not have the English now; I have only the French. With permission, that the Dalai Lama, His Holiness, will be in Canada. Therefore, the Senate —

[Translation]

The Senate bestows the title of Honorary Canadian Citizen on His Holiness the Dalai Lama.

[English]

In this way we can avoid all of the mistakes that were made in the House of Commons.

An Hon. Senator: Question!

The Hon. the Speaker: The question is called and I will read the motion as I understand it before I put the question. It was moved by the Honourable Senator Di Nino:

That

Whereas Tenzin Gyatso, the fourteenth Dalai Lama of Tibet, has been recognized with the Nobel Peace Prize as one of the world's leading champions of peace and non-violence;

Whereas His Holiness the Dalai Lama will visit Canada from September 9th to the 11th of this year; and

Whereas the Senate of Canada has previously acknowledged historic visits to Canada by other leading champions of human dignity, such as Raoul Wallenberg and Nelson Mandela, by adopting motions granting them "honorary Canadian citizenship";

Therefore, the Senate of Canada supports the resolution of the Other Place to bestow the title "honorary Canadian citizen" on His Holiness the Dalai Lama of Tibet

Is it your pleasure to adopt the motion?

Hon. Senators: Agreed.

Motion, as modified, agreed to.

• (1710)

BANKING, TRADE AND COMMERCE

COMMITTEE AUTHORIZED TO STUDY SOFTWOOD LUMBER AGREEMENT

On the Order:

Resuming debate on the motion, as amended, of the Honourable Senator Ringuette, seconded by the Honourable Senator Milne:

That the Standing Senate Committee on Banking, Trade and Commerce study and report on the Canada-United States agreement on softwood lumber;

That the Committee analyze, among other things, the impact of Canada's resource management on sovereignty, the impact on the interpretation of NAFTA chapters 11 and 19, and provisions contained in the agreement with regard to financial support for the industry and its workers;

That the committee submit its final report no later than October 2, 2006;

And on the motion in amendment of the Honourable Senator Stollery, seconded by the Honourable Senator Corbin, that the motion, as amended, be amended by replacing the words "Banking, Trade and Commerce" in the first paragraph with "Foreign Affairs".—(*Honourable Senator Segal*)

Hon. Hugh Segal: Honourable senators, I want to speak in support of the motion as it now stands. It represents a motion that was first proposed by the Honourable Senator Ringuette and then amended by Senator Stollery. In the case of Senator Stollery, I think he argued quite responsibly that matters of foreign trade should fall within the purview of the Standing Senate Committee on Foreign Affairs and International Trade.

I have detected — I think it is neither unfair nor partisan for me to comment — Senator Ringuette's intense interest in having a detailed and broad discussion of whatever flaws may exist in the purported lumber agreement between our two countries, notwithstanding the fact that the agreement itself has not been signed.

My anticipation, from the wording of the resolution, is that if the agreement is signed, as everybody hopes it will be — certainly on this side and perhaps in other places in the country — over the next three or four months, then we could have the committee review the actual agreement, inviting the minister and officials, plus other groups who may have legitimate concerns to express.

I respect Senator Ringuette's desire, which is appropriate for a leading senator on the opposition benches, to underline the difficulties and weaknesses in the government position — that is her constitutional obligation. I will take this resolution to the steering committee of the Standing Senate Committee on Foreign Affairs and International Trade and seek their consent for an orderly plan to consider the actual proposition as it emerges. Based on their decision, I would report back.

Therefore, the date of October 2 may produce a report which merely says the committee is considering how it may seek to proceed. However, I have no difficulty with proceeding on that basis, as long as honourable senators understand that I am doing so in support of my colleague, Senator Stollery, and the desire to have a rational discussion when all the facts are on the table, which I am sure, at some level, Senator Ringuette would appreciate as well.

Hon. Jack Austin: Honourable senators, I do not intend to intervene on the substantive part of the motion, but simply on a long-standing procedural question. I would like to draw to the attention of the present chair of the Standing Senate Committee on Foreign Affairs that its actual mandate includes international trade, but that the title of the committee has never added that phrase, although it did so in the other place. I would suggest to the chair, Senator Segal, that the committee consider whether it would not avoid confusion in terms of mandates of committees simply to adopt that title as well, to explain that the committee's mandate deals with foreign affairs and international trade, and that the banking committee mandate deals with banking, trade and commerce. The trade and commerce reference is to internal Canadian trade.

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

Hon. Joan Fraser (Deputy Leader of the Opposition): I simply wanted to observe that I greatly appreciate Senator Segal's constructive attitude. Obviously, all senators always wish to do proper, thorough, fair study of whatever matter is before them.

On the matter of the date, I had observed myself that October 2 might be cutting it a bit fine. I would have proposed a motion in amendment, but Senator Ringuette is at committee right now and I would not want to do that without her consent. I would observe that it is also equally possible for a committee chair to come and request an extension of the mandate. It is not difficult.

Hon. Peter A. Stollery: Just to wind it up, honourable senators, I made my points the other day when I moved the amendment. I agree with Senator Segal, and I strongly subscribe to Senator Austin's observation, that we really should get around to changing the name of this committee. This is an important procedural question, because if we start sending things to the wrong committees, that has a lot of implications.

My intervention is nothing more than it should go to the right committee. It is not in any way to be taken as a plan to deal with the issue before the committee is ready to deal with it.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have just one brief comment. I think a lot of confusion regarding to which committee these items are sent might be avoided when the individual senators plan to propose a motion of referral to a committee. Individual senators could verify with the committee chair, the deputy chair and members of the committee whether they would agree to look at an issue. If honourable senators would follow this procedure rather than moving a motion, and finding out afterwards that the matter is referred to the wrong committee, we would avoid much of this confusion. This shows to us that the homework was not done prior to moving this on the Senate floor.

I am quite sure the members of the committee in question would indicate to the senator that the choice of committee was wrong. Before moving motions, we should do our homework.

Senator Fraser: Question.

The Hon. the Speaker: I hear the question being called. It was moved by the Honourable Senator Ringuette, seconded by the Honourable Senator Milne:

That the Standing Senate Committee on Banking, Trade and Commerce study and report on the Canada-United States agreement on softwood lumber;

Some Hon. Senators: Dispense.

The Hon. the Speaker: I will read it because there is an amendment that attaches to it.

That the committee analyze, among other things, the impact of Canada's resource management on sovereignty,

the impact on the interpretation of NAFTA chapters 11 and 19, and provisions contained in the agreement with regard to financial support for the industry and its workers;

And that the committee submit its final report no later than October 2, 2006.

And on the motion in amendment of the Honourable Senator Stollery, seconded by the Honourable Senator Corbin:

That the motion as amended be amended by replacing the words "banking, trade and commerce" in the first paragraph with "foreign affairs."

The Hon. the Speaker: On the motion as amended, is it your pleasure, honourable senators, to adopt the motion?

Motion, as amended, agreed to.

[Translation]

THE SENATE

MOTION TO ACCOMMODATE SENATORS SPEAKING IN ANCESTRAL LANGUAGES—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Corbin, seconded by the Honourable Senator Bryden:

That the Senate should recognize the inalienable right of the first inhabitants of the land now known as Canada to use their ancestral language to communicate for any purpose; and

That, to facilitate the expression of this right, the Senate should immediately take the necessary administrative and technical measures so that senators wishing to use their ancestral language in this House may do so.—(*Honourable Senator Comeau*)

Hon. Eymard G. Corbin: Honourable senators, I would like to know whether my honourable colleague, Senator Comeau, intends to speak to this motion early in the fall.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, the repercussions of adopting this motion could be very significant, which is why I intend to indicate where I stand this the issue in the fall. I believe other senators are also interested in this matter.

Order stands.

[English]

ISSUES ON FOREIGN TRADE

INQUIRY—DEBATE ADJOURNED

Hon. Jack Austin, for Senator Stollery, rose pursuant to notice of May 4, 2006:

That he will call the attention of the Senate to issues in foreign trade.

He said: Honourable senators, this item has reached the fifteenth day. The subject of issues in foreign trade is a very important one to Canadian policy. We have seen many comments now made by the Minister of International Trade, the Honourable David Emerson, with respect to bilateral agreements and Canada's desire to advance its international trade program. I think this subject would well merit additional consideration.

I would ask the consent of honourable senators to rewind the clock on this item.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Done. What clock?

On motion of Senator Fraser, debate adjourned.

• (1720)

KYOTO PROTOCOL

GOVERNMENT POSITION—INQUIRY— DEBATE ADJOURNED

Hon. Grant Mitchell rose pursuant to notice of May 30, 2006:

That he will call the attention of the Senate to the stated intention of the Canadian government to weaken the Kyoto Protocol, and to dismantle 15 climate change programs, including the One-Tonne Challenge and the EnerGuide program.

He said: Honourable senators, I address my inquiry on the Canadian government's stated intention to weaken the Kyoto Protocol to emphasize my dismay and distress over government inaction in this respect and to summarize a number of things I said during the session, particularly in Question Period, for the record and to emphasize my point.

The issue of climate change is the issue of the 21st century. It is extremely difficult to understand how the government could argue that it has had only three or four months to develop its plan. The government sat in opposition for a long time and could have made use of that time to take initiative on this important issue. In fact, during that period of time in opposition, the government prepared to take initiative on a number of important issues. It took initiative in cancelling these programs without sufficient time to properly evaluate them. The One-Tonne

Challenge and the EnerGuide programs, contrary to strong evidence and advice from advisers in the department, were cancelled. Thirteen years in opposition is plenty of time to develop a proposal, but a few months in government and programs are cancelled without taking the time to evaluate them properly.

The problem of climate change is significant to Canada and to the world. Anyone can read the litany of evidence, which is clear. The 2005 hurricane season in the U.S. was the most active and destructive on record. In 2003, more than 30,000 premature deaths occurred in Europe as a result of one of the worst heat waves on record. Glaciers across the world are shrinking at such a rate and extent that by mid-century Glacier National Park in the U.S. will have no glaciers. Sea levels are rising so fast that many small islands in the Pacific have no future. I am reading from an article in the *Toronto Star* by James Ford. This is just one of an infinite number of articles or studies that would defend and emphasize that climate change is a real issue that needs to be addressed.

I am confronted by at least one member on the government side in the Senate who said that it is obviously bad science and nothing can be proven. He was good enough to give me an article in the *National Review* that argued that case. Interestingly enough, the author was not a scientist but an ideologue.

The current level of massive consensus exists on few other scientific questions. The scientific community agrees that this problem is real, is caused by human-driven emissions and that to argue it as a scientific debate is absolutely wrong. Rather, the debate should be scientists versus ideologues, who, for whatever reason, will not acknowledge that this problem exists. If we argue the problem does exist and we are wrong, the ideologues say that no harm can be done and that the outcome could only be good. If we argue incorrectly that it does not exist, and we are wrong, there would be untold damage, and much of that is being created even as I speak.

I am dismayed that nothing is being done and there is profound evidence of a lack of leadership in this government where it counts. Programs have been cancelled, literally with no supporting evidence or evidence to the contrary. Lip service has been paid to replacement programs, one being the bus-pass program which clearly is an afterthought replacement that was originally designed as a vote-buying program. Certainly, it is not an effective replacement because it is so inefficient in reducing greenhouse gas emissions.

Recently, the Minister of the Environment went to Saskatchewan to announce an ethanol program, which truly defied the imagination in wondering how an announcement of an ethanol program could be so limited and so poorly thought out. The program states only that there would be a requirement for 5 per cent ethanol in gasoline in 2010, I believe. No mention was made of the many issues that farm communities are determined to see action on, such as value-added, which must not elude farmers as so many other projects have. There is a need to ensure that the production of ethanol is Canadian and that the producers participate in the value added by that ethanol production. That issue was not addressed in any way in the announcement by the minister.

The minister, who should embrace public contact, debate and public input, is literally running away from it. Perhaps it was a scheduling conflict, but she failed to appear for her meeting at the Federation of Canadian Municipalities, which comprises more than 1,000 municipalities in Canada, representing upwards of 80 per cent of the Canadian population. The FCM fully endorsed the Kyoto Protocol and is pursuing its objectives under that agreement. The minister also failed to attend the Toronto Smog Festival because of a scheduling conflict, again. One conflict, it was said, was her need to be in the House for a vote and the other, it was said in this house, was her need to speak here. Well, she had to be there to speak so why choose one over the other? The minister has refused to meet with the House of Commons Standing Committee on Environment and Sustainable Development and to meet with the Standing Senate Committee on Energy, the Environment and Natural Resources. One would think that a leader who was intent upon doing her job properly would want to receive input from her colleagues and from this house as well.

On various occasions, she has given us “evolving reasons” for cancelling programs. The first reason was that our programs were inefficient, but the government could not have meant that because it replaced inefficient programs with less efficient programs. The second reason was failure to meet objectives under the Kyoto Protocol. However, the government does not believe that reason because their answer is to bring in a program that will have lower objectives, thereby entrenching failure to meet Kyoto objectives. The third reason is the refrain that we need a made-in-Canada policy. All 15 programs that the government cancelled out of hand were made in Canada and apply only in Canada. Only tradable permits might have a partial implication outside of Canada, but that program has not been established yet.

Honourable senators, review the reasons for the cuts and understand that none of them truly work because they are illogical, although they might have a certain political cachet and refrain with some residents. The real reason the programs were cancelled is that the government wants to spend the money on other things. It nixed the Kelowna agreement out of hand, which was likely easy politics from the government’s point of view. It has cut environmental programs out of hand, which saves a great deal of money. It is cutting the national daycare program proposed by the previous government because the program is not politically representative and because it will save money. Where is the government spending the money it saves?

• (1730)

They are spending that money on a GST cut which every economist except one in this country would say is not good for the economy or for productivity and is far less effective in promoting productivity than cutting income tax. In fact, they have raised income tax, so they needed money to do that. They needed money for their \$1,200 per year child care program, which really is not a child care program, or certainly not an early childhood learning program. They needed money to address a fiscal imbalance which literally may not exist. They need money to pay for the prisons that will be required by their mandatory minimum sentences program, which will not result in a reduction of crime; it will simply result in costing us a great deal more money. They find the money by cutting environmental programs.

[Senator Mitchell]

My belief is that this issue of climate change is the issue of our times. It is a hugely significant and important issue. It is an issue that has, ironically, many advantages for Canada. Canada can be a leader in technology and in research and development in this area because we have such a high stake in energy. There is a motivation in places like Alberta to find ways to make energy cleaner and better and to pursue alternative energy sources. There are huge opportunities for Canada, as an economy of the future, to lead the world on this important challenge. This can be a great unifying venture for Canadians, of the magnitude of building a railroad, which is what brought this country together and became the foundation for the development of its economy. This project is much less tangible, perhaps, than building a railroad, but it is consistent with the nature of culture, intellectual pursuit and policy questions that confront the world today.

Great leadership could seize that opportunity and see it as a way of bringing Canadians together for great social and economic impact, for developing the strength of Canada’s place in the world. Instead, what we have is a government that has fundamentally retreated from that challenge.

This says that they have no faith that Canadians can step up to and achieve great challenges. It is not inconsistent with an observation made by Senator Joyal yesterday in speaking to Bill C-2, when he said that, as he reads this bill, there is a pervasive element of distrust. There is a lack of faith that Canadians can do great things, can do things better than many other people in the world can even begin to achieve. We will lose that opportunity because this government has allowed itself, on behalf of Canadians, to fade away.

The government either has little faith in Canadians, which I simply cannot countenance, or has no confidence in its ability to lead Canadians. That I can believe, because what I have seen in the way that they have conducted themselves on this massively important policy file is a fundamental lack of leadership, a lack of leadership in an area where great leaders would be challenged and driven, and in being driven and challenged, they would inspire Canadians to do great things. We could lead the world in this opportunity, in this place, but we will not until this government is gone.

Hon. Senators: Hear, hear!

Hon. Terry Stratton: I would like to be able to respond to this, but not at this moment. I just want to recall something very briefly. The honourable senator’s government was in power for 13 years during which time greenhouse gas emissions increased 35 per cent. I move adjournment of the debate.

Senator Mitchell: Is that a question? Can I answer it? Is that a free shot?

The Hon. the Speaker: Order.

An Hon. Senator: Take it outside.

On motion of Senator Stratton, debate adjourned.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY**COMMITTEE AUTHORIZED TO STUDY CURRENT SOCIAL ISSUES OF LARGE CITIES—MOTION IN MODIFICATION AND REPORT ADOPTED**

Hon. Art Eggleton, for Hon. Michael Kirby, pursuant to notice of June 13, 2006, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on current social issues pertaining to Canada's largest cities. In particular, the Committee shall be authorized to examine:

- (a) poverty
- (b) housing and homelessness
- (c) social infrastructure
- (d) social cohesion
- (e) immigrant settlement
- (f) crime
- (g) transportation
- (h) the role of the largest cities in Canada's economic development

That the study be national in scope, with a focus on the largest urban community in each of the provinces;

That the study report proposed solutions, with an emphasis on collaborative strategies involving, federal, provincial and municipal governments;

That the Committee submit its final report no later than December 31, 2007, and that the Committee retain all powers necessary to publicize its findings until March 31, 2008; and

That the Committee be permitted, notwithstanding usual practices, to deposit any report with the Clerk of the Senate, if the Senate is not then sitting; and that the report be deemed to have been tabled in the Chamber.

He said: Honourable senators, pursuant to rule 30, I ask leave of the Senate to modify the motion to delete the last paragraph and make consequential changes to the motion with respect to punctuation and grammar.

The Hon. the Speaker: Did I hear correctly that there is an amendment coming?

Senator Eggleton: I understand there is some concern from members about an automatic go-around the Senate in terms of reporting, that it is preferred that it be done on a specific basis. I am quite happy to accommodate that. That is what the amendment is about.

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

Motion agreed to, as modified.

COMMITTEE AUTHORIZED TO STUDY IMPACT OF CANADA'S AGING POPULATION

Hon. Sharon Carstairs, pursuant to notice of June 22, 2006, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the impact on our Canadian society of our aging population in particular the impact on seniors. The study will include:

- (a) the range of public services now provided to seniors;
- (b) the gaps which currently exist in these services;
- (c) the implications for both service delivery systems and costs as the number of people eligible for these services increases as a percentage of the population;

That as a result of this examination the Committee recommend policy changes which need to be made now by the government so that the required services will be available to seniors for the foreseeable future;

That the Committee review strategies other OECD countries have adopted to deal with the issue of caring for their aging population, as well as Canada's obligations in light of the 2002 Madrid International Plan of Action on Aging;

That the Committee consider the full range of services involved in caring for seniors including, but not limited to, the following:

- a. All aspects of health care, including home care, institutional-based care, mental health services, prescription drug services, chronic care diseases, palliative care;
- b. Health promotion;
- c. Injury prevention;
- d. Income support;
- e. Housing;
- f. Transportation;
- g. Ways to help seniors live a fulfilling existence;

And that the Committee present its final report to the Senate no later than December 31, 2007.

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

Motion agreed to.

STUDY ON CURRENT STATE OF MEDIA INDUSTRIES

MOTION REQUESTING GOVERNMENT RESPONSE TO REPORT OF TRANSPORT AND COMMUNICATIONS COMMITTEE ADOPTED

Hon. Joan Fraser (Deputy Leader of the Opposition), pursuant to notice of earlier this day moved:

That, pursuant to Rule 131(2), the Senate request a complete and detailed response from the Government to the Second Report of the Standing Senate Committee on Transport and Communications, adopted by the Senate on June 22, 2006, with the Minister of Industry, the Minister of Canadian Heritage, the Minister of Finance, the Minister of Justice and Attorney General of Canada, and the President of the Treasury Board being identified as Ministers responsible for responding to the report.

She said: Honourable senators, all this motion does — and this is becoming almost standard — is ask these ministers to respond to the report of the Standing Senate Committee on Transport and Communications dealing with the Canadian news media, which the Senate adopted last week. The report is thorough. It is not long, but it contains 40 recommendations touching these ministers.

• (1740)

If I may say so, it was a pleasure to work on the committee that did this study. I would like to pay homage to Senator Bacon, who concluded this study as chair of the committee, and to all the senators who participated in this study over three years. We worked hard; we travelled; we heard more than 300 witnesses, and received many written submissions in addition to that.

We believed and believe that, although the news media in Canada are themselves in many ways healthy — the envy of the world in many ways — elements of public policy seriously need to be addressed to ensure that we continue to have healthy, vigorous and independent news media.

Earlier today I gave notice of an inquiry that I will launch in the fall to discuss these matters more fully. All this motion does is, as our rules allow, ask ministers to provide a response within, as I believe the rules call for, 150 days from the date the Senate adopted the report, which was last Thursday.

Motion agreed to.

[*Translation*]

ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, September 19, 2006, at 2 p.m.

The Hon. the Speaker: Honourable senators, is leave granted?

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned to Tuesday, September 19, 2006, 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)

(1st Session, 39th Parliament)

Wednesday, June 28, 2006

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

GOVERNMENT BILLS
(SENATE)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25	06/05/04	Social Affairs, Science and Technology	06/05/18	0	06/05/30		
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25	06/06/22	Legal and Constitutional Affairs					
S-4	An Act to amend the Constitution Act, 1867 (Senate tenure)	06/05/30		subject-matter 06/06/28 Special Committee on Senate Reform					

GOVERNMENT BILLS
(HOUSE OF COMMONS)

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability	06/06/22	06/06/27	Legal and Constitutional Affairs					
C-3	An Act respecting international bridges and tunnels and making a consequential amendment to another Act	06/06/22							
C-4	An Act to amend the Canada Elections Act and the Income Tax Act	06/05/02	06/05/03	Legal and Constitutional Affairs	06/05/04	0	06/05/09	06/05/11	1/06
C-5	An Act respecting the establishment of the Public Health Agency of Canada and amending certain Acts	06/06/20							
C-8	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007 (<i>Appropriation Act No. 1, 2006-2007</i>)	06/05/04	06/05/09	—	—	—	06/05/10	06/05/11	2/06
C-13	An Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/06/06	06/06/13	National Finance	06/06/20	0	06/06/22	06/06/22*	4/06

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-15	An Act to amend the Agricultural Marketing Programs Act	06/06/06	06/06/13	Agriculture and Forestry	06/06/15	0	06/06/20	06/06/22*	3/06

COMMONS PUBLIC BILLS

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

SENATE PUBLIC BILLS

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

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-212	An Act to amend the Income Tax Act (tax relief) (Sen. Austin, P.C.)	06/04/26	Bill withdrawn pursuant to Speaker's Ruling 06/05/11						
S-213	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	06/04/26							
S-214	An Act respecting a National Blood Donor Week (Sen. Mercer)	06/05/17							
S-215	An Act to amend the Income Tax Act in order to provide tax relief (Sen. Austin, P.C.)	06/05/17							
S-216	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	06/05/30							
S-217	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	06/05/30							
S-218	An Act to amend the State Immunity Act and the Criminal Code (civil remedies for victims of terrorism) (Sen. Tkachuk)	06/06/15							
S-219	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	06/06/27							

PRIVATE BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-1001	An Act respecting Scouts Canada (Sen. Di Nino)	06/06/27							

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