



CANADA

Debates of the Senate

1st SESSION

• 39th PARLIAMENT

• VOLUME 143

• NUMBER 113

OFFICIAL REPORT
(HANSARD)

Friday, June 22, 2007



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

Friday, June 22, 2007

The Senate met at 9 a.m., the Speaker in the chair.

Prayers.

[*Translation*]

ROYAL ASSENT

NOTICE

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

RIDEAU HALL

June 22, 2007

Mr. Speaker,

I have the honour to inform you that the Right Honourable Michaëlle Jean, Governor General of Canada, will proceed to the Senate Chamber today, the 22nd day of June, 2007, at 12:00 p.m. for the purpose of giving Royal Assent to certain bills of law.

Yours sincerely,

Sheila-Marie Cook
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

use only a prepared text. She said that one must ask the Creator to guide one's words, and in that way, one will be speaking to the person or people to whom one is meant to speak.

• (0905)

Second, I thank the late Elder Smith Atimoyoo for his wisdom. He explained to me the meaning of the Cree phrase, "Napêkaso kasispowataw." I did not learn Cree at home and now have learned only a few words. In its simplest interpretation, the phrase means, "be like a man — this is something to remember me by." Its deeper meaning though, he explained to me at length, was that I had to have the courage and strength of a man in order to overcome what I had been taught to believe in mainstream society and, instead, live in accordance with what I know is the right way to live. This deeply philosophical and spiritual message is one that I still struggle to understand and live by.

Third, I thank Elder Laura Wasacase from Ochapawase First Nation for taking me under her wing and teaching me how to honour myself as an Aboriginal woman, for sharing her wisdom with me and for including me in her woman's circle.

Lastly, I want to thank a non-Aboriginal elder, the late Mr. A. John Dyer, who was my chemistry teacher from high school. He saw the potential in me and my brother and set us on the path to university education and, most certainly, he would have believed what our Aboriginal elders in Saskatchewan say: "Paskwâw mostoswa kâ-kisk-inwaha-mâ-kêhk," which in English means, "education is our buffalo."

[*English*]

SENATOR'S STATEMENT

NATIONAL ABORIGINAL DAY

Hon. Lillian Eva Dyck: Honourable senators, yesterday was National Aboriginal Day, a day to celebrate the contributions that Aboriginal people have made to Canada.

I take this opportunity to honour and thank the elders in our Aboriginal communities. They are the carriers of traditional knowledge and wisdom. They are like living encyclopedias. They have wisdom and knowledge acquired over a lifetime of experience — acquired by participating in sacred ceremonies, by learning from their own elders and by lessons learned from overcoming the obstacles in their own lives.

Honourable senators, on this day I want to thank four elders from Saskatchewan. First, I thank the late Elder Emma Sand from the Mistawasis First Nation. She taught me to honour my heart and to speak not only from my mind, but also from my heart. She also told me that when speaking, one should not

[*Translation*]

ROUTINE PROCEEDINGS

ADJOURNMENT

NOTICE 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 18, 2007, at 2 p.m.

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

Some Hon. Senators: No.

[English]

QUESTION PERIOD

BUSINESS OF THE SENATE

Hon. Wilfred P. Moore: Honourable senators, some of you might not recognize me without my sandwich board protest sign on today, as is quoted in *The Globe and Mail*.

An article in *The Globe and Mail* today states:

The House Leader for the Conservative government, Peter Van Loan, said he is pleased to hear that the Senate will pass the government's budget.

"It's an excellent budget and I'm glad to see it has the prospect of becoming law," he said. Mr. Van Loan said he would have preferred to see the Senate sit a bit longer though to pass a handful of crime bills.

• (0910)

I would ask the Leader of the Government in the Senate what is the government's intention? How many more weeks does she foresee us sitting?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for the question. I always caution honourable senators not to believe everything they read in the newspapers. I have not seen the article. The fact is that the Senate is dealing with these issues and it will be the senators themselves who will decide how much longer we will sit.

Hon. Sharon Carstairs: Honourable senators, my question is to the Leader of the Government in the Senate. I assume from the motion that the deputy leader attempted to move a few minutes ago, and to which leave was denied, that it would be the intention of the government that we would rise today and not sit until September 18; is that correct?

Senator LeBreton: Yes, honourable senators, that is absolutely correct. Senators have worked extremely hard over the past number of weeks. I speak here for myself and honourable senators on this side and also, I hope, for those on the other side. We have worked very hard both in the chamber and in committee.

Honourable senators, I believe that pursuant to the motion that was passed and the votes that we will have today, that will allow the Senate will be adjourned until the session resumes in mid-September.

PUBLIC WORKS AND GOVERNMENT SERVICES

PARLIAMENT HILL—REPLACEMENT OF LIGHT BULBS

Hon. Terry M. Mercer: Honourable senators, I have a question for the Minister of Public Works and Government Services. Perhaps over the summer the minister could endeavour to talk to his department about the replacement of light bulbs around Parliament Hill.

Senator Rompkey: Including Van Loan!

Senator Mercer: That is true, there is not a bright bulb amongst them. Perhaps we could help the minister find one or two.

It has been observed around Parliament Hill over the past two weeks, as we were working hard with our staff on the Hill on our Kyoto bill and on our green plan, that a number of the replacement bulbs being used on Parliament Hill are of the old type and not the new type, which would save the government money and would show some leadership. I hope that the Minister of Public Works would take that proposition under his wing, and will go around Parliament Hill changing those bulbs himself this summer.

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I did not get the memo that indicated that the opposition benches had changed their Public Works critic. I find myself very disappointed that Senator Carstairs has handed this responsibility over to Senator Mercer.

Senator Mercer: You should be thankful.

Senator Fortier: No, I was enjoying this. Having said that, we will look into the matter; I think the honourable senator has made a valid point.

Senator Mercer: I should point out that Senator Carstairs and I come from the same hometown. We are cut from the same cloth. Her father was Premier of the Province of Nova Scotia. We both have a bit of that caustic nature.

ISSUANCE OF SOLE SOURCE CONTRACTS

Hon. Terry M. Mercer: Honourable senators, in this morning's *Ottawa Citizen*, it is reported that this government — that is, Canada's quickly-growing-old government —

Senator Munson: No, it is the "not-so-new government."

Senator Mercer: — has been issuing sole source contracts at a rate higher than the previous government. My memory is not that good, but I do remember this being a complaint of this group of people when they were on the other side.

Perhaps the Minister of Public Works, who is responsible for many of these contracts, could explain to us why this percentage has moved up so high in the short time that this government has been in power.

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, actually the percentage has not increased. It is a question of whether or not one counts Advance Contract Award Notices, or ACANS, as being sole sourced. In fact, they are not. They are competed contracts.

Over the past 18 months since we have formed government, we have transformed the procurement process. We have adopted the Accountability Act, made things far more transparent and fair for suppliers across Canada, and opened offices to attract more small- and medium-sized enterprises to the table in the hope that

many more of these people would be interested in supplying assets to the Government of Canada. All things considered, taxpayers are winning.

• (0915)

With respect to the Armed Forces, to which I know the honourable senator is alluding, they are now getting the equipment they badly need and richly deserve, and they are getting equipment in record time. As well, taxpayers are getting good deals from manufacturers. It is a win-win-win situation.

Senator Mercer: I thank the minister for the answer. Since the minister is talking about purchases on a regional basis and about allowing smaller enterprises to benefit from the large amount of funds this government spends, perhaps when we sit again he could give us a detailed report, broken down on a regional basis. I can provide written questions to help with this, if necessary. As the minister knows, I have spoken, as has my colleague Senator Downe, and others, about decentralization of government and decentralization of purchasing. If this is a good news story, we would like to be able to pat the minister on the back, if he can provide a report on that.

Senator Fortier: We would be happy to break down the figures by region for honourable senators. At the end of day, the honourable senator needs to remind himself that we are looking to save taxpayers' dollars. In that sense, he will find that, rather than being focused on the source of the goods and services, we are focused on the cost to taxpayers of those goods and services. The cost to taxpayers should be the honourable senator's preoccupation as well, but we will provide these figures.

Senator Mercer: Honourable senators, I shall determine what my preoccupation should be.

RESERVES—JOB PROTECTION WHILE IN SERVICE— CONTRACT COMPLIANCE

Hon. Hugh Segal: Honourable senators, my question is for the Minister of Public Works, and it relates to a motion passed unanimously by this chamber with respect to protecting the jobs of our reservists when they volunteer for service abroad with our Armed Forces. As the minister knows, his colleague the Minister of National Defence is working hard both on agreements with the provinces and on policies with respect to our own federal administration on job protection for members of the Armed Forces reserve who serve abroad.

Would the minister reflect upon the use of contract compliance for private-sector suppliers to the Crown? We now have a series of contract compliance obligations for those who supply the Crown around a range of accountabilities, such as environmental factors, workplace safety and other issues. Could the minister reflect and look into whether contract compliance could be another instrument to be used to broaden the base for our reserves and their job protection when they volunteer to serve Canada with great courage in difficult theatres abroad?

Hon. Michael Fortier (Minister of Public Works and Government Services): I thank the honourable senator for the question. I would be happy to look into this.

COST OF REGIONAL DIVERSIFICATION

Hon. Roméo Antonius Dallaire: I have a supplementary question for the Minister of Public Works. Historically, when defence budgets are being established and the procurement process is in motion, we have seen massive projects respond to regional requirements, such as Western Economic Diversification, ACOA and so on.

I remember particularly a project involving \$2.1 billion of communications equipment where, to meet the western diversification requirement, the construction of all the equipment was moved to Calgary and set up shop. It cost over \$200 million just to do that. That was \$200 million worth of equipment that was not acquired because we had to build that capability.

When the minister must meet diversification requirements, spread things around regionally, will the extra costs be provided from outside funds rather than DND funding?

Hon. Michael Fortier (Minister of Public Works and Government Services): With respect to contracting per se, the cross-subsidization, as the honourable senator is referring to, is rare, thankfully. PWGSC has a policy that if we require goods and services in any particular area of the country we open the opportunity to anyone around the country to offer those goods and services.

For example, if we are looking for furniture, it will probably be cheaper for someone on the West Coast to bid on a contract and delivery on the West Coast than for someone on the East Coast. This equilibrium is reached naturally by the fact that our needs are only here in Ottawa, but also are around the country.

• (0920)

FINANCE

PARLIAMENTARY BUDGET OFFICER

Hon. Joseph A. Day: My question is for the Leader of the Government in the Senate. The leader will be painfully aware of the difficulty of senators obtaining information from the Department of Finance with respect to the proposals under Bill C-52, in relation to the per capita transfer, the equalization and the analysis of those proposals. Can the leader tell us when the government is likely to move on the Bill C-2 Federal Accountability Act provision for a parliamentary budget officer who will be able to help us?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): As the honourable senator knows, many aspects of the Federal Accountability Act require regulation. We have been working on the regulations and filling the positions for people who are to be responsible for these various areas able fall under the Federal Accountability Act.

Only last week the appointment of Mary Dawson as Ethics Commissioner for the House of Commons was approved. In this very chamber, we approved the appointment of Christiane Ouimet as Public Sector Integrity Commissioner.

I will take Senator Day's question as notice and hopefully provide him with an answer in the near future.

[*Translation*]

PUBLIC WORKS AND GOVERNMENT SERVICES

OPPORTUNITIES FOR MINISTER TO RUN IN BY-ELECTIONS

Hon. Dennis Dawson: Honourable senators, my question is for the Minister of Public Works and Government Services. I will take this opportunity to wish the minister a good summer.

The minister does not appear to be very happy in this chamber. Could he not take advantage of the three by-elections being held in the province of Quebec to join that other House, where he could play a role that would make him happier?

Hon. Michael Fortier (Minister of Public Works and Government Services): Honourable senators, I am very happy any time Senator Dawson asks me a question. If he were here more often, it would make me even happier.

Now that we have established how happy we all are, I would like to point out that I hoisted my flag nine months ago in Vaudreuil-Soulanges, by opening my offices there. I consider myself practically the member for that riding. If anyone would like to see me in the other House sooner, I invite Senator Dawson to convince the member for that riding to find other interests in life. Until there is a by-election or general election in that riding, I will stay right here with the honourable senator and anxiously await his questions.

[*English*]

Senator Dawson: I am sure, if the minister wanted a seat, we could find one through an election in Ontario. However, I hope the opportunity during the summer to help people in Quebec will give the minister time to look at the funding for the festivals in Quebec, and will give him an opportunity to try to convince the Quebec government, which has clearly indicated it is totally against all the procedures this government is undertaking under Bill S-4 for the reform of the Senate. The minister has a busy summer. Since he is not running for election, at least he can try to solve the problems for Quebec.

Senator Fortier: I thank the honourable senator for the advice, which comes from someone who represents a party whose fortunes in the polls in Quebec, and particularly in Quebec City where he is from, is in single digits. Therefore, I am somewhat concerned about taking this matter under advisement.

I believe we are doing a great job. We are doing a great job in arts and culture, and the senator knows that well. The Government of Quebec has had a friend here in Ottawa for the past 18 months, whether it is the nation motion that we adopted, which he was against; whether it is a seat at United Nations Educational, Scientific and Cultural Organization, UNESCO; or whether it is the settlement of the fiscal imbalance, which he does not believe in. I think the people of Quebec recognize, and the Government of Quebec recognizes that, they have a great friend here in Ottawa.

[Senator LeBreton]

INTERNATIONAL TRADE

WORLD TRADE ORGANIZATION— AGRICULTURE SUPPLY MANAGEMENT

Hon. Leonard J. Gustafson: Honourable senators, I have a question for the Leader of the Government in the Senate. The word is coming out of Washington in regard to the trade situation Canada is facing in the global economy, that both the Democrats and the Republicans are supporting subsidies again and it looks like they will endorse subsidies for the next five years in the same manner as they are today.

• (0925)

Many of us have said that one of the biggest hurdles that we face is getting the Americans and the Europeans off of subsidies. What this means to agriculture is tremendous. Is the Leader of the Government aware of what is happening in Washington in this regard?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for the question. I am well aware of the situation, and it is ongoing and problematic, particularly for agricultural producers in Western Canada vis-à-vis the border states in the United States. This is a matter with which Minister Emerson is seized.

As the honourable senator knows, we have tried on a number of fronts to provide a better playing field for our Western farmers, particularly the grain producers, by offering marketing choices where producers can sell their own grain. I am happy to see the barley producers are supporting the initiatives of the government.

The short answer to the question is that the government, and particularly Minister Emerson, is very concerned about this development. As to any future comments or solutions that we may have, I would be happy to ask the minister to keep the honourable senator apprised of them.

Hon. Terry M. Mercer: My friend and colleague, Senator Gustafson, has posed a good question. I would hope in her answer, that the Leader of the Government in the Senate, again, has paid specific attention to the issues and problems of farmers in Western Canada. These are real problems. I do not want to diminish the importance or the magnitude of those problems. Senator Gustafson and I have travelled across the country together and have seen some of these problems.

I ask the Leader of the Government, again, to stop focussing on one narrow area as it pertains to agriculture. Agriculture in this country is in trouble from coast to coast to coast. The problem needs to be addressed by this government on a pan-Canadian basis and not on an isolated basis. Grain producers in Western Canada have an issue; dairy farmers in Quebec have an issue; as do farmers in the Annapolis Valley growing fruit and mixed crops.

I ask the Leader of the Government in the Senate in addressing the issue, as she said she will, to ensure that she is addressing it on a pan-Canadian basis, not just from a Western Canadian perspective.

Senator LeBreton: I thank the honourable senator for the question. The other day I did address these issues, particularly the issue of marketing boards. The Minister of Agriculture, Chuck Strahl, is the Minister of Agriculture for the entire country. I certainly realize that in different areas of the country there is different farming. There are unique problems with poultry and dairy farming in Eastern Canada. There are unique problems in Nova Scotia, for instance, in the apple producing sector and also with Christmas trees. Having been raised on a dairy farm in Eastern Ontario, I would not want any government to concentrate on only one aspect of the agricultural issue. The problems are unique and varied from province to province.

THE LATE VILMA ESPÍN GUILLOIS

Leave having been given to revert to Senators' Statements:

Hon. Anne C. Cools: Honourable senators, I rise to pay tribute to the wife of Mr. Raúl Castro. Ms. Vilma Espín Guillois, a great and noble human being, passed away in Havana, Cuba, on Monday, June 18. She was 77 years old.

• (0930)

Vilma Espín was an independent and distinguished woman. She was one of the first Cuban women to earn a degree in chemical engineering, and she did her graduate studies at the Massachusetts Institute of Technology. In 1959, Vilma Espín was married to Raúl Castro, a minister and the brother of Cuba's President, Fidel Castro. They had four children. Raúl Castro is the Defence Minister and the Acting President of Cuba.

The daughter of a wealthy executive of the Bacardi Rum distillery, she was an early and true supporter of the 1959 Cuban Revolution. In 1960, President Fidel Castro asked her to form the Federation of Cuban Women, an organization of about 3.5 million Cuban women, which has been a force in Cuba for women. She was a political force in Cuba and had been a member of the Council of State of Cuba.

As a Caribbean woman, I honour this daughter of Cuba, this woman of the Caribbean, for her contribution to the advancement of women and to humanity.

Interestingly, only weeks ago, I attended the Cuban Ambassador's luncheon for two visiting Cuban women, members of the assembly, and both physicians: Dr. Pura Concepción Avilés Cruz and Dr. Danay Saavedra Hernández, and Vilma Espín's name was raised.

Vilma Espín's journey is over, her task is done. I send condolences to her family, the Acting President, Raúl Castro; to Fidel Castro; to the Government of the Republic of Cuba and to the people of Cuba, the largest island in the Caribbean. May she rest in peace and be long remembered.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, it being 9:30 a.m., pursuant to the order adopted yesterday, the Leader of the Government and the Leader of the Opposition may now request

the Senate to proceed to decide on all questions necessary to dispose of any bills *seriatim* that stand on the Orders of the Day for third reading.

ORDERS OF THE DAY

QUARANTINE ACT

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Keon, seconded by the Honourable Senator Segal, for the third reading of Bill C-42, to amend the Quarantine Act.

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

Motion agreed to and bill read third time and passed.

CRIMINAL CODE

BILL TO AMEND—THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Johnson, seconded by the Honourable Senator Stratton, for the third reading of Bill C-59, to amend the Criminal Code (unauthorized recording of a movie).

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

Motion agreed to and bill read third time and passed.

BUDGET IMPLEMENTATION BILL, 2007

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Comeau, seconded by the Honourable Senator Angus, for the third reading of Bill C-52, to implement certain provisions of the budget tabled in Parliament on March 19, 2007;

And, on the motion in amendment of the Honourable Senator McCoy, seconded by the Honourable Senator Banks, that Bill C-52 be not now read a third time, but that it be amended in clause 13 by replacing line 18 on page 20 with the following:

“(a) 2017, and”;

And that Bill C-52 be not now read a third time, but that it be amended in Clause 24 by replacing line 10 on page 33 with the following:

“(a) 2017, and”;

And, on the motion in amendment of the Honourable Senator Baker, P.C., seconded by the Honourable Senator Rompkey, P.C. and the Honourable Senator Mercer, that Bill C-52 be not now read a third time but that it be amended in clause 62, on page 66, by adding after line 26 the following:

“(4) Despite any other provision of this Act, in determining under subsection (2) the reduction of the fiscal equalization payment that may be paid to Nova Scotia or the reduction of the fiscal equalization payment that may be paid to Newfoundland and Labrador for a fiscal year, there shall not be included in the computation

(a) any offshore revenue, within the meaning of section 4 — in respect of Nova Scotia — or section 18 — in respect of Newfoundland and Labrador — of the *Nova Scotia and Newfoundland and Labrador Additional Fiscal Equalization Offset Payments Act*, derived by the province in any fiscal year;

(b) any amount that may be paid to the province for that fiscal year under the *Canada-Newfoundland Atlantic Accord Implementation Act*; or

(c) any amount that may be paid to the province for that fiscal year in accordance with the provisions of the *Nova Scotia and Newfoundland and Labrador Additional Fiscal Equalization Offset Payments Act*.”;

And, on the motion in amendment of the Honourable Senator Moore, seconded by the Honourable Senator Phalen, that Bill C-52 be not now read a third time but that it be amended:

(a) by deleting clause 64, on page 84;

(b) by deleting clause 65, on page 84;

(c) in clause 68, on page 85,

(i) by replacing line 9 with the following:

“**68. Paragraph 24.4(1)(a) of the Act is**”, and

(ii) by replacing lines 22 to 27 with the following:

“ending on March 31, 2014; and”;

(d) by deleting clause 69, on pages 85 and 86;

(e) by deleting clause 70, on page 86; and

(f) in clause 71,

(i) on page 86, by replacing lines 27 to 34 with the following:

“**71. (1) The portion of subparagraph**”,

(ii) on page 87,

(A) by replacing line 9 with the following:

“**(2) Paragraph 24.7(1.1)(a) of the Act is**”,

(B) by replacing line 11 with the following:

“(a) for each fiscal year beginning after March 31, 2007, the equalization payment shall be the equalization payment that would be payable to the province for the fiscal year under Part I;

(a.1) for each fiscal year in the period begin-”,

(C) by replacing line 18 with the following:

“**(3) Subparagraph 24.7(1.1)(b)(i) of the Act**”,

(D) by replacing line 29 with the following:

“**(4) Subparagraph 24.7(1.1)(b)(ii) of the**, and

(E) by deleting lines 37 to 41; and

(iii) on page 88, by deleting lines 1 to 40.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will signify by saying “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will signify by saying “nay.”

Some Hon. Senators: Nay.

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

And two honourable senators having risen:

The Hon. the Speaker: It was agreed that the bells calling in the senators would sound for 15 minutes. I remind honourable senators that the bells will not ring for any subsequent standing votes.

Accordingly, the bells will ring until 11 minutes to 10 a.m.

Call in the senators.

• (0950)

The Hon. the Speaker: It is moved by the Honourable Senator McCoy, seconded by the Honourable Senator Banks, that Bill C-52 be not now read —

Hon. Senators: Dispense.

Motion in amendment negated on the following division:

YEAS
THE HONOURABLE SENATORS

Baker	Hubley
Banks	McCoy
Bryden	Mercer
Callbeck	Moore
Cook	Munson
Cools	Murray
Corbin	Phalen
Cordy	Ringuette
Cowan	Robichaud
Day	Rompkey
Downe	Trenholme Counsell—23
Furey	

NAYS
THE HONOURABLE SENATORS

Adams	Keon
Andreychuk	Kinsella
Angus	Lavigne
Campbell	LeBreton
Carstairs	Lovelace Nicholas
Chaput	Meighen
Cochrane	Milne
Comeau	Mitchell
Dallaire	Nancy Ruth
Dawson	Nolin
De Bané	Oliver
Di Nino	Peterson
Dyck	Poulin
Eggleton	Poy
Eyton	Segal
Fairbairn	Smith
Fitzpatrick	St. Germain
Fortier	Stollery
Fraser	Stratton
Gustafson	Tardif
Harb	Tkachuk
Hervieux-Payette	Watt
Jaffer	Zimmer—47
Johnson	

ABSTENTIONS
THE HONOURABLE SENATORS

Biron	Pépin
Joyal	Spivak—4

Hon. Wilfred P. Moore: Honourable senators, I think I am right that the honourable Senator Eyton entered the chamber after the vote commenced and as such should not have voted.

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, Senator Eyton and Senator De Bané, I believe, entered after the fact. I am unfamiliar with protocol in a case like this. Both honourable senators voted against the motion; I do not know if there is a way of deducting their votes.

The Hon. the Speaker: Honourable senators, because no points of order technically can be raised at this time, if the matter is not resolved at the end of this process, we can entertain a point of order at that time, if need be.

Honourable senators, the next question is the motion in amendment by the Honourable Senator Baker, PC, seconded by the Honourable Senator Rompkey, PC, that Bill C-52 be not now read a third time —

Shall I dispense?

Hon. Senators: Dispense.

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

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion will signify by saying “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed will signify by saying “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion the “yeas” have it.

And two honourable senators having risen:

Motion in amendment negated on the following division:

YEAS
THE HONOURABLE SENATORS

Baker	Joyal
Biron	Lovelace Nicholas
Bryden	McCoy
Callbeck	Mercer
Cochrane	Moore
Cook	Munson
Corbin	Murray
Cordy	Peterson
Cowan	Phalen
Day	Ringuette
Downe	Robichaud
Dyck	Rompkey
Furey	Trenholme Counsell—27
Hubley	

• (1000)

NAYS
THE HONOURABLE SENATORS

Adams	Jaffer
Andreychuk	Johnson
Angus	Keon
Banks	Kinsella
Campbell	Lavigne
Carstairs	LeBreton
Chaput	Meighen
Comeau	Milne
Cools	Mitchell
Dallaire	Nancy Ruth
Dawson	Nolin
De Bané	Oliver
Di Nino	Poulin
Eggleton	Poy
Eyton	Segal
Fairbairn	Smith
Fitzpatrick	St. Germain
Fortier	Stollery
Fraser	Stratton
Gustafson	Tardif
Harb	Tkachuk
Hervieux-Payette	Zimmer—44

ABSTENTIONS
THE HONOURABLE SENATORS

Pépin	Watt—3
Spivak	

The Hon. the Speaker: Honourable senators, the question now before the house is the third amendment, by the Honourable Senator Moore, seconded by the Honourable Senator Phalen, that Bill C-52 be not now read a third time but that it be amended:

(a) by deleting clause 64, on page 84;

(b) by deleting clause 65, on page 84 —

Shall I dispense?

Hon. Senators: Dispense.

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

Hon. Senators: All those in favour of the motion will signify by saying “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will signify by saying “nay.”

Some Hon. Senators: Nay.

And two honourable senators having risen:

Motion in amendment negated on the following division:

YEAS
THE HONOURABLE SENATORS

Baker	Joyal
Biron	Lovelace Nicholas
Bryden	McCoy
Callbeck	Mercer
Cochrane	Moore
Cook	Munson
Corbin	Murray
Cordy	Peterson
Cowan	Phalen
Day	Ringuette
Downe	Robichaud
Dyck	Rompkey
Furey	Trenholme Counsell—27
Hubley	

NAYS
THE HONOURABLE SENATORS

Adams	Johnson
Andreychuk	Keon
Angus	Kinsella
Banks	Lavigne
Campbell	LeBreton
Carstairs	Meighen
Chaput	Milne
Comeau	Mitchell
Cools	Nancy Ruth
Dallaire	Nolin
Dawson	Oliver
De Bané	Poulin
Di Nino	Poy
Eggleton	Segal
Eyton	Smith
Fairbairn	St. Germain
Fitzpatrick	Stollery
Fortier	Stratton
Fraser	Tardif
Gustafson	Tkachuk
Harb	Watt
Hervieux-Payette	Zimmer—45
Jaffer	

ABSTENTIONS
THE HONOURABLE SENATORS

Pépin	Spivak—2
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The Hon. the Speaker: Honourable senators, the question now before the house is the main motion, third reading of Bill C-52. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Speaker: All those in favour of the motion will signify by saying “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion will signify by saying “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “yeas” have it.

And two honourable senators having risen:

Motion agreed to on the following division:

YEAS
THE HONOURABLE SENATORS

Adams	Keon
Andreychuk	Kinsella
Angus	Lavigne
Banks	LeBreton
Campbell	Meighen
Carstairs	Milne
Chaput	Mitchell
Comeau	Nancy Ruth
Dallaire	Nolin
Dawson	Oliver
De Bané	Pépin
Di Nino	Poulin
Eggleton	Poy
Eyton	Segal
Fairbairn	Smith
Fitzpatrick	Spivak
Fortier	St. Germain
Fraser	Stollery
Gustafson	Stratton
Harb	Tardif
Hervieux-Payette	Tkachuk
Jaffer	Watt—45
Johnson	

• (1010)

NAYS
THE HONOURABLE SENATORS

Baker	Hubley
Biron	Lovelace Nicholas
Bryden	Mercer
Callbeck	Moore
Cook	Peterson
Corbin	Phalen
Cordy	Ringuette
Cowan	Robichaud
Downe	Rompkey
Dyck	Trenholme Counsell—21
Furey	

ABSTENTIONS
THE HONOURABLE SENATORS

Cochrane	McCoy
Day	Munson
Joyal	Murray—6

Motion agreed to and bill read third time and passed.

Hon. Jim Munson: I wish to explain briefly my reasons for abstaining on this vote. I could not say no to the budget because it represents other interests in the country, and I find it difficult to say no to the will of the House of Commons on a budget bill. However, I could not say yes to Bill C-52 because, as a Maritimer, this is an affair of the heart, and how could I say yes to something which is so unfair to Atlantic Canada?

Hon. Lowell Murray: Honourable senators, as you know, I voted for all of the amendments that had been proposed to this budget. I decided to abstain on the main motion because I believe it would be inappropriate for the Senate to defeat a budget bill of such scope.

Hon. Terry M. Mercer: Your Honour, I did want to draw your attention to an oversight on your part when you called the amendment as proposed by my colleague Senator Baker. You will recall that yesterday when Senator Baker proposed the amendment, he did indicate that there were two seconders to the motion. Although it is unusual, it was important that a Newfoundlander, Senator Rompkey, and myself as a Nova Scotian have our names attached to that motion in amendment because it is so vital to our provinces and to the Atlantic region as, once again, we are being done in by the rest of the country.

The Hon. the Speaker: I thank the honourable senator. Indeed, leave was granted to do that.

PERSONAL WATERCRAFT BILL

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Banks, seconded by the Honourable Senator Phalen, for the third reading of Bill S-209, concerning personal watercraft in navigable waters.—(*Honourable Senator Comeau*)

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

An Hon. Senator: On division.

Motion agreed to, on division, and bill read third time and passed.

KYOTO PROTOCOL IMPLEMENTATION BILL

THIRD READING

On the Order:

Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Trenholme Counsell, for the third reading of Bill C-288, to ensure Canada meets its global climate change obligations under the Kyoto Protocol;

And on the motion in amendment of the Honourable Senator Murray, P.C., seconded by the Honourable Senator Spivak, that Bill C-288 be not now read a third time but that

it be amended, on page 10, by adding after line 33 the following:

“COMING INTO FORCE

12. This Act comes into force on a day to be fixed by order of the Governor in Council.”—(*Honourable Senator Carstairs, P.C.*)

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: All those in favour of the motion in amendment will please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed to the motion in amendment will please say “nay.”

Some Hon. Senators: Nay.

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

And two honourable senators having risen:

Motion in amendment negated on the following division:

YEAS

THE HONOURABLE SENATORS

Andreychuk
Angus
Cochrane
Comeau
Di Nino
Eyton
Fortier
Gustafson
Johnson
Keon

LeBreton
Meighen
Murray
Nancy Ruth
Nolin
Oliver
Segal
St. Germain
Stratton
Tkachuk—20

NAYS

THE HONOURABLE SENATORS

Adams
Baker
Banks
Biron
Bryden
Callbeck
Campbell
Carstairs
Chaput
Cook
Cools
Corbin
Cordy
Cowan
Dallaire
Dawson

Hubley
Jaffer
Joyal
Lavigne
Lovelace Nicholas
McCoy
Mercer
Milne
Mitchell
Moore
Munson
Pépin
Peterson
Phalen
Poulin
Poy

Day
De Bané
Downe
Dyck
Eggleton
Fairbairn
Fitzpatrick
Fraser
Furey
Harb
Hervieux-Payette

Ringuette
Robichaud
Rompkey
Smith
Spivak
Stollery
Tardif
Trenholme Counsell
Watt
Zimmer—53

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

• (1020)

The Hon. the Speaker: Honourable senators, I will put the main motion:

It was moved by the Honourable Senator Mitchell, seconded by the Honourable Senator Trenholme Counsell, that Bill C-288 be read the third time. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: Would those honourable senators in favour of the motion please say “yea.”

Some Hon. Senators: Yea.

The Hon. the Speaker: Would those honourable senators opposed to the motion please say “nay.”

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the “yeas” have it.

And two honourable senators having risen:

Motion agreed to and bill read third time and passed on the following division:

YEAS

THE HONOURABLE SENATORS

Adams
Baker
Banks
Biron
Bryden
Callbeck
Campbell
Carstairs
Chaput
Cook
Cools
Corbin
Cordy
Cowan
Dallaire

Hubley
Jaffer
Joyal
Lavigne
Lovelace Nicholas
McCoy
Mercer
Milne
Mitchell
Moore
Munson
Pépin
Peterson
Phalen
Poulin

Dawson
Day
De Bané
Downe
Dyck
Eggleton
Fairbairn
Fitzpatrick
Fraser
Furey
Harb
Hervieux-Payette

Poy
Ringue
Robichaud
Rompkey
Smith
Spivak
Stollery
Tardif
Trenholme
Watt
Zimmer—53

December 14, 2006, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

A. RAYNELL ANDREYCHUK
Chair

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

On motion of Senator Andreychuk, bill placed on the Orders of the Day for third reading at the next sitting of the Senate.

• (1030)

NAYS
THE HONOURABLE SENATORS

Andreychuk
Angus
Cochrane
Comeau
Di Nino
Eyton
Fortier
Gustafson
Johnson
Keon

LeBreton
Meighen
Murray
Nancy Ruth
Nolin
Oliver
Segal
St. Germain
Stratton
Tkachuk—20

**STUDY ON ISSUES RELATING TO FISCAL BALANCES
AMONG ORDERS OF GOVERNMENT BUDGET**

SECOND INTERIM REPORT
OF NATIONAL FINANCE COMMITTEE ADOPTED

The Senate proceeded to proceed consideration of the seventeenth report (second interim) of the Standing Senate Committee on National Finance, entitled: *The Vertical and Municipal Fiscal Balances*, tabled in the Senate on June 21, 2007.—(*Honourable Senator Day*)

Hon. Joseph A. Day: Honourable senators, I wish to move the adoption of this report standing in my name. We have had extensive discussion on this issue. It is reflective of the other points we have discussed and I do not believe there is a need for further debate.

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

Some Hon. Senators: Question!

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

Motion agreed to and report adopted.

**INTERNAL ECONOMY, BUDGETS
AND ADMINISTRATION**

SIXTEENTH REPORT OF COMMITTEE—
DEBATE CONTINUED

On the Order:

Resuming debate on the consideration of the sixteenth report of the Standing Committee on Internal Economy, Budgets and Administration, (conduct of staff), tabled in the Senate on May 10, 2007.—(*Honourable Senator Tardif*)

Hon. Anne C. Cools: Honourable senators, I rise to speak to this sixteenth report of the Standing Committee on Internal Economy, Budgets and Administration about the conduct of Jeffrey Kroeker, a staffer in the Senate government leader's office.

Honourable senators, Mr. Kroeker, is a bright young man in his 20s. He is a zealous young man imbued with a strong sense of the commitment to his causes. The committee's report, as does the

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

[*Translation*]

ANSWER TO ORDER PAPER QUESTION TABLED

HEALTH CANADA—EXPOSURE TO PESTICIDES

Leave having been given to revert to Delayed Answers:

Hon. Gerald J. Comeau (Deputy Leader of the Government) tabled the answer to Question No. 31 on the Order Paper by Senator Downe.

[*English*]

CRIMINAL CODE

BILL TO AMEND—REPORT OF COMMITTEE ADOPTED

Hon. A. Raynell Andreychuk, Chair of the Standing Senate Committee on Human Rights, presented the following report:

Friday, June 22, 2007

The Standing Senate Committee on Human Rights has the honour to present its

THIRTEENTH REPORT

Your Committee, to which was referred Bill S-207, An Act to amend the Criminal Code (protection of children), has, in obedience to the Order of Reference of Thursday,

record here, speaks to that commitment and will continue to speak for a long time into the future of Jeffrey Kroeker's life.

Honourable senators, I would like to describe my Senate experience with Mr. Kroeker. He was a diligent worker in the office of Senator Marjory LeBreton, the Leader of the Government in the Senate. My own personal senatorial experiences with Jeffrey Kroeker are sharply different from anything that has been put on the record in this house about him. I shall relate them.

My experiences with him are decidedly different. I found Mr. Kroeker a most pleasant and cooperative person. He was obliging. He was always ready and willing to assist, whenever asked. He was responsive and energetic, never needing to be pushed or prompted to work. His level of initiative was high and keen.

Honourable senators, Mr. Kroeker is undoubtedly deeply hurt and terribly damaged. His name has been splashed across the debates here, and his name and actions are carved in stone for eternity in the Hansard and sessional papers of this place.

Honourable senators, Jeffrey Kroeker is a casualty of his causes and of those he served. He is a casualty of the government and its distasteful strategies for dealing with those with whom it disagrees. The government has adopted certain undesirable human responses, mainly smearing, maligning and discrediting, and has institutionalized them. The government has operationalized these undesirable human responses and has operationalized these human failings in its communications strategies and in its modus operandi so as to damage those with whom the government disagrees, in particular, the Senate and some senators.

It appears to me that the government seeks not to defeat the Liberal Party, but to annihilate it; and seeks not to reform the Senate, but to destroy it, and, in the meantime, to cast the Senate into a state of public disapprobation, to undermine its credibility and to discredit it. These twisted strategies are something of a new pathology that has crept into the body politic. I find them to be deeply disturbing.

Senators know how shocked I was when Prime Minister Stephen Harper and Senator LeBreton held a joint press conference outside the Senate's door on December 14, 2006, while the Senate was sitting and while the mace, the symbol of Her Majesty and Parliament's authority, was on the table.

This display, honourable senators, was a terrible affront to both Her Majesty and the Senate. Honourable senators, if you were raised like I was, that symbol is a powerful symbol. To my mind, it is sacrilegious to violate it.

The Prime Minister stood outside this place and said the following:

I wake up every day and the Senate bothers me. I curse the Senate.

Honourable senators, Jeffrey Kroeker — always zealous to serve — adopted, imitated and followed many of these strategies utilized by supporters and government leaders. He deployed some of those strategies with terrible consequences to himself. Honourable senators, in the circumstances involving

and surrounding Mr. Kroeker, the proper constitutional response of the government, particularly the government leader, Senator Marjory LeBreton, should have been that she take responsibility for her office and Mr. Kroeker's actions therein. This is the meaning and the specified practice of responsible government and ministerial responsibility. Responsible government means that a minister of Her Majesty must take responsibility for any and all actions of all persons in his or her offices and within his or her administration, whether or not that particular minister had knowledge of any or all the actions of those persons. Ignorance is no excuse from ministerial responsibility or from the responsibility of the preferment that is granted to any minister by Her Majesty. Ministerial responsibility cannot be suspended. Ministerial responsibility is an abiding, permanent and uncontroverted notion, binding on every minister at all times. Honourable senators, that is what we must understand.

Honourable senators, on July 20, 1954, Prime Minister Winston Churchill's agriculture minister, Sir Thomas Dugdale, renewed and affirmed the principle of ministerial responsibility for his office. He offered his resignation, even though he had no knowledge of the wrong that was done in his department. Responsible government dictates that ministers are responsible for all activities in their offices and under their administration, performed rightly or wrongly by their subordinates and personnel.

Honourable senators, this sad and bad situation with Mr. Kroeker followed the course it did because the responsible minister declined to do the correct constitutional thing, which was to take responsibility for her subordinate's action, even unto offering her resignation as minister, and therein to place her trust and confidence in the Prime Minister's judgment as to whether he would accept or reject her resignation. These relationships are supposed to be relationships of trust, honourable senators. Every minister has a duty to offer a resignation and then put their fate before the king's mercy.

• (1040)

This situation, honourable senators, has been terrible and has been the cause of this unhappy set of circumstances involving this eager young man.

Honourable senators, leaders are responsible for their followers and for their staff. I record here Prime Minister Winston Churchill's words about Sir Thomas Dugdale's resignation. Mr. Churchill wrote the following on July 3, 1954:

If as now appears, the Cabinet feel no further action, punitive or other, should be taken in relation to civil servants whose conduct is the cause of so much public wrath, we rest on the fact that the Minister has declared that he himself will bear the whole responsibility. This is a high and dignified line for him to take.

I thank honourable senators for this. I wanted to put forth those words, because the incident involving this young man has been very bothersome to me, and I hope no other staffer in the course of the history of this place will ever find himself or herself in a similar set of circumstances.

Honourable senators, much of this could have been avoided. I believe Senator Carstairs said some time ago that apologies go a long way. I do not think this young man understands the depth of

what has happened, and I have no doubt that the records here will follow him for a long time. The notion of responsibility is one that must be adhered to.

Honourable senators, I should like to make it clear that I do not now nor have I ever approved of Mr. Kroeker's actions. As a matter of fact, they broke my heart. I condemn them, but the purpose of my intervention today is in the nature of a plea for mercy. My purpose is to plead with senators, particularly those personally injured, to let the matter rest. I would ask all those senators and all the senators here to take no further legal action and to pursue the matter no further against Mr. Kroeker. I would submit that the committee's report is sufficient, and, honourable senators, we should now consider the matter closed.

On motion of Senator Day, debate adjourned.

THE SENATE

MOTION URGING GOVERNOR GENERAL TO FILL VACANCIES IN SENATE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Moore, seconded by the Honourable Senator Phalen:

That an humble Address be presented to Her Excellency the Governor General praying that she will fill the vacancies in the Senate by summons to fit and qualified persons.—(*Honourable Senator Carstairs, P.C.*)

Hon. Sharon Carstairs: Honourable senators, I took the adjournment on this motion last night. It is a very serious motion. It is an address to the Governor General. However, I have not had time to prepare remarks. Given that this motion is not simple, some research into this matter is required. Therefore, honourable senators, I beg your approval of to allow me to adjourn this debate.

The Hon. the Speaker: Honourable senators, is it agreed the matter continue to stand in the name of Senator Carstairs?

Some Hon. Senators: Agreed.

An Hon. Senator: On division.

On motion of Senator Carstairs, debate adjourned, on division.

MOTION URGING GOVERNMENT TO ENGAGE IN FREE TRADE NEGOTIATIONS WITH EUROPEAN UNION—DEBATE CONTINUED

On the Order:

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

That the Senate call upon the Government of Canada to engage in negotiations with the European Union towards a free trade agreement, in order to encourage investment and free movement of people and capital.—(*Honourable Senator Di Nino*)

Hon. Consiglio Di Nino: Honourable senators, I have had for the last couple of weeks some notes that I prepared to speak on this motion; however, as honourable senators know, this has been a rather busy time, and I have not had the opportunity. Looking at the time today, I would ask that honourable senators allow me to adjourn the motion and restart the clock.

The Hon. the Speaker: It is agreed that this item continue to stand in the name of Senator Di Nino?

Hon. Senators: Agreed.

On motion of Senator Di Nino, debate adjourned.

KYOTO PROTOCOL IMPLEMENTATION BILL

NOTICE OF MOTION FOR TIME ALLOCATION WITHDRAWN

On Motion No. 191, by Senator Carstairs:

That it be an Order of the Senate that on the first sitting day following the adoption of this motion, at 3:00 p.m., the Speaker shall interrupt any proceedings then underway; and all questions necessary to dispose of third reading of Bill C-288, An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol, shall be put forthwith without further adjournment, debate or amendment; and that any vote to dispose of Bill C-288 shall not be deferred; and

That, if a standing vote is requested, the bells to call in the Senators be sounded for thirty minutes, after which the Senate shall proceed to take each vote successively as required without the further ringing of the bells.

Hon. Sharon Carstairs: Honourable senators, given that this matter has been dealt with, I would ask for leave from the chamber to remove it from the Order Paper.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: So ordered.

Notice of motion withdrawn.

NATIONAL FINANCE

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF ISSUES RELATING TO FISCAL BALANCES AMONG ORDERS OF GOVERNMENT

Hon. Joseph A. Day, pursuant to notice of June 21, 2007, moved:

That, notwithstanding the Order of the Senate adopted on Wednesday, September 27, 2006, that the Standing Senate Committee on National Finance authorized to examine and report on issues relating to the vertical and horizontal fiscal balances among the various orders of

government in Canada, be empowered to extend the date of presenting its final report from June 30, 2007 to December 31, 2007; and

That the Committee retain until February 15, 2008 all powers necessary to publicize its findings.

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

Motion agreed to.

The Hon. the Speaker: Honourable senators, is it your pleasure that the Senate do now adjourn during pleasure to await the arrival of Her Excellency the Governor General?

Hon. Senators: Agreed.

The Hon. the Speaker: Honourable senators, the bells will sound at 15 minutes before twelve o'clock, that being the time Her Excellency will proceed to the Senate chamber.

ADJOURNMENT

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, earlier this morning, I tried to move a motion, with consent, of course, that the Senate do adjourn to a later date than Monday. If I do not get consent to that motion, to adjourn until September 18, 2007, we would then have to sit at two o'clock this coming Monday. The Rules of the Senate require that we sit five days a week. There are no holidays for the Senate.

Therefore, I would ask again if I could have leave that, with permission of the Senate and notwithstanding rule 58(1)(h), when I move the adjournment motion today the Senate do stand adjourned until Tuesday, September 18, 2007 at 2 p.m.

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

Hon. Senators: Agreed.

Senator Comeau: Honourable senators, I so move.

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

Motion agreed to.

The Hon. the Speaker: We stand adjourned at pleasure awaiting the arrival of Her Excellency, the Governor General.

The Senate adjourned during pleasure.

[*Translation*]

ROYAL ASSENT

Her Excellency the Governor General of Canada having come and being seated on the Throne, and the House of Commons having been summoned, and being come with their Speaker, Her Excellency the Governor General was pleased to give the Royal Assent to the following bills:

[Senator Day]

An Act to provide for emergency management and to amend and repeal certain Acts (*Bill C-12, Chapter 15, 2007*)

An Act to amend the Income Tax Act (sports and recreation programs) (*Bill C-294, Chapter 16, 2007*)

An Act to amend the First Nations Land Management Act (*Bill S-6, Chapter 17, 2007*)

An Act to amend the Excise Tax Act, the Excise Act, 2001 and the Air Travellers Security Charge Act and to make related amendments to other Acts (*Bill C-40, Chapter 18, 2007*)

An Act to amend the Canada Transportation Act and the Railway Safety Act and to make consequential amendments to other Acts (*Bill C-11, Chapter 19, 2007*)

An Act to amend the Criminal Code (luring a child) (*Bill C-277, Chapter 20, 2007*)

An Act to amend the Canada Elections Act and the Public Service Employment Act (*Bill C-31, Chapter 21, 2007*)

An Act to amend certain Acts in relation to DNA identification (*Bill C-18, Chapter 22, 2007*)

An Act to amend the Citizenship Act (adoption) (*Bill C-14, Chapter 24, 2007*)

An Act respecting the protection of marks related to the Olympic Games and the Paralympic Games and protection against certain misleading business associations and making a related amendment to the Trade-marks Act (*Bill C-47, Chapter 25, 2007*)

An Act to amend the Geneva Conventions Act, An Act to incorporate the Canadian Red Cross Society and the Trade-marks Act (*Bill C-61, Chapter 26, 2007*)

An Act to amend the Quarantine Act (*Bill C-42, Chapter 27, 2007*)

An Act to amend the Criminal Code (unauthorized recording of a movie) (*Bill C-59, Chapter 28, 2007*)

An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007 (*Bill C-52, Chapter 29, 2007*)

An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol (*Bill C-288, Chapter 30, 2007*)

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

May it please Your Excellency.

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

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

An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (*Bill C-60, Chapter 23, 2007*)

• (1220)
[English]

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

The Honourable the Governor General was pleased to give the Royal Assent to the said bill.

The House of Commons withdrew.

The Honourable the Governor General was pleased to retire.

The sitting was resumed.

BUSINESS OF THE SENATE

Hon. Tommy Banks: Honourable senators, I seek instruction. This morning in this place we passed, at third reading, Bill S-209, and I note that it was not included in those bills to which Royal Assent has just now been given. I seek an explanation.

Senator Fraser: It was included.

Senator Tkachuk: It has to go to the House of Commons.

The Senate adjourned until Tuesday, September 18, 2007, at 2 p.m.

The Thirty-ninth Parliament was prorogued by Proclamation on Friday, September 14, 2007.

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)

Friday, June 22, 2007

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

**GOVERNMENT BILLS
(SENATE)**

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Hazardous Materials Information Review Act	06/04/25	06/05/04	Social Affairs, Science and Technology	06/05/18	0	06/05/30	07/03/29	7/07
S-3	An Act to amend the National Defence Act, the Criminal Code, the Sex Offender Information Registration Act and the Criminal Records Act	06/04/25	06/06/22	Legal and Constitutional Affairs	06/12/06	0 observations + 1 at 3rd	07/02/15	07/03/29	5/07
S-4	An Act to amend the Constitution Act, 1867 (Senate tenure)	06/05/30	07/02/20	(subject-matter 06/06/28 Special Committee on Senate Reform) Bill 07/02/20 Legal and Constitutional Affairs	Report on subject- matter 06/ 10/26 Report on bill 07/06/12	2 amends 1 recom. observations			
S-5	An Act to implement conventions and protocols concluded between Canada and Finland, Mexico and Korea for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	06/10/03	06/10/31	Banking, Trade and Commerce	06/11/09	0	06/11/23	06/12/12	8/06
S-6	An Act to amend the First Nations Land Management Act	07/04/25	07/05/15	Aboriginal Peoples	07/05/31	0	07/05/31	07/06/22	17/07

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-2	An Act providing for conflict of interest rules, restrictions on election financing and measures respecting administrative transparency, oversight and accountability	06/06/22	06/06/27	Legal and Constitutional Affairs	06/10/26 Report amended 06/11/06	156 Observations + 3 at 3 rd (including 1 amend. to report) 06/11/09 Total 158	06/11/09 Message from Commons- agree with 52 amendments, disagree with 102, agree and disagree with 1, and amend 3 06/11/21 Referred to committee 06/11/23 Report adopted 06/12/07 Message from Commons- agree with Senate amendments 06/12/11	06/12/12	9/06
C-3	An Act respecting international bridges and tunnels and making a consequential amendment to another Act	06/06/22	06/10/24	Transport and Communications	06/12/12	3 observations	06/12/13 Message from Commons- agree with Senate amendments 07/01/30	07/02/01*	1/07
C-4	An Act to amend An Act to amend the Canada Elections Act and the Income Tax Act	06/05/02	06/05/03	Legal and Constitutional Affairs	06/05/04	0	06/05/09	06/05/11	1/06
C-5	An Act respecting the establishment of the Public Health Agency of Canada and amending certain Acts	06/06/20	06/09/28	Social Affairs, Science and Technology	06/11/02	0 observations	06/11/03	06/12/12	5/06
C-8	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2007 (<i>Appropriation Act No. 1, 2006-2007</i>)	06/05/04	06/05/09	—	—	—	06/05/10	06/05/11	2/06
C-9	An Act to amend the Criminal Code (conditional sentence of imprisonment)	06/11/06	07/02/27	Legal and Constitutional Affairs	07/05/03	0 observations	07/05/16	07/05/31*	12/07

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-10	An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act	07/05/30							
C-11	An Act to amend the Canada Transportation Act and the Railway Safety Act and to make consequential amendments to other Acts	07/03/01	07/03/28	Transport and Communications	07/05/17 Report amended 07/05/30	2 observations	07/05/31 Message from Commons-agree with Senate amendments 07/06/14	07/06/22	19/07
C-12	An Act to provide for emergency management and to amend and repeal certain Acts	06/12/11	07/03/28	Special Committee on the Anti-terrorism Act	07/06/05	0	07/06/06	07/06/22	15/07
C-13	An Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/06/06	06/06/13	National Finance	06/06/20	0	06/06/22	06/06/22*	4/06
C-14	An Act to amend the Citizenship Act (adoption)	07/06/05	07/06/19	Social Affairs, Science and Technology	07/06/21	0	07/06/21	07/06/22	24/07
C-15	An Act to amend the Agricultural Marketing Programs Act	06/06/06	06/06/13	Agriculture and Forestry	06/06/15	0	06/06/20	06/06/22*	3/06
C-16	An Act to amend the Canada Elections Act	06/11/06	06/11/23	Legal and Constitutional Affairs	07/02/15	0 + 1 at 3rd	07/03/28 Message from Commons disagreeing with Senate amendment 07/04/27 Senate does not insist on its amendment 07/05/01	07/05/03*	10/07
C-17	An Act to amend the Judges Act and certain other Acts in relation to courts	06/11/21	06/12/11	National Finance	06/12/12	0 observations	06/12/13	06/12/14*	11/06
C-18	An Act to amend certain Acts in relation to DNA identification	07/03/29	07/05/09	Legal and Constitutional Affairs	07/06/14	0 observations	07/06/19	07/06/22	22/07
C-19	An Act to amend the Criminal Code (street racing) and to make a consequential amendment to the Corrections and Conditional Release Act	06/11/02	06/11/21	Legal and Constitutional Affairs	06/12/14	0 observations	06/12/14	06/12/14*	14/06
C-22	An Act to amend the Criminal Code (age of protection) and to make consequential amendments to the Criminal Records Act	07/05/08	07/06/20	Legal and Constitutional Affairs					

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-23	An Act to amend the Criminal Code (criminal procedure, language of the accused, sentencing and other amendments)	07/06/14							
C-24	An Act to impose a charge on the export of certain softwood lumber products to the United States and a charge on refunds of certain duty deposits paid to the United States, to authorize certain payments, to amend the Export and Import Permits Act and to amend other Acts as a consequence	06/12/06	06/12/12	National Finance (withdrawn) 06/12/13 Foreign Affairs and International Trade	06/12/14	0 observations	06/12/14	06/12/14*	13/06
C-25	An Act to amend the Proceeds of Crime (Money Laundering) and Terrorist Financing Act and the Income Tax Act and to make a consequential amendment to another Act	06/11/21	06/11/28	Banking, Trade and Commerce	06/12/14	0 observations	06/12/14	06/12/14*	12/06
C-26	An Act to amend the Criminal Code (criminal interest rate)	07/02/07	07/02/28	Banking, Trade and Commerce	07/04/19	0 observations	07/04/26	07/05/03*	9/07
C-28	A second Act to implement certain provisions of the budget tabled in Parliament on May 2, 2006	06/12/11	07/01/31	National Finance	07/02/13	0	07/02/14	07/02/21*	2/07
C-31	An Act to amend the Canada Elections Act and the Public Service Employment Act	07/02/21	07/03/21	Legal and Constitutional Affairs	07/06/05 Report amended 07/06/12	10 + 2 at 3rd	07/06/14 Message from Commons- agree with 11 amendments and amend 1 07/06/18 Senate agree with Commons amendment 07/06/19	07/06/22	21/07
C-33	An Act to amend the Income Tax Act, including amendments in relation to foreign investment entities and non-resident trusts, and to provide for the bilingual expression of the provisions of that Act	07/06/18							
C-34	An Act to provide for jurisdiction over education on First Nation lands in British Columbia	06/12/06	06/12/11	Aboriginal Peoples	06/12/12	0	06/12/12	06/12/12	10/06
C-35	An Act to amend the Criminal Code (reverse onus in bail hearings for firearm-related offences)	07/06/05							
C-36	An Act to amend the Canada Pension Plan and the Old Age Security Act	07/03/20	07/04/17	Banking, Trade and Commerce	07/04/19	0	07/05/01	07/05/03*	11/07
C-37	An Act to amend the law governing financial institutions and to provide for related and consequential matters	07/02/28	07/03/21	Banking, Trade and Commerce	07/03/29	0	07/03/29	07/03/29	6/07

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-38	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.2, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	6/06
C-39	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.3, 2006-2007</i>)	06/11/29	06/12/05	—	—	—	06/12/06	06/12/12	7/06
C-40	An Act to amend the Excise Tax Act, the Excise Act, 2001 and the Air Travellers Security Charge Act and to make related amendments to other Acts	07/05/15	07/06/05	Banking, Trade and Commerce	07/06/07	0	07/06/14	07/06/22	18/07
C-42	An Act to amend the Quarantine Act	07/06/18	07/06/18	Social Affairs, Science and Technology	07/06/21	0	07/06/22	07/06/22	27/07
C-46	An Act to provide for the resumption and continuation of railway operations	07/04/18	07/04/18	Committee of the Whole	07/04/18	0	07/04/18	07/04/18*	8/07
C-47	An Act respecting the protection of marks related to the Olympic Games and the Paralympic Games and protection against certain misleading business associations and making a related amendment to the Trade-marks Act	07/06/14	07/06/19	Banking, Trade and Commerce	07/06/21	0	07/06/21	07/06/22	25/07
C-48	An Act to amend the Criminal Code in order to implement the United Nations Convention against Corruption	07/05/01	07/05/10	Foreign Affairs and International Trade	07/05/17	0	07/05/29	07/05/31*	13/07
C-49	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2007 (<i>Appropriation Act No.4, 2006-2007</i>)	07/03/26	07/03/27	—	—	—	07/03/28	07/03/29	3/07
C-50	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (<i>Appropriation Act No.1, 2007-2008</i>)	07/03/26	07/03/27	—	—	—	07/03/28	07/03/29	4/07
C-51	An Act to give effect to the Nunavik Inuit Land Claims Agreement and to make a consequential amendment to another Act	07/06/14	07/06/21	Legal and Constitutional Affairs					
C-52	An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007	07/06/13	07/06/18	National Finance	07/06/21	0	07/06/22	07/06/22	29/07
C-59	An Act to amend the Criminal Code (unauthorized recording of a movie)	07/06/14	07/06/18	Transport and Communications	07/06/21	0	07/06/22	07/06/22	28/07
C-60	An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2008 (<i>Appropriation Act No.2, 2007-2008</i>)	07/06/12	07/06/18	—	—	—	07/06/20	07/06/22	23/07

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-61	An Act to amend the Geneva Conventions Act, An Act to incorporate the Canadian Red Cross Society and the Trade-marks Act	07/06/13	07/06/18	Foreign Affairs and International Trade	07/06/21	0	07/06/21	07/06/22	26/07
C-62	An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act, the Wage Earner Protection Program Act and chapter 47 of the Statutes of Canada, 2005	07/06/14							

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-252	An Act to amend the Divorce Act (access for spouse who is terminally ill or in critical condition)	07/03/22	07/04/19	Social Affairs, Science and Technology	07/05/10	0	07/05/29	07/05/31*	14/07
C-277	An Act to amend the Criminal Code (luring a child)	07/03/29	07/05/10	Social Affairs, Science and Technology	07/05/31	0	07/06/14	07/06/22	20/07
C-280	An Act to Amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171)	07/05/30							
C-288	An Act to ensure Canada meets its global climate change obligations under the Kyoto Protocol	07/02/15	07/03/29	Energy, the Environment and Natural Resources	07/05/17	0	07/06/22	07/06/22	30/07
C-292	An Act to implement the Kelowna Accord	07/03/22	07/06/06	Aboriginal Peoples					
C-293	An Act respecting the provision of official development assistance abroad	07/03/29	07/05/29	Foreign Affairs and International Trade					
C-294	An Act to amend the Income Tax Act (sports and recreation programs)	07/04/17	07/05/02	National Finance	07/06/06	0	07/06/12	07/06/22	16/07
C-299	An Act to amend the Criminal Code (identification information obtained by fraud or false pretence)	07/05/09							

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Public Service Employment Act (elimination of bureaucratic patronage and geographic criteria in appointment processes) (Sen. Ringuette)	06/04/05	06/06/22	National Finance	06/10/03	1	07/05/10		
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						

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	06/04/05	07/05/29	Legal and Constitutional Affairs					
S-205	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	06/04/05	06/10/31	Energy, the Environment and Natural Resources	07/02/14	0	07/04/25		
S-206	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	06/04/05	06/10/31	Legal and Constitutional Affairs					
S-207	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	06/04/05	06/12/14	Human Rights	07/06/22	0			
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		subject-matter 07/06/19 Energy, the Environment and Natural Resources					
S-209	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	06/04/25	06/12/14	Energy, the Environment and Natural Resources	07/05/31	0	07/06/22		
S-210	An Act to amend the National Capital Act (establishment and protection of Gatineau Park) (Sen. Spivak)	06/04/25	06/12/13	Energy, the Environment and Natural Resources	07/06/07	2 observations			
S-211	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	06/04/25	06/05/10	Social Affairs, Science and Technology	06/06/13	0	06/10/17		
S-212	An Act to amend the Income Tax Act (tax relief) (Sen. Austin, P.C.)	06/04/26	Bill withdrawn pursuant to Speaker's Ruling 06/05/11						
S-213	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	06/04/26	06/09/26	Legal and Constitutional Affairs	06/12/06	1	06/12/07		
S-214	An Act respecting a National Blood Donor Week (Sen. Mercer)	06/05/17	06/10/03	Social Affairs, Science and Technology	06/12/14	0	06/12/14		
S-215	An Act to amend the Income Tax Act in order to provide tax relief (Sen. Austin, P.C.)	06/05/17	07/02/20	National Finance					
S-216	An Act providing for the Crown's recognition of self-governing First Nations of Canada (Sen. St. Germain, P.C.)	06/05/30	06/12/13	Aboriginal Peoples					
S-217	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	06/05/30	06/10/18	National Finance					
S-218	An Act to amend the State Immunity Act and the Criminal Code (civil remedies for victims of terrorism) (Sen. Tkachuk)	06/06/15	06/11/02	Legal and Constitutional Affairs					
S-219	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	06/06/27	07/05/31	Rules, Procedures and the Rights of Parliament					
S-220	An Act to protect heritage lighthouses (Sen. Carney, P.C.)	06/10/03	06/11/28	Fisheries and Oceans	06/12/11	16	06/12/14		

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-221	An Act to establish and maintain a national registry of medical devices (Sen. Harb)	06/11/01							
S-222	An Act to amend the Immigration and Refugee Protection Act and to enact certain other measures, in order to provide assistance and protection to victims of human trafficking (Sen. Phalen)	07/02/01							
S-223	An Act to amend the Access to Information Act (Sen. Milne)	07/02/15							
S-224	An Act to amend the Access to Information Act and the Canadian Wheat Board Act (Sen. Mitchell)	07/04/17							
S-225	An Act to amend the International Boundary Waters Treaty Act (bulk water removal) (Sen. Carney, P.C.)	07/05/09							
S-226	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	07/05/29							
S-227	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	07/05/29							
S-228	An Act to amend the Non-smokers' Health Act (Sen. Harb)	07/05/30							
S-229	An Act to amend the Income Tax Act and the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	07/06/13							

PRIVATE BILLS

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

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