



CANADA

# Debates of the Senate

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2nd SESSION

• 39th PARLIAMENT

• VOLUME 144

• NUMBER 3

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OFFICIAL REPORT  
(HANSARD)

**Thursday, October 18, 2007**



THE HONOURABLE NOËL A. KINSELLA  
SPEAKER

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

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



## THE SENATE

Thursday, October 18, 2007

The Senate met at 2 p.m., the Speaker in the chair.

Prayers.

[*Translation*]

### SENATORS' STATEMENTS

#### AUNG SAN SUU KYI

**Hon. Céline Hervieux-Payette (Leader of the Opposition):** Honourable senators, today is Persons Day in Canada, and I would like to express my support for and solidarity with the extraordinary woman who is the democratically elected head of state in Burma, also known as Myanmar: Aung San Suu Kyi.

Winner of the Nobel Peace Prize in 1991, Ms. Suu Kyi has wisely and peacefully defended the rights of the Burmese people. She has battled Burma's military authorities, who are bent on oppression and ethnic cleansing.

• (1405)

Recently, the Burmese government used harsh and violent measures against peaceful citizens and monks. The worst violence imaginable is happening right now in a country that has banned the entire world's humanitarian organizations and journalists for over 30 years, a country where torture is commonplace and where civilian courts have been suspended. Moreover, this narco-dictatorship now employs more than 70,000 child soldiers.

Aung San Suu Kyi, so aptly described as a woman of great courage by Antoinette Fouque, a member of the European Parliament, deserves our full support in her battle against the oppression of her people because she has always stood up to the dictatorship in the name of democracy.

Imprisoned by the military since 2003, Ms. Suu Kyi's voice has been silenced. In the name of democracy, Canada must demand that she be freed.

As a parliamentarian, I am pleased and proud that yesterday we honoured Aung San Suu Kyi's extraordinary courage by conferring honorary Canadian citizenship upon her. I fully support that part of the Speech from the Throne.

I would like to close with a few words from Ms. Suu Kyi herself, which were published in the *New York Times* when the Sakharov Prize for Freedom of Thought was awarded by the European Parliament in 1990.

[*English*]

Concepts such as truth, justice and compassion cannot be dismissed as trite when these are often the only bulwarks which stand against ruthless power.

#### THE LATE HONOURABLE MAURICE RIEL, P.C., Q.C.

**Hon. W. David Angus:** Honourable senators, today we pay tribute to our former colleague, my late friend and partner, Senator Maurice Riel, who passed away in Montreal on July 20, 2007, at the age of 85.

[*Translation*]

Senator Riel served in the Senate for over 22 years, representing the senatorial district of Shawinigan.

Born in Saint-Constant, Quebec, he was a true Quebecer. He was very proud of his French-Canadian roots and of his francophone cultural heritage. He was also a great federalist.

My good friend Maurice Riel was called to the Quebec bar in 1945.

[*English*]

He soon developed a highly successful law practice in international business law, with an impressive list of clients abroad, especially in France, as well as in Canada.

I knew Senator Riel as a loyal partner and a personal friend over the years since he joined me in the Montreal office of Stikeman Elliott in mid-1973. He was a very congenial and approachable man. His door was always open.

As well as being a distinguished lawyer, a successful businessman and a respected politician, Maurice Riel was a true gentleman, a decent, warm and patient individual who was known in Canada and abroad for his integrity, his keen business acumen, his wise judgment and his sense of balance. These admirable qualities served him well in his role as Speaker of this chamber from December 1983 to September 1984, as well as in his role on the boards of directors of numerous public and private corporations in Canada, including the Bank of Canada.

Honourable senators, Senator Riel was a stalwart member of the Liberal Party of Canada, and was its chief fundraiser in Quebec for more than a decade. He was a dear, close friend and adviser of Pierre Elliott Trudeau, and he shared his vision of a strong and united Canada. Mr. Trudeau named him to this place on October 1, 1973.

I know that Senator Riel very much enjoyed his time in the Senate. He made lasting friendships amongst senators on both sides of our chamber. He served actively for over 10 years on the Standing Senate Committee on Agriculture and Forestry and he also made a valuable contribution on several other committees, including Foreign Affairs, a subject that he loved very much.

• (1410)

[*Translation*]

He had great respect for the Senate as an institution and firmly believed that the upper house was a useful and necessary part of the democratic system in Canada.

[English]

Prior to my appointment in 1993, Senator Riel often spoke fondly to me of the Senate and its virtues. He expressed his sincere hope that I would join him here one day. Despite our political differences, Maurice and I had numerous discussions and spirited exchanges over the years on our favourite subjects of Canadian and international politics, public affairs and public policy.

[Translation]

He had many strings to his bow: he was very refined, cultured and learned. He loved music, literature and the arts.

[English]

He had a well-developed sense of humour and was, in all respects, a fascinating and pleasant companion and colleague. In my view, the late Senator Riel was a special Canadian who was passionately dedicated to his province and this nation. On behalf of all Conservative senators, I extend a sincere expression of sympathy to his dear widow Laurence, to the extended Riel family and to his large circle of friends.

Dear Maurice, may God bless you and rest your soul.

[Translation]

May God bless your soul and your family.

### GOVERNOR GENERAL'S AWARDS IN COMMEMORATION OF THE PERSONS CASE

#### CONGRATULATIONS TO THE 2007 RECIPIENTS

**Hon. Lucie Pépin:** Honourable senators, since 1982, the month of October has been dedicated to Canadian women who have advanced and who are advancing the status of women.

The highlight of Women's History Month is the presentation of the Governor General's Awards in Commemoration of the Persons Case. I was delighted to honour the Famous Five who opened the doors to women in the Senate. Thanks to them, honourable senators, you have the privilege of having us as colleagues.

Yesterday, Wednesday, the Right Honourable Michaëlle Jean honoured six Canadian women who are carrying on the tradition of the five famous Albertans. Today, I would like to speak about the award winners.

Mildred Burns is originally from Montreal, where she was a professor at McGill University. Ms. Burns has worked non-stop to ensure that women find senior teaching jobs and have equal access to education programs. Furthermore, she worked hard to ensure that these professors could work past age 65, to the age of 75.

Shari Graydon, of Kingston, Ontario, is a passionate teacher and tireless advocate for social justice. Through her writing, she has raised public awareness of sexism within the media. Ms. Graydon also initiated the Annual Persons Day Reception on Parliament Hill.

Élaine Hémond, of Quebec City, is the co-founder of the Groupe Femmes, Politique et Démocratie. A researcher and journalist, she is particularly well known and recognized for her commitment to increasing women's awareness of their rights and responsibilities in the area of political involvement. She created a mentoring school to give women who wish to run for municipal, provincial or federal political office a solid foundation for their election.

Wendy Robbins, of Fredericton, New Brunswick, is a pioneer in the field of women's studies. Through her efforts, this distinguished academic contributed to the establishment of pay equity within the New Brunswick public service.

Muriel Smith is another recipient. A teacher and politician from Winnipeg, Manitoba, she was elected in 1981 and was the first woman in Canada to be named Deputy Premier. She also ushered in the first pay-equity legislation in Canada.

Viviana Astudillo-Clavijo, of Toronto, Ontario, is the Youth Award recipient. An ardent defender of students' rights, Ms. Astudillo-Clavijo is also a gifted artist whose work addresses the challenges facing girls and young women in today's society.

Honourable senators, please join me in commending these six extraordinary women. The Famous Five, for whom these women have been honoured, would certainly be very proud of them today.

• (1415)

[English]

### PERSONS DAY

**Hon. Nancy Ruth:** Honourable senators, October 18, 2007, is Persons Day. On this date in 1929, the Judicial Committee of the Privy Council in England found that women were indeed "persons" under section 24 of the British North America Act.

On this day, we think of the Famous Five from Alberta who fought for this victory: Emily Murphy, Henrietta Muir Edwards, Louise McKinney, Irene Parlby and Nellie McClung. While Persons Day holds significance for the women sitting in this chamber, it is of course a day of great significance to all Canadians. The women of our country today participate in Canadian society in ways that those five women could only dream of almost 80 years ago; and 80 years from now, women will participate in Canada in ways that we can only dream of and cannot even imagine.

Honourable senators, our Conservative government has done things to help women. It has moved on matrimonial property rights for Aboriginal women, and it has given \$300 million for cervical cancer shots for young women. Status of Women Canada, with its increased budget, supports projects such as one at the Centre Actu-Elle in Gatineau, Quebec, which aims to improve the quality of life of young single-parent women. I know that Status of Women, in spite of the change in its granting rules, will continue to support ginger groups and ginger ideas through its conference budget.

In the Speech from the Throne this week, the government spoke of tackling crime and strengthening the security of all Canadians. A likely outcome is an increase in the numbers of imprisoned women. The government's emphasis on longer prison sentences is guaranteed to increase the numbers of women imprisoned, at a cost of \$50,000 to \$250,000.

The way to help these women is by increased drug treatment, welfare, housing and skills training. I urge the government to increase funding for women in these areas. It is only by helping women all across the country to reach their full potential that we continue to honour the Famous Five and all Canadian women who have contributed to the fight for equality.

In closing, honourable senators, I extend my congratulations to the 2007 recipients of the Governor General's Awards in Commemoration of the Persons Case, which were awarded at Rideau Hall yesterday. The women who were honoured this year are as follows: Mildred Burns of Montreal, Quebec; Shari Graydon of Kingston, Ontario; Elaine Hémond of Quebec City, Quebec; Wendy Robbins of Fredericton, New Brunswick; Murial Smith of Winnipeg, Manitoba; and Viviana Astudillo-Clavijo of Toronto, Ontario, who received the Youth Award.

Congratulations to each and every one of these women.

### PRINCE EDWARD ISLAND

#### COLLEGE OF PIPING AND CELTIC PERFORMANCE ARTS OF CANADA

**Hon. Catherine S. Callbeck:** Honourable senators, this past summer the pipe band from the College of Piping and Celtic Performance Arts of Canada, located in my home province of Prince Edward Island, placed fourth in Grade 3B at the World Pipe Band Championships in Glasgow, Scotland. In all, 255 bands competed in over eight grades, bringing together more than 8,000 pipers and drummers from around the world.

Led by Pipe Major Scott MacAulay and Drum Sergeant Jeremy White, this band worked hard and worked together to achieve this great success. This accomplishment is all the more impressive given that the other 24 bands in this grade were comprised mostly of adults; but the College of Piping's pipe band is not. Sixteen of the band's 24 members are under the age of 19; the youngest drummer is just 12.

Since it was established in 1990, the college has been actively preserving and promoting Celtic culture and heritage by offering instruction in the traditional Celtic arts of piping, drumming and dance. In fact, it is the only school of this type in North America.

Prince Edward Island is certainly a fitting location for this college. Seventy per cent of Islanders trace their roots to Scotland and Ireland; 45 per cent are of Scottish descent, while 25 per cent are of Irish descent. The rich musical tradition found in Prince Edward Island flows from that Celtic background, and the College of Piping is a product of our cultural heritage.

The success of the college's pipe band in Scotland at the world championships is a testament to the musicians' hard work and dedication, and definitive proof of the quality of instruction at the college. In fact, this triumph is just the latest victory these musicians have achieved. This band also won the North American championship last year.

[ Senator Nancy Ruth ]

Honourable senators, Islanders are proud of the pipe band's success. Please join me in congratulating these fine musicians for representing their country with such distinction.

• (1420)

### THE HONOURABLE BERT BROWN

#### WELCOME TO THE SENATE

**Hon. Gerry St. Germain:** Honourable senators, I rise today to welcome and pay tribute to Senator Bert Brown.

Over 20 years ago, he started his campaign for an elected Senate. During the years 1989 to 1994, while I was party president and through two Conservative majority governments in the House of Commons, Bert Brown spent hour after hour trying to convince me of the Triple E Senate. I argued with him; I used to say the equal bit was always tough, but I always agreed with him deep down because it represents what our constituents in Western Canada want. He said yesterday in his speech that 80 per cent of Canadians are in favour of visiting this particular subject of an elected Senate.

My friend, it is nice to see you here. I sat in this place as a Canadian Alliance senator and preached the virtues of an elected Senate. Often, to my dismay, there were people who disagreed with me. Having said that, if election of senators generates the legitimacy — as he and I know that Westerners want — he is a legitimate son of the Senate.

The great debate goes on and we are making progress. It was from Alberta, as Senator Nancy Ruth pointed out, that the Famous Five came. Could honourable senators imagine in 1929 that a woman should vote? Can they imagine in this great era of 2007 that we should elect senators? So we are making progress. Congratulations. We are glad to have you here.

**Hon. Joyce Fairbairn:** Honourable senators, it is with great pleasure that I join colleagues on both sides of this chamber today to welcome our new colleague, Bert Brown, into the Senate of Canada. Senator Brown comes here with a slightly different background from the rest of us, through the three elections of senators held in Alberta in 1989, 1998 and 2004. He won in each of them and has continued to promote Senate reform vigorously across this country ever since.

Like thousands of other Canadians, I first became connected with our new senator by looking out an aircraft window at the field of his neighbour, where Senator Brown had ploughed a giant message of Triple E: elected, effective and equal. That became his battle cry, which reverberated across the country and influenced the appointment of our first elected senator, the late senator and general, Stan Waters, to this chamber. It was an honour for me to help introduce him at the time. Senator Brown has been engaged in this issue ever since on the Canadian Committee for the Triple E Senate, the Alberta Provincial Committee for an Elected Senate and as a long-time member of the Alberta task force.

Early on in my life as an Alberta senator, I was greeted with some doubt and anxiety, being a Liberal after all, and was eager to get out on the road whenever possible to meet, greet and speak in communities surrounding my home turf of Lethbridge. I will

never forget how my heart sank on one occasion when I trotted up to address a room full of farmers, and discovered I was sharing the stage with Bert Brown and a prominent minister and deputy premier of Alberta, Dr. James Horsman. I thought we were there to talk about agriculture, but they were there to talk about Senate reform. To put it mildly, I learned a lot that day.

Our colleague, as you have heard from others, has been a long-time farmer, a journalist — another connection between us — a pilot, a realtor and a member of many agricultural organizations, foundations and political associations, as well as the founder of the Canadian agriculture lobby. Apart from all his abilities, including a great sense of humour, his greatest asset is his wife, Alice, and their daughter, Angela. His presence in this chamber will enhance the Senate, and I am honoured to have his friendship.

• (1425)

### VISITORS IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I would like to draw your attention to the presence in the gallery of His Excellency Degefe Bula, Speaker of the House of the Federation of the Federal Democratic Republic of Ethiopia. He is accompanied by Mr. Alebachew Niguse, Mr. Habtamu Nini, Ms. Balemwal Abeshaw, Mr. Birhanu Sime, Dr. Zewdu Guangul and Dr. Petra Zimmermann-Steinhart.

On behalf of all senators, I welcome you to the Senate of Canada.

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

## ROUTINE PROCEEDINGS

### 2006-07 PUBLIC ACCOUNTS OF CANADA

TABLED

**Hon. David Tkachuk (Acting Deputy Leader of the Government):** Honourable senators, pursuant to rule 28(3) I have the honour to table, in both official languages, the Public Accounts of Canada 2006-07.

### CANADA-UNITED STATES TAX CONVENTION ACT, 1984

BILL TO AMEND—FIRST READING

**Hon. David Tkachuk (Acting Deputy Leader of the Government):** Honourable senators, I have the privilege to present Bill S-2, An Act to amend the Canada-United States Tax Convention Act, 1984.

Bill read first time.

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

On motion of Senator Tkachuk, bill placed on the Orders of the Day for second reading two days hence.

[*Translation*]

### PARLIAMENTARY EMPLOYMENT AND STAFF RELATIONS ACT

BILL TO AMEND—FIRST READING

**Hon. Serge Joyal** presented Bill S-212, to amend the Parliamentary Employment and Staff Relations Act.

Bill read first time.

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

On motion of Senator Joyal, bill placed on the Orders of the Day for second reading two days hence.

[*English*]

### THE SENATE

NOTICE OF MOTION URGING GOVERNOR GENERAL  
TO FILL VACANCIES

**Hon. Wilfred P. Moore:** Honourable senators, pursuant to rule 57(1)(b), I give notice that, two days hence, I will move:

That the following humble address be presented to Her Excellency, The Right Honourable Michaëlle Jean, Governor General of Canada:

MAY IT PLEASE YOUR EXCELLENCY:

WHEREAS full representation in the Senate of Canada is a constitutional guarantee to every province as part of the compromise that made Confederation possible;

AND WHEREAS the stated position of the Prime Minister that he “does not intend to appoint senators, unless necessary” represents a unilateral denial of the rights of the provinces;

AND WHEREAS the Prime Minister’s disregard of the Constitution of Canada places the Governor General in the intolerable situation of not being able to carry out her sworn duties under section 32 of the Constitution Act, 1867, which states, “When a Vacancy happens in the Senate by Resignation, Death, or otherwise, the Governor General shall by Summons to a fit and qualified Person fill the Vacancy.”;

AND WHEREAS upon the failure of the Prime Minister to tender advice it is the duty of the Governor General to uphold the Constitution of Canada and its laws and not be constrained by the wilful omission of the Prime Minister;

Therefore, we humbly pray that Your Excellency will exercise her lawful and constitutional duties and will summon qualified persons to the Senate of Canada, thereby assuring that the people and regions of our country have their full representation in a properly functioning Parliament, as that is their undeniable right guaranteed in the Constitution of Canada.

• (1430)

[*Translation*]

## KYOTO PROTOCOL

### OBJECTIVES AND ECONOMIC IMPLICATIONS— NOTICE OF INQUIRY

**Hon. Grant Mitchell:** Honourable senators, pursuant to rules 56 and 57(2), I give notice that, on Tuesday, October 23, 2007:

I will call the attention of the Senate to the importance and economic potential in pursuing the Kyoto objective.

[*English*]

## CANADA PENSION PLAN

### SENIORS' BENEFITS—NOTICE OF INQUIRY

**Hon. Catherine S. Callbeck:** Honourable senators, pursuant to rule 57(2), I give notice that, two days hence:

I will draw the attention of the Senate to the thousands of Canadian seniors who are not receiving the benefits from the Canada Pension Plan to which they are entitled.

[*Translation*]

## QUESTION PERIOD

### STATUS OF WOMEN

#### FUNDING OF WOMEN'S ISSUES

**Hon. Céline Hervieux-Payette (Leader of the Opposition):** Honourable senators, yesterday the Leader of the Government in the Senate was kind enough to make mention of my new duties. I will return the favour by wishing her good luck in the new responsibilities the Prime Minister has given her.

I want to assure the minister that I will work with her regarding seniors as well as on all the issues she is given to handle, provided that they are in the interest of Canadians and particularly Quebecers.

Today, we celebrate a special day for women in the Senate and across Canada: the anniversary of the historic decision that recognized women as persons and allowed them to sit in the Senate. Very few Canadians today are aware that, at the time, women were not considered equal to men. For the first time in the history of the Canadian Senate, the positions of Leader of the Government and Leader of the Opposition are held by women.

[ Senator Moore ]

Like me, the Leader of the Government has spent her career working in what is essentially a man's world. Like me, she has had to carve out a place for herself as a woman in this world of men. Thank goodness we have seen women make great strides in politics over the years.

The Leader of the Government has the power and influence to further the cause of women. Can she assure us that, when the Minister of Finance prepares his mini-budget, she will speak on behalf of Canadian women about the funding for support programs for women's groups that, because of past cuts, are less able to defend women's rights?

• (1435)

I would like to have the assurance of the Leader of the Government that she will pass on this message and obtain additional funding to protect the rights of women in Canada.

[*English*]

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, I thank Senator Hervieux-Payette for her kind words. It is no secret that I have spent many years in politics. Before I came to the Senate, I was very pleased to have been in charge of order-in-council appointments. The government that I was associated with at the time increased the number of women appointed to major boards and commissions from less than 15 per cent when we came into office to over 30 per cent when we left. We appointed women to non-traditional positions such as the Veterans Review and Appeal Board, the Civil Aviation Tribunal, the Export Development Corporation and many other major government bodies.

On the subject of added responsibilities that I have been given by the Prime Minister, in the latest cabinet shuffle I was appointed chair of the cabinet's social affairs committee and as a member of the cabinet's treasury board committee.

Yesterday, in the other place, a colleague of the Leader of the Opposition in the Senate placed a motion on the Order Paper which reads:

That, in the opinion of the House, the government should recognize the growing segment of seniors in our society by establishing the cabinet position of "Secretary of State for Seniors" to be the principal advocate for seniors issues.

I was taken aback by that motion as I have been the Secretary of State for Seniors since January, in which position, of course, I work a lot with senior women.

I was struck by Mr. Szabo's lack of knowledge of my responsibility as Secretary of State for Seniors. I wondered whether that lack of knowledge is due to the fact that I am a woman or perhaps because I am a senator.

Perhaps Senator Hervieux-Payette could apprise her colleague in the other place of the fact that there is a Secretary of State for Seniors, as promised by the Prime Minister in the last election.

In direct response to the question, our government believes in the full participation of women in society and will continue to support women through programs that are managed effectively. For example, Minister Verner recently announced, and Senator Nancy Ruth spoke to this in her statement on Persons Day, that we are providing funding for a project that helps young, single-parent women in Gatineau. In 2006-07, we increased the budget of Status of Women Canada to \$29.9 million with \$15.3 million for the Women's Program, the highest budget in the agency's history.

The Women's Program was refocused and is now composed of two components; the Women's Community Fund with \$12.3 million and the Women's Partnership Fund with \$3 million.

[*Translation*]

**Senator Hervieux-Payette:** The main focus of my message was the importance of reinstating funding to defend the rights of women in all manner of instances. I am asking the Leader of the Government to argue in favour of all these women who come to speak to us. It is essential that we defend them.

I am asking her to call upon the Minister of Finance to restore the program. I can assure you of my support and there will be no controversy between the Liberal Party and the Conservative Party in reinstating the funding to allow women to fully exercise their rights.

In the coming months, in the event of an election in November 2009, and given the number of women in cabinet and the number of women candidates in the Conservative Party, the Leader of the Government could perhaps, through her contacts, also increase the presence of women. I am not saying that we have to make sure they all get elected; that would be a bit of a dichotomy. Nonetheless, we have to ensure that women have a place in every political party, including the Conservative Party.

[*English*]

**Senator LeBreton:** I thank Senator Hervieux-Payette for the question. I presume that she is referring to the National Association of Women and the Law and the accusations that our government was forcing it to close offices due to changes in the funding criteria.

Status of Women Canada continues to fund projects to directly assist women in their communities, particularly women in vulnerable situations.

• (1440)

As Minister Verner has stated, this association received \$290,000 from the government in 2006 for a project concerning women's economic security and physical safety. The association continues to be eligible to apply for this type of funding. However, it did not apply for funding in 2007-08.

With regard to the way we have restructured the funding through Status of Women Canada, funding will be provided only when it is applied for.

With regard to attracting more women to politics, obviously that is the goal of all political parties. It is certainly the goal of our political party, as it is the goal of the honourable senator's party.

I have been asked this question many times, and I have consulted with women. What we collectively must do is make the political arena a more attractive place for women. Right now, women have many more career choices, perhaps, than they had when I was a bit younger. Many of them have told me they would love to run for politics, but there are other career options that they would rather consider.

It is incumbent upon all of us to make the political arena more attractive for women at all levels.

## JUSTICE

### APPOINTMENT OF LAWRENCE O'NEIL TO SUPREME COURT OF NOVA SCOTIA

**Hon. Grant Mitchell:** Honourable senators, we learned today that the government has appointed Lawrence O'Neil to the Supreme Court of Nova Scotia. Lawrence O'Neil, a former MP, is distinguished by virtue of his strong anti-abortion stance. On this particular day, does this appointment reveal the government's true position and feelings on the issue of women's rights and the right of women to choose?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** I thank the honourable senator for the question. As the senator knows, judicial appointments go through a rigorous appointment process that was set up originally by the Mulroney government, and carried on by the Chrétien and Martin governments. There is a review process in which each jurisdiction recommends people they believe are qualified for the bench. We have followed this same procedure.

People have views on any given issue, and many people of all political stripes have strong views on that particular issue.

This party is no different than the honourable senator's party. Lawrence O'Neil came through the Judicial Review process and was appointed. I think we all agree that a person's political background should not in any way be detrimental to their ongoing careers.

What is important is that they are recommended by their peers in their jurisdictions and that they are competent.

## THE SENATE

### PROPOSED CONSULTATIONS ON SELECTION OF SENATORS

**Hon. Joan Fraser:** My question is for the leader of Canada's formerly new government in the Senate. It has to do with the Speech from the Throne that we heard on Tuesday night.

We were told in the speech that the government will reintroduce its bill for what was termed "direct consultations with voters on the selection of Senators."

As it happened, a few hours earlier on Tuesday I had been cruising the Conservative Party's website and refreshed my memory by consulting their Texas-type negative ads, several of which refer, in critical tones, to unelected senators. There are also several references to Senate elections.

Yesterday we heard a fine maiden speech from our new colleague, Senator Brown. May I add my voice to those who have congratulated him on his appointment to this chamber.

Senator Brown referred to himself a couple of times as an elected senator.

**Senator Cools:** Yes, wrong.

**Senator Fraser:** He also made a couple of statements about Prime Minister Harper's intentions. He has had marked indications of close relations and respect from Prime Minister Harper this week.

• (1445)

Senator Brown said that Prime Minister Harper wants to see Senate seats filled by an election process, and that the government of Stephen Harper thinks it is now time for the idea of the election of senators to be expanded to other provinces. What are we talking about? Are we talking about elections or consultations?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, I can understand Senator Fraser's sensitivity to this issue.

In the last session of Parliament, we had two pieces of legislation, one introduced in this place on the subject of Senate tenure and one introduced in the other place in regard to a process for the selection of senators. We can get into a "splitting-hairs" debate. The fact is that Senator Brown was elected through a process in the province of Alberta. British Columbia had such a process, but it had a time limit on it, which has now run out, and I believe Manitoba has such a provision.

In actual fact, the legislation that we tabled in the last session, which will be coming back in some form in this one, is a Senate selection process whereby the jurisdictions within the provinces will run a Senate selections process. Once the various provinces or jurisdictions have gone through this process, the Prime Minister will then have a list from which to appoint senators to this place.

**Senator Fraser:** As between selections and elections, if the Prime Minister is committing himself to appoint those who have been selected and/or elected, it sounds to me as if, as the Leader of the Government suggests, this is a distinction without a difference, which leads us smack to the Constitution of Canada.

The Constitution Act, 1982, says that one cannot change the method of selection of senators without the agreement of seven provinces representing 50 per cent of the population.

How is the government planning to get around that?

**Senator LeBreton:** The honourable senator is absolutely right. The Prime Minister appointed Senator Brown to the Senate after the province of Alberta twice, by huge majorities, elected him as their senator in waiting. He was in waiting for a significant period of time.

Once the election process in Alberta was complete — and of course this was also done by Prime Minister Mulroney, in the case of Stan Waters — the Prime Minister acknowledged the wishes of

the province, in this case Alberta, but in terms of the Constitution of the country, the same process was followed. The Governor General, on the advice of the Prime Minister, appointed Senator Brown to the Senate of Canada.

**Senator Fraser:** I congratulate Senator Brown on his success in winning the support of the voters of Alberta more than once. Not many people can do that, and it is an accomplishment of which to be proud. Nonetheless, if we are moving to a process whereby every senator will be the product of an electoral system, then surely the government is proposing is to do indirectly what it cannot do directly according to the Constitution, that is, move unilaterally to a system of electing senators.

Can the leader not see that this represents complete contempt for the Constitution?

**Senator LeBreton:** Honourable senators, I will not address the subject of contempt in this place. The fact is that the Prime Minister simply recognized the wishes of the electors of Alberta, as former Prime Minister Mulroney did with Stan Waters. Senator St. Germain is quite right that the Liberals overlooked the wishes of the people of Alberta. Prime Minister Martin appointed people to this place, overlooking the wishes of the people of Alberta.

• (1450)

As the honourable senator knows, during the previous session, bills on Senate tenure and the Senate selection process were introduced after we had received strong advice from constitutional experts that the bills were constitutional. We are in a new Parliament now and these bills will be tabled again.

**Senator Cools:** We are not in a new Parliament. We are in a new session of Parliament.

**Senator LeBreton:** There will be an opportunity for members of the House of Commons and the Senate to make all of their views known and to hear all of the witness testimony they want. I am quite certain that there will be a long and protracted debate on this issue once again.

**Hon. Bill Rompkey:** In view of the fact that there will be a debate on this important topic, would the minister agree to tabling the legal advice that she has received in respect of the question?

**Senator LeBreton:** I thank the senator for his question. The Prime Minister, when speaking to the Speech from the Throne, indicated that because the issue is so important, the bill should be referred to committee for full study after first reading in the House. The suggestion is valid, and I hope that members on the other side will take the opportunity to study fully the legality and constitutionality of the issue before it comes back to the House and then over to the Senate.

**Senator Rompkey:** That is interesting but does not answer my question: Will the minister table in the Senate the legal advice and opinions that she has received on this topic?

**Senator LeBreton:** The legal opinions were part of the public record not only in Senator Hays' report of the Special Committee on Senate Reform but also in the testimony of legal and constitutional experts who appeared before the committee.

**Senator Rompkey:** They said, no.

**Senator LeBreton:** The opinion that we received was put on the public record during the deliberations on Bill S-4 before the Standing Senate Committee on Legal and Constitutional Affairs.

**Senator Rompkey:** That does not answer my question, which was very simple: Will the minister table in the Senate the legal opinions received?

**Senator LeBreton:** I was asked these same questions during the last Parliament. As I believe I said, any opinions provided to the government as part of the formulation of proposed legislation are —

**Senator Rompkey:** Confidential.

**Senator LeBreton:** However, having said that, the advice provided by people that we relied on, including former Senator Beaudoin, whom both sides acknowledge to be a constitutional expert, was all repeated, almost verbatim, before the Standing Senate Committee on Legal and Constitutional Affairs when it studied Bill S-4.

## PUBLIC SAFETY

### ENFORCEMENT OF REGULATIONS REGARDING FOOD IMPORTS

**Hon. Lorna Milne:** Honourable senators, the most recent Speech from the Throne indicated that the government shares the concern of Canadian parents about the safety of our food. Apparently, the government intends to introduce measures on food safety to ensure that families have confidence in the quality and safety of what they buy. This is a good thing. It is particularly interesting because a letter to the Honourable Ralph Ferguson, signed by the Minister of Public Safety and Emergency Preparedness on September 7, 2007, reveals a rather flippant attitude toward the issue of safety of foods imported into Canada.

• (1455)

In fact, Minister Day stated that the regulations regarding the issue of food safety fall under the Canadian Food Inspection Agency. His agency, the Canadian Border Services Agency, is not responsible for answering any questions about why food products containing chemicals banned in Canada, and food products that are produced, processed or packaged in countries not meeting Canadian sanitary standards are still allowed to be imported into Canada.

My question for the Leader of the Government in the Senate is simple: Since this government has now decided to take an active interest in the issue of safe imported food, will the Minister of Public Safety be advised to take a more considered attitude towards the enforcement of regulations regarding food imports, or will this government continue their policy of telling Canadians one thing and doing another?

That is to say, has Minister Day been brought to see the light on the road to Damascus?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** Honourable senators, I have had this discussion here before with the Honourable Senator Milne, regarding the great confusion about food labelling. If I am not mistaken, I believe the honourable senator quoted another letter from Dr. Ralph Ferguson.

With the growing global economy and the way goods and services move around the world, the whole issue of food safety is not something that just started in January 2006. The Department of Health and the Minister of Health, with the previous government and with this government, are concerned about the importation of unsafe products. As the Speech from the Throne mentioned, this concern extends not only to food products but also to all products, including toys that our children and grandchildren play with.

We have made a commitment to this matter in the Speech from the Throne, and the honourable senator must await further details regarding the measures we plan to put in place to deal with it.

**Senator Milne:** I thank Senator LeBreton for her response. She is right. I brought this subject up once before and I tabled the letter from the Honourable Ralph Ferguson. I am willing to table this letter as well.

Does the Leader of the Government in the Senate agree that it is Minister Day's job, as Minister of Public Safety and head of the Canada Border Services Agency, to ensure that products containing chemicals banned in Canada and foods produced in countries not meeting Canadian sanitary standards not be allowed into Canada?

Are Minister Day and his organization not the last line of defence before Canadians are exposed to imported foods that they previously believed they would be protected from by their government?

If Canadians cannot have faith in their Minister of Public Safety to be accountable for enforcing the current food import safety regulations because he is allowing unsafe food products to come into Canada, then why should they trust this government to make necessary changes? Perhaps a new minister is required, rather than new measures.

**Senator LeBreton:** Honourable senators, I think there would be a great deal of disagreement with Senator Milne over the qualifications of Minister Day. From every person that I have talked to, including people at work within the bureaucracy, he has been an outstanding Minister of Public Safety.

The Government of Canada is committed to safe, secure and efficient borders. This commitment includes dealing with smuggling, drug trafficking and all products that cross our border. Minister Day has taken many measures, and has invested considerable sums of money — I think about \$430 million — in increasing border infrastructure to ensure that our borders are safer.

With regard to products and food products, the Department of Health also has a responsibility there. I will take that portion of the question specifically as notice and ask both departments to bring the honourable senator up to date on the measures that are being taken to secure safe products coming into our country.

• (1500)

**Senator Milne:** I thank the honourable senator for that response.

In order to facilitate the process, may I have the permission of the Senate to table this letter from the Honourable Ralph Ferguson?

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

**Hon. Senators:** Agreed.

### SPEECH FROM THE THRONE

#### MEASURES REGARDING SENIORS

**Hon. Marilyn Trenholme Counsell:** Honourable senators, my question is for the Leader of the Government in the Senate. I felt empty and sad at the end of the Speech from the Throne two days ago, and one may ask why. The answer is clear: There was barely a mention of families and children; a glib statement without substance that families now have real choice in child care; so little about health care, education and research; and nothing for seniors, except for a passing message under the theme of the environment. Again, there was nothing for elderly women or men, so many of whom live in poverty in this country of hope and generosity of spirit. Perhaps I should use the words from the Speech from the Throne: "A land where merit trumps privilege."

If our new government, now not so new, believes this sentiment, why was there so little for the most vulnerable among us? Do seniors not merit priority attention in the Speech from the Throne?

My question for the Honourable Leader of the Government in the Senate is: Why did she not insist on more for seniors, especially since she is the federal minister responsible for them?

**Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)):** The honourable senator and I must have been listening to a different speech. The Speech from the Throne was clear and I was proud of the references to seniors, particularly on the issue of elder abuse, an area that I have been profiling.

This government increased the budget of the New Horizons for Seniors program. Though one senator accused us of getting rid of the New Horizons program, we have earmarked a considerable sum of money to highlight the serious problem of elder abuse. The National Seniors Council, which the government appointed, has been seized with this issue. The first mandate we have given the council is to deal with the issues of elder abuse and struggling low-income seniors, who are mostly women, but some men.

I met with the National Seniors Council last Thursday and Friday in Halifax, where I addressed the issue of elder abuse. The council has been working with their territorial and provincial counterparts on combating poverty among seniors and on the issue of elder abuse. There was much in the Speech from the Throne that was directed to the interests of seniors.

The Speech from the Throne also outlined an initiative to get tough on crime. I have travelled all over the country this summer. In addition to the obvious things that seniors bring to my

attention, crime was mentioned every single time. Seniors are very concerned about crime; they are concerned for their own safety and the safety of their children.

To say that we did not address seniors or families is erroneous. Every single piece of our Throne Speech encompasses families, seniors and Canadians where they live and work.

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## ORDERS OF THE DAY

### SPEECH FROM THE THRONE

#### MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Comeau, seconded by the Honourable Senator Brown:

That the following Address be presented to Her Excellency the Governor General of Canada:

To Her Excellency the Right Honourable Michaëlle Jean, Chancellor and Principal Companion of the Order of Canada, Chancellor and Commander of the Order of Military Merit, Chancellor and Commander of the Order of Merit of the Police Forces, Governor General and Commander-in-Chief of Canada.

#### MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

**Hon. Lowell Murray:** Honourable senators, the Deputy Leader of the Opposition, who had taken the adjournment yesterday, indicated she would not be intervening at this point. I appreciate her courtesy in so advising me, thus leaving the way open for me to make my brief contribution to the debate. It will also be a positive one, so that Senator St. Germain will not be too disappointed when he has heard me out, as I hope he will, without interruption.

I begin in the time-honoured way by congratulating the mover and seconder of the Address in Reply to the Speech from the Throne, both on having been selected for this honour and on the quite different and interesting speeches with which they left us.

Life is full of surprises. Those of us who expected Senator Brown to be provocative and partisan found him to be conciliatory. Those who expected Senator Comeau to be conciliatory found him provocative and partisan.

[Translation]

That being said, Senator Comeau was quite right to remind us of the Liberal's about-turns on the Goods and Services Tax and the Free Trade Agreement between Canada and the United States and on many other issues.

[English]

However that may be, I congratulate both of them and thank them for leading us off to such a stimulating start.

There are always criticisms of Throne Speeches. I am somewhat sensitive to these criticisms because I have had some experience in the drafting process. I have, as the saying goes, held the pen on Throne Speeches in the province of New Brunswick during the Hatfield government and from time to time here in Ottawa. I assure honourable senators that I have written worse Throne Speeches than the one we heard on Tuesday night.

The question that is always before ministers and their political and public service advisers in the run-up to the drafting process is "will this Throne Speech be thematic, perhaps with an overarching vision of the country, or is it going to be a Christmas tree on which the baubles of every minister, department, agency and interest are hanging from the branches?" Invariably, we would pledge to each other that this time it would be a thematic Speech from the Throne and almost as often it turned out to be a Christmas tree.

The reason was simple; everyone wants his or her priority mentioned in the Throne Speech. I recall an occasion when some of us brought a draft before a group of ministers, and one minister asked why there was nothing about housing in the speech. The answer was that we had nothing new to announce about housing that year; however, that answer was not good enough. We were sent back to the drawing board to produce a plausible paragraph about housing, which I am sure we did.

In the 1970s in New Brunswick — and Senator Bryden and I were reminiscing about this the other night — we had a Speech from the Throne in which the Lieutenant-Governor solemnly intoned that thenceforth motorists in New Brunswick would be able to make a right turn on a red light. Honourable senators may laugh, but that announcement in the Throne Speech was probably of more interest to more New Brunswickers than almost anything else in it.

To the credit of the government, Tuesday's Throne Speech was rather more thematic than Christmas tree. Indeed, because it was relatively noncontroversial and short on detail, it was a gift to the Liberal Party. Mr. Ignatieff was quite right to say, as he did on television on Tuesday night — and the editorial writers of *The Globe and Mail* were quite right to indicate on Wednesday morning — that it would be almost ludicrous to bring down a government and force an election on the basis of this speech.

Opposition spokesmen and their advisers usually go over Throne Speeches with a fine-tooth comb in search of glaring omissions. In the 1960s, the Pearson government once brought in a Throne Speech in which, as Mr. Diefenbaker discovered, the word "agriculture" was not even mentioned. Needless to say, this provided fodder for many speeches by Mr. Diefenbaker across Western Canada in the months that followed.

• (1510)

The first Throne Speech of the Trudeau government in 1968 contained nary a mention of Her Majesty the Queen. Needless to say, Mr. Diefenbaker went ballistic on that one.

In Nova Scotia, in 1970, I found myself helping out the Tory caucus, which had just been returned to opposition after 14 years in government. We discovered, in the month of January in Halifax, that the Throne Speech of the new Liberal government contained not a mention of the word "unemployment." That provided some talking points for the MLAs until something better came along.

This week's speech had two omissions upon which I wish to remark. The first is perhaps a mere formality, but it is a tradition. There is almost always a sentence in the Throne Speech in which the Governor General addresses herself or himself directly to members of the House of Commons and tells them: Members of the House of Commons, you will be asked to approve the expenditures for these various programs. That request was not present in the speech we heard read the other night. I am sure it was an oversight. I am interested because we made the same mistake during the Mulroney government in one of our speeches. I was one of the hands in the drafting. I think it was my fault, and it was brought forcefully to our attention by people such as Senator MacEachen and Senator John Stewart, who tend to be sticklers on this sort of thing.

A more noteworthy and, for a while, more worrisome omission was the lack of any mention at all in the Throne Speech of the October 10 agreement on equalization and the offshore resources between Nova Scotia and the federal government. I am sure that this side deal — which is what it was — will require legislation, and I think that has been confirmed for us by the Minister of Finance, if not in the House of Commons then in a media scrum yesterday. Indeed, he had indicated to us that this might happen, that any agreement reached would be included in another budget implementation bill, which is due this fall. Mr. Flaherty did so when he appeared before the Standing Senate Committee on National Finance in June.

Let me see if I can summarize this situation. We all want to wait until we see the legislation, which I trust is coming. Budget 2007 violated the Atlantic accords. That is still the case and it has not been changed with the agreement between the Nova Scotia and federal governments. As I understand the intent of the October 10 agreement, Nova Scotia will have to opt in to the new equalization formula. Senator LeBreton, the Leader of the Government, alluded to this yesterday. In the new agreement, Ottawa will pay them anything that they would otherwise lose by moving out of the 2005 accord and into the 2007 formula.

I fervently hope that this deal holds until 2019-20 because Nova Scotia loses money under the new arrangement, compared to the 2005 accord, until 2015-16, at which point they start to catch up. According to the documents released by the Nova Scotia Department of Finance, by 2011-12, under this side deal, Nova Scotia will be behind the 2005 accord by \$306.3 million cumulatively; by 2019-20, cumulatively, Nova Scotia will be ahead by \$229 million if the deal holds.

It is astonishing to me that there is no signed agreement. This matter has been raised here and in the other place in the last day or so. Also, there is not a word about this agreement to be

found — at least as of last night, when I looked — on the website of the federal Department of Finance. All we have is a press release.

Honourable senators, we should bear in mind, and so should the Nova Scotia government, that equalization formulas are legislated for five years. We passed the 2007 equalization formula when we passed Bill C-52. I regret that some of my friends lost their nerve on that matter and did not amend Bill C-52 as we should have done. However, let me say that the formula we passed when we passed Bill C-52 ends at the close of the 2013-14 fiscal year; that is, on March 31, 2014. Nova Scotia is supposed to start catching up in 2015-16, two fiscal years later. When the time comes to change the equalization formula — or indeed at any time, as this government is not much of a respecter of legislation, as they proved with the Atlantic accords — it could be changed to Nova Scotia's disadvantage.

I will leave it at that for the moment, because we will see the legislation and hope that perhaps there are guarantees in it that will enable everyone, especially Nova Scotia and the federal government, to be entirely satisfied with the arrangement, the communiqué or the agreement — whatever it was — that the Prime Minister and Premier MacDonald came to on October 10.

There are two other references in the Throne Speech to which I should like to make passing mention, both of which would perhaps require legislation. One case for sure will require legislation.

The first is the spending power. Honourable senators know, if anyone cares, that during the first session of this Parliament I expressed considerable disagreement with the government on child care, on the Atlantic accords, and on the move to per capita transfers for the Canada Social Transfer and the Canada Health Transfer, which will have to be revisited anyway because it is a disaster waiting to happen. However, as I said in the debate of April 2006, I strongly support the more open, collegial and consultative regime of federal-provincial relations outlined by Mr. Harper in his Quebec City speech in December of 2005 and in Montreal early in 2006, not long after he became Prime Minister. I was encouraged to see in the Speech from the Throne an announcement of legislation to bring in “formal limits” on the use of the federal spending power for new shared-cost programs in areas of exclusive provincial jurisdiction.

The Throne Speech goes on to say that the formula would allow provinces to opt out with reasonable compensation to provinces and territories if they offer compatible programs.

Mr. Flaherty's budget plan 2007 mentioned that in order to launch a new national shared-cost program in an area of exclusive provincial jurisdiction — and we have to be clear about those words and what they apply to — before the federal government could do that, a majority of provinces would have to sign on. This is very similar, if not identical, to the provisions of the Social Union Framework Agreement, SUFA, negotiated by Prime Minister Chrétien with nine of the provinces.

Indeed, last April, at the Standing Senate Committee on National Finance, when I read the provision in the budget document to Barbara Anderson, who is the senior Department of

Finance official in the field of federal-provincial fiscal relations, and asked her what was the difference between SUFA and the Flaherty budget document on this matter, she said they are “basically the same.” The difference is that while the Social Union Framework Agreement is an executive agreement among governments, the Harper formula would be legislated. I hope the legislation goes somewhat beyond the SUFA. I hope they beef it up. There is provision in the SUFA to apply to existing programs. That might be beefed up.

• (1520)

There is also provision in the SUFA for advance notice when the federal government would use the federal spending power for direct spending to individuals and institutions in areas of exclusive provincial jurisdictions.

I think my time has expired, Your Honour.

**The Hon. the Speaker:** Is Senator Murray asking for an extension of his time?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** I heard someone say five minutes.

**Senator Murray:** I think I can wind up fairly quickly. I thank honourable senators for their courtesy.

There is a provision in the Chrétien agreement for advance notice when the federal government plans to use the spending power for direct spending to individuals and institutions in areas of exclusive provincial jurisdiction. I hope that the present government will think of beefing that up somewhat to provide not only for advance notice but for some meaningful consultation when the federal government is about to spend money and transfer money to individuals or institutions in areas such as education that are exclusively provincial.

Everything I say on this subject is subject to revision when we see the legislation, but I say that what is proposed is entirely consistent with the Social Union Framework Agreement, with the Charlottetown Accord, with Meech Lake and with various federal proposals on the federal spending power going back to the late 1960s. In that connection, some of the comments by columnists, and particularly the op-ed piece by the Honourable Bob Rae a few weeks ago, were premature at best and alarmist at worst.

The Speech from the Throne also refers to the possible use of the federal trade and commerce power in the context of interprovincial trade barriers. I know some scholars believe that Ottawa has the power to bring the hammer down on the provinces successfully if it wished. The subject is, as I think everyone knows, fraught with complexity — legal, political, constitutional, economic and even international. When the Governor General read that paragraph, I studied attentively the faces of the members of the Supreme Court of Canada who were seated here in front of me to see if there was any reaction, since it is they who will have to adjudicate any challenge to a federal initiative in this field, but, as usual, their faces were inscrutable.

This issue is extremely important, and I wonder if there is not a role for the Senate. Either the Banking Committee or the National Finance Committee could take on this subject of

the federal commerce power, and could look at how it might be used in the way that the Speech from the Throne indicated. The committee could receive briefings from federal officials and could hear from former officials, scholars, jurists and private sector people who are interested and knowledgeable. Then perhaps the committee could put draft options on the table and only then call in the provinces for their reaction. The goal would be to move towards a wider consensus on this matter, which is obviously what the government needs, given the cautious way they drafted that particular section, and what the country will probably need on this important matter.

**Hon. Pierrette Ringuette:** Honourable senators, I wonder if my honourable colleague would take a question?

**Senator Murray:** Yes, of course.

**Senator Ringuette:** As usual, I welcome the senator's comments and his wise words based on his experience. I agree with his comments at the beginning of his speech in regard to the Atlantic accord and a press-release side deal between the current federal government and the Province of Nova Scotia. Not too many months ago, in this place, we heard from the Leader of the Government here that press releases are not agreements. I think all of us recall that comment. We witnessed also that a letter from a party leader to a provincial government leader is also not an agreement. Therefore, I welcome the honourable senator alerting all of us here to the fact that we are looking at a press release. There is no signed agreement. We know how a press release is interpreted by the people opposite.

**Senator Murray:** Honourable senators, I do not recall the Leader of the Government making the statement that press releases are not agreements but, if she did, as usual, I am in hearty accord with her. My concern had been at first that there is nothing on the website of the Department of Finance and there is no signed agreement. Then I had a hint — perhaps I misunderstood — that there would not be legislation on the matter. I saw a report this morning to the effect that Mr. Flaherty had said there will be legislation, so I am reassured on that point. As I indicated, I think I can wait until I see the legislation before pronouncing further on this side deal.

**Hon. Serge Joyal:** Honourable senators, I have a question. I wonder if the honourable senator would ask for extension of time for a question.

**The Hon. the Speaker:** Leave is required, and it is indicated leave would not be granted.

On motion of Senator Tardif, debate adjourned.

#### BUSINESS OF THE SENATE

##### MOTION TO CHANGE COMMENCEMENT TIME ON WEDNESDAYS AND THURSDAYS AND TO EFFECT WEDNESDAY ADJOURNMENTS ADOPTED

**Hon. David Tkachuk (Acting Deputy Leader of the Government),** pursuant to notice of October 17, 2007, moved:

That, for the remainder of the current session,

- (a) when the Senate sits on a Wednesday or a Thursday, it shall sit at 1:30 p.m. notwithstanding rule 5(1)(a);

(b) when the Senate sits on a Wednesday, it stand adjourned at 4 p.m., unless it has been suspended for the purpose of taking a deferred vote or has earlier adjourned; and

(c) where a vote is deferred until 5:30 p.m. on a Wednesday, the Speaker shall interrupt the proceedings, immediately prior to any adjournment but no later than 4 p.m., to suspend the sitting until 5:30 p.m. for the taking of the deferred vote, and that committees be authorized to meet during the period that the sitting is suspended.

Motion agreed to.

#### THE SENATE

##### MOTION TO STRIKE SPECIAL COMMITTEE ON AGING—DEBATE ADJOURNED

**Hon. Sharon Carstairs,** pursuant to notice of October 17, 2007, moved:

That a Special Committee of the Senate be appointed to examine and report upon the implications of an aging society in Canada;

That, pursuant to rule 85(1)(b), the committee be comprised of seven members, to be nominated by the Committee of Selection and that three members constitute a quorum;

That the Committee examine the issue of aging in our society in relation to, but not limited to:

- promoting active living and well being;
- housing and transportation needs;
- financial security and retirement;
- abuse and neglect;
- health promotion and prevention; and
- health care needs, including chronic diseases, medication use, mental health, palliative care, home care and caregiving;

That the Committee review public programs and services for seniors, the gaps that exist in meeting the needs of seniors, and the implications for future service delivery as the population ages;

That the Committee review strategies on aging implemented in other countries;

That the Committee review Canada's role and obligations in light of the 2002 Madrid International Plan of Action on Ageing;

That the Committee consider the appropriate role of the federal government in helping Canadians age well;

That the Committee have power to send for persons, papers and records, to examine witnesses, to report from time to time and to print such papers and evidence from day to day as may be ordered by the Committee;

That the Committee be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings;

That, pursuant to rule 95(3)(a), the Committee be authorized to meet during periods that the Senate stands adjourned for a period exceeding one week;

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

That the Committee submit its final report no later than June 30, 2008, and that the Committee retain all powers necessary to publicize its findings until 90 days after the tabling of the final report.

She said: Honourable senators, this particular motion will put back into effect the Special Committee on Aging that began last November and which filed an interim report in March. Because of

prorogation, we will not be able to finish as early as we hoped. This motion does take the time to June of 2008.

On motion of Senator Tkachuk, debate adjourned.

#### ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, October 23, 2007, at 2 p.m.

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

**Hon. Senators:** Agreed.

Motion agreed to.

The Senate adjourned until Tuesday, October 23, 2007, at 2 p.m.

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**THE SENATE OF CANADA  
PROGRESS OF LEGISLATION**

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

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

**Thursday, October 18, 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 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-2	An Act to amend the Canada-United States Tax Convention Act, 1984	07/10/18							

**GOVERNMENT BILLS  
(HOUSE OF COMMONS)**

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

**COMMONS PUBLIC BILLS**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
C-280	An Act to Amend the Immigration and Refugee Protection Act (coming into force of sections 110, 111 and 171)	07/10/17							
C-292	An Act to implement the Kelowna Accord	07/10/17							
C-293	An Act respecting the provision of official development assistance abroad	07/10/17							
C-299	An Act to amend the Criminal Code (identification information obtained by fraud or false pretence)	07/10/17							

**SENATE PUBLIC BILLS**

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-201	An Act to amend the Financial Administration Act and the Bank of Canada Act (quarterly financial reports) (Sen. Segal)	07/10/17							
S-202	An Act to amend certain Acts to provide job protection for members of the reserve force (Sen. Segal)	07/10/17							
S-203	An Act to amend the Criminal Code (cruelty to animals) (Sen. Bryden)	07/10/17							

No.	Title	1 <sup>st</sup>	2 <sup>nd</sup>	Committee	Report	Amend	3 <sup>rd</sup>	R.A.	Chap.
S-204	An Act respecting a National Philanthropy Day (Sen. Grafstein)	07/10/17							
S-205	An Act to amend the Bankruptcy and Insolvency Act (student loans) (Sen. Goldstein)	07/10/17							
S-206	An Act to amend the Food and Drugs Act (clean drinking water) (Sen. Grafstein)	07/10/17							
S-207	An Act to repeal legislation that has not come into force within then years of receiving royal assent (Sen. Banks)	07/10/17							
S-208	An Act to require the Minister of the Environment to establish, in co-operation with the provinces, an agency with the power to identify and protect Canada's watersheds that will constitute sources of drinking water in the future (Sen. Grafstein)	07/10/17							
S-209	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	07/10/17							
S-210	An Act to amend the Criminal Code (suicide bombings) (Sen. Grafstein)	07/10/17							
S-211	An Act to regulate securities and to provide for a single securities commission for Canada (Sen. Grafstein)	07/10/17							
S-212	An Act to amend the Parliamentary Employment and Staff Relations Act (Sen. Joyal, P.C.)	07/10/18							

**PRIVATE BILLS**

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

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