



CANADA

Debates of the Senate

2nd SESSION

• 39th PARLIAMENT

• VOLUME 144

• NUMBER 41

OFFICIAL REPORT
(HANSARD)

Tuesday, March 11, 2008



THE HONOURABLE ROSE-MARIE LOSIER-COOL
SPEAKER *PRO TEMPORE*

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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

Tuesday, March 11, 2008

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

• (1405)

Prayers.

SENATORS' STATEMENTS

AGRICULTURE AND AGRI-FOOD

NOVA SCOTIA—FEDERAL ASSISTANCE TO TREE FRUIT AND GRAPE SECTORS

Hon. Donald H. Oliver: Honourable senators, today I have good news about Nova Scotia. I want to highlight the Government of Canada's efforts to help Nova Scotia's tree fruit and grape industries by investing up to \$2.3 million to help growers to meet changing market demands. The announcement of this new funding was made on February 29 by Gerald Keddy, Member of Parliament for South Shore—St. Margaret's and Parliamentary Secretary to the Minister of Atlantic Canada Opportunities Agency, ACOA, on behalf of the Honourable Gerry Ritz, Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board. This funding builds on \$1.5 million in provincial initiatives already in place to revitalize the tree fruit and grape sectors.

Honourable senators, the federal Orchards and Vineyards Transition Program in Nova Scotia, which runs until 2011, will help to cover some of the costs associated with removing fruit trees or vines in order to plant new varieties and other crops. In addition, this program will assist commodity organizations to develop long-term marketing and production plans. This program also promotes sustainable agriculture as producers who participate in the program will be required to commit to keeping the land available for agriculture for five years.

The Honourable Gerald Keddy said, on the day of the announcement:

The Government of Canada is delivering real action for tree fruit and grape growers as they adapt to new market realities. We are pleased to be working with the Province of Nova Scotia and industry to help growers make the move to more profitable and viable varieties that will allow them to better compete both at home and in the global marketplace.

JUVENILE ARTHRITIS AWARENESS MONTH

Hon. Catherine S. Callbeck: Honourable senators, as a result of Senator Comeau's timely inquiry on arthritis, we have heard about its impact on Canadians from all walks of life, in all age groups. One of these groups is our own young people who are affected by juvenile arthritis. It may cause daily pain and diminished quality of life as these young people struggle to keep up with their regular childhood activities. Children may develop disabilities that hinder them at school and at home.

However, most people do not know that children can get arthritis. In order to increase the public's knowledge of this disease, the Arthritis Society has designated March as Juvenile Arthritis Awareness Month. Juvenile arthritis is one of the most common chronic conditions that affect children — more common than childhood diabetes or cystic fibrosis.

While it has been traditionally held that juvenile arthritis affects 1 in 1,000 babies, toddlers, children and teenagers under the age of 16, the most recent data suggests that the figure may be closer to 4 in 1,000. The causes of juvenile arthritis are still unknown.

The Arthritis Society in my home province of Prince Edward Island has named a young grade 3 student as its Arthritis Hero as part of the awareness month. Katie Davidson was diagnosed with juvenile rheumatoid arthritis at the age of 7. She takes medication to help her symptoms, but that medication makes her feel sick. She goes to physiotherapy for her legs. Some days she finds it difficult to walk, and stairs have become too much of a challenge for this young lady, so her family has moved to a single-storey home. Despite these problems, Katie is determined not to let her arthritis stop her and has big plans for the future.

During the month of March, activities and outreach are being undertaken across the country. Fundraising done during the campaign will help to provide educational programs and services, as well as support for research projects.

Honourable senators, juvenile arthritis can take a terrible toll on the lives of Canadian children and youth, as well as their families and their friends. I commend the Arthritis Society, its staff and volunteers, for the difference they are making, and I wish them the very best in their quest to eliminate juvenile arthritis.

TIBET

FORTY-NINTH ANNIVERSARY OF UPRISING

Hon. Consiglio Di Nino: Honourable senators, yesterday Tibetans around the world commemorated the forty-ninth anniversary of the Tibetan National Uprising. The thousands who perished and those who fled their homeland in 1959, including His Holiness the Dalai Lama, were witness to one of the darkest moments in their nation's long history.

As I reflect on this tragedy, now well known to the world, my thoughts turn to the future. This summer, the Olympic Games will be held in Beijing. Like every Olympic Games, it will be a celebration of athletic prowess and human achievement in sport. These games, however, will have another dimension. This event will attempt to showcase China's coming of age and will place the spotlight on a great nation.

In the lead-up to this summer, Beijing has had a wonderful opportunity to show the world it could live up to the promise of greatness. With its assurances of media freedom and stated

commitment to improving human rights, it secured the winning bid. However, so far, from Tibet to Sudan, and indeed from inside the country itself, progress is nowhere to be found.

No wonder, then, that Steven Spielberg quit his post as the artistic adviser to the 2008 Olympic Games. Pressured by human rights advocates and no doubt pricked by his conscience, the renowned director and founder of the Shoah Foundation put his principles before prestige. Even the Beijing-based designer of the Olympic Stadium denounced the Chinese government's propaganda as a misrepresentation of the true face of China.

The government has rejected such criticism as attempts to politicize the Olympic Games, but this ignores the obvious truth — they were politicized from the outset when the bid was advanced with the promise of change. From the creation of mascots, the selection of the torch relay and the use of smiling Tibetans in visual advertisements, themes of national unity are imprinted everywhere.

Ultimately, redress of injustice and respect for universally recognized rights are the only road China can take to cure its public relations woes and take its place as one of the great nations of the world.

• (1410)

Honourable senators, what Tibetans deserve — true autonomy and religious freedom — is something Beijing can grant. At the closing event in Davos at the end of January, Nobel Laureate Elie Wiesel told the assembled guests, including the Chinese co-chair:

I would like China to open its doors to the Dalai Lama so I can accompany him to Tibet.

Honourable senators, that statement drew one of the loudest rounds of applause for the day. These demands will keep coming. They will come from inside China and Tibet and from around the world. They will not stop until a just and honourable resolution is achieved.

What a marvellous thing it would be to see that reality materialize before the twenty-ninth Olympiad. What a marvellous opportunity it would be for the Chinese leaders. The game's logo "One World One Dream" would then give everyone something to cheer about.

COAL BOWL CLASSIC HIGH SCHOOL NATIONAL INVITATIONAL BASKETBALL TOURNAMENT

Hon. Terry M. Mercer: Honourable senators, this past February the small coal mining town of New Waterford, Cape Breton, Nova Scotia, hosted the twenty-seventh Annual Coal Bowl Classic High School National Invitational Basketball Tournament.

This premiere sporting event takes place at the local high school, Breton Education Centre, where all the high school teams from across Canada are billeted within one wing of the high school. Hot meals are provided daily to all the players, staff and volunteers by the school cafeteria, and all players are instructed on Cape Breton culture and history.

[Senator Di Nino]

In the words of Coach Bruce Black of Frontenac Secondary School in Kingston, Ontario, which I found on the Coal Bowl website:

Words just can't describe it. I can think of nothing to compare with the experience anywhere. It's the biggest treat you can give a kid, basketball-wise, hospitality-wise, organizational-wise, there's just nothing like it. It just doesn't get any better. We were treated like kings, the people were great, and the hospitality was great. It's a lot more than just winning some basketball games. I'd go every year.

Honourable senators, I think that quote sums up what the tournament is all about. This year, however, was of special importance. The 10 boys' teams and 3 girls' teams bagged groceries at the local Sobeys, already a major Coal Bowl sponsor, to raise donations for the families of the members of the Bathurst High School Phantoms basketball team who were killed in a tragic motor vehicle accident last month. Due to their efforts, they raised over \$3,000.

Honourable senators, sports are about many things, including camaraderie and physical health. They also encourage young people to work together for a common goal. I can think of no better way to show these qualities than through all their efforts for those families. Bravo!

The tournament would not be possible without the help of the many volunteers that make it happen. I congratulate the co-chairs of the event, Lorraine Sheppard and Brian Spencer, and all the volunteers for making the tournament such a tremendous success once again.

VISITORS IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw your attention to the presence in the gallery of the participants of the spring 2008 Parliamentary Officers Study Program. They represent Kuwait, Bahrain, Oman and Saudi Arabia.

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

[Translation]

ROUTINE PROCEEDINGS

COMMISSIONER OF THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

2007-08 ANNUAL REPORT TABLED

The Hon. the Speaker *pro tempore*: Honourable senators, I have the honour to table, in both official languages, the 2008 annual report of the Commissioner of the Environment and Sustainable Development to the House of Commons.

PUBLIC WORKS AND GOVERNMENT SERVICES**FENCE FOR THE NAFTA LEADERS' SUMMIT
IN MONTEBELLO—CONTRACT TABLED**

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the contract for the security fence used during the Leaders' summit in Montebello.

RAILWAY SAFETY ACT REVIEW ADVISORY PANEL**REPORT TABLED**

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table, in both official languages, the report of the Railway Safety Act Review Advisory Panel entitled *Stronger Ties: A Shared Commitment to Railway Safety — Review of the Railway Safety Act, November 2007*.

[English]

AGING**INTERIM REPORT OF SPECIAL COMMITTEE TABLED**

Hon. Sharon Carstairs: Honourable senators, I have the honour to table, in both official languages, the third (interim) report of the Special Senate Committee on Aging entitled *Issues and Options for an Aging Society*.

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

On motion of Senator Carstairs, with the leave of the Senate and notwithstanding rule 57(1)(e), report placed on the Orders of the Day for consideration later this day.

• (1415)

[Translation]

THE SENATE**NOTICE OF MOTION TO EXTEND WEDNESDAY
SITTING AND AUTHORIZE COMMITTEES TO MEET
DURING THE SITTING OF THE SENATE**

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

That, on Wednesday, March 12, 2008, at the end of the Orders of the Day, Inquiries and Motions, but no later than 4 p.m., the sitting be suspended to reassemble at the call of the Chair, with a fifteen minute bell;

That, when the sitting resumes, it be either for the purpose of adjournment or to receive any Messages from the House of Commons with bills to grant to Her Majesty sums of money for the federal administration, which bills, if any, shall, upon being read a first time, be ordered placed on the Orders of the Day for second reading at the next sitting, and the provisions of Rule 57(1)(f) shall be suspended in relation thereto;

That, after dealing with any such Messages from the House of Commons, the Senate stand adjourned;

That the order adopted by the Senate on October 18, 2007, respecting automatic adjournment at 4 p.m. be suspended on Wednesday, March 12, 2008;

That the application of rule 6(1) be suspended for that day, and the Senate continue sitting past midnight if necessary; and

That committees scheduled to meet on that day be authorized to sit after 4 p.m., and the application of rule 95(4) be suspended in relation thereto.

The Hon. the Speaker pro tempore: Is leave granted?

Hon. Senators: Agreed.

[English]

THE ESTIMATES, 2007-08**INTERIM REPORT OF NATIONAL FINANCE
COMMITTEE ON MAIN ESTIMATES PRESENTED**

Leave having been given to revert to Presentation of Reports from Standing or Special Committees:

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

Tuesday, March 11, 2008

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

NINTH REPORT

Your Committee, to which were referred the 2007-2008 Estimates, has, in obedience to the Order of Reference of Tuesday, November 13, 2007, examined the said Estimates and herewith presents its report on *The Financial Security for Seniors: Entitlements and Retroactivity Provisions under the Canada Pension Plan*.

Respectfully submitted,

JOSEPH A. DAY
Chair

(For text of report, see today's Journals of the Senate, p. 689.)

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

On motion of Senator Day, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

[Translation]

FINAL REPORT OF NATIONAL FINANCE COMMITTEE
ON MAIN ESTIMATES PRESENTED

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

Tuesday, March 11, 2008

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

TENTH REPORT

Your Committee, to which were referred the 2007-2008 Estimates, has, in obedience to the Order of Reference of Tuesday, November 13, 2007, examined the said Estimates and herewith presents its final report.

Respectfully submitted,

JOSEPH A. DAY
Chair

(For text of report, see today's Journals of the Senate, p. 694.)

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

On motion of Senator Day, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

• (1420)

[English]

NATIONAL SECURITY AND DEFENCE

NOTICE OF MOTION TO AUTHORIZE COMMITTEE
TO MEET DURING SITTING OF THE SENATE

Hon. David Tkachuk: Honourable senators, with leave of the Senate and notwithstanding rule 58 (1)(a), I give notice that, later this day, I will move:

That the Standing Senate Committee on National Security and Defence be authorized to sit past 1:30 p.m. this Wednesday, March 12, 2008, even though the Senate may then be sitting, for the purposes of its consideration of Bill C-40, An Act to amend the Canada Labour Code, the Canada Student Financial Assistance Act, the Canada Student Loans Act and the Public Service Employment Act, and

That the application of rule 95(4) be suspended in relation thereto.

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

Hon. Lowell Murray: If I may, honourable senators, I would ask Senator Tkachuk why he is seeking this leave for the committee, whether the committee intends to hear witnesses and whether the committee intends to do due diligence on this bill, given that it passed with a wink and a nod through three stages of non-debate in the House of Commons on February 13?

Senator Tkachuk: The purpose of the motion is to address the very issues you raise, Senator Murray. We have the break coming up for two weeks, and then the members of the committee are going to Afghanistan. Therefore, we will not be able to meet until the middle of April. I talked with the chair, and we agreed that we should try to move this matter along. At the end of this meeting, if we feel that we have heard from all of the witnesses, we will go to clause-by-clause consideration. If we feel that we need to have some further information, then we will meet again in April.

Senator Murray: Will there be witnesses?

Senator Tkachuk: There will be witnesses, and we expect to hear from all of the witnesses concerned with this bill. They have not all been confirmed yet, but we are waiting for word on one more witness, and that should just about round out everyone who would want to speak on this bill. If there are any further potential witnesses, I am sure that other members will raise that issue.

Senator Murray: Thank you.

Hon. Joseph A. Day: I wonder if the Honourable Deputy Chair of the National Security and Defence Committee will explain why leave is being sought, why the committee did not deal with this matter yesterday and why the honourable senator's motion means that his committee will be using the time slot of the Veterans Affairs Committee, at least in part, tomorrow?

Senator Tkachuk: The bill was passed at the end of last week, and the chairman did not call a meeting on Monday because he was, unfortunately, on sick leave, so there could be no meeting on Monday. We thought that we might call a meeting for Friday, but there is some obscure rule that if a meeting is called on Friday after the Senate has already adjourned, and if any member then complains, then the meeting is not called.

On consultation with the chairman, we telephoned Senator Meighen, who is the Chairman of the Veterans Affairs Committee, to see whether he would be using that time slot on Wednesday. He told us that he was not, so then the chairman and I, in a moment of bipartisanship, decided to hold this meeting.

The Hon. the Speaker pro tempore: The question is whether leave is granted to consider this motion later this day. Is leave granted?

Hon. Senators: Agreed.

• (1425)

QUESTION PERIOD

PRIME MINISTER

ALLEGED OFFER OF FINANCIAL COMPENSATION TO INFLUENCE VOTE OF FORMER MEMBER FOR SURREY NORTH

Hon. Céline Hervieux-Payette (Leader of the Opposition): Honourable senators, this government, and especially this Prime Minister, takes pride in running a tight-lipped operation. “No comment” or even “no reply” are the most common responses to a journalist’s inquiry to the PMO. However, after observing the events of the past couple of weeks, I now understand why that might be the most prudent course of action for this government.

We have seen the Prime Minister’s director of communications contradict the Department of Defence on the issue of Afghan detainees, the press secretary undertake questionable lobbying practices with the Office of the Minister of Public Works and the chief of staff leak information that had an impact on the American presidential campaign.

Why is the leader asking us to believe that this same group of people acted responsibly and beyond reproach while trying to sway the vote of a member of Parliament who was terminally ill?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, the people cited by the Leader of the Opposition as staff of the Prime Minister work hard, as she knows. Some of us, having worked there, know how hard the staff works in the Prime Minister’s office.

None of the people the honourable senator mentioned in her question had anything to do with discussions with the late Chuck Cadman. It is very clear, and it is on the record, that nothing has changed. A meeting took place on the day of the budget vote; just two days after Belinda Stronach crossed the floor and took a cabinet position in the Liberal government. It was very clear that Mr. Finley and Mr. Flanagan met with Mr. Cadman with a view to getting him to rejoin the Conservative Party.

That is all that can be said about this event because the facts have been borne out, not only by Mr. Finley and Mr. Flanagan but also by Mr. Cadman.

Honourable senators, I have answered questions on this matter for several days now. This was a matter among party officials and Mr. Cadman when our party was in opposition. I am very happy to continue answering questions, but the subject matter of the questions really does not fall within the realm of government business.

Senator Hervieux-Payette: Honourable senators, I was quoting examples to demonstrate the trends that we see in the PMO. Therefore, I ask the Leader of the Government: Why does her government continue to avoid answering the one question that can make all of this go away? Of course, she would not have to reply after we learn the truth.

Senator LeBreton: Need I remind the Leader of the Opposition about other members of other PMOs? Shall I remind her about Francie Ducros, for instance; or shall I talk about her former MP Carolyn Parrish; or shall I talk about Ambassador Raymond Chrétien interfering directly in a presidential election in 2000?

With regard to the honourable senator’s specific question, the facts are clear. The Prime Minister, when he was Leader of the Opposition, did say that he was aware of a meeting between two party officials and Mr. Cadman. The purpose of the meeting was to try to get Chuck Cadman to rejoin the Conservative Party. Any financial considerations were with regard to Mr. Cadman rejoining the party and being supported for the nomination and, of course, having the resources of the party to run in the election, which would have occurred had the government of the day been defeated.

• (1430)

Senator Hervieux-Payette: Honourable senators, it seems to be difficult to get to the bottom of this issue. We want to know what financial considerations were offered to Mr. Cadman by officials representing the Conservative Party. If the Leader of the Government in the Senate cannot provide honourable senators with an answer today, she should write it down for a later date.

Senator LeBreton: Honourable senators, I have provided an answer several times. I do not have to write it down. It is not the answer Senator Hervieux-Payette wants to hear. My father used to tell me that the truth is the best defence.

Senator Tkachuk: They would not recognize the truth.

Senator LeBreton: On May 19, 2005, there was a meeting held with Mr. Finley, Mr. Flanagan and Mr. Cadman in attendance. Each of those people, including Mr. Cadman, indicated — and Mr. Cadman is on the public record as saying this three times — that no financial considerations were discussed other than those surrounding the efforts by our two party officials to have Mr. Cadman rejoin the party, support them and run in the election.

First, there was supposed to be a meeting on May 17, 2005. There was no meeting on that date. Almost everything that has been said about this case by the opposition has been disproved very clearly, and we have Mr. Cadman’s word to rely on because he was at the meeting and went on the public record. He clearly said three times on CTV, Global and also to a reporter in British Columbia that the only financial considerations discussed were surrounding the efforts to have him rejoin the Conservative Party of Canada.

Hon. James S. Cowan: Honourable senators, would the Leader of the Government in the Senate indicate whether Mr. Cadman was being encouraged to run for a seat where the Conservatives had already nominated a candidate? If that is the case, what did they propose to do with the candidate who had already been nominated?

Senator LeBreton: Honourable senators, the fact is, Mr. Finley and Mr. Flanagan were trying to get Mr. Cadman to rejoin the party. I am not aware of any specific discussions they had with regard to the nominated candidate, but of course, as my colleague, just said, we do not have to take any lessons from the Liberals in terms of displacing candidates in order for other people to run.

Senator Cowan: Was Mr. Cadman to run in the riding where the Conservatives had already nominated another candidate? That is the question.

Senator Murray: Out of order!

Senator LeBreton: I had indicated in my first answer to Senator Hervieux-Payette that these matters are three years old now, have nothing to do with the government and never had anything to do with the government.

Therefore, Senator Murray is absolutely right; Senator Cowan's question is out of order. I cannot say anything more than I have already said. The facts are clear, and there is nothing more to be said.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

MEXICO—CASE OF BRENDA MARTIN

Hon. Jane Cordy: Honourable senators, I suppose the Leader of the Government in the Senate is saying that Ms. Cadman, a Conservative Party candidate in the next election, is lying. It seems that this government believes that, unless the bribe has been accepted, it does not count; so much for openness and accountability.

My question is for the Leader of the Government in the Senate. Canadian citizen Brenda Martin has lost her constitutional challenge to gain her freedom from a Mexican prison. She is devastated and feels totally abandoned by the Canadian government.

For two years, Brenda Martin has languished behind bars while the Canadian government has continuously failed to help her. Will this government deliver a formal diplomatic note of protest to the Mexican government over this travesty of justice and finally stand up for Brenda Martin?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for the question. This issue is very troubling. Mr. Bernier, the Minister of Foreign Affairs, is personally engaged in this case. He spoke to his Mexican counterpart today.

• (1435)

Secretary of State Guergis traveled to Mexico to raise Ms. Martin's case, among others, with the Mexican Attorney General and the foreign secretary. She also met with state officials in Guadalajara — including the head of the Human Rights Commission — and demanded justice and a speedy trial for Ms. Martin.

This is a source of frustration for all of us, parliamentarians and members of the government, that Ms. Martin has languished in jail in Mexico without having the matter go even to trial.

Senator Cordy: I do agree that this situation is indeed extremely troubling. As the leader has said, Ms. Helena Guergis, the Secretary of State for Foreign Affairs, was in Mexico. She met with the ambassador, but she did not go to visit Brenda Martin, who was in a jail a short distance from where her meetings were taking place with the ambassador.

Brenda Martin's legal rights were trammelled upon. Her rights, guaranteed by international treaties, were ignored. Now even her constitutional rights under Mexican law have been denied. Will the Minister of Foreign Affairs take control of this case and deliver to Mexico, in the strongest language possible, a formal diplomatic note of protest on how this case has been conducted and a demand that Mexico's Attorney General correct this total miscarriage of justice and free Brenda Martin, or will we, as a country, with our Prime Minister, Mr. Harper, leave Brenda Martin, as the leader said, languishing in a Mexican jail without any intervention by this government?

Senator LeBreton: Honourable senators, Senator Cordy goes over the top when she says that there has been no intervention by the government. In my first answer, I went through what the government has done.

With regard to the Minister of Foreign Affairs, I reported in my answer that the minister was in contact with his counterpart in Mexico today. With regard to what was discussed in that conversation or what the Minister of Foreign Affairs plans to do next, I will certainly find that out for senators and let this chamber know as soon as possible.

SUPPORT FOR CITIZENS TRAVELLING ABROAD

Hon. Terry M. Mercer: Honourable senators, to the Leader of the Government in the Senate, Canadians are becoming more and more concerned about the attitude of the government toward Canadians who find themselves in trouble around the world. It is the responsibility of the government to protect Canadians. We have the case in Mexico of Ms. Martin, the case of a young man in Saudi Arabia who has been sentenced to be beheaded because of a schoolyard fight and the case of another Canadian in a jail in the United States who has been sentenced to death. This government has abandoned the long-standing tradition of governments, of both political stripes, standing up for Canadians when they find themselves in trouble in other countries.

I am not suggesting that the gentleman in jail in the United States should be anything but kept there because he has admitted his guilt. However, it is a long-standing tradition that we stand up for people against capital punishment, whether in the United States or Saudi Arabia. Are Canadians now to understand that once they leave the borders of this country this government has no interest in protecting them when they travel abroad?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, with regard to the young man in Saudi Arabia, you know that the government and the minister have made representations; they are seeking clemency in this particular case.

With regard to the case in Montana, United States, the policy that the government followed with regard to the gentleman — if you can call him that — was precisely the same policy followed, with almost the same wording as used by the former Minister of Justice Allan Rock, in the case of a similar incident between British Columbia and the State of Washington in 1996.

TRANSPORT

CANCELLATION OF ECOAUTO REBATE PROGRAM

Hon. Lorna Milne: Honourable senators, my question is directed to the Leader of the Government in the Senate. A year ago, the Finance Minister announced the creation of the ecoAUTO Rebate Program to encourage Canadians to buy fuel efficient cars. Anyone who purchased specific vehicles would be eligible for a rebate of up to \$2,000. However, after only one year, this government decided to axe the program, and at the end of the 2008 model year the rebates will be withdrawn.

Unfortunately, the government has thrown the baby out with the bath water. The ecoAUTO Rebate Program was not active long enough to assess whether or not it was working. Even now, only 20,000 of the 50,000 people who submitted applications for rebate have received their money. It seems to me that when the going gets tough with this program, the government stops trying. They simply picked up their ball and went home.

• (1440)

Senator Comeau: You are mixing your metaphors.

Senator Milne: Can the Leader of the Government in the Senate tell honourable senators if this is what we can expect from this government in the future, that is, for them to run away from problems facing Canadians when the times get tough? If the administration of this program was so poor, why not fix the administration rather than cancel the program?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): I thank the honourable senator for the question. As honourable senators know, the program was not continued. There is a date after which it will no longer apply.

I get quite a chuckle out of the comment that we “run away” from problems. The Liberal government ran away from the whole environmental issue. For 13 years they did absolutely nothing. Our government is working on an environmental plan. I believe, with the announcement of the regulatory framework by Minister Baird this week, we are well on our way to meeting our target of 20 per cent by 2020.

With regard to the ecoAUTO program, as the honourable senator stated, there were difficulties with this program within the auto industry. The honourable senator will recall that her colleague, Senator Grafstein, admonished the government from the beginning and said we were causing great difficulty for the auto industry. There are good and valid reasons why this program was not continued. I am hopeful that the announcements this week of what we are doing will finally start moving the yardstick down the field on the whole issue of the environment.

THE CABINET

RECORD OF GOVERNANCE

Hon. Lorna Milne: Honourable senators, I thank the leader for that answer. However, Canadians deserve more in addressing their environmental concerns than merely blaming the previous government.

Canadians want innovative new programs that address their needs. A program like the ecoAUTO Rebate Program, while not perfect, was an attempt to respond to Canadians. If the government has this much trouble running a rebate program, how can Canadians trust them to run a government efficiently? Honourable senators, I am not sure that we can.

In the past two years, the immigration backlog has ballooned, the Registered Disability Savings Plan remains a work-in-progress and the so-called “patient wait times guarantee” promised in the last election has diminished into an agreement with each of the provinces to achieve clinically acceptable waiting times in only one of the five key areas. Does the leader have any explanation for why this government continues to disappoint Canadians in regard to their lack of progress in addressing issues that are important to everyone in Canada?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, Senator Milne is quite wrong on all fronts.

On the immigration issue, we just allocated \$22 million in the budget. That allocation is to help streamline the process because there were 800,000 people in the backlog when we formed the government. The whole program has run completely aground.

In regard to wait times, we have made significant progress. Ministers of health acknowledge this. There are areas that still require work. However, Minister Clement, working with his provincial and territorial counterparts, has made significant progress on the issue. Ministers of health in various provinces and territories saying so is proof of that.

• (1445)

Although still concerned about some areas, the public has also given credit to the government for addressing this program. This issue was another one left unattended to by the previous government who, in the mid-1990s, made drastic cuts to payments to provinces in the health care system.

This government has worked with the provinces to correct a situation that required urgent attention.

HEALTH

PATIENT WAIT TIMES

Hon. Lorna Milne: Honourable senators, once again I thank the minister for her answer.

She well knows who was at fault for those cuts necessary in the mid-1990s; the honourable senator knows which government was responsible for the enormous deficit that was left in this country.

These patient wait times should be called the “patiently wait” program. How many people will die while they wait?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, I think the record will show that the largest deficit ever left to a government in this country was by none other than Pierre Elliott Trudeau, the honourable senator’s great hero, in 1984.

With regard to wait times, the Fraser Institute previously reported that in 1993 the median time for a patient's first doctor visit, the beginning of treatment, was 9.3 weeks. By 2003, after a decade of Liberal governments, it had almost doubled to 17.8 weeks. Our government committed to delivering 6 per cent annual growth in the Canada Health Transfer and we are living up to that commitment. This year we will provide over \$22 billion in stable and growing cash support to the provinces and territories for the provision of health services. Budget 2007 tackled wait times by investing \$612 million in the Patient Wait Times Guarantee Trust, \$400 million for Canada Health Infoway and \$30 million for wait time pilot projects.

In addition, on February 8, Minister Tony Clement announced two pilot projects in Nova Scotia to test wait time guarantees in the areas of diagnostic imaging and orthopaedic surgical services. Last April the Prime Minister announced that all provinces and territories had agreed to establish patient wait time guarantees.

Therefore, as I said earlier, there is great progress not only on the federal government side but great credit must be given to the provinces and territories as well. This first step was necessary to reverse past trends.

The Wait Time Alliance report card released last April noted some improvements. For example, it gave a B rating for cataract surgery wait time, up from C in its 2006 report card. Therefore, we are making progress despite Senator Milne's doom-and-gloom scenario.

Senator Milne: On a further supplementary question, may I humbly suggest that the Leader of the Government in the Senate simply table her cue cards to save time in this place?

Senator LeBreton: If the honourable senator wants to go into that kind of silliness, I will state that I refer to my notes when discussing exact amounts. That is my right. However, I could do what Senator Austin or Senator Carstairs often used to do — they would take everything as notice — and we will not bother having Question Period.

ECONOMIC DEVELOPMENT AGENCY OF CANADA FOR REGIONS OF QUEBEC

FUNDING PROPORTIONS AMONG RIDINGS

Hon. Yoine Goldstein: Honourable senators, this question is addressed to the Honourable Leader of the Government in the Senate.

I am sure we are all aware of the Economic Development Agency of Canada for the Regions of Quebec. Since the election of this government, and through to the end of September 2007, this agency has funded more than 1,200 projects in Quebec worth nearly half a billion dollars. That is a good record. It is not as good as the Liberal government before, but it is a good record nonetheless.

• (1450)

During most of this period, the Conservatives held 10 of the 75 federal seats in Quebec, giving them a 13.3 per cent share of the seats. However, projects in Conservative ridings received 22 per cent of the agency's funding. Ridings held by the

Bloc Québécois received funding roughly in line with the party's share of seats in the province: the Bloc held 51, or 68 per cent of the seats in Quebec over most of the period studied, and Bloc ridings received 69 per cent of the agency's funding. By contrast, Liberal MPs occupied 13 seats, or 17.3 per cent of the total, but their ridings received 8.5 per cent of the Economic Development Agency funding.

On average, therefore — I am doing the math for the honourable senator — each Conservative seat received \$10.8 million in economic development activity, which is more than 1.5 times the average of \$6.6 million that the Bloc ridings received, and more than three times the \$3.2 million average for Liberals ridings.

Why does such an aberration exist? Why is need so clearly correlated with partisan representation? That is the question that would occur to any outsider, which leads to the second and obvious question, which is: What is the purpose of this fund? Is it economic development or is it to selectively support constituents of the governing party?

Hon. Marjory LeBreton (Leader of the Government and Secretary of State (Seniors)): Honourable senators, the funding to the various areas of the country is based on a transparent and open process conducted by public servants. I am sure they will be thrilled with the honourable senator's lack of support for their abilities. The criteria are based on industries or economic potential in those areas.

I saw the graph in the newspaper and there was nothing abnormal in it. It is conducted by public servants in an open and transparent way, unlike in the past when money went directly into Liberal ridings in brown envelopes to the tune of \$40 million.

Senator Goldstein: I will give details of the \$40 million that the honourable senator pretends exists the moment she gives me details of who financed Mr. Harper's leadership campaign, but that is not my question.

To follow up, the honourable senator's own backbenchers have denied what she has just said. The riding of backbench Conservative MP Luc Harvey has been by far the biggest beneficiary of the agency's largesse. Mr. Harvey won the riding, just to refresh your memory —

Senator Fortier: Senator Dawson lived there.

Senator Goldstein: Tell me when you are finished, senator, and I will continue.

Mr. Harvey won the riding — which had changed hands frequently between the Bloc, the Liberals and the Conservatives — by only 231 votes in the last election, so it is a vulnerable riding. An official in his office argued that it is natural that significant economic funding should flow into the riding. In an interview, Mr. Harvey, a Conservative member of Parliament, said that he occasionally contacted Mr. Blackburn directly to promote projects in Louis-Hébert that have applied for funding but that it had happened “less than five times.”

That is reminiscent of a statement made by your colleague two Sundays ago that it is not what you know; it is who you know. Clearly, Mr. Harvey knows Mr. Blackburn. Does Minister Blackburn comply so readily with requests from Liberals?

[Senator LeBreton]

Senator LeBreton: Honourable senators, first, the fact is that ministers receive representations from members of Parliament. That is what members of Parliament do. I even hear from Liberal senators.

The interesting thing the honourable senator has revealed today is that he knows where the \$40 million is, so I will be very interested to hear the details from him.

• (1455)

[*Translation*]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Gerald J. Comeau (Deputy Leader of the Government): Honourable senators, I have the honour to table three delayed answers to oral questions. First, a question raised by Senator Jaffer on November 14, 2007, regarding Justice — 2010 Vancouver Winter Olympics — Legalization of Brothels; second, a question raised by Senator Hervieux-Payette on February 12, 2008, regarding Public Works and Government Services — Security Fence in Montebello; and lastly, a question raised by Senator Mercer on February 12, 2008, regarding Public Works and Government Services — Loss of Compact Discs Containing Personal Information of Clients.

JUSTICE

2010 VANCOUVER WINTER OLYMPICS— LEGALIZATION OF BROTHELS

(*Response to question raised by Hon. Mobina S. B. Jaffer on November 14, 2007*)

The Government views prostitution as degrading and dehumanizing, often committed and controlled by coercive individuals against those who are frequently powerless to protect themselves from abuse and exploitation. This Government condemns any conduct that results in exploitation or abuse and does not support any reform, such as decriminalization, that would facilitate such exploitation.

The Government therefore opposes the repeal of the *Criminal Code* prostitution provisions, which prohibit keeping, being an inmate of, or transporting other persons to a common bawdy-house or brothel; procuring or living on the avails of prostitution; and, communicating in a public place for the purpose of engaging in prostitution. The Federal Government is, in fact, vigorously defending against court challenges to the constitutionality of these provisions in British Columbia and Ontario.

PUBLIC SAFETY

ROYAL CANADIAN MOUNTED POLICE— EXPENSE OF CONSTRUCTING SECURITY FENCE

(*Response to question raised by Hon. Céline Hervieux-Payette on February 12, 2008*)

The RCMP is the lead agency responsible for the security of these events and determined the technical requirements for the fence that was required.

The specification for the fence was very precise to address the security, installation and delivery components.

The selected fencing had to meet the following security requirements:

- strength
- be impenetrable
- have limited sight visibility; and
- be unscalable

The RCMP requested and received a National Security Exception for this procurement from Public Works and Government Services Canada.

Alabama Metals, the U.S. supplier is the sole manufacturer. Matériaux Bonhomme is the only certified dealer/installer of Alabama products in the province of Quebec.

On July 5, 2007, a contract for \$885K was entered with Matériaux Bonhomme which:

- is a certified Canadian dealer/installer of the fencing system;
- is located in close proximity to the venue;
- could oversee the installation of the foundations and complete the installation within an extremely tight timeframe.

PWGSC is satisfied that fair value was received, in that pricing was supported through price lists and price certifications in accordance with government policy.

The fencing and foundations can be reused by the RCMP for other events of this nature.

PUBLIC WORKS AND GOVERNMENT SERVICES

LOSS OF COMPACT DISCS CONTAINING CLIENTS' PRIVATE INFORMATION

(*Response to question raised by Hon. Terry M. Mercer on February 12, 2008*)

This incident was the result of a procedural error, which has since been corrected to ensure that it does not happen again.

As soon as the department became aware of the situation it:

- informed the Privacy Commissioner;
- launched a thorough review to determine what information might be at risk;

- this review indicated that there was no release of national security information;
- retrieved information (CD's) to the extent possible; and
- notified the relevant third parties, in cases where the information was of a confidential commercial or personal nature.

The department has done everything possible to mitigate any risks to third parties whose information may have been inadvertently released.

There was very little information of a personal nature that was potentially compromised and all individuals affected were notified in accordance with the requirement of the *Privacy Act*.

[English]

POINT OF ORDER

Hon. Lowell Murray: Honourable senators, I rise on a point of order. Honourable senators, for some days the Senate has been occupied during Question Period with questions and answers concerning the so-called “Cadman affair.” One quite understands the interest of honourable senators in this matter. It is a question of considerable political controversy and of human interest. However, in my respectful submission — and I will ask His Honour to reflect on this and bring in a ruling — those questions and answers are out of order on several counts.

In the other place, the Honourable Dominic LeBlanc, member of Parliament, has called upon the RCMP to conduct an investigation, and the police are reviewing that request. If I am not mistaken, the New Democratic Party has also asked that the matter be referred to law enforcement or justice authorities.

However, my submission that these questions are out of order rests on two of a number of possible counts. First, the matter is clearly not within the administrative responsibility of the government and need not demonstrate that, given that the alleged events are agreed to have taken place or did take place in 2005. That was long before the present government took office and did not engage members or officials of the previous government either. It is clearly not a matter within the administrative responsibility of the government.

The fact that the Prime Minister and several other cabinet ministers in the other place have entertained questions on the matter and purported to answer them still does not change that reality. It is not a matter within the administrative responsibility of the government.

• (1500)

Second, even if it were a matter within the administrative responsibility of the government, the matter concerns a vote in the other place. This is not a subject for the Senate to discuss or reflect upon at all. We would properly raise an objection if members in the other place rose after a vote here at any time and

[Senator Comeau]

began to parse or discuss what had happened. These are matters for our respective Houses — the House of Commons in one case and the Senate in the other — to determine.

I am sure other senators may wish to weigh in on my point of order. However, briefly, I would ask that the chair reflect on the matter and bring forth a ruling in due course, both on this specific case and perhaps also, if the chair sees fit, on the generality of what is relevant and what is not, what is acceptable and what is not, during the oral Question Period.

Hon. Terry M. Mercer: Honourable senators, with respect to my colleague Senator Murray, I would say that questions on this matter are indeed in order. Questions of this nature have been in order for some days, weeks and almost a month now in the other place. While the matter may not be under administrative authority, it is under the moral and ethical authority of the government and of the credibility of the people occupying the offices of government. These questions go to their credibility and to their ability to be open, honest and straightforward with Canadians.

I suggest that these questions, indeed, are in order. All of these questions have been directed to the Leader of the Government in the Senate, and rightfully so; she is the Leader of the Government in the Senate. None of the questions has been directed to Senator Fortier because, as the Minister of Public Works, he is also a member of cabinet, but rather, they have been directed to Senator LeBreton who is the Leader of the Government in the Senate. The questions in the other place have constantly been directed to the Prime Minister. The Prime Minister has chosen to hand off the questions to the member for Port Moody—Coquitlam — I believe that is the name of his riding — who is the parliamentary secretary to the Minister of Public Works and Government Services.

I suggest that the problem is really not the questions; it is the answers. I think Senator LeBreton is the proper person for questions to be addressed to in this chamber. She has risen after each question has been asked. We might argue whether or not she has been answering the questions, but she has at least been responding.

If anyone is out of order, it is certain members of the other place, where the Prime Minister passed off questioning. It seems to me that the only person other than the Prime Minister who should be answering questions like this is the Leader of the Government in the House of Commons. This is a matter that is not assigned to a ministerial responsibility but is one that deals with the government and, in that broad sense, the political party that the government represents — in this case, the Conservative Party, of which Mr. Harper was the leader at the time of this incident.

Members of the opposition in this chamber and in the other place have been trying to determine exactly what was offered to Mr. Cadman on the day in question. This is a legitimate place for parliamentarians to put their questions, in Question Period in this chamber and in the other place. I suggest that all of these questions have been in order.

Hon. Joan Fraser: Honourable senators, Senator Murray, as usual, raises interesting arguments. I cannot, however, agree with him. The first major argument he makes is that this is not a matter of government administration, but it is surely a proper matter for discussion in Question Period if there are doubts about the integrity of the government in office. That has been established over many years, I think.

What is at issue here is the fear that an offence has been committed under the laws of Canada, that is to say, the offer of financial consideration in exchange for a vote in Parliament. That is an offence, by law.

Yes, if the alleged offence occurred, it occurred before the present government took office. However, the information about the event became available only very recently, and, shall I say, the controversy was augmented by the fact that the present Prime Minister's own words are at issue and, repeatedly, his response about the matter has been unclear.

Therefore, in my view, it is the proper business of Parliament to try to discover whether the sitting Prime Minister is telling the truth, the whole truth and nothing but the truth on this matter.

Senator Murray also suggests that it is not appropriate for members of this chamber to inquire about a question that is intimately related to a vote in the other chamber of Parliament. He suggested that it would be a matter for outrage here if members of the other place were asking similar questions about a vote that had occurred here. With respect, I cannot agree with that either. It is the duty of us all to try to ensure that the integrity of Parliament is preserved at all times.

The Leader of the Government in the Senate, as has been observed, speaks for all of the Government of Canada, with the exception in the present situation of the Department of Public Works because its minister is also a senator. However, when the Leader of the Government in the Senate speaks, she does not just speak for the government in terms of specific policies or programs; she speaks for the overarching policy and integrity of the Government of Canada. That is why, in my view, it is entirely appropriate for this to be a subject in Question Period in the chamber.

[Translation]

Hon. Pierre Claude Nolin: Honourable senators, despite all the rhetoric you have heard, there is only one question you should be asking yourselves. Rule 24(1)(a) of the *Rules of the Senate* states that an oral question may be addressed to:

(a) the Leader of the Government in the Senate, if it is a question relating to public affairs,

That is all you need to consider. Is it a question relating to public affairs? I respectfully submit that a political party's internal issues are not questions relating to public affairs.

[English]

Hon. Sharon Carstairs: Honourable senators, it is important for us to be aware of what Beauchesne, under *Parliamentary Rules and Form*, says about Question Period. In article 3, it says:

... Question Period depends on the tradition that the Cabinet is willing to submit its conduct of public affairs to the scrutiny of the Opposition on a regular basis.

What we have witnessed is a lack of willingness on the part of the Prime Minister to be responsible for his public conduct.

[Translation]

The Hon. the Speaker pro tempore: Are there any other comments, honourable senators?

Honourable senators, I thank you for your comments. I will take the matter under advisement.

ORDERS OF THE DAY

THE SENATE

MOTION TO EXTEND WEDNESDAY SITTING AND AUTHORIZE COMMITTEES TO MEET DURING THE SITTING OF THE SENATE ADOPTED

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

That, on Wednesday, March 12, 2008, at the end of the Orders of the Day, Inquiries, and Motions, but no later than 4 p.m., the sitting be suspended to reassemble at the call of the Chair, with a fifteen minute bell;

That, when the sitting resumes, it be either for the purpose of adjournment or to receive any Messages from the House of Commons with bills to grant to Her Majesty sums of money for the federal administration, which bills, if any, shall, upon being read a first time, be ordered placed on the Orders of the Day for second reading at the next sitting, and the provisions of rule 57(1)(f) shall be suspended in relation thereto;

That, after dealing with any such Messages from the House of Commons, the Senate stand adjourned;

That the order adopted by the Senate on October 18, 2007, respecting automatic adjournment at 4 p.m. be suspended on Wednesday, March 12, 2008;

That the application of rule 6(1) be suspended for that day, and the Senate continue sitting past midnight if necessary; and

That committees scheduled to meet on that day be authorized to sit after 4 p.m., and the application of rule 95(4) be suspended in relation thereto.

• (1510)

[English]

Hon. Terry M. Mercer: Honourable senators, again I wish to put on the record a concern that many of us have in this chamber. We understand that this is somewhat of a change in that we are not getting the bill on Wednesday night rather than on Thursday morning. I fail to see the great concession that is involved here, but, again, the government in the other place is directing this and we are, once again, getting this bill at the last moment. Once again they are asking us to do our job and to do due diligence with these bills that will come under this motion that has just been proposed by Senator Comeau. It seems that we must continue, at every opportunity, to express our displeasure with this government and with the previous government and with any future governments that do this on an ongoing basis — that is, bring bills here at the last minute and expect us to rubber stamp them.

Honourable senators, we are talking about billions and billions of taxpayers' dollars. Agreeing to such a process is not doing the job that we were asked to do when we were summoned here. I want to ensure this is on the record as my opinion. I will not stand in the way of this motion, but I can assure honourable senators that I am not a happy camper.

Senator Comeau: Honourable senators, in view of Senator Mercer's comments, I wish to place the following on the record. First, the government does not completely control the length of time with which this bill is dealt on the floor of the House of Commons. It must provide to the opposition parties their say in how they deal with this bill. It is not completely the government that calls the shots, especially if the government is a minority government.

Second, in the past 10 years — and, we have done some research on this — March 13 is the earliest date on which we have had a supply bill arrive from the House of Commons. We have had supply bills arrive as late as March 26, but this is the earliest. Senator Carstairs can laugh all she wants, but this is the earliest that we have had supply bills arrive in the Senate.

We must set the record straight. It is nice and dandy for Senator Mercer, when there is not a government of his liking in place, to suddenly get religious and say that this is arriving too late. When the previous government was in power, I do not think I ever heard him complain that the supply arrived too late.

Hon. Sharon Carstairs: Honourable senators, let me put it on the record that, indeed, we have complained. As a member of the cabinet, I did complain, as I suspect — and I would hope — Senator LeBreton has complained about the lack of attention to this chamber in terms of receiving these bills in a reasonable period of time.

Having said that, it is fair to say that this is the first time in modern memory that the House of Commons has adjourned around the middle of March not to come back until March 31. To argue that this is the earliest that such a bill has been received is somewhat specious.

Senator Comeau: Am I wrong?

The Hon. the Speaker *pro tempore*: Further debate?

Hon. Joseph A. Day: Honourable senators, as Chair of the National Finance Committee, I thank the Honourable Deputy Leader of the Government in the Senate for listening to my pleas last week. Last week, we were given information that we would be receiving these supply bills on Thursday and that we would be expected to deal with them expeditiously, in one day.

I believe that the effort that has taken place is worth noting. It is one small step. Hopefully, the words that have been expressed in regard to receiving supply bills in a reasonable time will be improved upon on each occasion. I wish to thank the honourable senator for that.

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

Hon. Senators: Question!

The Hon. the Speaker *pro tempore*: It was moved by the Honourable Senator Comeau, seconded by the Honourable Senator Stratton, that on Wednesday, March 12, 2008, at the end of Orders of the Day —

An Hon. Senator: Dispense.

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

Motion agreed to.

THE ESTIMATES, 2008-09

FIRST INTERIM REPORT OF NATIONAL FINANCE COMMITTEE ON MAIN ESTIMATES ADOPTED

The Senate proceeded to consideration of the eighth report (interim) of the Standing Senate Committee on National Finance (2008-2009 Estimates), presented in the Senate on March 6, 2008.

Hon. Joseph A. Day: Honourable senators, to put this in perspective, the eighth report of the Standing Senate Committee on National Finance deals with interim financing. We have not seen the supply bill that goes along with this, but the normal rule is for a few months of interim financing to give this chamber and your National Finance Committee the opportunity to continue its study of the Main Estimates for 2008-09.

The interim report flows from these Main Estimates. There is a schedule that appears in the Main Estimates that will be repeated and attached to the interim supply bill when we receive it. The interim supply bill is followed by full supply before we adjourn for the summer in late June. We are also told that we should anticipate Supplementary Estimates (A) before that time.

The Main Estimates for 2008-09 do not reflect the initiatives that appeared in the budget. All of those items will come later, in the form of either a budget implementation bill — more than one sometimes — or, in addition, supplementary estimates. We would anticipate the first supplementary estimates now.

This, again, is a result of our urging of the Treasury Board Secretariat — and, through them, the government — to try to bring forward estimates as early in the year as possible. Previously, we would expect to receive Supplementary

Estimates (A) in November and Supplementary Estimates (B) in March of the fiscal year, which does not help us a great deal in looking forward because we are really just trying to catch up with expenditures that are taking place.

Honourable senators, this report is reflective of our pre-study of these estimates, albeit a brief study. Treasury Board officials provided the highlights, and those are reflected in this eighth report which I would ask you to look at.

I also suggest that any honourable senators who wish to engage in debate on supply could do so with respect to this report. On Thursday we will be dealing with the debate on the two supply bills, being Supplementary Estimates (B) for this fiscal and the interim supply for next fiscal year.

The two reports are now before honourable senators, and there will be an opportunity to debate what will appear in these supply bills by debating these two reports.

When we last met, I spoke on the Supplementary Estimates (B) report. That is the next item that appears as Item No. 2 on our Order Paper. Those items are both now before you, which will give you an opportunity to engage in the debate even before the supply bills arrive, which we now understand, hopefully, will be Wednesday evening of this week. We will then go on with second reading on Thursday.

Honourable senators, permit me to mention two or three items that members of the Standing Senate Committee on National Finance will continue to be following in the coming fiscal year. First, the Main Estimates for this year and the comparison of Main Estimates over Main Estimates is not an awfully helpful way to do things because the two supplementary estimates increase the expenditures over the Main Estimates.

• (1520)

For example, last year in 2007 the Main Estimates were \$210 billion. Supplementary Estimates (A) added \$13.5 billion, and Supplementary Estimates (B), another \$4.2 billion. You can see that comparing only Main Estimates over Main Estimates leaves out a great deal.

The total expenditures last year were \$228 billion. The Main Estimates this year are \$220 billion. The Main Estimates over Main Estimates comparison is about 4.5 per cent. Looking at the budgetary aspects, the increase in budget year over year is — Main Estimates over Main Estimates again — \$10 billion. We are spending more money. We must keep an eye on that increase as we go into a period of anticipated fiscal restraint. It is important to keep an eye on increased expenditures.

As I have pointed out in the past, in a good fiscal period, one typically sees an increase in supplementary estimates and supplementary spending when there is lots of money. We will want to keep a close watch on that area.

For example, as I indicated to honourable senators, in last year's Supplementary Estimates (A), the amount of \$13.6 billion is significant in a supplementary estimate that came along after the Main Estimates appeared. The amount is significant.

I want to bring some departments to your attention. The Department of Indian and Northern Affairs shows two decreases over the previous year. We are concerned about those decreases.

The first is an amount of \$108 million due to the sunset of Budget 2003 funding provided for the First Nations Water Management Strategy. The strategy has been sunsetted and has not been renewed; in effect, it has been cancelled. The second decrease is \$36.8 million, reflecting another sunset of funding to implement the Plan of Action for Drinking Water in the First Nations Communities. These items are important to watch.

We have seen a pattern of new programs coming along with a new name but with the same objectives. Hopefully, we will see that pattern with respect to the First Nations programs for clean drinking water.

The Atlantic Canada Opportunities Agency, ACOA, one of four regional development agencies, shows a reduction of \$38 million in this fiscal year. The Economic Development Agency of Canada for the Region of Quebec shows an increase of \$107 million. We asked some questions in regard to this increase. We were told that the new government policy is to transfer all infrastructure out of regional development and put it into Infrastructure Canada.

Our plan is to talk to Infrastructure Canada and determine what their approach will be. It would be dangerous if a national program received all the funds for infrastructure whereas previously a regional body was allocated a certain amount for its region. If that allocation no longer exists with respect to infrastructure, all the monies in the national pot may not find their way down to the regions. We will keep an eye on that situation.

As I indicated, all these items are a work-in-progress because this is our first look at these Main Estimates. We will look at them throughout the year, bringing in various departments. These items I bring to your attention are areas that will be investigated further.

With respect to Canadian Heritage, senators were concerned about the overall decline in spending on cultural programs. For instance, they observed a decrease of \$25 million — 29.7 per cent — for the Canadian Museum of Civilization. That decrease will be difficult to manage.

There was a decrease of 24.6 per cent for the National Battlefields Commission. The National Battlefields Commission is, as you know, the commission that looks after and ensures proper care of the cemeteries around the world for our fallen soldiers who have been involved in defending Canadian security abroad. I am concerned about a 24-per-cent reduction in that funding.

For official languages, senators noted that the Action Plan for Official Languages lapses in March of this year. In the February 2007 budget, no amount is specified for renewal of this program. We are concerned about that situation, and we will keep an eye on that for honourable senators.

Export Development Canada, which helps Canadian industries with foreign contracts, has \$600 million less allocated to it this year. That change is significant and one we want to keep an eye on.

Honourable senators, you will want to look at many other items in this particular Main Estimates at your leisure.

As I often do this at this time in reporting to you, I point out that the 2008-09 Main Estimates for the Senate is \$90 million, whereas that of the House of Commons is \$425 million. I thought you should be aware of that information. We continue to be the frugal and effective organization that we have been in the past.

Honourable senators, those items are probably all the ones that need to be brought to your attention, other than perhaps to congratulate the Minister of Public Works and Government Services for having an increase of \$2,000 in his motor car allowance. That item has gone up from \$75,000 to \$77,000.

Honourable senators, this is our report on the interim supply for the next fiscal year. After a full debate, I am prepared to recommend that we accept this report.

The Hon. the Speaker *pro tempore*: Debate?

Hon. Lowell Murray: Honourable senators, I will be here tomorrow when we sit until four o'clock when the session is suspended. I take it from the motion that we passed a few minutes ago that the Senate will then await the arrival of the interim supply bill, and some time between four o'clock and midnight the Senate will receive the interim supply bill. I will not be here when that bill arrives.

I address myself briefly to the points made by Senator Mercer and Senator Carstairs, quite correctly, that the last-minute arrival of interim supply bills has been a perennial complaint of the Senate — indeed, even before my time. I remember the late, great Senator Grattan O'Leary routinely threatening to withhold leave on these bills, thereby plunging the country, or at least the government, into financial crisis.

The great thing about the present process is that due diligence on these matters is done by the Standing Senate Committee on National Finance. As my friend the chair has pointed out, we have several reports dealing with the estimates on which tomorrow's interim supply bill will be based. Those reports are before us now. Those of us who take the opportunity of participating in debate on the report are not required to do so when the supply bill is before us, unless of course we are provoked.

• (1530)

I would like to weigh in briefly on one or two matters of fiscal management. I am taking advantage of the leeway traditionally offered by these debates.

I will not enter into the debate, although it is a good one, as to the relative importance that should be attached to reducing the debt, reducing taxes or increasing spending when a government has a surplus. While the one-third, one-third, one-third formula adopted by the Chrétien government was a handy guide, I always had reservations about it because I do not like to see a government so handicapped that it becomes a prisoner of some mathematical formula, thereby robbing itself of the flexibility governments need to have in deciding these matters in response to economic conditions in the country.

[Senator Day]

I confess my own strong bias in favour of debt reduction. I realize that economists and other experts in this field state, quite rightly, that the most appropriate measurement of the public debt burden is to look at it as a proportion of gross domestic product, and we know, of course, that for some years now Canada has been doing rather well on that score. The federal public debt we have is a declining proportion of gross domestic product.

However, I look at the projections in the fiscal reference tables from September 2007 and in the 2008 budget plan that I have here, and I look at the global figure of interest that we are paying on the public debt. For the year that is now coming to an end at the end of March, our interest payments were a little more than \$33 billion. I look ahead at the government's projections, and in 2012-13, they will still be \$33 billion. I certainly hope and expect that the public debt will be an ever-declining proportion of gross domestic product, but \$33 billion still looks like a lot of money to me, and whenever I see it in black and white, I reflect on the good purposes to which all or some of it could be devoted in the public interest.

I commend this government and, to the extent they did so, its predecessors in working hard to bring the overall public debt down. Interest rates will not always be as low as they are now. They may go up, and as they do, public debt charges will become a greater burden on the budget, no matter what proportion of gross domestic product they may represent.

I will say a word about spending. I do not want to get too personal about the Minister of Finance. He has been a very good witness before the committee when he has appeared there, but I must confess that while I am sure he is a Conservative — he certainly was conservative when he was Attorney General of Ontario — I am not sure that the fiscally conservative rhetoric is completely matched by action. If you look at program spending, the first full fiscal year of the present government was 2006-07, and program spending increased by over 7 per cent. Let me say right away that none of us can seriously hold the present government responsible for program spending in 2006-07. They were elected in January, and we all understood that those estimates and programs had been developed by the Martin government.

However, in 2007-08, the year coming to an end at the end of March, program spending will have increased, according to the minister's numbers, by 6.9 per cent, rounded out. That is considerably higher than the increase in budgetary revenues, which is at 3.6 per cent. It is higher than inflation, which will have been at 2.2 per cent, and it is higher than the percentage growth in real GDP at 2.7 per cent.

Looking ahead to the fiscal year beginning on April 1, 2008, it is projected that program spending will increase by 3.4 per cent. Your revenues will be going down by a little more than 1 per cent, inflation will be going up by 2.2 per cent, and real GDP by 2.7 per cent. We are talking about 2008-09.

If you look at 2009-10, the government projects that program spending will increase by 4.9 per cent, and there will be a percentage change in revenues lower than that at 4.1 per cent, then inflation at 1.8 per cent and GDP at 1.7 per cent. The question is obvious: How long can this or any other government

go on spending faster than its revenues accrue, faster than growth in inflation and faster than growth in the gross domestic product? The short answer is: It cannot do so for very long. It is enough to make a real fiscal conservative like me weep.

Hon. Terry Stratton: Honourable senators, I will respond briefly to some of the comments made with respect to the so-called cutbacks that Senator Day talked about.

With respect to the water renewal projects on our reserves that he spoke about, that program has ended and a new program commenced under another budget item. It is the same thing with infrastructure. Whereas it is true that the Atlantic Accord and the Western Economic Diversification and others have had their infrastructure cut back from those regional development programs, the money from those programs has been transferred over to the department of infrastructure to manage more appropriately that sector than it was being managed in the past.

Regarding the Canadian Museum of Civilization, National Battlefields Commission and official languages, before we jump to the conclusion that those are cut, we need to talk to the appropriate authorities. Using Indian and Northern Affairs as an example, you will find that their budget dropped, but there were one-offs that accounted for that drop entirely. In other words, there were capital or infrastructure projects that were budgeted for that fiscal year, and ended in that fiscal year. It could be the same thing for the Canadian Museum of Civilization and the battlefields commission, because I do not believe for an instant that the battlefields would be cut back.

With respect to Senator Murray, I quite agree with what he says about being a fiscal conservative, but I have only one logical problem with that. A certain amount of renewal had to be done, and is being done, because of the dramatic cutbacks that took place under Paul Martin when he was Finance Minister, for which we are still paying the price. He cut too deeply, and our health care system is seen as still suffering from that. However, there is some come-back from that to overcome those severe problems. That is primarily the reason for what is taking place.

• (1540)

[Translation]

Hon. Pierrette Ringuette: Would Senator Stratton take a question?

Senator Stratton: Yes.

Senator Ringuette: The honourable senator mentioned that money has been transferred from regional economic development agencies into a national fund on the pretext that a national program can be managed much more efficiently, as he said. He himself referred to more efficient management.

Is it the government's new policy to have programs managed solely at the national level, at the risk of undermining the essential roles regional economic development agencies play?

[English]

Senator Stratton: I am awfully tempted to try my French, but I do not think I will.

The appropriate answer is that an amount of money will go back to the municipalities across the entire country on the gas tax. The thought and the policy purpose behind the fund with respect to infrastructure is that it can be more appropriately and efficiently managed under that new infrastructure program rather than going to the regions specifically. You cannot balance off what is happening with the payments through the tax rebate to the municipalities and then have a balance. You have to stand back from that and look at what is evolving. How do you appropriately reward a municipality, such as the city of Winnipeg, for example, which gets a great deal of money from that rebate, and then ensure it is appropriately balanced for the rest of the province of Manitoba? I think that is part of the intent of this.

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

Some Hon. Senators: Question!

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

Motion agreed to and report adopted.

THE ESTIMATES, 2007-08

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

On the Order:

Resuming debate on the motion of the Honourable Senator Day, seconded by the Honourable Senator Grafstein, for the adoption of the seventh report of the Standing Senate Committee on National Finance (Supplementary Estimates (B) 2007-2008), presented in the Senate on March 4, 2008.

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

Motion agreed to and report adopted.

NON-SMOKERS' HEALTH ACT

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Harb, seconded by the Honourable Senator Biron, for the second reading of Bill S-223, An Act to amend the Non-smokers' Health Act.—(Honourable Senator Keon)

Hon. Wilbert J. Keon: Honourable senators, today we are debating the merits of Bill S-223, An Act to amend the Non-smokers' Health Act.

We all support the principles behind this bill. We all want to protect Canadians from second-hand smoke, and we all want to support people who are trying to kick the habit.

That said, honourable senators, I will be voting against this bill because there is a better and faster way to achieve its objectives, and the government has already taken that faster route, a way that already helps to ensure the good health and safety of Canadians employed in workplaces within the federal jurisdiction. These regulations came into force in November 2007 by amendments to the Non-smokers' Health Regulations, amendments that eliminated smoking rooms from federal workplaces, with the exception of workplaces that are also living quarters and for the ceremonial use of tobacco during First Nations ceremonies.

We differ on the most appropriate means to make these changes happen. Honourable senators, I will outline my concerns about what the Honourable Senator Harb has proposed, and I will highlight the advantages of the route the Minister of Labour has taken.

The honourable senator's proposal requires that Parliament choose the legislative route to amend the Non-smokers' Health Act. This would mean that we would have to engage in the exhaustive process of amending a law, tabling it in both the Senate and the House of Commons, not to mention presenting it to various committees, before it could receive Royal Assent and become an enforceable law.

The Minister of Labour, on the other hand, has already, through regulations, implemented similar changes as proposed by Bill S-223. I share the view of the Minister of Labour that this has been the better, faster route to pursue, and here are six reasons for sharing that view.

The first and most obvious reason is that amending legislation and guiding it through Parliament until it becomes law can be a slow moving process. All of us know that as lawmakers. We also all know that, as with other legislative efforts, Bill S-223 would take much longer than regulations to pass through Parliament. Workers in federal workplaces already have protection from the effects of second-hand smoke.

That takes me to the second reason I favour the regulatory route. The legislation that serves workers in the federal workplace, the Non-smokers' Health Act, has served Canadians very well. It is far from being flawed legislation. In fact, when it was passed by Parliament, health advocacy groups vigorously supported it and, just as noteworthy, when it was making its way through Parliament to become law, it was vigorously opposed by the tobacco industry.

The intent of the act is clear. Section 3(1) reads:

Every employer, and any person acting on behalf of an employer, shall ensure that persons refrain from smoking in any work space under the control of the employer.

This legislative effort became law because Canadians wanted to see action and leadership on the fight against tobacco use and exposure to second-hand smoke. The regulatory measures implemented by the Minister of Labour reinforce the legislation and its objectives. It draws the line on smoking in the workplace and other public spaces in the parliamentary jurisdiction.

[Senator Keon]

That takes us to the third reason in favour of having adopted the regulatory route instead of the delayed process of legislation. The government most certainly does have the legal authority to amend regulations, as announced by the Minister of Labour. As I indicated earlier, the intent of the Non-smokers' Health Act was to prohibit smoking in the workplace. It follows that, on the recommendations of the Minister of Labour, the Governor-in-Council has legal authority to amend the regulations to prohibit smoking rooms, an objective that is consistent with the intent and purpose of the act.

Fourth, and just as important, is the fact that regulatory amendments cannot later be changed at the whim of the Minister of Labour, as suggested by Senator Harb. Unlike what was suggested by my honourable colleague in his remarks when tabling the bill at second reading, regulations could not be suddenly reversed in the future by a minister in response to pressure from industry. Regulations are made by the Governor-in-Council and require that a consultation process with stakeholders be followed and respected.

Fifth, regulations are as binding and enforceable as legislation. Amendments to regulations, when passed, become law. They are not administrative measures, as suggested. They are binding, and they are enforceable.

The sixth and final point I want to make about the benefit of choosing the regulatory route is that it achieves the same key objective as proposed by the legislative route. It has abolished smoking rooms in the federal workplaces. No employee is forced to work in these rooms, risking their health, and it has achieved this goal faster than the alternative of the proposed bill.

The measures in the Non-smokers' Health Act apply to over 25,000 workplaces in the federal jurisdiction. That includes some 875,000 employees in services such as broadcasting, transportation, banking and telecommunications. It also includes the Senate, the Library of Parliament, the House of Commons and federal Crown corporations. There are also 380,000 in core public administration, the RCMP and federal agencies. The Government of Canada, through the leadership of the Minister of Labour, is acting responsibly to protect everyone in this wide range of workplaces.

• (1550)

At the request of the Minister of Labour, the labour program conducted national air-quality tests. The test results showed that smoking rooms in federally regulated workplaces comply with provisions in the Non-smokers' Health Act, but it also found that the air quality within a smoking room is poor and deteriorates significantly as smoking increases in the room.

The facts are well known about the risks posed by ultra-fine particulates from second-hand smoke. It contains some 4,000 chemicals, of which 50 are known cancer-causers or carcinogens. The labour program's study indicated that, when no smokers are in the room, ultra-fine particulates in smoking rooms were 27 times higher than in the air outside. When these rooms are at capacity, the particulate numbers can climb to 245 times higher than the air outside. That is why the Government of Canada reacted swiftly to these findings.

On November 14 of last year, the Minister of Labour announced the coming into force of regulatory amendments to eliminate provisions that previously allowed smoking rooms in workplaces under federal jurisdiction.

Honourable senators, both Bill S-223 and the regulatory changes implemented by the Minister of Labour do not prohibit the ceremonial use of tobacco during First Nations ceremonies, but unlike Bill S-223, the regulatory route has been much faster. Regulatory change got Canada on track to making meaningful changes right away. Even before the regulations were in place, the Minister of Labour called on employees to lead by example and voluntarily close their smoking rooms. The message sent to workers and employers alike was this: Do not wait for new regulations to come into effect; do the right thing now.

Canadians deserve no less. All have a right to work in a safe, healthy environment. After all, the workplace is where most citizens spend a considerable part of their lives. Workplace quality is fundamental to the quality of life of citizens. It is also key to Canada's competitive advantage.

In addition to the Non-smokers' Health Act, there have been a host of measures to ensure good health and safety in the workplace. Among these has been the publication of a guidebook by Health Canada entitled *Towards a Healthier Workplace: A Guidebook on Tobacco Control Policies*. This resource is designed to help employers and employees in preparing to establish or strengthen tobacco control policies in their workplace.

The guidebook is not just for federal workplaces, however. It can be used in any Canadian workplace, small or large. It includes rationales for implementing a non-smoking policy, policy options and samples, as well as step-by-step instructions on how to get the job done.

These measures are joined by others adopted at the provincial, territorial and municipal levels. A full ban on smoking in public places has been put in place in Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick and Newfoundland. Alberta, British Columbia and P.E.I. have legislation restricting smoking in most public places but still allow smoking in restaurants and bars.

Meanwhile, Nova Scotia passed legislation making all public places in the province smoke-free in December of 2006.

The Workers' Compensation Boards in both the Northwest Territories and Nunavut have banned smoking in all enclosed businesses and work sites, including bars. In addition, more than 300 municipalities across the country are currently at different stages in the passage of bylaws on this issue.

Honourable senators, we need to be careful not to lose perspective on the size of this problem. While precise data is unavailable, it has been estimated that no greater than 5 per cent of all federal workplaces had smoking rooms available prior to the regulatory amendments. Most workplaces had been enjoying the benefits of being smoke-free for quite some time. The regulatory amendments implemented by the Minister of Labour closed this gap in the Non-smokers' Health Act so that all can enjoy the full benefits that this legislation was intended to provide.

To recap, honourable senators, while I fully agree with the objective of Bill S-223, I will not be supporting this legislation. Making changes through regulations, as implemented by the Minister of Labour, is a better and faster route. It has been a faster way to bring about real change. These regulations reinforce the intent of the existing legislation. It is not easily reversed or changed at a later date. The regulatory changes are binding and have the full effect of the law, and they have achieved what we all want to see, the abolishment of smoking rooms in federally regulated workplaces. The regulations implemented by the Minister of Labour serve Canadian workers and their right to a safe, healthy workplace.

I welcome all members of this chamber to consider supporting the Minister of Labour's initiative.

On motion of Senator Hubley, debate adjourned.

INTERNATIONAL BOUNDARY WATERS TREATY ACT

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Murray, P.C., for the Honourable Senator Carney, P.C., seconded by the Honourable Senator Day, for the second reading of Bill S-217, An Act to amend the International Boundary Waters Treaty Act (bulk water removal).—(*Honourable Senator Tkachuk*)

Hon. David Tkachuk: Honourable senators, as you know, this bill has been on the Order Paper for a while, and despite my long-standing interest in the issue of bulk water — as a matter of course, I normally do read acts and treaties of the Government of Canada when I have some spare time — this one seems to have slipped my attention. Therefore, I need a little more time to prepare. With your consent, honourable senators, I would like to adjourn the debate until after the break.

On motion of Senator Tkachuk, debate adjourned.

[*Translation*]

PERFLUOROCTANE SULFONATE VIRTUAL ELIMINATION BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Milne, seconded by the Honourable Senator Cook, for the second reading of Bill C-298, An Act to add perfluorooctane sulfonate (PFOS) and its salts to the Virtual Elimination List under the Canadian Environmental Protection Act, 1999.—(*Honourable Senator Nolin*)

Hon. Pierre Claude Nolin: Honourable senators, I am happy to have this opportunity to take part in the debate at second reading of Bill C-298, which would add perfluorooctane sulfonate (PFOS) and its salts to the Virtual Elimination List under the Canadian Environmental Protection Act.

First of all, what is PFOS?

PFOS, its salts and its precursors are mainly used in water, oil, soil and grease repellents that are used on paper, packaging, carpets, rugs and fabrics.

• (1600)

They are also used as surfactants in extinguishing foams used in fighting fuel-related fires and as fume suppressants in the metal plating sector.

It should be noted that there are no manufacturers or exporters of PFOS in Canada. In fact, since the voluntary end of production in 2002 by the largest manufacturer of PFOS, 3M, imports of this substance as a raw chemical in products or formulations have dropped significantly in Canada.

Nonetheless, this substance remains a concern in our country, particularly in the firefighting sector, the metal plating sector and in imports of manufactured goods.

The detection of PFOS in a number of wild animals throughout the world renewed our concerns about these substances.

It is particularly disconcerting to find out that high concentrations of this substance had accumulated in the liver and blood of fish-eating mammals in Canada's Arctic region, which is quite far from all known sources of production.

Scientists have confirmed that PFOS is harmful to the environment. That is why, on December 27, 2006, the government published an order to add PFOS to the list of toxic substances under the Canadian Environmental Protection Act, 1999. The Government of Canada proposed that the Perfluorooctane Sulfonate and its Salts and Certain Other Compounds Regulations be put into force.

Except in cases where no replacement for PFOS is currently available and where the use of PFOS contributes to minimizing the emissions of other hazardous substances, such as hexavalent chromium, these regulations will ban the manufacture, import, use and sale of this substance, its salts and its precursors.

These measures the Government of Canada has taken to manage PFOS, its salts and other compounds bring our approach into line with those of our American neighbours and our collaborators in the European Commission.

The Government of Canada continues to work together with other countries to encourage the reduction and elimination of PFOS from products and manufacturing processes.

Honourable senators, the government is also taking steps to control a number of other hazardous substances. In December 2006, it announced a \$300-million investment to implement a comprehensive chemicals management plan, which will increase the protection of Canadians and their environment against harmful chemicals.

[Senator Nolin]

This Chemicals Management Plan will make Canada a world leader in assessing and regulating chemicals that are used in thousands of industrial and consumer products.

The government's Chemicals Management Plan received immediate approval from organizations like the Canadian Cancer Society, whose Director of Cancer Control Policy, Heather Logan, commented:

We welcome this action and we urge the government to give a high priority to assessing substances that are known or believed to cause cancer.

In their press release, Environmental Defence and Pollution Probe stated the following:

The toxic pollution reduction plan... is a significant step forward for pollution control in Canada.

Dr. Rick Smith, the Executive Director of Environmental Defence, added, and I quote:

The government deserves credit for taking decisive action on this critical issue.

The government's plan deals with chemical substances that have never been subject to scientific assessment.

Canada was the first country to complete such a systematic and scientifically rigorous review of legacy chemicals to determine whether they required closer attention in order to protect human health and the environment. A process called categorization identified 4,300 substances requiring further assessment by the federal government.

It will therefore be a matter of conducting a more in-depth assessment supported by research and monitoring and speeding up the management of these priority substances so as to better protect the health and the environment of Canadians.

The Government of Canada has called on interested parties to provide information on the 200 chemical substances identified through the categorization process as high priorities for action. The government will decide on the measures to be taken based on the information received. All these priority substances will be the object of measures over the next three years.

Honourable senators, we all have a responsibility to work together to eliminate harmful substances in our environment, including PFOS, its salts and its precursors.

It is thanks to the hard work of all political parties in the House of Commons, and to the compromise reached by all these parties, that we are now dealing with Bill C-298 at second reading stage.

This is a non-partisan bill concerning the health of Canadians. As our colleague Senator Milne mentioned during her speech at second reading in this chamber, we must pass this legislation quickly and refer it at the earliest opportunity to the Standing Senate Committee on Energy, the Environment and Natural Resources.

[English]

Hon. Lorna Milne: Honourable senators, question!

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

Hon. Senators: Agreed.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

The Hon. the Speaker pro tempore: When shall this bill be read the third time?

Hon. Lorna Milne: I move that this bill be referred to the Standing Senate Committee on Energy, the Environment and Natural Resources.

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

Hon. Senators: Agreed.

On motion of Senator Milne, bill referred to the Standing Senate Committee on Energy, the Environment and Natural Resources.

STUDY ON IMPACT AND EFFECTS OF SOCIAL DETERMINANTS OF HEALTH

SECOND INTERIM REPORT OF SOCIAL AFFAIRS,
SCIENCE AND TECHNOLOGY COMMITTEE

On the Order:

Resuming debate on the motion of the Honourable Senator Keon, seconded by the Honourable Senator Di Nino, for the adoption of the eighth report of the Standing Senate Committee on Social Affairs, Science and Technology, entitled: *Maternal Health and Early Childhood Development in Cuba*, tabled in the Senate on February 26, 2008.—(Honourable Senator Cowan)

Hon. Jim Munson: Honourable senators, I want to speak briefly about the work of the Subcommittee on Population Health of the Standing Senate Committee on Social Affairs, Science and Technology. As honourable senators know, we travelled to Cuba in January to see first-hand what this tiny country is doing for maternal health and early childhood development.

[Translation]

That trip complemented the work of the committee, which has heard testimony from several experts over the past few months.

[English]

As Senator Keon stated when we tabled the subcommittee's report, Cuba is extraordinary in that it is a poor country with excellent health indicators. We know, for example, that poverty and health are linked. However, Cuba seems determined to prove that, at a national level at least, it is not necessarily so.

Cuba shows that poor economic indicators do not need to condemn a population to poor health. Working smart across disciplines, preventing illness and promoting health — all the stuff we know as the nuts and bolts of population health — are more than only words in Cuba. They are more than only policy. They are a way of life.

[Translation]

This is important for Canada, because we spend a lot of time talking about health determinants, the need to work in cooperation to promote health and the prevention of disease, and the much anticipated success was achieved.

• (1610)

[English]

When notions of national programs to improve population health in this country are put forward, such as national child care, PharmaCare, home care or a national strategy for autism, people will often talk about how expensive these programs would be. We use the argument of expense as an excuse for inaction.

Our trip to Cuba demonstrated how ridiculous this type of response is. Canada has a robust economy. We have gone 17 years without a recession. We have the eighth largest economy of the world's 183 nations. We are the only country to rack up 10 back-to-back fiscal surpluses. Economic indicators tell us we are rich. However, the rate of child poverty remains stagnant. We have the same rate of child poverty as we had in 1989.

It was interesting to go to Cuba. Cuba is a country with one of the worst economies in our hemisphere yet with some of the best indicators for child health.

[Translation]

According to UNESCO, Cuba has one of the best infant mortality rates in the Americas, second only to Canada's and much better than that of the United States.

[English]

We learned a great deal on this trip. We learned about the effectiveness of neighbourhood action and the polyclinics to which Senator Keon referred. "Health centres" would be a term we could probably use. These clinics have an open-door policy.

When we went to one of these clinics, not only did we see people dealing with maternal care and other health issues, but there was one room in a particular clinic where 30 or 40 people, between the ages of 60 and 75, were being taught courses. We asked why. We were told that these were parents and grandparents who were looking for a degree in early childhood development. That is part of the "open door" clinic system in Cuba. That is another example of how the entire family participates in the life of a child.

It is at the neighbourhood level that health promotion and disease prevention efforts are at work. The results are clear. There are healthier mothers and children, better parenting, universal early childhood education and care for disabled children, including children with autism.

Autism is an issue which is close to all our hearts. We went to a small school with 58 students and 58 teachers. Once again, people in Canada would say such a system would be very expensive. This school was located in an environment where there were other schools and playgrounds. The children were picked up in the morning and taken to school. Therefore, there was no stigma of “you are going to be placed over here.” It is a very open concept; the teachers were allowed to do their work with these young people. I was very impressed.

The school I visited for autistic children in Cuba would put Canada to shame.

[Translation]

I encourage honourable senators to read the report of the Standing Senate Committee on Social Affairs, Science and Technology tabled by Senator Keon. There is a lot to learn from that document.

[English]

The bottom line is that a significant amount of money is not required to effectively help children and to ensure that they get a good start in life. We learned in Cuba that when there is a will, there is a way. Canada needs the will to do more for children. With political will, we would find a way to make Canada’s children healthier and better able to seize the opportunities that this great country has to offer.

Motion agreed to and report adopted.

STATE IMMUNITY ACT CRIMINAL CODE

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

Leave having been given to revert to Other Business, Senate Public Bills, No. 1:

On the Order:

Resuming debate on the motion of the Honourable Senator Tkachuk, seconded by the Honourable Senator Stratton, for the second reading of Bill S-225, An Act to amend the State Immunity Act and the Criminal Code (detering terrorism by providing a civil right of action against perpetrators and sponsors of terrorism).
—(Honourable Senator Grafstein)

Hon. Jerahmiel S. Grafstein: Honourable senators, the passage of Bill S-225 will provide for another paving stone in a path to a door that would allow the delivery of justice to those who have successfully evaded the criminal courts and who will now be able to be pursued through the civil courts.

Honourable senators, we all know the mantra: “Justice delayed is justice denied.” It is our hope that this proposed legislation will have more than a deterrent effect on those who believe they can sponsor terrorism and evade the rule of law with impunity. It will cost them just, as their financial support directly contributed to the

death and damage of innocent Canadians and others. It will bring them to account for their egregious actions through the system of justice.

I take this opportunity to thank Senator Tkachuk who asked me to co-sponsor this bill that has borne the burden of refining this legislative measure to place a legal sword in the hands of victims to obtain fairness and justice before our courts.

I may have misspoken earlier when I discussed the question of *mens rea*. In this bill, there is a delicate definition of intent, and there is a constructive intent in this bill to allow those cases to be able to move through the courts.

I ask the Senate to refer this matter to the Standing Senate Committee on Legal and Constitutional Affairs as soon as possible to ensure that justice is no longer delayed for those aggrieved Canadians who have suffered the incalculable loss of their loved ones at the hands of perverse, maligned and unfeeling terrorists.

For those senators who believe that this is an unusual matter or an unusual Canadian precedent, I urge them to refer to the recitals in the bill that reference the United Nations Security Council Resolution 1373, passed in 2001, which reaffirms that:

WHEREAS United Nations Security Council Resolution 1373 (2001) reaffirms that acts of international terrorism constitute a threat to international peace and security, and reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts;

WHEREAS Canada ratified the 1999 International Convention for the Suppression of the Financing of Terrorism (the “Convention”) on February 15, 2002;

WHEREAS article 4 of the Convention requires Canada as a signatory to take the necessary measures against any person that by any means, directly or indirectly, unlawfully or wilfully, provides or collects funds with the intention that they should be used or in the knowledge that they are to be used, in full or in part, in order to carry out offences under the Convention.

I repeat that Canada and this Senate ratified the 1999 International Convention for the Suppression of Financing Terrorism on February 15, 2002. That convention stipulates, as I mentioned, that each signatory — in this case Canada — take steps to implement the convention. Therefore, this is a step; this bill implements an international treaty and convention that was passed and implemented in part by this chamber over six years ago. Justice delayed is justice denied.

Honourable senators, let us get this bill to committee for a considered view as soon as possible on the effectiveness of meeting the bill’s uncontested objective to allow victims of terror a civil remedy against the scourge of terrorism.

I conclude with a quote from Dean Cecil Augustus Wright, Dean of my Law School at the University of Toronto and a great mentor, that I have had hanging in my office since 1962. In the

[Senator Munson]

speech he gave at the opening of the law school he quoted Justice Felix Frankfurter. It is a brief quote but, in my mind, it speaks to the role of the Senate:

Fragile as reason is, and limited as the law is as the expression of institutionalized medium of reason, that's all we have standing between us and the tyranny of mere will and the cruelty of unbridled, undisciplined feeling.

Honourable senators, I urge the speedy passage of this bill.

On motion of Senator Tardif, debate adjourned.

• (1620)

NATIONAL SECURITY AND DEFENCE

BUDGET—STUDY ON NATIONAL SECURITY POLICY—REPORT OF COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the fourth report of the Standing Senate Committee on National Security and Defence (budget—study on the national security policy of Canada), presented in the Senate on March 6, 2008.—(*Honourable Senator Day*)

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

He said: I should let honourable senators know what they are being asked to vote on. This item is the budget for the Standing Senate Committee on National Security and Defence. It is a budget for \$617,150 for the year, which is considerably less than last year.

Hon. Gerald J. Comeau (Deputy Leader of the Government): That makes us feel so much better.

Senator Day: I hoped it would. The committee went to a lot of work, I understand, to reduce it to this amount.

This budget has been reviewed by the subcommittee on budgets of the Standing Committee on Internal Economy, Budgets and Administration. They have looked at it closely, and representation was made by the committee chair and the clerk at that time.

They decided to approve \$165,000 of this budget. I believe, having attended the last meeting of the Standing Senate Committee on National Security and Defence, one trip would be covered during the first three months of this budget. I understand that the \$165,000 is reflective of the first three months only of the budget, and includes the trip scheduled for May for the committee's annual visit to Washington.

During the committee meeting last week, it was made clear that it is important to make these bookings early in Washington to get accommodation and to line up various people to meet. Nothing could be done until a budget was approved.

The budget has been approved for the first three months: April, May and June. Then, I understand that everything else in this budget will be dealt with by the subcommittee of internal

economy. The Standing Committee on Internal Economy, Budgets and Administration, as a full committee, has accepted this suggestion by its subcommittee.

This budget was filed by me last week on behalf of the chair. I respectfully request that we pass this particular report, which is one quarter of the full budget for this committee.

Hon. David Tkachuk: Honourable senators, this budget was the subject of intense debate in committee. We discussed a number of items — the salaries of certain officials of the committee, of which there are four, as well as the assistance that the committee receives from the Library of Parliament and from the office of the clerk, which I find extraordinary.

Senator Nancy Ruth and I were the only ones who seemed to be opposed to this budget; the debate was a difficult one. Before this budget is passed by this chamber, I want to state to honourable senators the reasons for my opposition to the extent of the budget.

I have been on committees for 15 years in this place, and I think I know a little bit about how committees operate. In this particular case, I found the amounts large. I want to state those cases, and I will then take adjournment of the debate.

On motion of Senator Tkachuk, debate adjourned.

AGING

INTERIM REPORT OF SPECIAL COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the third (interim) report of the Special Senate Committee on Aging entitled *Issues and Options for an Aging Society*, tabled in the Senate earlier this day.

Hon. Sharon Carstairs moved the adoption of the report.

She said: Honourable senators, the proportion of persons aged 65 or over in Canada was 8 per cent in 1971. It is 13 per cent today and it is projected that by 2031 about one in four Canadians, that is 25 per cent, will be 65 years of age or over.

The proportion of oldest seniors, those 80 years or over, is also projected to increase sharply. By 2056, an estimated one out of ten Canadians will be 80 years or over, compared with about one in thirty today. This impending reality presents a wide reality of complex issues for seniors and our aging population ranging from financial security and retirement to housing and transportation issues to chronic diseases and health care needs.

The committee's mandate is to 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.

In phase one of our study, we held panels with leading experts, seniors' organizations and representatives of relevant federal government departments and agencies to identify the priority issues related to Canada's aging population that could be addressed in greater detail in the second phase of the study.

We released an interim report in March 2007 entitled *Embracing the Challenge of Aging*, which summarized our findings of the first phase of the study and identified key overarching questions for the committee to explore during the second phase of its work. These four key questions concern defining seniors; the diversity of seniors and their needs; determining the policy approach; and the role of the federal government.

Using these four broad questions to frame its work, the committee undertook to examine these issues in more detail in phase two of its study. This examination included a series of hearings and questionnaires sent to seniors' organizations across Canada to elicit their views on issues important to them.

This interim report, *Issues and Options for an Aging Population*, is the result of the committee's work during its second phase of its study. In this report, the committee identifies five key public policy issues with respect to the aging of the population, and presents a set of 84 potential options for addressing them.

The issues and options contained in this report have been raised by witnesses before the committee and in responses to the questionnaire. However, the committee recognizes there may be other valid options which have not yet come to light. Furthermore, some of these policy options are complementary while others are mutually exclusive.

In the third and final phase of its study, the committee intends to invite expert witnesses to testify at round-table hearings and to consult broadly with Canadians on the issues and options to develop a comprehensive set of final recommendations for its final report.

This interim report contains six chapters — an introduction and five themed-issue chapters. The introduction outlines the process the committee has undertaken and provides preliminary conclusions regarding the four questions that focused the hearings in phase two.

The five issues and options chapters in this report are: Active Aging and Ageism, Older Workers, Retirement and Income Security, Healthy Aging, Aging in Place of Choice and the Regional Distribution of Health Costs Associated with Seniors.

• (1630)

The committee heard compelling evidence that remaining physically and mentally active are instrumental to the well-being of senior Canadians. Chapter 2 provides a series of issues and options related to maximizing the opportunities for seniors to be active members of society in volunteer work, educational opportunities, social and intergenerational interaction and physical activity. It explores how ageism can limit the active participation of seniors and suggests options to eliminate ageist attitudes.

Chapter 3 presents a range of options related to work, retirement and income. Witnesses advocated for flexibility in retirement that would allow older workers who wish to continue working past the age of 65 the opportunity to do so. At the same time, the committee recognizes that those who wish to retire should not be put in a situation that requires them to continue to work.

Chapter 4 provides options related to the services needed by older Canadians for prevention, management and treatment of their physical and mental health. The committee heard repeatedly that health is fundamental to quality of life for Canadian seniors. Canadians are not only living longer but are doing so in good health. Recognizing that aging is often associated with physical and mental decline, the committee sought options for building health, activity and fulfilment into the senior years.

Chapter 5 provides an overview of the issues and options related to aging in the place of choice. Most seniors express a strong preference for staying in their homes as they age. At times, supports are required to allow seniors to age in the place of their choice. The committee heard that a focus on "curing" in the health care system might detract from the "caring" aspects that help to maintain quality of life. Currently, the labour force is structured in such a way that family members and friends often have great difficulty balancing their work with care for their frail elderly. Formal supports can supplement the support of family members. Yet, there are significant differences across the country in the formal supports for seniors. The chapter presents options related to housing, supportive housing, long-term care facilities, home care, informal caregivers and moving toward greater integration between health and social support systems in provinces and territories.

Finally, the committee heard that labour force mobility has exacerbated the aging of the population in some jurisdictions, in particular in Atlantic Canada. Because the costs of providing health care to seniors is higher than it is for other age groups, per capita health funding through the Canada Health Transfer might eventually result in a widening gap in the basket of services that provincial and territorial governments will be able to provide to seniors as the population ages. The committee will seek guidance on whether this situation deserves more attention in Chapter 6.

Honourable senators, as I indicated at the beginning of my remarks, five broad issues in the report, *Issues and Options for an Aging Population*, were identified during phase 2 of our study when we focused on four broad policy questions: defining seniors, diversity of seniors, policy approaches and the role of federal government. I would like to draw the attention of honourable senators for a moment to a preliminary consensus reached on these questions that will help to shape the final phase of our work.

In relation to defining seniors, the committee's first interim report identified three broad age categories that distinguished seniors: the "young old," who are healthy, fit and reasonably affluent; the "middle old," who are starting to slow down and have less money and resources; and the "frail old," who are very elderly and have special social and physical needs. Other witnesses suggested that there are four phases of life: youth; adulthood; a new golden age, which extends from retirement to old age; and old age.

The committee heard that young seniors are generally healthier and wealthier than previous generations of seniors and that many seniors today are living healthy, active lives. Chronological age as the defining marker of being old is being eroded. Competency is increasingly replacing age as a more appropriate benchmark for behaviour or rights. At the same time, old age is being defined by loss of independence or by ill health. However, it is important to note that ill health and the loss of independence are not the exclusive domain of seniors. They can be experienced in a

temporary or permanent way by Canadians at any stage of life. Therefore, programs and policies to maximize independence and health are not only seniors' issues but also issues that can potentially benefit all Canadians.

The committee examined whether the current definition of "seniors" as "those over the age of 65" still serves seniors, employers and the rest of society in light of the increase in the healthy life expectancy of most Canadians. The majority of witnesses who responded to this question cautioned that moving the age of eligibility for programs from 65 upward would have a disproportionately negative impact on the most vulnerable groups of seniors without significant change to the behaviour of higher income seniors. Instead, witnesses suggested a policy approach of empowering the aging population to contribute to society uninhibited by disincentives and competing policy priorities, and with access to the appropriate health and social services that all Canadians require.

In relation to diversity of Seniors, Like the broader Canadian population, the elderly population represents tremendous diversity in terms of age, gender, ethno-cultural background, regional differences and the urban or rural settings in which they live. Canadians over the age of 65 are not a homogeneous group with identical needs. Like other age groups, seniors form a very diverse group with a wide range of expectations, needs and interests.

Furthermore, certain aspects of the population, such as Aboriginal seniors, have different life expectancies and associated needs. There are also distinct groups of seniors, including women, immigrant seniors, Aboriginal seniors and unattached seniors, who are at greater risk of poverty and social exclusion.

The aging of the population does not occur evenly across Canada, in part due to migration within the country. The regional imbalance in aging has important implications for labour market planning and the distribution of aging-related costs. As the committee elicits feedback on the issues and options outlined in the report, it will ask Canadians to reflect on whether the options presented reflect the diverse needs, circumstances and aspirations of all Canadians.

Regarding policy approaches, the committee heard about a number of frameworks that can be used to orient and coordinate policies, including the life-course perspective, healthy aging and active aging. Furthermore, the committee heard that the health of seniors is intricately linked to experiences throughout their lives. One of the keys to maintaining health and quality of life is to sustain the ability of seniors to participate in meaningful activities and social networks. Opportunities for life-long learning and volunteering can play an important role in helping seniors to remain active.

The issues and options outlined in the interim report reflect that aging is a life-long process and that some of the options to improve health and well-being among seniors need to be implemented through each stage of life, not just in the senior years.

There is a federal government role. In trying to determine the appropriate role of all levels of government, a recurring theme presented to the committee has been the maintenance of choice in

when to retire and where to live. We recognize the important role of individuals, non-profit organizations, the private sector and the various levels of government in ensuring that seniors have before them a wide range of choices. Many of the programs and services for older Canadians are delivered by provincial and territorial governments. Some of the options proposed in the interim report reflect the role that the Canadian government can play in facilitating the exchange of information and best practices across jurisdictions.

Honourable senators, population aging is a success story, and seniors are a rich and vibrant part of our country. At the same time, it is necessary to provide the services and supports that will allow seniors to live with dignity. The impending reality of population aging presents a wide variety of complex challenges. Aging is not a disease. It is a natural, life-long process and requires policy options that recognize this fact. The final phase of your committee's work over the next few months will be to work with Canadians to refine these options into final recommendations.

Hon. Leonard J. Gustafson: Will the honourable senator accept a question or two?

Senator Carstairs: Yes, of course.

Senator Gustafson: I was reading the report this afternoon, and I find it very interesting. It says that Saskatchewan has the oldest population of all provinces. I was under the understanding that babies born in Saskatchewan live longer than babies born in any other province in Canada. Is that true?

• (1640)

The other thing I understood was that older people in Saskatchewan save more money than other older people in any other province.

Senator Carstairs: Honourable senators, as to whether they live longer, we saw no evidence to that effect. Interestingly enough, some change of demographics is taking place in Saskatchewan, and that change is because of the buoyant economy. Younger people are moving back to Saskatchewan. By the time we are finished our report, the indication that they are the oldest may not be correct. Almost all the other older provinces in Canada are in Atlantic Canada, where the same vibrancy of economic activity is not taking place.

In terms of whether they save more, I have no idea. However, the farmers I know are a frugal lot.

Senator Gustafson: Is this because they now have a new government?

Hon. Lillian Eva Dyck: Honourable senators, in the same vein of comments, I believe Saskatchewan is noted as one of the areas of Canada that has the highest volunteer rate. I noted in your speech that you said one activity that keeps seniors youthful is volunteering in the community.

Senator Carstairs: Yes, that is correct. One option we propose is whether we should recognize volunteerism through some kind of payment system or tax relief. As I indicated, it is an option at this point in time. We have learned — and it is clear — that people

who are volunteers as seniors were volunteers before they became seniors. Volunteering is a life-long commitment. As they become older, particularly in their 70s and 80s, they may slow down a little. However, the reality is that an active senior is a senior who volunteers.

The Hon. the Speaker *pro tempore*: The Honourable Senator Carstairs' time has expired. Is the honourable senator asking for more time?

Senator Carstairs: Five minutes, if there are questions.

Senator Dyck: When talking about volunteerism and recognizing volunteers monetarily, does the honourable senator see a gender dimension as well in that many women spend a lot of time doing volunteer work, and women tend to live longer than men?

Senator Carstairs: We have clearly seen the gender dimension in the number of women providing care. That is why we also talked about an option for a benefit for caregivers and an option that would recognize that individuals who take time off to care for the elderly should be given the same consideration as those who take care of young children. That caregiving has been recognized in the Canada Pension Plan while caring at the other end of life has not. We also looked at that as an option.

On motion of Senator Stratton, debate adjourned.

THE SENATE

MOTION TO TELEVISION PROCEEDINGS— DEBATE CONTINUED

On the Order:

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

That whenever the Senate is sitting, the proceedings of the upper chamber, like those of the lower one, be televised, or otherwise audio-visually recorded, so that those proceedings can be carried live or replayed on CPAC, or any other television station, at times that are convenient for Canadians.—(*Honourable Senator Andreychuk*)

Hon. Tommy Banks: Honourable senators, whatever else it might be, Saskatchewan is the home of the most hospitable people in this country and some of the most generous.

With respect to the motion of Senator Segal before us, I rise to make an amendment to the motion. Those senators who, like me, attended the meetings of Internal Economy, which considered the question of televising Senate proceedings earlier, will be familiar with my view in this respect. It is a dichotomy view because I agree with the thrust that Senator Segal has put forward and the reasons behind it, namely, that it can do us much good if some proceedings of this institution are made available to the public readily on television. However, I do not think it is arguable that the proceedings of the other place, by way of example, in the way they are presented, have brought it into a higher repute among Canadians, particularly with respect to Question Period. The amendment I will move follows the thrust of what Senator Segal

has intended, I think. I am delighted to say that, having read the amendment — because I consulted with him — Senator Segal has agreed to second it. The amendment boils down to broadcasting on the basis of subject matters of the proceedings in the Senate and of its committees.

Without going through an impenetrable maze of what is said and done here about a given subject, an interested person can go to the Senate broadcast site — and there is such a thing — and, on the basis of subjects, see what has been said in the chamber, what has been said in committees and what the proceedings of a bill, a motion or a question are through this place, without having to wade through all of the other information that, in that person's view, is not of interest.

MOTION IN AMENDMENT

Hon. Tommy Banks: Honourable senators, I move, in amendment to the present motion, seconded by Senator Segal:

That the motion be amended by deleting all the words after the first "That" and replacing them by the following:

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

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

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

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

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

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

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

Hon. Joan Fraser: Will the Honourable Senator Banks take a question?

The Hon. the Speaker *pro tempore*: I will put the motion first.

It was moved by the Honourable Senator Segal, seconded by the Honourable Senator Keon:

That whenever the Senate is sitting —

An Hon. Senator: Dispense.

The Hon. the Speaker *pro tempore*: In amendment, it was moved by the Honourable Senator Banks, seconded by the Honourable Senator Segal:

That the motion be amended by deleting all the words after the first “That” —

An Hon. Senator: Dispense.

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

Senator Fraser: Honourable senators, nothing is more perilous than editing. What do you mean, with your lavish provision here for editing, Senator Banks?

Senator Banks: A question from an editor can hardly be avoided.

• (1650)

As the amendment suggests, recording of proceedings would be subject to the direction of the Standing Committee on Internal Economy, Budgets and Administration and edit into categorized subject areas the proceedings of the Senate so that they fall in the order in which they occur and in the order in which interested persons, the object of televising our proceedings, would find them most useful. They could follow the proceedings through the Senate from the introduction of a matter, a bill, a study, a question, a motion and so forth in the order in which they occur, which is not always contiguous and not always sensible. Without wading through the proceedings on a matter that might be separated sometimes by weeks and certainly by days, interested persons would be able to see the proceedings contiguously and continuously in one fell swoop, without looking at the other stuff. From time to time there may be things, which, at the discretion of the Standing Committee of Internal Economy, Budgets and Administration, might want to be excised from the proceedings of the Senate that are recorded in that way.

Honourable senators will notice that I have included in this amendment proceedings or events that take place here other than Senate proceedings, and there are some of those. The Internal Economy Committee is now the gateway, if I can put it that way, of what is televised and what is not. It merely continues that direction by that committee of the editing and processing of these programs.

In answer to what would be, I hope, the next question, the cost will be more than merely gavel-to-gavel coverage of Senate proceedings by itself or of committee proceedings by themselves. By definition, the editing of those matters into chronological sequence and contiguous sequence will cost more than simply broadcasting the events as they occur.

Senator Fraser: Everything was great until the honourable senator talked about what might be excised. I urge Senator Banks to be quite clear that, as is now the case with the televising of committee proceedings, we do it all or we do not do any of it. We do not get to pick and choose which embarrassing little bits will be removed before it goes out to the public because in that way lies great, great peril. I could write a book on peril, but I leave that to the honourable senator's imagination.

Senator Banks: I am more than intimately familiar with the perils of editing television. I did it, partly for a living, for a very long time, and as it is applied to this place, I have taken that into account. The motion in amendment does not say the things that I suggested might be looked at by Internal Economy in its direction to the producer. That is left entirely to the committee. However, there has been more than one occasion when a senator has come and asked for leave of the Senate to have items excised from the record — from Hansard — and changed things that senators have said and done here. I do not want to impede that.

In any case, the motion in amendment simply says that this is all done subject to the direction of Internal Economy.

Hon. Joseph A. Day: Honourable senators, I understand that this amendment contemplates the acquisition of equipment for this chamber, but there is an indication of no fewer than four ordinary committee rooms. Is that reflective of what we are doing now? I am not certain how many committee rooms we have.

Senator Banks: We have currently, according to my best information, three committee rooms in which the kind of equipment that we are talking about exists. Moves are afoot to make a fourth room available in that way, but that has not been done yet. Actually, we have two now in which it is done that way, but we are talking about installing equipment in this place that is not as obstreperous as television cameras sitting on tripods and the like, which now exists in room 257E when done there. It would be more along the lines of what is now done in rooms 2 and 9 of the Victoria Building where the cameras are unobtrusive, very useful and remotely operated rather than operated by a person standing behind them with a stick. We have some of that capacity in room 160S in this building. Rooms 2 and 9 in Victoria building and room 160S in this building are the three that presently exist. Room 257 in the East Block would be the next logical place to do it, and the motion contemplates that there should be at least four rooms with the capability of recording Senate committee proceedings.

Hon. Roméo Antonius Dallaire: Honourable senators, while I certainly support the amendment and the motion, I wish to raise a query in regard to the acquisition of the equipment. There is a cost to it.

The equipment we currently have in use, let alone what we would want to acquire to put into this place without it becoming defaced by it, is old tech. It is not sophisticated equipment. It is intrusive and even obstructive in its methodology. I hope that when we look at this we do not go with the lowest common denominator or lowest bid and end up with massive instruments. In the work that I have been involved in, I know that cameras the

size of a cigarette pack may meet requirements, so let us not cut costs because we have to put this in and have a limited budget. Let us think of the impact that this will have in the long term. Will that consideration be part of the process?

Senator Banks: We can get television cameras the size of the pin in my lapel, as the honourable senator well knows, but I am assuming, again, that the Internal Economy Committee will apply its ever-present good taste and discernment when it comes to questions of what looks good.

Technology changes every week and, at the time that the remote-controlled cameras were installed in rooms 2 and 9 of the Victoria Building and 160S in this building, they were current. That technology is not now current, and I am assuming that will be taken into account when these acquisitions are being made. However, at some point with any technology — and this will also apply to the editing equipment, which three years ago would have been essentially analogue and will now be entirely digital — when one decides to do something, one must jump in and put it in place. I am assuming that the Internal Economy Committee will use the best possible judgment in that respect.

Hon. Hugh Segal: Honourable senators, I wanted to indicate that my enthusiastic support of the amendment is based on three principles.

First, the editing, as referenced by Senator Banks, is not editing people in or people out but editing by subject matter. For example, fisheries, human rights, et cetera, would be categories under which people could see a visual transcript of what transpired in committee or in this place.

Second, I thought that, as Senator Cools commented *sotto voce*, it is a radical change to my original motion, but it is a fundamental improvement of it because it will more likely lead to what is the British circumstance where the BBC produces a House of Lords broadcast every week, which is a careful edit by subject of what transpired as opposed to gavel to gavel. In that context, it produces a fair amount of interest and capacity to associate with the work being done in the chamber.

The third reason I support this amendment is that I have learned in my two years here that often more experienced senators, even on the other side of the aisle, can fundamentally improve the quality of my work, and I am delighted to acquiesce in that respect to Senator Banks.

On motion of Senator Andreychuk, debate adjourned.

• (1700)

THE SENATE

CONSIDERATION OF PUBLIC BILLS— INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Carstairs, P.C., calling the attention of the Senate to the custom of allowing Senate Public Bills to be considered free of the procedural obstacles that limit the consideration

of Private Members' Bills in the other place, and the custom of ensuring all Senators the fair opportunity to have their proposals decided by the Senate.—(*Honourable Senator Stratton*)

Hon. Wilfred P. Moore: Honourable senators, I will be brief.

Senator Carstairs has raised a very important issue concerning how we organize ourselves as an institution and how we respect the principle that we are all equal in this chamber.

We saw an example here the week before last where a senator had been pursuing an issue for many months, indeed for several parliamentary sessions. Some senators may agree with his proposal or they may have concerns about it. That is fair game. In my view, they should speak against it and possibly vote against it. Instead, we saw yet another attempt to defeat the proposal by adjourning it to death.

This is not new. In my time here, I have noticed an insidious practice developing where people who disagree with something attempt to defeat it by stealth rather than by speaking and voting against it.

Honourable senators, as mature and responsible holders of public office, I do not think that is how we should be conducting ourselves.

We all have the right to speak in this place. As a courtesy, we often allow senators to take the adjournment of items in order to facilitate their preparation of speaking notes and to facilitate the smooth flow of work in the chamber. However, honourable senators, this practice has evolved into something that was never intended. Some senators seem to think that they can adjourn an item indefinitely, thereby taking it hostage. This is not right.

An item on the Order Paper does not become the personal property of the last senator who adjourned it. We all have a right to speak, but that right cannot be twisted into a means of thwarting the ability of the Senate to consider and decide matters.

When I saw yet another attempt to adjourn a bill the week before last, I voted against it. It was only a voice vote, but I was among those who opposed the adjournment.

Honourable senators, I want to associate myself in particular with what Senator Carstairs had to say about the government's new practice of adjourning everything until they can find a member of their dwindling caucus to act as a government critic. I will leave it to others to judge whether this practice is undertaken with all good intentions. Suffice it to say, it results in the permanent delay of almost every item that is not government business. It is not the Senate's fault that the Prime Minister has failed to staff his bench in the Senate. Yet, this chamber is paying the price because our business is stalled for lack of government senators to manage its business. I say that if the government fails to appoint senators, as it is constitutionally bound to do, then it has to accept the consequences. We should not allow our work to be held up on the excuse that the government does not have enough members.

Honourable senators, I agree with Senator Carstairs. Compared to our colleagues down the hall, we have a tradition in this place of treating each other with respect and dealing with

[Senator Dallaire]

each other's proposals in a timely way. We should honour that tradition and stop playing games with adjournment motions that have nothing to do with taking time to prepare speaking notes.

Hon. Terry Stratton: Honourable senators, it is also the custom in this place that when someone wants to speak on an item that they approach the person in whose name it is adjourned and at least inform them that they will be speaking. I would like to speak on this issue sincerely, and I move adjournment.

On motion of Senator Stratton, debate adjourned.

[*Translation*]

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF CONTAINERIZED FREIGHT TRAFFIC

Hon. Lise Bacon, pursuant to notice of February 27, 2008, moved:

That, notwithstanding the order of the Senate adopted on November 14, 2007, the date for the presentation of the final report by the Standing Senate Committee on Transport and Communications on its consideration of containerized freight traffic handled by Canada's ports be extended from March 31, 2008, to June 19, 2008.

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

Motion agreed to.

ANTI-TERRORISM

SPECIAL COMMITTEE AUTHORIZED TO STUDY SECURITY CERTIFICATE PROCESS OF IMMIGRATION AND REFUGEE PROTECTION ACT AND TO REQUEST PAPERS AND EVIDENCE OF PREVIOUS PARLIAMENTS

Hon. Pierre Claude Nolin, on behalf of Senator David P. Smith, pursuant to notice given March 4, 2008, moved:

That the Special Senate Committee on Anti-terrorism be authorized to examine and report on the provisions governing the security certificate process set out in the *Immigration and Refugee Protection Act*, S.C. 2001, c. 27, as recently modified by *An Act to amend the Immigration and Refugee Protection Act (certificate and special advocate) and to make a consequential amendment to another Act*, S.C. 2008, c. 3, as well as to conduct a review of the operation of that process in the context of Canada's anti-terrorism framework;

That the papers and evidence received and taken, and the work accomplished by:

(a) the Special Senate Committee on the Anti-terrorism Act during the Thirty-eighth Parliament and the First Session of the Thirty-ninth Parliament; and

(b) the Special Senate Committee on Bill C-36 during the First Session of the Thirty-seventh Parliament;

be referred to the committee for the purposes of this study; and

That the committee submit its final report no later than December 31, 2008.

He said: Honourable senators, those who have been following the debate on security certificates will recall that we received a letter from Stockwell Day, the Minister of Public Safety.

They will also recall that during the one-day debate we heard from a series of witnesses. The minister and the committee members studied the issue and concluded that a much more thorough review of the process for issuing and validating security certificates was needed.

Honourable senators, you have before you an order of reference to enable your committee to undertake this review and to report before the end of the year.

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

Motion agreed to.

[*English*]

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO MEET DURING SITTING OF THE SENATE

Hon. David Tkachuk, pursuant to notice earlier this day, moved:

That the Standing Senate Committee on National Security and Defence be authorized to sit past 1:30 p.m. this Wednesday, March 12, 2008, even though the Senate may then be sitting, for the purposes of its consideration of Bill C-40, *An Act to amend the Canada Labour Code, the Canada Student Financial Assistance Act, the Canada Student Loans Act and the Public Service Employment Act*, and

That the application of rule 95(4) be suspended in relation thereto.

Motion agreed to.

The Senate adjourned until Wednesday, March 12, 2008, at 1:30 p.m.

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