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OFFICIAL REPORT  
(HANSARD)

**Tuesday, February 3, 2009**

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**THE HONOURABLE NOËL A. KINSELLA  
SPEAKER**

This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.

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## THE SENATE

Tuesday, February 3, 2009

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

Prayers.

### AFGHANISTAN—FALLEN SOLDIER

#### SILENT TRIBUTE

**The Hon. the Speaker:** Honourable senators, before we proceed, I would ask senators to rise and observe one minute of silence in memory of Sapper Sean Greenfield, whose tragic death occurred this past weekend while serving his country in Afghanistan.

*Honourable senators then stood in silent tribute.*

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, before moving to Senators' Statements, I remind you that the rules provide that statements are to be no longer than three minutes in duration. To assist us, one of the clerks usually rises to signal that we are on that third minute. I invite the cooperation of all honourable senators to maintain the provisions of that rule.

• (1405)

## SENATORS' STATEMENTS

### MENTAL HEALTH LITERACY

**Hon. Joan Cook:** Honourable senators, I rise today to commend the Canadian Alliance on Mental Illness and Mental Health for launching a landmark initiative on October 20, 2008, aimed at enhancing the mental health literacy of Canadians.

Mental health literacy is defined as the knowledge and skills that enable people to access, understand and apply information for mental health. The results of the research by the Canadian Alliance on Mental Illness and Mental Health will be compared with that of other nations to see how well Canadians fare. This project intends to help those of us affected by mental health issues to find and efficiently access services.

As many of us know, through enhancing the mental health literacy of Canadians, we can help to ensure early recognition of mental health issues, improve intervention and make a significant reduction in the stigma and discrimination that still surrounds mental illness. This study hopes to improve the capacity of our mental health systems, programs and services that are life long, cross-cultural and life affirming. I look forward to informing honourable senators of the results of this research.

Honourable senators, I urge you to support policies and programs that promote mental health literacy in Canada.

### ARTS AND CULTURE

**Hon. Janis G. Johnson:** Honourable senators, I applaud the government for including major funding for arts and culture in the budget tabled last week. I am very glad this sector was treated in a substantial way. Arts and culture lift the spirit and nourish the mind. Art and the truth art mirrors are perhaps more vital to our world survival than ever before.

The government clearly recognized this along with the importance of arts and culture to the Canadian economy. The budget includes: \$60 million to support infrastructure-related costs for institutions such as local theatres, libraries and small museums; \$28.6 million over the next two years for the Canada New Media Fund, and nearly \$15 million per year after that; \$200 million over two years for the Canadian Television Fund; \$100 million over two years for marquee festivals and events; an increase of \$20 million over the next two years to the National Arts Training Contribution Program, and \$13 million per year after that; \$30 million over the next two years to support magazines with Canadian content and community newspapers; and an endowment fund of \$25 million to support the creation of international awards for excellence in dance, music, art and dramatic arts.

There are other highlights and not the least of them in these tough economic times is the government's promise to explore benefits for the self-employed, which is the lot of many artists. Maternity support, employment insurance and parental benefits are all major concerns for people who are self-employed and, therefore, this is an extremely welcome development.

I want to thank my government for taking these new measures to support the arts in this country. Its commitment to the arts now and in the future will help effect change in our world.

### THE LATE EDWARD SAMUEL ROGERS, O.C.

**Hon. Francis Fox:** Honourable senators, on December 2, 2008, our country lost one of the great entrepreneurial visionaries in our history, Ted Rogers. His contemporaries in the communications industry often referred to him as a visionary, although the word made him smile. He successfully rode three waves of technological change. He pioneered FM radio in Canada, being the first to recognize its potential. He later focused his attention on the incipient cable industry, creating the most important cable and broadcasting sector in the country, to which he added significant media and sports components. He later built a cellular telephone company from scratch that is now second to none in this country.

More than a visionary, Ted was an entrepreneur ready to support his vision with his own investments, his full commitment and a good deal of courage in the start-up processes. More than

an entrepreneur, he was a businessman able to gather a team, motivate employees, and earn their commitment and loyalty because of his interest in and support for what they did.

Ted Rogers was a visionary, an entrepreneur and a businessman and yet, he was more; Ted was a philanthropist. He and his wife Loretta invested millions in the well-being of their fellow citizens. As a family man, he was so proud of his children and proud also of his extended family, from management to call centre employees. Their well-being mattered deeply to him.

To a nation that owes its birth to the construction of a rail network, Ted Rogers left a communications grid that brings Canadians together from coast to coast to coast. He ended all of his speeches by telling audiences, "The best is yet to come."

Ted, you gave our country the best you had and that today has become a living legacy.

• (1410)

To his family and his extended family, let me conclude by saying we share your pride in his considerable achievements. Ted Rogers made a difference and Canada is a better and richer place as a result.

### BLACK HISTORY MONTH

**Hon. Donald H. Oliver:** Honourable senators, I am honoured once again to rise to call your attention to the importance in Canada of February as Black History Month. Canadians of Afro-descent have made, and continue to make, invaluable contributions to our cultural, political and economic landscape, like billionaire Michael Lee-Chin; and Her Excellency Governor General Michaëlle Jean, a descendent of slaves.

Black History Month is a time of reflection and understanding — reflection on the enormous contributions Black people have made to building Canada. Black History Month provides one special month of the year when students, children and Canadians from all walks of life can gain a greater understanding of who are the Black superstars, the heroes who have excelled in different fields such as business, arts, science, sports, politics and human rights.

In North America, our biggest superstar is clearly Barack Obama, the new American President, but countless Canadians of African descent have also made history in the last year and have been recognized as local heroes by both young and old. For example, Karine Sergerie, a 24-year-old silver medalist at the Beijing Summer Games in Tae Kwon Do, and reigning world champion; P.K. Subban is a 2008-09 World Junior Hockey gold medalist and future Montreal Canadien; Willie O'Ree was the first Black man to play in the NHL, in 1958, and in 2008 received the Order of Canada; Yolande James is the first Black woman to be elected in the Quebec provincial assembly and the first to be a cabinet minister; and Abraham Dora Shadd was the first Black person to serve in Canadian public office in 1859, and is featured on a 2009 commemorative stamp in honour of Black History Month. These individuals have not only inspired Blacks but have also taken their place in our collective Canadian history.

I will be occupied once again throughout February reaching out to children in schools across the country explaining what Black history means and how much we have progressed since the

days when the enslavement of Black people was a reality in Canada. I began Thursday when I spoke in Toronto at a celebration of the thirtieth anniversary of Black History Month at the Toronto Police Service headquarters.

In 1979, Toronto became the first Canadian municipality to adopt February as Black History Month. The House of Commons adopted a similar motion in 1995; and only last year, the Senate of Canada formalized the position of the Parliament of Canada on my resolution to recognize February as Black History Month.

Over the weekend, I taped an interview at the CBC studios in Toronto on what Black History Month means to me. The interview is part of a series of featured clips of prominent Black Canadians that will be broadcast throughout the month of February on CBC Newsworld: Weekends.

Honourable senators, Black people in Canada have come a long way since the British Slavery Abolition Act of 1833, yet many Canadians are not aware that slavery was a common, accepted practice from the 1620s to 1834, and that over the last 175 years, Black Canadians have confronted many other racial barriers, such as obtaining the right to vote and the elimination of segregated schools and buses. Honourable senators, we still have a long way to go.

In conclusion, I urge everyone to encourage Canadians to participate in the celebrations paying tribute to Black Canadians this February. I invite honourable senators to learn more about Blacks and the significant role they have played in shaping our country in politics, business and the arts.

### NATIONAL HISTORIC SITES

**Hon. Lorna Milne:** Honourable senators, I bring to your attention the recent findings of an Environics survey of National Historic Sites in Canada.

The survey was commissioned by Parks Canada and found that 69 per cent of our 689 National Historic Sites managed by owners other than the federal government are deteriorating and will need major rehabilitation within the next two years.

In Ontario, the situation is just as bleak. The survey reveals that only 37 per cent of owners in Ontario report that their site is in good condition.

Canada's National Historic Sites range from sacred spaces and battlefields to buildings and archaeological sites. Parks Canada calls them places of profound importance to Canada, bearing witness to the nation's defining moments.

• (1415)

National Historic Sites encompass such national icons as the Parliament Buildings and the Fortress of Louisbourg, as well as lesser known sites such as the former post office in Almonte, Ontario.

Despite the national significance of the sites, the federal government is largely absent as a funding partner. According to the Canadian Heritage Foundation, the National Historic Sites Cost-Share Program — NHSCSP — provided bricks-and-mortar funding to 57 non-federal sites between 1988 and 2000.

That funding benefited sites like the Inglis Grain Elevators in Dauphin, Manitoba, and the Saint John City Market in New Brunswick. Projects of this cost-share program leveraged two to three times the \$27 million invested by the federal government. However, since 2000, the program has been dormant and without funding. In 2003, the Auditor General reported that at least 118 requests for funding had gone unanswered.

The current government has proposed a “national trust” managed by the private sector to attract private donations for the restoration of heritage buildings. To that end, a two-day stakeholder meeting was held last February to develop a model largely based on a similar program in the United Kingdom.

In Budget 2007, \$5 million was allocated over two years for the establishment of this trust. This national trust will be able to receive donations and contributions to ensure its long-term sustainability. Apparently, it will be managed and directed by private-sector individuals and will be held at arm’s length from the government. However, it is my understanding that this “national trust” has yet to be established, even though hundreds of our historic sites need restoration work now.

Why should Canadians not invest directly in the restoration of their own living history? I am not suggesting that taxpayers foot the entire bill for these projects, but I would argue that additional funding is necessary to help leverage some of the most needy sites to get the requisite repairs to prevent them from collapsing.

Unfortunately, this is a situation that cannot afford to wait because once a historic site is gone, it is gone forever. No amount of money can ever bring it back.

Honourable senators, I did not hear a word about this subject in the recent Speech from the Throne or the budget. What is happening to that \$5 million?

### PAY EQUITY

**Hon. David Tkachuk:** Honourable senators, last Thursday during Question Period, Senator Mitchell admonished our Leader of the Government in the Senate. He said the following:

Honourable senators, today President Obama signed pay equity legislation — a breath of fresh air in North America. On the other hand, Prime Minister Harper, who was put on probation yesterday, wants to prohibit Canadian women from taking pay equity cases before the Human Rights Commission, arguing that they can use the collective bargaining process instead.

What good would the collective bargaining process be to the majority of underpaid, unequally paid women when they do not belong to unions and therefore do not have access to the collective bargaining process?

When the leader provided him with an answer, he said:

Whoever wrote that answer for the honourable leader does not understand — and clearly the leader does not understand, either — that the example used to argue against my case underlines my very point.

The case Senator Mitchell was making, as honourable senators will have gathered, relates to pay equity. He cited the work of President Obama, in particular his signing last week of the Lilly Ledbetter Fair Pay Act. What is the difference? The difference is a subtle one for sure. The Lilly Ledbetter Fair Pay Act has nothing to do with pay equity. It has to do with equal pay for equal work, and at that, only at a remove.

Pay equity is, for example, when someone works as a manual labourer and another works in an office. Someone decides the value of their work is equal and they should receive the same amount of money.

However, that is not what the Lilly Ledbetter Act is about. It is about equal pay for equal work. In other words, a female supervisor may work among a group of male supervisors doing the same work, but the men get paid more. This is the situation that the Lilly Ledbetter Fair Pay Act addresses, though, as I said, only indirectly.

The act directly addresses the Supreme Court decision that ruled against Ms. Ledbetter in her suit against the Goodyear Tire & Rubber Company. The court ruled in a 5-4 decision that Ms. Ledbetter had not filed her suit for equal pay for equal work in time, in other words, within 180 days of the first paycheque for which she was paid less than her peers. This new legislation restarts the clock every time the worker receives a paycheque.

• (1420)

Senator Mitchell’s confusion is understandable, but before the honourable senator accuses anyone in this chamber of not understanding what he or she is saying, perhaps Senator Mitchell should first ensure that he understands what he is saying.

**An Hon. Senator:** Good point.

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Paul McIntyre, a distinguished member of the Bar of New Brunswick. Mr. McIntyre is the guest of the Honourable Senator Percy Mockler.

Mr. McIntyre, on behalf of all honourable senators, I welcome you to the Senate of Canada.

[Translation]

Tuesday, February 3, 2009

## ROUTINE PROCEEDINGS

### INDIAN AFFAIRS AND NORTHERN DEVELOPMENT

GWICH'IN COMPREHENSIVE LAND CLAIM  
AGREEMENT IMPLEMENTATION COMMITTEE—  
2005-07 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):**  
Honourable senators, I have the honour to table, in both official languages, the 2005-07 Annual Report of the Implementation Committee on the Gwich'in Comprehensive Land Claim Agreement.

SAHTU DENE AND METIS COMPREHENSIVE  
LAND CLAIM AGREEMENT IMPLEMENTATION  
COMMITTEE—2004-05 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):**  
Honourable senators, I have the honour to table, in both official languages, the 2004-05 Annual Report of the Implementation Committee on the Sahtu Dene and Metis Comprehensive Land Claim Agreement.

SAHTU DENE AND METIS COMPREHENSIVE  
LAND CLAIM AGREEMENT IMPLEMENTATION  
COMMITTEE—2005-07 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):**  
Honourable senators, I have the honour to table, in both official languages, the 2005-07 Annual Report of the Implementation Committee on the Sahtu Dene and Metis Comprehensive Land Claim Agreement.

INUVALUIT FINAL AGREEMENT  
IMPLEMENTATION COORDINATING COMMITTEE—  
2004-05 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):**  
Honourable senators, I have the honour to table, in both official languages, the 2004-05 Annual Report of the Inuvialuit Final Agreement Implementation Coordinating Committee.

INUVALUIT FINAL AGREEMENT IMPLEMENTATION  
COORDINATING COMMITTEE—  
2005-07 ANNUAL REPORT TABLED

**Hon. Gerald J. Comeau (Deputy Leader of the Government):**  
Honourable senators, I have the honour to table, in both official languages, the 2005-07 Annual Report of the Inuvialuit Final Agreement Implementation Coordinating Committee.

[English]

### COMMITTEE OF SELECTION

FIRST REPORT OF COMMITTEE PRESENTED

**Hon. David Tkachuk,** Chair of the Committee of Selection, presented the following report:

The Committee of Selection has the honour to present its

### FIRST REPORT

Pursuant to rules 85(1)(a) and 85(2) of the *Rules of the Senate*, your committee wishes to inform the Senate that it nominates the Honourable Senator Losier-Cool as Speaker *pro tempore*.

Respectfully submitted,

DAVID TKACHUK  
*Chair*

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

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

### BANKRUPTCY AND INSOLVENCY ACT

BILL TO AMEND—FIRST READING

**Hon. Yoine Goldstein** presented Bill S-219, An Act to Amend the Bankruptcy and Insolvency Act (student loans).

(Bill read first time.)

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

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

• (1425)

### ANTI-SPAM BILL

FIRST READING

**Hon. Yoine Goldstein** presented Bill S-220, An Act respecting commercial electronic messages.

(Bill read first time.)

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

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

[Translation]

### CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

ANNUAL MEETING—MAY 16-19, 2008—  
REPORT TABLED

**Honourable Jeremiah S. Grafstein:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation of the Canada-United States

Inter-Parliamentary Group respecting its participation in the fortieth annual Canada-United States meeting, held in Santa Fe, New Mexico, May 16 to 19, 2008.

[English]

WESTERN GOVERNORS' ASSOCIATION, ANNUAL MEETING, JUNE 29-JULY 1, 2008—REPORT TABLED

**Hon. Jerahmiel S. Grafstein:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the Western Governors' Association, 2008 Annual Meeting, held in Jackson Hole, Wyoming, United States of America, from June 29 to July 1, 2008.

COUNCIL OF STATE GOVERNMENTS-WEST, ANNUAL MEETING, JULY 16-20, 2008—REPORT TABLED

**Hon. Jerahmiel S. Grafstein:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the Council of State Governments-West, 2008 Annual Meeting, held in Anchorage, Alaska, United States of America, from July 16 to 20, 2008.

NATIONAL CONFERENCE OF STATE LEGISLATURES, LEGISLATIVE SUMMIT, JULY 22-26, 2008—REPORT TABLED

**Hon. Jerahmiel S. Grafstein:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the National Conference of State Legislatures, 2008 Legislative Summit, held in New Orleans, Louisiana, United States of America, from July 22 to 26, 2008.

SOUTHERN GOVERNORS' ASSOCIATION, ANNUAL MEETING, AUGUST 8-11, 2008—REPORT TABLED

**Hon. Jerahmiel S. Grafstein:** Honourable senators, I have the honour to table, in both official languages, the report of the Canadian delegation to the Southern Governors' Association, 2008 Annual Meeting, held in White Sulphur Springs, West Virginia, United States of America, from August 8 to 11, 2008.

## THE SENATE

### NOTICE OF MOTION TO RESOLVE INTO COMMITTEE OF THE WHOLE TO HEAR REPRESENTATIVES OF ABORIGINAL COMMUNITY

**Hon. Serge Joyal:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, at 3 o'clock p.m. on Thursday, June 11, 2009, the Senate resolve itself into a Committee of the Whole in order to hear from the National Chief of the Assembly of First Nations, the National Chief of the Congress of Aboriginal Peoples, the President of the Inuit Tapiriit Kanatami, and the President of the Metis National Council, for the purpose of reporting on progress made on commitments endorsed by parliamentarians of both Chambers during the year following the Government's apology to former students of Indian Residential Schools.

## NOTICE OF MOTION TO TELEVISION PROCEEDINGS

**Hon. Hugh Segal:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

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

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

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

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

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

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

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

• (1430)

## QUESTION PERIOD

### INTERNATIONAL TRADE

#### CROSS-BORDER PROVISIONS

**Hon. James S. Cowan (Leader of the Opposition):** Honourable senators, my question is for the Leader of the Government in the Senate. Last week, on January 28, 2009, the members of the United States House of Representatives passed an \$819 billion stimulus package that includes a "buy American" provision that would drastically affect Canada's already troubled economy. Yesterday, the U.S. Senate began debating the bill, and it may pass as early as this Friday, strengthened by even deeper and more stringent protectionist policies.

Honourable senators, this government has been asleep at the switch. Once again, this government has failed to protect the interests of Canadians and is scrambling to respond to a crisis. Why has this government waited until the eleventh hour to intervene on a matter of such importance to our economy?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, the fact is that the government's diplomats and officials have been working very hard in Washington — and in other places around the world — on this and other issues. Following the election of President Obama, our officials and diplomats began working with the incoming administration. Since January 20, when President Obama was inaugurated, more work has been done by our diplomats.

Protectionist measures are of great concern, not only to this country but to all other countries in the G20. They were discussed vigorously in Davos, Switzerland, in the last few days. Our ambassador, the Honourable Michael Wilson, has communicated Canada's position to the U.S. Senate majority and minority leaders. Our diplomats, officials and other Canadians who head up business organizations have all made their views known.

Honourable senators, I believe that our government is making the case very strongly and that we will convey our message through to our friends in the United States.

**Hon. Grant Mitchell:** Honourable senators, could the leader tell us what credibility Mr. Harper will have in arguing against protectionism when President Obama need only make the point that it was Mr. Harper who wanted to build firewalls around Alberta?

**Senator LeBreton:** Senator Mitchell does a disservice to both President Obama and Prime Minister Harper. Our party and government first introduced the Free Trade Agreement and the North American Free Trade Agreement. It was the honourable senator's party that wanted to destroy NAFTA. We were the party that resolved the softwood lumber dispute, the party that resolved the issue of BSE, and we are the party dealing with issues of product safety.

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

**Senator LeBreton:** Actually, it was under a Conservative government that the softwood lumber dispute was settled.

**Senator Rompkey:** That was the Progressive Conservatives.

**Senator LeBreton:** When President Obama comes to Canada on February 19 and meets with our Prime Minister, each will be a great credit to his country as they work on the serious issues that face both countries. The United States and Canada are North American neighbours in a world troubled by difficult economic conditions. It will be a credit to President Obama and also Prime Minister Harper that they will deal with issues of real concern to Canadians, to Americans and to all of our friends and allies around the world.

• (1435)

**Hon. Yoine Goldstein:** Honourable senators, in the course of her communications with the Prime Minister in connection with Mr. Obama's visit, could the Leader of the Government please

point out the following dictum from Mr. Erin Weir, an economist with the United Steelworkers' Canadian arm, in the Progressive Economics Forum held last week.

Unfortunately, rather than working co-operatively and practically for an exemption, Canadian politicians . . . have been publicly lecturing Americans about their "international obligations" and the theoretical virtues of global free trade. This argument is not correct in the current economic context and certainly will not be very persuasive south of the border.

Could the leader please explain to the Prime Minister that sometimes honey is better than a baseball bat?

**Senator LeBreton:** That is interesting because other people in the honourable senator's party want us to do the opposite.

The fact is that we are not lecturing the United States. I am aware of Mr. Weir's comments and he is entitled to them. What we are doing is making a persuasive case to our friends in the United States about the importance of the trade relationship between our two countries. We are the biggest trading partner for many states in the U.S. I believe all of our officials, our ambassadors and our diplomats who are working on these files are doing so in a respectful and persuasive manner. In no way would we be so presumptuous as to lecture the new administration in the United States. We are simply doing what every Canadian would want us to do; that is, making a persuasive case for the importance of Canada to the trading relationship with the United States, North America and the world.

## FINANCE

### BUDGET 2009

**Hon. Art Eggleton:** Honourable senators, last week, the Leader of the Government in the Senate said that the government's Budget 2009 supported scientific research in this country. If she is specifically commenting on infrastructure for universities and businesses, she would be correct. However, many scientists have noted that where Canadian funding has fallen short is in the amount of direct aid to actual operating research programs. This may place thousands of jobs at risk, put promising medical research on hold and lead to a significant brain drain at a time when great minds are needed in Canada. I am afraid that we may have many beautiful facilities but with no one in them. How can we be confident that Canada will continue to be a world leader in research?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Honourable senators, if one looks at the budget documents and the commitment of funds not only to the scientific community but also to universities and Canada Health Infoway, the honourable senator expresses a very pessimistic view when he says that we will lose our scientists to other jurisdictions in the world. As I said last week, we have invested an additional \$2.4 billion in research and development since 2006, and our economic action plan makes available another \$3.5 billion in new investments. This includes significant funding for university and college infrastructure, the Canada Foundation for Innovation and the Industrial Research Assistance Program.



Honourable senators, I believe that the money we are investing in these institutions will have a positive effect on the researchers and scientists involved in those institutions.

**Senator Eggleton:** Honourable senators, I am not pessimistic; I am realistic. I understand also that the confidence of researchers is necessary to be able to attract them to this country and keep them.

• (1440)

This budget offers no new money for research operating grants at the Canadian Institutes of Health Research, the Social Sciences and Humanities Research Council and the Natural Sciences and Engineering Research Council. Previous budgets have, but not this budget. These agencies are Canada's three federal funding agencies.

This lack of new money comes on the heels of the U.S. National Institutes of Health — which is a primary funding agency for medical research in that country — receiving a \$4 billion increase to its budget as part of President Barack Obama's economic stimulus package.

With no new operating research funding for federal agencies as part of a stimulus package, how can we be confident that we will stay competitive with other countries, such as the United States, to keep and attract keen scientific minds in Canada?

**Senator LeBreton:** As I said last week, when the government brings down a budget and introduces a stimulus package to deal with an economic situation, one would not think it necessary to restate the funds committed to various areas in previous budgets.

Last week, there was a question about Genome Canada. Our government invested \$100 million over five years in Budget 2007, and \$140 million over five years in Budget 2008, to support the important work of Genome Canada. That funding is ongoing. That body will receive \$106 million this year and \$107 million in 2009-10. As has been stated, we will consider any new funding requests from these organizations as they come in. Since this issue came up last week, I want to put on the record that the board of directors of Genome Canada states on its website:

Genome Canada is pleased with the federal government's 2009 budget in which millions will be invested in research infrastructure over the next two years. This is good news for the scientific community across the country. . . .

We are facing difficult times. Everyone in the country, including scientists, researchers and labourers, wants the government to do everything possible to see Canada through this difficult worldwide economic situation.

As I said last week, the International Monetary Fund stated that despite the difficult economic situation in the world, we are still the safest port in the storm. Those are my words, not the IMF's. The IMF said Canada is in the best position to come out of this situation in good shape.

I believe that as Canadians — certainly outside of Ottawa, — watch the political situation, they will want all parliamentarians to work hard in the interests of the economy of the country and to

support everything the government is trying to do to implement the budget delivered by the Minister of Finance in January, which is supported, I am glad to say, by the official opposition.

**Hon. Joan Fraser:** My question is directed to the Leader of the Government in the Senate. Was a gender-based analysis of the budget done before the Minister of Finance presented it in the House of Commons last week?

**Senator LeBreton:** Honourable senators, I need more specifics on what Senator Fraser is referring to.

**Senator Fraser:** Gender-based analysis is a widely known tool in budgeting. It has been the subject of numerous inquiries in this and the other place, as well as around the world.

I refer the honourable senator to a document entitled *Gender Budgets — An Overview* produced by the Library of Parliament a year and a half ago. The Deputy Minister of Finance told a committee of the other place nearly two years ago that leading up to the presentation of the budget that preceded his appearance before the committee, the department had conducted a gender-based assessment of over 90 per cent of the ideas that had been considered for inclusion in the budget. That budget was presented by this government. A gender-based analysis assesses the impact of different budget measures on the two genders. It is a very simple but extremely useful tool.

• (1445)

I ask the minister if she would ascertain whether such an analysis was performed and, if so, would she make the analysis available to this chamber. If such an analysis was not performed, would the minister please tell us why it was not performed?

There are a great many provisions in the budget that seem to have unequal impact on the two sexes, starting with, but not limited to, the provisions on pay equity. The budget seems to put the subject of collective bargaining on the same level as split shifts and the provision of free shirts for uniforms in the case of people who wear them.

I ask for those commitments from the minister.

**Senator LeBreton:** Honourable senators, all government budgets are constructed to consider the interests of all Canadians, both male and female.

Concerning the pay equity issue, it is very clear that women should not have to wait for 10 or more years while pay equity issues wind their way through the courts. Women within the responsibility of the federal government deserve equal treatment. Women should be included in the process when salaries are negotiated. The government should not make women wait for pay equity. It is time that the federal government follow the practices of the Provinces of Ontario, Quebec and Manitoba in bringing our pay equity legislation into modern times.

The budget intends to help all Canadians, both men and women. The stimulus program, the contributions to infrastructure for universities, the research component and, from the seniors' perspective, the increase in the age credit, are measures which will help all Canadians.

It would be unfair to apply a specific standard to any Canadian. We think of all Canadians when preparing a budget. I do not think this government falls behind any other country when it comes to the rights of women, or men, for that matter.

**Senator Fraser:** I asked the minister whether a gender-based analysis was performed. If so, can we see it? If not, can the leader find out why and tell us so? I asked a simple question.

• (1450)

[*Translation*]

**Hon. Jean-Claude Rivest:** Honourable senators, there is no question that the most disappointing aspect was the proposals regarding support for the forestry industry — disappointing not only for Quebec, but also for New Brunswick.

The budget's proposed investments in the forestry industry are completely disconnected from the reality and the serious difficulties facing that industry. I do not claim that more support should be given to the forestry industry than was given to the auto sector, since I do think that auto workers in Ontario were entitled to more significant financial support.

The Québec Forest Industry Council and the Government of New Brunswick unanimously agreed: regional representatives, mayors, business leaders and workers all have drawn the government's attention to the fact that the proposals set out in the budget are completely insufficient to address the situation.

The minister will agree with me that the forestry industry is made up of small and medium-sized businesses that have a considerable economic and social impact on communities in the regions.

Does the government intend to meet with spokespersons for the forestry industry in order to significantly increase the measures contained in the budget? Or, at the very least, will it endeavour to identify other administrative means to support this industry?

Second, the minister referred to discussions between Prime Minister Harper and U.S. President Barack Obama. U.S. measures of support contain some provisions that jeopardize the softwood lumber agreement. This is in addition to the real difficulties experienced by this industry and the inadequacy of the government's proposed budget measures. It is not difficult to imagine the economic and social consequences if difficulties were to arise during the implementation of the free trade agreement.

Is the government aware of this situation and what does it intend to do to correct it?

[*English*]

**Senator LeBreton:** Honourable senators, it is well known that the Prime Minister, the Minister of Finance and many other ministers in our government embarked on a massive consultation process leading up to the preparation of the budget. According to a list I read the other day, they met with representatives from every industry, including forestry and the automotive

[ Senator LeBreton ]

industry. There is not an industry or organization in the country that they did not consult and take advice from as the budget was prepared.

With regard to the second part of the honourable senator's question on softwood lumber and concerns about proposed U.S. legislation, it will be contingent upon our officials and diplomats to make it clear to our friends in the United States that the softwood lumber agreement has meaning on both sides of the border.

In response to the honourable senator's specific questions on the forestry industry, there is no question that it is a smaller, more diverse industry spread across the country. The budget took the following measures to assist the forestry industry: \$80 million over two years for the Transformative Technologies Program administered by FPInnovations, which is a not-for-profit forestry research institute; \$40 million in 2010-11 to develop pilot-scale demonstration projects of new forest products that can be used in commercial applications; \$40 million over two years for Canada Wood, Value to Wood and North America Wood First Programs; and \$10 million over two years to support large-scale marketing demonstrations of Canadian-style use of wood for construction. As we know, many new technologies for wood products are now making their way to the market.

• (1455)

Another reason for the home renovation tax credit and the eco-energy retrofit program is, of course, to help those producers. If we can encourage people to take part in the home renovations program, they will greatly assist the lumber, forestry and wood producing industries in Canada.

Those measures were taken in the budget. In addition to the consultations, the Prime Minister met with the premiers and territorial leaders in mid-January. All these issues were on the table. As honourable senators know, that meeting produced a clear direction from the premiers that everyone would do their part in seeing Canada through this difficult economic time.

## STATUS OF WOMEN

### PAY EQUITY

**Hon. Jane Cordy:** Honourable senators, with regard to comments on pay equity, I am confused after listening to the response of the Leader of the Government in the Senate. Did she say that, because of challenges to pay equity — it can take up to 10 years in the court system — that it is better to do away with anyone challenging pay equity?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Absolutely not. I simply said that pay equity should be dealt with at the time of bargaining. Women should not be put in the position of waiting many years while their cases are dragged through the courts before receiving pay equity. If the issue is dealt with up front, as it is in Manitoba, Quebec and Ontario, women would not need to endure this long, drawn-out process to receive pay equity.

**Senator Cordy:** The process has not been great for women in the past. Is the honourable senator saying that if women do not receive pay equity in bargaining, then that is the end of the matter and they cannot challenge it?

**Senator LeBreton:** I never said that. Senator Cordy presumes that the people who are at the bargaining table — many of whom represent large groups of women — do not bargain on behalf of women in good faith. I do not presume that at all.

**Senator Tkachuk:** That is exactly what she is saying.

## HUMAN RESOURCES AND SKILLS DEVELOPMENT

### EMPLOYMENT INSURANCE

**Hon. Grant Mitchell:** Honourable senators, what confidence can women have in the collective bargaining process when, only last fall, the Prime Minister announced his intention to overturn the collective agreement that was signed with the public sector unions days earlier? Why would anyone believe the answer given by the Prime Minister?

**Hon. Marjory LeBreton (Leader of the Government and Minister of State (Seniors)):** Agreements were reached through the collective bargaining process. The Prime Minister and the government are honouring the agreements reached by the government and its employees.

**Senator Mitchell:** Honourable senators, women who lose their jobs in Canada are about half as likely to receive regular Employment Insurance benefits as men who lose their jobs. This comparison is particularly stark when it comes to single mothers.

Why has this government missed yet another chance with this budget to improve EI accessibility criteria so that women in Canada can have fairer access to EI benefits?

**Senator LeBreton:** Honourable senators, we have improved the situation with regard to Employment Insurance. We have hired additional resources. We have redistributed EI workloads throughout the country so staff can deal with the cases. The government has recalled retired employees of Human Resources and Skills Development Canada to deal with the expected increase in the workload. Additionally, EI call centres are operating on weekends.

We are taking action in many ways to help unemployed Canadians access the EI system. With regard to the honourable senator's cited statistics, I will make inquiries as to whether the honourable senator's statement is true.

However, the government is working hard to deal with the entire issue of employment and job training. Many women participate in employment and job training, as well.

• (1500)

## ORDERS OF THE DAY

### CUSTOMS ACT

#### BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

**Hon. David Tkachuk** moved second reading of Bill S-2, An Act to amend the Customs Act.

He said: Honourable senators, border management is an essential element of Canada's national security. Well-functioning borders frame our national strengths and values, defending against threats to our safety and our freedom, while opening us to the prosperity and diversity offered through international relations, trade and immigration.

This is an enormous responsibility and a constant balancing act between security and facilitation that requires vigilance, innovation, cooperation and flexibility.

A critical element for achieving this balance rests on providing border service officers with the authorities, tools and intelligence required to anticipate and assess border risks. The border service officers interdict dangerous people and goods as early as possible in their voyage, while facilitating legitimate travel and trade.

In the past five years, the Canada Border Services Agency has developed one of the world's most robust and sophisticated border management regimes with a scientific approach to risk assessment and detection. The approach has led to a smarter, more secure and trade-efficient border.

Over the past three years, the government has made significant investment to improve border cooperation and to tighten border security. We have devoted over \$500 million to initiatives that will modernize border security and access. We are confident that our people and processes make Canada's border among the most secure and efficient in the world and our investments will allow us to keep pace with evolving border challenges.

Honourable senators, in November 2007, the Auditor General of Canada issued a report entitled *Keeping the Border Open and Secure*. In that report, the Auditor General made a number of recommendations relating to threat and risk assessments and we are addressing each of the recommendations.

The provisions of the bill we have before us will help address some of the concerns by strengthening the systems for obtaining advanced data on goods and people arriving in Canada and by better managing the risks that exist at airports and seaports. The legislation is critical to our continuous success in both optimizing border security and facilitating the cross-border flow of persons and goods.

The Canada Border Services Agency administers the Customs Act, which sets out provisions respecting the importation and exportation of goods into and out of Canada. It seeks to modify provisions of the act to support the government's strategy by strengthening border security and enhancing the balance of enforcement and facilitation provisions.

Following 9/11, the Canada Border Services Agency strengthened border security through risk-based assessment programs. Using sophisticated risk-assessment tools, the Canada Border Services Agency analyzes advanced cargo, crew, passenger and conveyance information to help detect and intercept threats before they reach Canada.

Operational policy has evolved to the point where two key border security programs — the Advance Commercial Information Program and customs controlled areas — require legislative changes for implementation.

The Advance Commercial Information Program is the centrepiece of the Canada Border Services Agency strategy for commercial shipments. The program provides border services officers with electronic cargo information in advance so that they are equipped with the right information at the right time to identify health, safety and security threats before goods arrive in Canada.

There are three phases to the initiative. Phase 1 was implemented in April 2004 and focused on obtaining electronic pre-arrival information from carriers for marine offshore cargo and conveyance. Phase 2 was implemented in June 2006 and focused on obtaining electronic pre-arrival information from carriers on air cargo, conveyance and marine shipments loaded in the United States. Phase 3 is called eManifest. Its purpose is to obtain pre-arrival information on crew, cargo and conveyances in the highway and rail modes and additional commercial information from freight forwarders, importers or their brokers in all modes.

Currently, only conveyance owners and operators are required to provide advance information. This is impractical because owners or operators may not possess the detailed information the Canada Border Services Agency needs to perform its risk assessment. Freight forwarders who possess the detailed information provide this information on a voluntary basis but compliance cannot be enforced.

The amendments implement Phase 3, the eManifest component of the program, and will expand this requirement to each link in the chain, from importer to carrier to agent to freight forwarder. This will result in a more complete risk picture.

This amendment will address concerns raised in the Auditor General's report that the border risk management system needs improvement. With this data, the Canada Border Services Agency will increase its risk assessment capacity and will be better able to target high-risk shipments while streamlining the entry of low-risk shipments.

Currently, trade chain partners voluntarily use electronic data interchange reporting for 99 per cent of rail cargo coming into Canada. Therefore, there will be very little or, in some cases, no additional reporting burden for trade chain partners in the rail mode. That number is much lower for highway-mode clients, so eManifest will increase reporting requirements for those who are not already sending electronic data.

We are working closely with industry and stakeholders to develop tools and strategies to ensure a smooth, cost-efficient transition to the new reporting requirements.

[ Senator Tkachuk ]

Honourable senators, the eManifest initiative will improve the agency's ability to detect shipments that pose an unknown or high risk prior to their arrival in Canada. The proposed amendments will therefore help to combat crime and strengthen the security of Canadians. The result will be an improved import process that rewards compliance with predictable and expedited processing while reducing delays and congestion at the border. Resources will be focused on those people, goods and conveyances posing the greatest risk to the security and prosperity of our nation.

The second key program element of this amendment is the customs controlled areas. The concept was developed primarily to combat internal conspiracies and organized crime at ports of entry. However, their implementation has been impractical due to legislative constraints.

These areas are zones in which uncleared goods and travellers encounter domestic workers. These zones include areas such as the airport tarmac, a dock in the marine mode, warehouses, cruise ship terminals, rail yards, et cetera.

The risk occurs when organized criminal elements pay or pressure persons working at air, land or marine ports to remove concealed drugs or other contraband before officers examine the shipment, container or vessel. Under the current law, officers can examine goods and search persons only at customs controlled area exit points. The amendments will allow them to do so within the designated areas, where most conspiracy crimes occur.

As well, while people exiting a customs controlled area must currently present themselves and report goods to an officer, this is both operationally and economically impractical since domestic workers may enter and exit continually during their shift. While intended primarily for airports and marine terminals, customs controlled areas may also be used at rail terminals and warehouses where containers and cargo that have not been released by the agency are unloaded.

Honourable senators, the proposed changes to the Customs Act will allow officers to question people on their right to be present in the area and to conduct non-intrusive examination of goods in the possession of persons within or leaving the area — for example, using X-ray technology. Further examination of goods or search of persons will only be conducted upon reasonable grounds and in accordance with the regulations.

Canadians' rights and freedoms will be protected under these amendments. Although travellers are obligated to present themselves and truthfully answer questions posed by an officer, the requirement for officers to reach reasonable grounds prior to questioning further, examining goods or searching people will help safeguard a person's rights and freedoms.

• (1510)

Honourable senators, organized crime's growing influence is a recurring theme in the Standing Senate Committee on National Security and Defence's annual report on security at Canada's airports and marine terminals. Strengthening the customs controlled areas will address some of these concerns.

Additional amendments to the Customs Act are proposed which will further strengthen border security. The Advance Passenger Information/Passenger Name Record Program collects and analyzes information in advance of air travellers coming into Canada in order to identify persons who may pose a safety and security risk.

Advance passenger information includes the traveller's name, date of birth, citizenship or nationality, and passport or other travel-related data. The passenger name record data includes travel itinerary, address and check-in information. This information is gathered by the airlines in their reservation, check-in and departure control systems.

Currently, the Advance Passenger Information program requires carriers to provide passenger data prior to arrival in Canada or within a reasonable time after that arrival. An amendment will remove this "after arrival" term, clarifying program requirements to all carriers by requiring that passenger and crew data be provided to the agency before a conveyance arrives in Canada. While compliance is generally strong in this area, the provision will ensure timely risk assessment and close a legal gap identified in the November 2007 Auditor General's report to Parliament.

Honourable senators, as carriers are already required to submit advance passenger information and passenger name record data to the Canada Border Services Agency, the legislative changes will not have an operational impact on them. In fact, the information they provide to the agency is the same information they already collect for their own business purposes. This data is protected under the Privacy Act and the Canadian Charter of Rights and Freedoms. The CBSA has consulted the Privacy Commissioner and has implemented strict administrative policies and guidelines to protect the privacy of personal information, including the number, collection, access, retention and use of the data.

Honourable senators, Bill S-2 also proposes housekeeping amendments that will align the Customs Act with Canada's obligations as a signatory to the 1994 Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade. These amendments will improve the alignment of the Customs Act with the World Trade Organization Valuation Agreement by which the value of imported goods is determined.

Honourable senators, inconsistencies will be fixed between the French and English versions of the act, which are also a problem.

These amendments support programs previously approved by Parliament. Funding for eManifest was provided in the federal budget of May 2006. Funding for customs controlled areas was provided through the government's Public Safety and Anti-terrorism Initiative in 2001. Previous amendments providing for customs controlled areas were included as part of Bill S-23, which received Royal Assent in October 2001.

Honourable senators, the Canada Border Services Agency has consulted trade and transportation associations such as the Canadian Association of Importers and Exporters, the Canadian Society of Customs Brokers, the Association of International Customs and Border Agencies, and the Canadian/American Border Trade Alliance. These organizations support the proposed amendments to implement the eManifest because of

the overall efficiency of electronic reporting compared to paper-based reporting. The agency has also consulted with its Border Commercial Consultative Committee, a forum of truckers, importers, exporters, freight forwarders, brokers and warehouse operators, to discuss eManifest.

Federal partners including the RCMP, CSIS and Transport Canada welcome the customs controlled area amendments as a key upgrade in the fight against organized crime at Canada's ports of entry. Airport authorities view customs controlled areas as sensible security measures. Marine port authorities recognize and support the need for customs controlled areas around commercial vessels and arriving cruise ships to counter rising border-related criminal activities and internal conspiracies.

Honourable senators, there is no role more fundamental for government than the protection of its citizens, and that protection includes and extends beyond their physical safety. It encompasses the security of our economy and society at large and the preservation of citizens' rights and liberties. New and emerging security threats, as well as the current economic environment, make protecting our borders and facilitating movement across them both a challenge and a national priority.

With these amendments, the Government of Canada is obtaining more and better information to enhance risk assessment, gaining more authority to detect and combat illegal activities and organized crime, and enhancing the security and efficiency of international trade.

Honourable senators, this legislation is critical to our ability to meet the challenges of securing Canada's safety and prosperity in the rapidly changing world in which we live. I urge you to speedily pass this legislation.

**Hon. Terry M. Mercer:** Would the honourable senator permit a question?

**Senator Tkachuk:** I will not promise to answer it, but the honourable senator may definitely ask.

**Senator Mercer:** We are used to that on this side, honourable senators; we ask questions that do not get answered.

This is an important piece of legislation. I am not willing to comment on whether I am pro or con at this time, but I am curious as to the nature of the legislation.

The honourable senator may not have an answer to this question, but can he pass along the government's intent with regard to which committee bill will be referred: the Standing Senate Committee on National Security and Defence, the Standing Senate Committee on Transport and Communications or, perhaps, the Standing Senate Committee on National Finance? This bill crosses many guidelines. Senator Tkachuk knows of my interest in the operations of the Standing Senate Committee on Transport and Communications. Perhaps he could give us some insight on where he thinks it will go.

**Senator Tkachuk:** I do not know where it will go because the committees have not yet been established. It is an important issue and perhaps Committee of the Whole would be a good place for it to be discussed.

**Hon. Tommy Banks:** This may not be a question Senator Tkachuk is able to answer off the top of his head, but I hope he can.

I note that the last part of the amendment proposed by clause 17 of the bill says that “Material” — by which it means documents — “that is incorporated by reference in a regulation is not a statutory instrument for the purposes of the *Statutory Instruments Act*.” Can the honourable senator tell us, or can he find out, what effect that will have with respect to the scrutiny to which those documents might be subject?

**Senator Tkachuk:** I can answer that question. However, when we refer the bill to committee, I am sure the honourable senator will be able to ask this question of the lawyers who will appear before us.

**Hon. Jeremiah S. Grafstein:** Honourable senators, I have a question for Senator Tkachuk that addresses the question of border management on both sides of the Canada-U.S. border and whether this bill will help or hurt that situation.

We now know that the new Secretary of Homeland Security, former Governor Janet Napolitano, has issued her first statement. On its surface, the statement appears to be rougher and tougher in a way than previous statements we heard from former Secretary Michael Chertoff, who was quite tough on the border as it relates to these issues. Has Bill S-2 been considered in discussions with our counterparts in the United States? Have we had any reaction from them as to whether this bill will help or hinder transactions across the border?

**Senator Tkachuk:** I do not know what consultation has taken place. My view would be that this bill is meant to protect our border. We definitely consulted with the Canada-U.S. business groups that use the border. Thus far, it has their support. I would think they are the most important players in dealing with this matter.

**Senator Grafstein:** Is that the Canadian/American Border Trade Alliance?

**Senator Tkachuk:** I was at one of their conferences in Washington.

**Senator Grafstein:** The second question pertains to manning the border. We discovered, to our dismay, that in implementing new measures to facilitate speedier transactions and passage across all border points, the Americans did not man the border properly and there have been long delays as a result. Has the Government of Canada allocated a sufficient budget amount to ensure sufficient staffing at the border to facilitate that this new information will happen expeditiously as opposed to being a clog at the border?

• (1520)

**Senator Tkachuk:** We hope that this change will require fewer people, only because we ask for the information in advance. We want to use electronic information rather than written information. There is always debate about how many people are needed, but, at the same time, the more people there are at the border, the less the efficiency. Hopefully, with software programs and new technology, we will be able to secure the country and move people and goods speedily across the border.

**Hon. Peter A. Stollery:** Seeing the term “customs controlled areas,” I recall a dispute I had at the Peace Bridge at Fort Erie. I will take this opportunity to bring the dispute to the attention of the Senate.

It occurred not when I crossed the bridge but when I went to Tim Hortons for coffee. When I turned around to come back, I was informed that I was in a customs controlled area. No markings indicated that I had entered a customs controlled area. I said, “I have not gone anywhere; I do not have to show anyone anything.”

This situation has happened to me three times. I am not saying it happens at all border crossings. I was on the Canadian side of the Peace Bridge at Fort Erie. I want to be assured that, if we are to organize this travel in a better fashion — as I presume is the purpose of the legislation — those kinds of problems will be addressed and cleared up by the authorities.

**Senator Tkachuk:** The honourable senator’s question is the first I have heard about the problem, so it is difficult for me to answer. I am sure the honourable senator can ask the minister when he or she appears.

**Hon. Hugh Segal:** I have a supplementary question. I notice the act is not being introduced notwithstanding the Charter of Rights and Freedoms. I assume that the law officers of the Crown have reviewed the contents and determined that no contents of this bill — inadvertently or otherwise — violate the Canadian Charter of Rights and Freedoms or imposes undue rights of search and seizure in a fashion that violates the rights of Canadian citizens. Can the honourable senator undertake that the written opinions provided by the Attorney General to his colleague, the minister, might be shared with this chamber or the appropriate committee when the time comes, so members can be reassured on that front?

**Senator Tkachuk:** Honourable senators, I cannot undertake it, but I will forward the question to the minister.

(On motion of Senator Tardif, debate adjourned.)

## ENERGY EFFICIENCY ACT

### BILL TO AMEND—SECOND READING— DEBATE ADJOURNED

**Hon. Ethel Cochrane** moved second reading of Bill S-3, An Act to amend the Energy Efficiency Act.

She said: Honourable senators, I am pleased to rise today to speak to Bill S-3, An Act to Amend the Energy Efficiency Act.

Some honourable senators may recall my speaking on this topic last June. That bill had second reading in an earlier parliamentary session but died on the Order Paper when the last election was called. It has been reintroduced in this session as Bill S-3.

I believe the importance of this act cannot be overstated. Essentially, this legislation brings the dated Energy Efficiency Act into the new millennium.

Since the original legislation was introduced in 1992, there have been major technological and social changes. Frankly, many new products that quickly became household staples were not included in the original act.

We need look no further than consumer electronics and consider our relatively recent reliance on gadgets such as cellphones, smart phones, iPods and laptop computers. Updating the legislation to cover these products brings the Energy Efficiency Act up to date.

Of course, there is no point in having up-to-date legislation if Canadian consumers do not have the information they need to make wise and informed purchasing decisions.

The existing act recognizes this need, too, and that is why energy-use labels are required on products such as clothes washers and dryers, refrigerators and air conditioners.

The amendments proposed here also recognize the importance of labelling and seek to step it up a notch, so to speak. Under the existing legislation, for example, the government can regulate only on a product-by-product basis. Bill S-3, however, provides government with the ability to regulate classes of products.

What will this ability mean in practical terms? It will streamline the process and provide clarity in that one regulation will cover entire classes of products. It is also important to note that these products include those traditionally viewed as energy users, as well as those that affect or control energy consumption. An obvious example of the latter type of product is the thermostat.

Measures such as these are intended to help Canadians and Canadian businesses to reduce their energy consumption and their energy bills. Reducing consumption is good for the economy, good for the consumer and good for the environment.

I also point out that the amendments proposed in this legislation result from an examination by our colleagues in the other place of Bill C-30, which included provisions regarding the Energy Efficiency Act. That examination occurred in the First Session of the Thirty-ninth Parliament.

The amendments presented in Bill S-3 include proposals made by the opposition during that earlier discussion of Bill C-30. One of those proposals called for a preamble stating that the Government of Canada is “committed to ensuring sustained improvement in the efficient use of energy in all sectors of the Canadian economy.”

We support the statement, honourable senators, and it is now included as a preamble to this bill.

We have also taken note of the opposition proposal that the government ensure that Canada’s energy efficiency standards be as comprehensive and stringent as those in the U.S. and Mexico. The bill imposes an obligation on the government to provide regular reports to Parliament to demonstrate our status in this regard.

Honourable senators, Bill S-3 is consistent with our government’s overall approach to combat climate change by reducing greenhouse gas emissions.

It has often been said that the largest untapped source of energy in this country is the energy we waste every day. It is larger than the oil sands production and larger than any other energy source we have.

Unfortunately, this energy is often wasted because people are not aware that better choices exist. Imagine how much money Canadian families could save if we help them with the tools to reduce their energy use. Imagine the benefits to our environment if we stopped wasting so much energy each and every day.

Our earlier experience illustrates that by setting minimum energy performance standards for energy-consuming products, we can have tremendous success in reducing energy use.

• (1530)

To highlight this point, honourable senators, I would like to draw your attention to the compelling example of household appliances. When the first Energy Efficiency Act was introduced 17 years ago, major household appliances were a key element in the legislation. If we look at the historical data, we see that in the years between 1990 and 2005, the use of major appliances in Canada increased 38 per cent. During that same period, however, the total energy consumed by these appliances went down by 17 per cent. Clearly, it has been seen that by creating energy efficiency standards for products like these, and by providing Canadian consumers with the information they need through labelling programs like EnerGuide and ENERGY STAR, we are making solid progress in the achievement of Canada’s climate change goals.

Honourable senators, Bill S-3 will help us soar to even greater heights by focusing on many of the products that we use today and every day. Reducing energy consumption in many everyday products creates a win-win situation. It not only helps reduce greenhouse gas emissions but also keeps money in the pockets of Canadians. By reducing unnecessary energy consumption in our daily lives, we make valuable energy available for other uses. At the same time, lower energy costs mean Canadian consumers and businesses will also save money.

When we get right down to it, honourable senators, this is why Bill S-3 is important. The bill gives the government the authority it needs to continue to create these win-win objectives and to meet them with standards, regulations and labelling requirements that are in tune with today’s marketplace and technological realities.

There have been many changes — and advances — since the original act was first introduced. Today, we enjoy products and technology that would have seemed far-fetched to many of us in 1992. Indeed, today’s marketplace is flooded with exciting and rapidly advancing technologies for the discerning consumer and technophobe alike. However, even in light of these changes, some things remain the same, such as our guiding principles and commitment to progress.

Like the 1992 act, Bill S-3 is designed to do three things: first, create a national system of regulated energy efficiency standards and labelling; second, complement provincial regimes; and, third, harmonize Canada’s standards with others in the international community. These principles remain at the heart of what we are trying to achieve.

Honourable senators, back in 1992, this legislation charted a new course and set for Canada some of the highest standards for energy efficiency in the world. The amendments set out in Bill S-3 reaffirm government's commitment to the principles behind this legislation and to updating it so that it reflects the current reality.

When the first regulations were introduced under the act in 1995, they included standards for common household appliances, as well as home heating devices and some commercial and industrial equipment. Today, we have energy performance standards in place for over 30 products in this country. These standards have proven to be powerful tools. They have achieved results. Indeed, governments around the world have begun to adopt them as powerful tools in their own work against climate change.

Through the years, Canada has been a world leader in the use of energy efficiency standards, and we want to stay there. In October 2006, this government announced its intention to add another 20 products to the list of products for which we have minimum energy performance standards. These 20 new products range widely, from commercial clothes washers and dishwashers, to incandescent and fluorescent lamps and phone chargers.

We are also strengthening existing standards for 10 other products. One group of products that will be covered, for example, are those electronic products that operate on so-called standby power. As senators will know, many of the electronic products that we use each and every day are not fully turned off, even when not in use. Many products remain on standby and continue to draw power when they are turned off. This is why it is often referred to as standby power. These products include everything from computers and battery chargers, to stereos, televisions and microwaves. While it might seem easiest to unplug these items, it is not that straightforward. Often, the act of unplugging the product affects its memory or programming.

However, honourable senators might be quite surprised to learn — I know I was — that these products are siphoning significant energy from us. According to data from Natural Resources Canada, it is estimated that standby power now accounts for as much as 10 per cent of household electricity consumption in Canada. In fact, estimates by the Office of Energy Efficiency at Natural Resources Canada suggest the following:

That if all these products consumed a minimal amount of power in standby mode, a typical household could cut its electricity cost by at least \$35 a year and, across the country, enough electricity would be saved to power more than 300,000 homes.

That is their quote.

Clearly, there are significant potential savings to be gained by reducing the energy consumed by products that use standby power. This bill will allow us to deal with these products in an effective way. It will also make Canada one of the first countries in the world to be in a position to introduce comprehensive standards to regulate the amount of standby power consumed.

Fundamentally, honourable senators, the amendments proposed here will make it possible to establish standards for more products that not only use energy but also — and very

importantly — affect energy use, such as thermostats. With the implementation of all the changes we are planning, our country will continue to be a world leader in the number of products regulated for energy efficiency.

Another special feature of this legislation is that it will require the Minister of Natural Resources to submit energy efficiency progress reports to Parliament every three years. These reports will also allow parliamentarians to keep informed about the state of our standards and how they compare to other jurisdictions in North America in terms of their stringency and comprehensiveness.

I should like to conclude my remarks by encouraging all honourable senators to support Bill S-3. In doing so, you will be expressing your support for increased energy efficiency and informed consumer choices; energy savings for Canadian families and businesses; reduced greenhouse gas emissions; and a streamlined energy process.

Honourable senators, I believe this bill will have a positive impact on all Canadians. It will ensure that Canada remains a world leader in the promotion and regulation of energy efficiency standards.

**Hon. Jeremiah S. Grafstein:** I would hope the honourable senator would allow a couple questions on this wide-ranging bill.

First, of the manufactured products using energy, what percentage are manufactured in Canada and what would be imported?

**Senator Cochrane:** I do not have the answer to that question right now, but I can get it for the honourable senator.

**Senator Grafstein:** The questions arising out of this bill are rather detailed.

Second, when we talk about using energy to manufacture products, I assumed that would include automobiles; is that correct?

**Senator Cochrane:** All of these details will be addressed when the bill is referred to committee because we will have all the bureaucrats and the minister there to answer specific questions.

**Senator Grafstein:** It is important to know whether this applies to automobiles because a provision in the bill states that, every three years, products used in Canada would have to meet the most stringent conditions of any state of the United States. If California, for example, has more stringent regulations regarding energy consumption and pollution, then the federal government would be going to the highest standard. Is that the intention of this legislation?

• (1540)

**Senator Cochrane:** The intention is to update our energy efficiency standards and everything related to them in order for Canada to remain a world leader. That is the whole purpose of this bill. We will look into that, and we will do an analysis in three years to see how we are getting along.



**Hon. Joseph A. Day:** I have a question and a suggestion for Senator Cochrane, if she is prepared to take a question.

First, let me congratulate the honourable senator on her clear presentation of Bill S-3 on energy efficiency. The honourable senator referred to the reporting requirements that would help parliamentarians, and I see that the follow-up in section 6 of this act is every three years. Under subsection 2, the minister is required to do a comparison with other jurisdictions to see how we are doing.

I looked on to section 7, where there is another reporting requirement within four years. The honourable senator will note that section 6 is every three years, because this is an ongoing situation, whereas section 7 — the new section 37 of the existing act — is only a one-time thing, as I read it. I wonder if that is an oversight. The honourable senator may wish to bring this to the attention of the department to see if there would be a reporting every four years.

**Senator Cochrane:** I thank Senator Day for pointing that out. That is very true. I have the document as well. Trust me, this will be addressed, and the honourable senator will be happy to get the answer, I am sure.

**Senator Prud'homme:** We trust you.

**Hon. Tommy Banks:** I have a question for Senator Cochrane. I add my congratulations on the honourable senator's presentation of this bill, which clearly sets out to do good; it is very welcomed.

With respect to the reports to which Senator Day has just referred, can the honourable senator tell us whether in the original bill — which this bill seeks to amend — those reports are made to both houses of Parliament?

**Senator Cochrane:** I stand to be corrected, but I am fairly certain that they do.

(On motion of Senator Tardif, debate adjourned.)

## BUDGET 2009

### INQUIRY—DEBATE ADJOURNED

**Hon. Michael Duffy** rose pursuant to notice of Senator Comeau on January 28, 2009:

That he will call the attention of the Senate to the budget entitled *Canada's Economic Action Plan*, tabled in the House of Commons on January 27, 2009 by the Minister of Finance, the Honourable James M. Flaherty, P.C., M.P., and in the Senate on January 28, 2009.

He said: Honourable senators, after a lifetime in broadcasting, I did not think I would get butterflies, but I must admit to you all that I have them today as I make my maiden speech here in Canada's Senate.

I am delighted by this opportunity to serve Canadians, and I want to thank Prime Minister Stephen Harper for making the call. It is not a position I sought, but it is a challenge that I accept with enthusiasm.

Making the choice to take a new direction after a lifetime in journalism was not easy. After some initial hesitation, I thought about what my friends in this place have been able to accomplish over the last number of years, and it is an impressive list. Starting with my friend, Dr. Keon, and his work on Canada's health care system; the Senate government leader and what she has been doing in the voluntary sector related to Mothers Against Drunk Driving; Senator Kenny and Senator Meighen on national defence issues; Senator Fairbairn on literacy. The list goes on and on. After giving that some thought, I thought, hey, maybe this is a chance for me to do a different kind of work to help build a better nation.

Looking back, I was not one of those journalists who felt I had a sacred mission to change Canada. I was brought up in Prince Edward Island with the old-fashioned idea that it is not the job of the media, but the job of parliamentarians to change Canada. As a journalist, I sought to explain government to the people, to shed light on some of the less well-known aspects of public policy and to provide a space for people not part of the mainstream to have their voices heard.

I tried to make time available on television for the poor, for veterans, for seniors, for all whose causes were overlooked by the mainstream major media. They were chasing the rabbit, the story of the day. I am hoping to replicate some of that work on behalf of the voiceless here in this chamber.

Looking back, it has been an amazing ride. Politics was always on the agenda in the Duffy household. Both my parents were keen students of current affairs. Indeed, my mother, who is 91 and still has all her wits about her, watches everything that emanates from Parliament Hill with a great deal of interest and a very critical eye. I cannot repeat some of the things she had to say about George Bush.

My late grandfather, Charles Gavan Duffy, was a Liberal MLA and speaker of the P.E.I. legislature in the 1920s.

**Senator Segal:** We forgive you.

**Senator Duffy:** The better part is coming. Like many good Liberal lawyers, he was eventually elevated to the bench. He was — as we see here among our friends — fiercely loyal to the Liberal Party of Canada. How loyal would that be, you ask? In my grandfather's den, there was a boxed set of RCA Victor 78-RPM recordings of Mackenzie King's greatest hits: His greatest speeches. As honourable senators who have heard Mr. King speak will know, one realizes how committed my grandfather was to the Liberal federation to have actually paid money for such a collection. When it came to oratory, Mr. King was not Winston Churchill.

My maternal grandfather, Peter McCarron, was a conductor on the CN, and an equally committed Tory. That led to some great discussions between my two grandfathers.

**Senator Prud'homme:** You should join the independents.

**Senator Duffy:** Senator Prud'homme is inviting me to join his party, the independent party.

My beloved P.E.I. is the kind of place where everyone knows everyone else's politics, or they think they do. In many societies, having those kinds of political differences leads to civil strife. Thank heaven it does not lead to that kind of difficulty in Canada, and that in a place like P.E.I. we have a kind of tolerance for the other person's point of view that allows us to create a cohesive society. We have a healthy respect for the other person's view even if, from time to time, we believe they are mistaken.

I tried to bring that same sense of balance and fairness I learned as a child to my work as a journalist. Island schools are thankfully blessed with excellent teachers. In my own rather spotty academic career, I was helped by teachers who encouraged my early interest in politics and broadcast journalism. From the late Tom Bradley I developed a love of Canadian history and politics. His younger colleagues, Mike Hennessey and Brian McCallum, encouraged my interest in broadcasting, as did Helen MacDonald, who produced my first TV show back in 1962. Needless to say, it was black and white.

Senators will remember her son, David MacDonald, a member of the Queen's Privy Council for Canada, and a minister who served with great distinction for many years in the other place.

Senior political figures were always generous with their time for a young reporter, hopefully on the way up, from the Maritimes. I learned a lot — you can take that any way you want — from “the Chief,” John Diefenbaker.

We first met in 1965, when I was an 18-year-old radio reporter, and I interviewed Mr. Diefenbaker aboard his campaign train as it chugged from Amherst to Truro, Nova Scotia.

• (1550)

I had been brought aboard that train by the Honourable Bob Coates who, for many years, was the MP for Cumberland County and later served as Canada's Minister of National Defence. That Coates interview was the first time I ever encountered John Diefenbaker but it was not the last. In fact, he phoned me exactly 24 hours before he died and we had a 45-minute conversation in which he said, “Ah, big boy, you never come and see me anymore.”

I will speak about that first interview with “the Chief” and the incredible impression it made on me. I was impressed because Mr. Diefenbaker, it seemed, had served on the Canadian Bar Association with my grandfather and he seemed to know everything about the Duffys: “Ah, Grits, they're all Grits on P.E.I.” Only later did it dawn on me that “the Chief” had been briefed by Bob Coates in advance and I was being given the classic Diefenbaker treatment.

We went through 1967 with a Tory leadership convention and in 1968 Pierre Trudeau walked on water into the Liberal prime minister's job. I arrived here on the Hill after the 1972 election, when the late Robert L. Stanfield came within two seats of becoming Prime Minister of Canada. After I arrived here, Mr. Diefenbaker would frequently call me and invite me to his office for coffee — talk about a political science professor. He was one of a kind. He was a proud partisan but he had a keen eye for political talent. Despite

what he often said in public, Mr. Diefenbaker was incredibly impressed by two prominent Liberals whom he often spoke about. One was the Right Honourable Pierre Trudeau, who, in public, he would be skeptical about but in private, he held him in high regard. The other was Senator Fox, who, I am sure, will read this in Hansard. He held Senator Fox in great regard and, frankly, predicted that one day he would be Prime Minister of Canada.

In the 1970s, when I worked for CBC Radio, Pierre Trudeau would ask his press staff, “Did you hear Duffy Kravitz on the *World at 8*? He had some more Bryce Krispies.” Mr. Trudeau was referring, of course, to the young hustler in the Mordecai Richler novel, and to the Honourable Bryce Mackasey, who was widely assumed to be the cabinet minister informing me as to what was happening in the federal cabinet.

**Senator Prud'homme:** And he was.

**Senator Duffy:** Reporters never reveal their sources, honourable senator.

However, I would be remiss if I did not mention the Honourable Dan MacDonald, a war hero who served as a federal and provincial cabinet minister and as Minister of Veterans Affairs. If you read between the lines, it was Dan MacDonald's generosity to a young reporter, a fellow Prince Edward Islander, that allowed me to break some of the biggest stories of the day and led to my move from CBC Radio to television and all the other trouble I have caused ever since. Dan's widow Pauline and her large family are still active in Island life, and I will never forget him.

Over the years I had a front-row seat in many political battles and I learned a lot about political leadership. I saw Dalton Camp versus John Diefenbaker in the mid-1960s, where I first met many of our colleagues here in the chamber, including Senator Segal, Senator Atkins and Senator Murray. Of course, the Leader of the Government in the Senate was a neutral party in all of that but she was there as well.

In the 1970s and 1980s, we saw Brian Mulroney versus Joe Clark and the battle that went on in its many and various incarnations, followed by Jean Chrétien versus John Turner. Finally, there was the unprecedented assault by Paul Martin on a distinguished sitting prime minister, Jean Chrétien — he won three majority governments back to back, something not even the great Pierre Trudeau was able to accomplish — and the Martin folks brought him down.

I mention these battles because through them all I learned one cannot be a successful leader without sound political judgment and the courage to make tough decisions despite determined opposition.

I am here to tell honourable senators today — this is where the hard part begins — Stephen Harper has both that judgment and that courage. He has an economic plan that I believe is right for these troubled times. Despite the bleating of a few, this economic action plan does more for more people in more parts of Canada than any budget in my memory.

My BlackBerry just went off with a message from my staff person in Prince Edward Island, who reminds me, having read this text in advance, not to forget how important small business is

to P.E.I. Sixty per cent of all our economic activity is small business. Small business has been growing dramatically on the Island and my staff person points out that the Canadian Federation of Independent Business issued a release praising the government for all the things it has done for small business.

One underreported aspect of the current economic action plan is the focus on youth entrepreneurship. The federal government is providing \$30 million over two years for the Canada Business Network, plus \$10 million in 2009-10 to the Canadian Youth Business Foundation. In addition, the federal government will establish an independent task force to make recommendations on a national strategy on financial literacy. This kind of innovative thinking will help young people understand how our Canadian economy works and will help them better prepare for their future careers.

Honourable senators, I urge you to ignore the nattering nabobs of negativism on the East Coast, particularly the Premier of Newfoundland and Labrador, who, I believe, does not do Newfoundlanders and Labradorians any favours by the kind of personal attacks he has made over the last couple of years; nor by his remarks that paint Newfoundlanders, who are the among the most generous, caring and committed Canadians, as greedy and selfish. Those remarks are unworthy of the great people of Newfoundland and Labrador.

Honourable senators, I was disappointed to see that our dynamic young Premier in Prince Edward Island, Robert Ghiz, has climbed into bed with the Premier of Newfoundland and Labrador, and honourable senators know what a grotesque scene that is. Do honourable senators know what happens when two politicians climb into bed together? One of them comes out on top. And I am afraid that when one is in bed with Danny Williams he will come out on top, and I would hate to see where that will leave P.E.I. in the end. However, I will leave all that for another day.

Instead, I encourage honourable senators to give this forward-looking economic plan their wholehearted support, and I thank honourable senators for their attention and time in this august chamber.

**Hon. Jim Munson:** Honourable senators, before I adjourn the debate, I want to tell Senator Duffy that he must stop following me around. We both started in 1965, Senator Duffy at a small radio station in Amherst, and I in Yarmouth making \$36 a week. He followed me to Montreal, then to Ottawa to a local radio station, then to city hall, then to the Hill and so on.

I welcome him here. My grandfather was a great Conservative. It is interesting to talk about this subject because my first interview with John Diefenbaker was at CJLS in Yarmouth. It was one of the greatest questions I ever asked a politician. I said to Mr. Diefenbaker, "As a local radio announcer" — and all these scribes were there in their trench coats — "welcome to Yarmouth." Thirty minutes later I thanked him. I never asked one question, and the scribes took all the notes down.

Senator Duffy describes himself as a Conservative now. In the election campaign of 1958, my father took me to the train station in Campbellton, where I grew up. All this bunting and steam were coming out the back of the train and Mr. Diefenbaker gave his stump speech, then came down to shake hands. Maybe it was

because of my stature, but I put my hand out and he walked right by. My father, Rev. J.D. Munson, said, "Don't worry about it; Mr. Pearson is coming in a couple more days." Mr. Pearson came through on another train during the campaign and he walked down, I stuck my hand out, and he shook it. I guess I have been a Liberal ever since.

• (1600)

Welcome to the Senate.

The honourable senator talked about senators doing wonderful things here. This is a place where good things are done. I know that Senator Wallin will do good things in the Senate, too, because we can make a difference.

Time flies here. Yesterday was my five-year anniversary. I am now into my sixth year. This is indeed a good place to work.

Later I will talk about autism. I have had tremendous support from Senator Keon and Senator Oliver in my work on autism. Once the committees are working again, which I hope will be the case soon, senators will find a place where they can make a difference.

I looked up Senator Duffy's age. I believe that he must leave this place in May 2021. I leave here in July 2021, so the honourable senator will have to follow me again.

**The Hon. the Speaker:** Honourable senators, it is my understanding that Senator Munson wished to move the adjournment of the debate. He has 12 minutes remaining for debate. Unless another senator wishes to speak —

**Hon. Joan Fraser:** Honourable senators, I wanted to ask a question of Senator Duffy.

**The Hon. the Speaker:** Senator Duffy has no time left. However, if Senator Duffy were to ask for the consent of the house to have five more minutes, we would have time to hear a question from Senator Fraser.

**Senator Duffy:** With the indulgence of the house, I would love to hear Senator Fraser's question.

**Hon. Senators:** Agreed.

**Senator Fraser:** I thank the honourable senator. I am sure that will be the last time he says he yearns to hear a question from me. You can ask Senator LeBreton if it is really that much fun.

Before I put my gentle question to the honourable senator, I want to congratulate him on being here. The day he was sworn in, we met on the carpet. He looked around and said, "We could have a newsroom here," and we could.

Strangely enough, I also started working as a journalist in 1965, in Montreal. Senator Wallin is the odd one out in this age game. She is a baby. She did not get into the business until long after, so perhaps we could take her on as an apprentice.

We are always glad to see new senators, particularly when they come from the world's greatest craft.

The honourable senator obviously has many friends in his caucus, and I am sure they have all been helping, supporting and instructing him. However, I wonder whether any of them have yet drawn to his attention a Speaker's ruling that suggests that BlackBerrys are not okay in the Senate chamber.

**Senator Duffy:** It was brought to my attention that devices that make noise are not allowed in the chamber. I did not realize that BlackBerrys are banned.

**The Hon. the Speaker:** As reference has been made to the *Rules of the Senate*, and as it is the responsibility of the Speaker to maintain order and ensure that the rules are followed, I must say that the Honourable Senator Duffy is absolutely correct. Rule 19(4) states that "No person, nor any Senator, shall bring any electronic device which produces any sound . . ." into the chamber.

**Hon. Joseph A. Day:** It is my understanding that BlackBerrys indirectly make a sound in this chamber by interfering with our sound system. If the Speaker is ruling that it is okay to bring BlackBerrys into the chamber if they are on vibration mode, that is okay, but I do not think that is what we understood to be the situation.

**The Hon. the Speaker:** They did interfere with our older loudspeaker sound system, but we modified the system in the chamber so that they no longer interfere. That is the technical advice we received.

The rule is that if a device makes a noise, it is not allowed in the chamber.

**Senator Munson:** I reserve the balance of my time and move the adjournment of the debate.

(On motion of Senator Munson, debate adjourned.)

### SPEECH FROM THE THRONE

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

On the Order:

Resuming debate on the motion of the Honourable Senator Fortin-Duplessis, seconded by the Honourable Senator Gerstein:

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

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

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's most loyal and dutiful subjects, the Senate of Canada in Parliament assembled, beg leave to

offer our humble thanks to Your Excellency for the gracious Speech which Your Excellency has addressed to both Houses of Parliament.

**Hon. John D. Wallace:** Honourable senators, I am trying to recall why I chose to make my first presentation following Senator Duffy. However, one reaps what one sows, and there is no turning back.

Honourable senators, standing before you today for the first time, I want to say what a tremendous honour and humbling experience it is to be able to address this chamber. I know that you all realize what this feels like because in times past you have stood in my shoes. You all seem to have survived this moment very well, and I draw considerable comfort from that.

I would like to begin by thanking a number of people and groups of people who have extended warm and sincere greetings to me and have been a source of comfort through the three weeks since the announcement of the appointments was made.

Many friends and acquaintances in New Brunswick and beyond have extended their greetings. I cannot tell them how much that means to me. I have a number of letters to which I must respond. I am anxious to do that, and I will.

The way in which senators on both sides of the chamber have greeted me has been a source of comfort, and it is deeply appreciated.

I wish to single out an individual who is from my home area. I have known him for many years and regard him as a very good friend — that is, of course, Senator Joseph Day. Senator Day was one of the first to call and congratulate me, and that meant a great deal to me.

Thank you very much, senator.

Another individual here has given me solid advice and has been a good friend for a number of years — that is, of course, our Honourable Speaker. Any who attended the chamber last Thursday may recall that for a brief period I sat in the chair and, I guess, presided over this chamber. It was a totally enjoyable and relaxing period, although I must say that the five minutes was more than enough.

Thank you very much for that opportunity.

As I stand here today, I do not feel alone. I do not feel alone at all. First and foremost, and each of us can understand this, I represent my family. I represent my family name, and I take that very seriously in how I conduct myself. In particular, I look to the gallery and recall the swearing-in ceremony last Monday. There was my wife, Jill; my children Kate, Jacqueline and Peter; my father, Colin; and my mother, Isabelle, was unable to be here because of illness. My family sat in the gallery, and it was a great comfort to me. Looking up there today, I feel their presence here and it means an awful lot to me.

• (1610)

Within the community that I am from and within our province of New Brunswick, there is an overriding desire to have strong voices in Ottawa, and I know there are many who hope and feel

that I can be a strong voice. I have had congratulations from and discussions with Premier Graham and David Alward, the Leader of the Progressive Conservative Party of New Brunswick, and I know they support a strong and united voice from New Brunswick. I will do all I can to fulfill that desire.

I will now talk a little bit about my career. This is not a CV submission for the consideration of honourable senators, but I have learned a lot in my career through my community development work. The many experiences that I have encountered and lessons learned hopefully have prepared me for this new role. I would like to share some of those with honourable senators.

My legal career was split pretty well equally between private practice and acting as corporate counsel for Irving Oil for roughly 17 years. During that time, I had the pleasure and honour of being able to work closely with Arthur and Jack Irving, individuals I hold in high regard. They have accomplished great things in New Brunswick. It is not easy trying to develop a national and international juggernaut out of New Brunswick. New Brunswick is not a place where one would expect such things to happen, but the Irvings have done it. They have been highly successful. The Irving Oil refinery is the largest refinery in the country, and they have extensive operations throughout Eastern Canada and New England.

My time there enabled me to work with people with exceptional leadership abilities. I learned many lessons during that time, the first and foremost of which is that you cannot replace hard work. You can have all the ideas in the world, but you must follow through and work very hard at it. Everything you do, you have to do with great passion. There has to be that sense of enjoyment.

Your leaders have to set the pace. They lead by example. You have to be focused. You have to be unrelenting in your pursuit of your goals, and you can never underestimate the importance of details in order to end up with the result you want. Suffice to say, I learned a lot from my time there, and hopefully it will hold me in good stead in fulfilling my new obligations.

I have also been involved in a lot of community work in Saint John, community development, and I thoroughly enjoyed it. We all know that type of work is different from a job. You do it because you choose to do it and not because you have to. Working with people, team play, which I feel strongly about, has given me a total source of enjoyment.

I went to the University of New Brunswick. I was always active in sports. At UNB I played varsity basketball and football. I know what team play is all about. I know the joys that arise from effective team play, and that is what I want to bring to this chamber. The team is everyone in this chamber.

One thing I have learned, and we all know this from projects with the non-profit sector, is you run into many obstacles. When you are able to achieve what others believe you cannot do, there is no end to the enjoyment and satisfaction coming from that. One particular example stares me in the face when I say that, and I do mean that it literally stares me in the face. I look at Senator Mahovlich when I say this.

For those of us who recall — and most of us do — the 1972 Canada-Russia hockey series, it was wonderful. It is ingrained in all of us as Canadians and is a wonderful part of our history. The

victory was tremendous. However, what really made that series so great is that the team was facing sure defeat. They had been written off when they left Canada and went to Russia, as well as in the final game, but they turned it around through perseverance and made victory out of what appeared to be sure defeat. I have encountered that same kind of approach and those feelings, in particular, in my community work and also in my business career. It forces you to never, ever give up. Always keep pushing. There is always an opportunity. The trick or the challenge is to recognize the opportunity and seize it.

I am extremely proud that my home province is New Brunswick. It is a wonderful place to live and raise a family. I am extremely proud of the fact that New Brunswick is the only official bilingual province in this country. Along that same line, I am extremely happy to have another new senator from New Brunswick, the Honourable Percy Mockler, someone I deeply admire and for whom I have great respect.

I live in the Greater Saint John Area. In so many ways that city has helped shape me and make me what I am today. For better or for worse, I guess I can credit or blame Saint John. Saint John is a beautiful, historic city. It is the oldest incorporated city in the country. It is located on the Bay of Fundy, which is an ecological wonder of the world, boasting the highest tides in the world and wonderful architecture similar to what one could see in Boston, which, of course, is the result of our Loyalist past.

The economy in Saint John right now is and has been extremely strong, even in these turbulent times, and the reason for that is that the economy is focused on solid pillars. Those pillars include the growth of Saint John as an energy hub; the strength of our technological firms, which also applies to Moncton and Fredericton; the development of the health sciences industry in Saint John — for example, a new medical school will be built in Saint John and will be completed in 2010; and of course the forestry industry, which is going through some difficult times. However, in Saint John we have pulp and paper mills, and they have always been a cornerstone.

The cornerstone today of the Saint John economy, though, is Saint John as an energy hub. That includes the largest refinery in the country — 250,000 barrels a day. The majority of the production is exported into the U.S., taking full advantage of the free trade agreement, which, as Canadians, is exactly what we should be doing. There are plans for a second refinery in Saint John, and we expect to hear the final word on that project this year. It looks very promising.

A liquefied natural gas plant and terminal is 90 per cent complete and will be completed this year. It is the result of a partnership between Irving Oil and Repsol.

Last, but by no means least, is the nuclear plant at Point Lepreau. Premier Graham and Energy Minister Jack Keir are working night and day to have a second reactor built at Point Lepreau, and it looks promising.

Those are the cornerstones of the energy hub that we have in Saint John.

With that background, I want to refer honourable senators to a significant event for New Brunswick that occurred last week, and that was Minister Flaherty's economic action plan. The action plan is absolutely great news for New Brunswick. It literally touches every issue that is important to New Brunswick. I believe Saint John was the first location Minister Flaherty arrived at when he conducted his cross-Canada consultations prior to the budget. I can only conclude that he must have received almost every answer he needed when he was in Saint John, and if not every answer, close to every answer.

• (1620)

Briefly, I will address the highlights of Canada's Economic Action Plan that zero in on what is relevant in New Brunswick. The first is infrastructure funding of \$12 billion to continue the development of our energy hub, roads, bridges and transportation links to the U.S., which are absolutely critical. As with many industries, skilled labour force training is an issue. Certainly, we have a shortage in New Brunswick, and the action plan will provide additional funding to create a skilled labour force pool.

The action plan provides an additional \$351 million for Atomic Energy of Canada, which will be critically important to the development of the second reactor at Point Lepreau, New Brunswick. The forestry industry will receive another \$170 million, which is also critically important for New Brunswick. The farming industry will receive an additional \$500 million.

As well, \$2 billion will be available for municipalities for infrastructure development. In Saint John, a critically important issue is upgrading the existing water system, which will cost approximately \$285 million. This additional funding will provide a tremendous opportunity to make that become a reality. The funding builds on what Prime Minister Harper did in 2006 when he promised funding to clean up the Saint John harbour, where there was a severe sewage issue. After 13 years of total inaction, the Prime Minister said it would be done, and the funding has been committed and the project is under way.

**The Hon. the Speaker:** The honourable senator's time has expired.

**Senator Wallace:** May I have another five minutes?

**Hon. Senators:** Agreed.

**Senator Wallace:** There is a provision in the economic action plan for social housing, which is a huge issue in Saint John where many disadvantaged people require housing. That money will be a great help.

I chaired a recreational committee four or five years ago to examine all the facilities in Greater Saint John, and we found that our rinks are in need of help. The \$500 million provided through the action plan will be a tremendous help. Senator Johnson referred to the heritage cultural funding, which will be a tremendous lift as well.

I am well aware of the post-secondary deferred maintenance issues because I am on the Board of Governors of the University of New Brunswick. There will be \$2 billion to deal with that particular issue.

[ Senator Wallace ]

For an industrial city, which Saint John is, protection of the environment is critically important. The Economic Action Plan zeros in on that with the establishment of a clean energy fund. As well, the completion of the Fundy Trail will extend it along the Bay of Fundy from Saint John to Fundy National Park.

In addition, the plan contains personal tax relief and housing initiatives, both of which are extremely important.

I have covered only half of what is in the plan, but I think honourable senators get the point that this is all very good news for New Brunswick. Canada's Economic Action Plan goes hand in glove with the needs of our province and our city and will serve us extremely well.

Honourable senators, I am honoured and humbled to have this opportunity to rise to speak today. One person in particular that I thank is Prime Minister Harper, who has enabled me to be here today. We all realize that the work of the Senate is important. Our job requires hard work, perseverance, boldness and mutual respect from all of us; and I assure you that I will do just that. I see this as a wonderful opportunity to serve my community, my province and the country that I love. For me, it does not get any better than that.

**Hon. Lowell Murray:** Honourable senators, let me be the first to congratulate the Honourable Senator Wallace, who has resumed his seat, on his maiden speech in this place. I had not met Senator Wallace before he arrived in this chamber. However, our late and dear friend Gordon Fairweather had a high opinion of him, as he once told me, and that is enough for me.

The honourable senator comes here with a background in his business profession and his involvement in the community, some of which he referred to, including his membership on the University of New Brunswick Board of Governors. All of that equips him to make a truly positive contribution to the work of the Senate. I welcome him here most warmly. He will be a distinguished addition to an already impressive New Brunswick delegation in this place.

I hasten also to congratulate the mover and seconder of the Address in Reply, Senator Fortin-Duplessis and Senator Gerstein, and to extend a welcome to all our new colleagues. I am absolutely delighted to see this place back to its full complement of members. I am sure this will be good for the legislative and policy processes in this country and, therefore, for Parliament and for good governance. I am sure it will be good for national unity because all of our regions are now at full strength. Although it is none of my business nor any of my concern, it will probably be good for the governing party as well.

These 18 appointments might turn out to be Prime Minister Harper's longest-lasting legacy. Speaking as one who will be going out the door himself in 2011, at the latest, I can empathize with the Prime Minister or with anyone who, in the twilight of their career, is thinking "legacy." This will be an honourable legacy for him to have left.

I notice that among our new senators there are several with whom I worked happily in days gone by in the now-defunct Progressive Conservative Party. They know who

they are, and I will not mention them for fear of drawing attention or embarrassment to them on the basis of their past associations.

Honourable senators, the First Session of the Fortieth Parliament, which opened on November 18, 2008, and was prorogued by proclamation on December 4, 2008, is now history. What a short and turbulent history it was. I do not intend to rehearse the events of those weeks or to speculate on the possible impact of those events on the parliamentary and political climate in the weeks and months ahead. However, those events did give rise to a number of interesting and important constitutional and quasi-constitutional issues, which are still around — a hangover from November and December — in political and media debate. I will throw in my two-cents' worth on a couple of them, although not in any dogmatic way, as I acknowledge that there is always plenty of room for argument, even on constitutional issues — perhaps especially on constitutional issues.

The first issue is the contention by some opposition party spokesmen and by some scholars and commentators to the effect that the appointment of new senators and, by extension, any other important decisions or commitments made by the government during the recent prorogation, including the prorogation itself, represented an illegitimate exercise of executive power.

• (1630)

I beg to differ. With regard to the appointments, I would ask those who make that argument whether they would have found it more acceptable if Prime Minister Harper, on the afternoon of December 8 — facing a vote of non-confidence that might have brought down his government — had proceeded just before the vote to make those appointments?

That is exactly what happened on February 4, 1963, when Prime Minister Diefenbaker, facing a non-confidence vote which it was widely expected his government would lose — which it did — proceeded to make a number of Senate appointments, and other appointments, that very afternoon before the vote. That is exactly what happened in 1974, when Prime Minister Trudeau, whose government was facing a vote of non-confidence on the Turner budget of that year — a vote that was widely expected they would lose and which they did lose — proceeded to fill Senate vacancies and make other appointments and decisions. What Prime Minister Diefenbaker, Prime Minister Trudeau and Prime Minister Harper all had in common was that all three of them had survived at least one non-confidence vote in the session that was then underway.

Had there been no confidence vote at all in the past session, I think Mr. Harper's position would have been far weaker to advise prorogation or to advise Senate appointments. As it was, he had a confidence vote under his belt and he proceeded quite legitimately to do what he did. I am sure the precedents indicate that.

The related issue raised by a number of scholars, or at least law professors, in the *National Post* on December 17, under the headline "Unconstitutional Senate nominations," asserted that prorogation itself was "dangerously close to being

unconstitutional." Mr. Dion and Mr. Layton in their letters to the Governor General on December 1 and December 3 said as much. In fact, in Mr. Dion's case, it said more. Mr. Dion said Prime Minister Harper had "de facto" lost the legitimacy to be the government's principle adviser. All this was based on statements, declarations and petitions signed by members of the opposition in the House of Commons. This included agreement among them that they would support a Liberal/New Democratic Party coalition once the government was defeated.

However, honourable senators, it needs to be said and we need to be reminded that confidence is given or is withdrawn by a vote in the House of Commons, not on the basis of declarations, press releases, petitions or what have you.

As I indicated, the Conservative government had survived a vote of confidence on November 27. The argument made by opposition spokesman and other commentators in the media concerning petitions, letters, press releases, et cetera, was ironically similar — in fact it was identical — to the argument Mr. Harper himself made in September when he was trying to justify violating the spirit of his fixed election date law. His argument then was that the opposition parties would vote non-confidence in the government sooner or later anyway. Therefore, in the interests of clarity and stability, he would pull the plug, notwithstanding the law.

Therefore, the argument of Mr. Harper in September and the argument of opposition leaders in December seemed to me to be equally hypothetical and equally unconvincing.

The prorogation of Parliament after a few days and, indeed, the appointment of senators under those circumstances, et cetera, was not pretty or nice, but those are political arguments, not constitutional arguments. I submit to honourable senators that I believe that the precedents are on Mr. Harper's side on this issue.

[*Translation*]

In short, honourable senators, the arguments in that respect — supposedly constitutional — seem to me to be more political or moral, rather than constitutional. I do not believe that any precedent or constitutional convention exists that would have justified a refusal on the part of Her Excellency the Governor General to prorogue Parliament last December, or to fill the vacant Senate seats according to the Prime Minister's recommendations.

The decisive act in the House of Commons was the vote of confidence held on November 27, 2008, passing the Speech from the Throne. That parliamentary act allowed the government to exercise its full authority and all its legislative prerogatives. This legitimacy will continue until such time as it is voted down by a non-confidence vote.

[*English*]

Other arguments have been made about the whole idea of coalition governments and the legitimacy of such. It seems to be fairly widely debated. In particular, I was struck by an article entitled "Only voters have the right to decide on the coalition," written by Tom Flanagan in *The Globe and Mail* of January 9.

There are good political reasons to have been against the coalition that was contemplated in November and December. I invoked some of them myself in the last session. However, Mr. Flanagan goes well beyond the present situation. He says that coalition governments belong to the “antiquated machinery of responsible government from the pre-democratic age of the early 19th century.” He continues to argue that this “antiquated machinery” has been overtaken by history, by the advent of universal franchise, by the evolution of national political parties, by the Charter of Rights and Freedoms and even by the advisory opinion of the Supreme Court of Canada in the Quebec Secession Reference of 1998. To him, all this history adds up to a convention according to which the only legitimate coalition will be one blessed in advance by the voters. He calls on the Governor General to uphold that convention. I believe that his attempt to define a convention on the legitimacy of coalition governments, based on the history he cites, falls very short.

However, I want to mention that, as a practical matter — as we all know — the elections of 2004, 2006 and 2008 all produced minority governments. We cannot go along having elections every two years. No one would suggest that this is conducive to good governance, economic stability or to the ability of a government to effectively conduct international relations. On the other hand, no one can expect or should expect opposition parties, in the interests of stability, to give up their rights to amend or to oppose government measures for fear of an election. Frankly, we had all together too much of that in the Thirty-ninth Parliament and I do not think it served the country very well.

The next election or some election at a later future date may produce a minority situation in which no one party is able to obtain the confidence of the House of Commons by itself and no informal or even formal arrangement such as obtained in Ontario in 1985 may be possible because one or more of the key parties holding the balance of power may insist on participating in a government — may insist on implementing the measures that they support. A coalition may be the only desirable course of action, or the least undesirable course of action.

• (1640)

Political stability may urgently need shoring up in the interests of the country; and public opinion, which turned so quickly against the proposed coalition in the late autumn, may be clamouring for just that solution and that stability when the time comes.

[*Translation*]

Whether Mr. Flanagan likes it or not, Canada remains a parliamentary democracy.

**The Hon. the Speaker:** Honourable senators, will you grant Senator Murray another five minutes?

**Some Hon. Senators:** Agreed.

**Senator Murray:** Diversity and at times the political, economic, cultural and demographic polarization of our country have created today's multi-party political reality. I also recognize, and

[ Senator Murray ]

this is a topic to debate another day, that the public financing system for the election of candidates and political parties has indirectly contributed to the fragmentation of our political system.

The day after a general election, every parliamentarian from every political party has the responsibility of ensuring, to the best of their ability, that Parliament works well. First of all, no matter what the make-up of the House of Commons is after the electoral process, they must ensure that Canada has a government that is capable of governing. Canada's political stability is essential. As I said in English, the fact remains that since 2004, the last three federal elections produced minority governments. If, after new elections and the start of a new session, no one party is able to obtain the confidence of the House of Commons by itself, a multi-party coalition government will have to be considered. It would probably be the lesser of two evils since, given the circumstances, this solution is much preferable to the other possible solutions such as calling another election or enduring another precarious and unhealthy parliamentary balancing act during which opposition parties would have to abstain from voting on critical issues for fear of causing another election.

[*English*]

Honourable senators, I will conclude on this note: Mr. Flanagan, the strategist, may wish one day that Professor Flanagan, the scholar, had not been as categorical in his pronouncements. His Conservative Party may be searching frantically for coalition partners, and who knows where they may find them.

**Hon. Pierrette Ringuette:** Will Senator Murray entertain a question?

**Senator Murray:** Yes.

[*Translation*]

**Senator Ringuette:** Honourable senators, I am always impressed by Senator Murray's parliamentary experience and his knowledge of the workings of government. I believe that his comments about a coalition are very appropriate.

Within five years, there have been three minority governments and \$1 billion has been spent to democratically elect 308 members to the House of Commons to represent a given population. They have a responsibility to the electorate and to their country.

I am very happy that you raised the possibility of a coalition today. In my opinion, it is inevitable that, sooner or later, Canadians will know what it is like to have a coalition government. I invite you to comment further.

**Senator Murray:** I thank Senator Ringuette for her comments. First, I do not necessarily believe it is inevitable that a coalition will be formed in the foreseeable future. I would remind you that during the 1960s, three minority governments were elected — in 1962, 1963 and 1965 — before a majority government was elected in 1968. We never know what will happen in our political system and in the current political climate.

Second, I would also remind you that I objected to a coalition last fall for reasons I explained during my speech at that time, mainly because the government had not had the time or the



opportunity to bring down a budget. I therefore opposed defeating the government and forming a new one before the government had had time to table a budget.

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

[English]

## LIBRARY AND ARCHIVES OF CANADA ACT

### BILL TO AMEND—SECOND READING— POINT OF ORDER—SPEAKER'S RULING RESERVED

**Hon. Jeremiah S. Grafstein** moved second reading of Bill S-201, An Act to amend the Library and Archives of Canada Act (National Portrait Gallery).

He said: Honourable senators — this comment I address to old and new senators alike — I was taken by the statements of the senator from New Brunswick about energy, commitment, consistency and going against popular opinion and conventional wisdom.

Here, we have a bill that is popular, but still we have resistance in Parliament to pass this measure. This matter is not new; it has been before Parliament since 2003. There is no question in my mind that the public wants this measure to be adopted, but there is a resistance in Parliament, in government, I think for political egotism.

People like to take credit for good measures, but when they cannot take credit, they like to defer or change them. Each legacy of each government is somehow deferred by the succeeding government and refashioned in their own name. We have that situation here. Meanwhile, the public interest suffers.

Let me start by quoting from the bill itself. It is not complicated; it is simple.

Bill S-201 calls for an amendment to the Library and Archives of Canada Act and:

17.1(1) In furtherance of its objects, the Library and Archives of Canada shall establish a permanent display of portraits and works related to portraiture from its collection, including paintings, sketches, sculptures or photographs.

(2) The permanent display established under subsection (1) shall be known as the National Portrait Gallery, and shall be accessible to the public.

(3) The National Portrait Gallery shall be located at 100 Wellington Street in the city of Ottawa.

Honourable senators, genius is sometimes defined as a penetrating glimpse into the obvious. What is so obvious about establishing a national portrait gallery across the street from the most well-known buildings in Canada, the Parliament Buildings?

• (1650)

There is an empty building across the street from Parliament that has been in the public domain since the Americans vacated it almost a decade ago. Mr. Chrétien's government established the

Portrait Gallery of Canada in that building seven or eight years ago. Twenty million dollars was spent in maintaining the building and establishing an international competition for the design plans. Those plans were paid for by the current government.

There is a treasure trove — the largest collection of art and sculpture across the river in the hands of the Canadian government at Library and Archives Canada. However, the problem is that only a handful of Canadians have seen the collection. I invite each new senator to go across the river and examine the works themselves in the archives.

When I went there a decade ago, I was told I was only the fourth parliamentarian — and only one minister — to have visited this collection. Go across the river. Take a \$5 cab ride and you will find an unbelievable treasure trove.

We have an opportunity. We have heard senators on the other side promoting the government's economic action plan. We have the opportunity to take some of this infrastructure money — a few pennies, \$1.50 per Canadian — and establish a national portrait gallery right across the street. It is easy to do. It is all set to go. Jobs can be created. The shovels can be in the ground. It can all be started within a month.

If the government is serious about its Action Plan to develop something of value, this will not only create jobs, but it will create tourism in the city. It will be available not only to Canadians who visit the Parliament Buildings and Ottawa, but it will be available across the country.

I take some ownership, but not credit for this idea. It has been in creative and cultural circles for years. When the building across the street was vacated, I joined forces with Senator Joyal, who happens to be one of Canada's outstanding art experts. We took it upon ourselves to look at portrait galleries around the world and we determined that a national portrait gallery should be located in Canada. We are one of the few countries in the world that does not have a national portrait gallery in its national capital region.

When the embassy was vacated, we thought it would be an ideal location. We took the idea to Prime Minister Chrétien and, after some time, we persuaded him and his cabinet colleagues — it was a selling job — to promote and establish the national portrait gallery across the street.

Bill S-201 itself is simple, but there is a more important element that this bill provides. It is our view on this side that a matter of such importance — particularly in a minority government — should be left to Parliament for a vote in both houses to determine whether the measure I propose in this bill is acceptable to the people's Parliament. Let Parliament decide. Let the government and the whips go away and let Parliament decide.

The alternate bidding plan was scrapped. The government had a plan. When Mr. Harper came to office, he scrapped Mr. Chrétien's plan, left the building vacant and set up a bidding process. However, the bidding process was unfair. Canada is a country of regions and the bidding process was unfair to certain regions of the country. When the bidding took place, certain regions were excluded.

**Senator Segal:** Did Prime Minister Martin or Prime Minister Harper stop the process?

**Senator Grafstein:** It was Prime Minister Harper.

Mr. Chrétien passed the measure and money was allocated, but the money was not implemented as quickly as we would have liked. When Mr. Harper's government came along, he scrapped the proposal and set up a bidding process. Mercifully, intelligently and thoughtfully, Minister Moore scrapped the process because it was flawed and would not work.

Now, we are back to the status quo. This opens up a tabula rasa for the Senate to pass this measure, send it over to the other place and let both houses decide if this is a good idea. I believe it is.

The proposed location for the portrait gallery is at 100 Wellington Street, right across the street. That building happens to be one of the most beautiful art deco buildings, not only in this area, but in the country. Over \$20 million has been spent already in preparation, inventory and organization. Millions more will be spent in simply maintaining the building. We have heard through the rumour mill that the government may use the building as a visitors' centre or a venue for the Prime Minister to entertain international guests.

I believe the Prime Minister should entertain our guests. The United States has Blair House in Washington. However, this fabulous building is not the place for entertaining. There are other spaces readily available. A space for entertainment is available at the old Union Station down the street. This building is unique. I do not believe we should let this opportunity pass us by.

Honourable senators, think about this question. I turn to our great colleagues, experts from the media here. We have Senator Munson, Senator Duffy and others. Think of this, honourable senators. These senators were reporters and would stand on the Hill every night opining, and in the background was the Parliament Buildings. All we would have to do is ask the good offices of Senator Munson and Senator Duffy to request that their former colleagues turn the camera around once a week and instead of the Parliament Buildings in the background, we would have the national portrait gallery of Canada in the background.

We would get hundreds of millions of dollars of tax-free advertising for that building and it would become, within a few weeks, the second most noted building in Canada. It is easy to do at no cost to the taxpayer.

Senator Duffy, I urge you to think about that. Senator Munson, I urge you to think about that. Senator Wallin is not here, but I urge her to think about that as well.

Honourable senators, this project is accountable; it is cost effective; it does not lose any money. It is consistent with what we have been told by the Harper government over and over again: be cheap, frugal and accountable.

I am a frugal senator; I do not believe in wasting taxpayers' money. However, we would be wasting taxpayers' money if we chose not to allow Canadians to view this unbelievable treasure trove of paintings and scrap the plan that is nearly half paid.

Cities such as Calgary or Edmonton are objecting to being cut out of this project. The answer to that is no, they are not. I believe that with virtual reality and large, high definition television screens, every gallery in Canada that wishes to invest a few thousand dollars would be able to see the exhibits every week. When a new exhibit takes place in the new national portrait gallery, all other galleries will have to do is turn on a camera and send it across the country. Every school, university and museum in every corner of the country would have access to this treasure trove through virtual reality.

How easy it is to do. It also would be revenue producing. I say this to the new senators in particular, walking through the halls of Parliament, I am delighted to see schoolchildren and tourists. We have between 750,000 and one and a quarter million tourists flowing through this building each year. However, when they leave Parliament Hill, there is no place to go within walking distance. All they would have to do is walk across the street. I guarantee that within a year or two, it would be the most visited portrait gallery and the most visited museum in Canada. This is at no additional cost to the taxpayer or to the tourism bureau. It would be available for them and they would be able to see a visual history of our country, of which we are currently deprived.

I have visited the National Portrait Gallery in London. It is a jewel of a building around the corner from Grosvenor Square. That lovely building has been modernized. The National Portrait Gallery in London has parliamentarians on one floor, royalty on another floor and on additional floors are people from business and the arts community. It represents a portrait of the United Kingdom. It is not just limited to a certain class.

• (1700)

There is an unbelievable collection of portraits of Aboriginal peoples and people of First Nations at the National Archives that no one has seen. This gallery would give us a greater and broader sense of this country.

When one is finished at the National Portrait Gallery in London, one can punch a button and get any portrait in a poster size for a couple of pounds. If we create a modernized national portrait gallery, as Senator Joyal and I envisage, when kids decide they want to get a portrait of a great poet or prime minister, they can punch a button and get a poster. There would be a revenue stream from that. This would not be a cost for the federal government. The users of the gallery and the people who wish to purchase these posters would produce revenue for the government and ultimately the process would be almost revenue-neutral.

A national portrait gallery would not be a costly venture. It would introduce more tourism, more attention and attraction, not only to the national portrait gallery but to the artists as well.

I have one personal story I wish to relate. When I first came to Ottawa, I encountered one of the world's greatest photographers, who lived and had his studio at the Château Laurier. His name was Yousuf Karsh. Many honourable senators will have seen that most famous of all photographs, the picture of Winston Churchill. That picture was taken in the Speaker's chamber in the other place. Yousuf Karsh, the story goes, took away Churchill's cigar, he pouted, and that was the picture. If you go

to the Château Laurier — and some new senators live there, as I do — you will find a number of portraits of Yousuf Karsh in the antechamber. You will see Hemingway. You will see Riopelle. You will see Pablo Casals. We have the greatest photographic heritage in the world; and who owns it? The Archives of Canada has it. Yousuf Karsh dedicated his entire collection of photography to that body. Canadians have it. The collection has never been seen in its totality. It could be seen. It could be on the Web. It could be a revenue producer.

I know that Yousuf Karsh, whom I met and with whom I spent some time, would be turning over in his grave if he felt that his contribution to Canada and to the world was never seen by Canadians. His intention was to dedicate that collection to Canada so that Canadians could benefit from it and be proud that they could count as one of their own one of the greatest photographers in the world.

Honourable senators, this is a no-brainer.

**The Hon. the Speaker:** I regret to inform the honourable senator that his time has expired.

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** I would request five more minutes, honourable senators.

**Senator Grafstein:** After 10 years, 10 minutes might be more useful.

Senator Prud'homme, I have listened to you for 20 years. You can give me another 10 more minutes.

Honourable senators, this is a no-brainer.

Let me share one final story. The visual artists in this country do not have a lobby. We in the Senate are familiar with cultural lobbies. Cultural lobbyists such as television producers came to us, and week after week we saw that strong lobby before a committee of the Senate. We opined and we changed a provision to benefit the television producers of this country. Hallelujah, I say. It was a controversial issue. That was a powerful lobby group.

We have big oil, big business, big universities, big research institutes that buy lobbies. We have big, big interests, but the visual artists of this country, who work from project to project, do not have the money to form a lobby. However, they have come to me. I have met with them in my office several times. They are artists who want to contribute their art to the country. Two women in particular, with tears in their eyes, said to me: "Look, senator, I might be Van Gogh. My stuff has not been sold, but maybe in the future, like Van Gogh, someone will see my work and I will live on in the hearts and minds of Canadians. Please make sure this gallery materializes because I intend to dedicate all my work to the National Archives and to the national portrait gallery." That is a heart-rending and factual story.

I call upon honourable senators in the spirit of cooperation, which we have now heard about on the other side, in the spirit of intelligence, in the spirit of obviousness, in the spirit of sense and sensibility, to pass this measure quickly. Let us convince our

colleagues on the other side that this is a no-brainer. Let us get this done. Let us do something great for Canada. Let us create in this chamber a new visual history for our country.

I urge honourable senators to pass this bill speedily and pass it over to the other house.

#### POINT OF ORDER

**Hon. Gerald J. Comeau (Deputy Leader of the Government):** I rise on a point of order respecting Bill S-201.

Without commenting on the merits of the bill, which I have no intention of doing at this time, I submit that the bill would increase government spending and is, therefore, out of order.

Honourable senators will know that section 53 of the Constitution Act, 1867, requires that bills for appropriating any part of the public revenue originate in the House of Commons. Section 54 requires that such bills be recommended to that house by the Governor General.

The fourth edition of Bourinot on page 407 refers to financial initiatives of the Crown as the constitutional obligation and that this constitutional obligation means that the government alone is responsible for initiating financial measures.

The 21st edition of Erskine May, at page 691, defines financial initiatives of the Crown as a:

. . . long established and strictly observed rule of procedure, which expresses a principle of the highest constitutional importance, that no public charge can be incurred except on the initiative of the Crown . . .

As honourable senators are aware, Senate rule 81 specifies:

The Senate shall not proceed upon a bill appropriating public money that has not . . . been recommended by the Queen's representative.

I will explain how Bill S-201 is inconsistent with the Constitution and the procedural requirements that I have just outlined.

Clause 1 of Bill S-201 will establish a permanent display of portraits and works related to portraiture from the collection of the Library and Archives Canada, including paintings, sketches, sculptures and photographs. The clause will require the permanent display to be located at 101 Wellington Street in the City of Ottawa.

In other words, clause 1 would establish a new national portrait gallery and in fact specifies the location.

Senator Grafstein has stated in this chamber on a previous date that a new national portrait gallery —

**The Hon. the Speaker:** Honourable senators, an important point of order is being raised by the Deputy Leader of the Government and the chair must hear what the honourable senator is saying.

**Senator Comeau:** Thank you. That is very much appreciated.

Senator Grafstein has stated in the chamber that a new national portrait gallery at 100 Wellington Street would cost somewhere between \$30 to \$40 million to complete. Honourable senators, the Library and Archives of Canada Act does not have general authorization to establish a new permanent display of works collected and owned by Library and Archives Canada. Rather, the act authorizes semi-permanent displays. Subsection 8(1)(e) authorizes the Librarian and Archivist to:

... establish programs and encourage or organize any activities, including exhibitions, publications and performances, to make known and interpret the documentary heritage.

As a result, the authorization for semi-permanent displays in section 8(1)(e) does not cover Bill S-201's provisions to establish a new permanent display in the form of a new national portrait gallery.

That means that Bill S-201 would add a new purpose to the Library and Archives Canada Act.

On February 27, 1991, the Speaker of the Senate ruled, in regard to the admissibility of Bill S-18, an Act to further the aspirations of Aboriginal peoples of Canada, that

... clauses 8(2) and 8(3) clearly impose new statutory duties on the Minister of Indian and Northern Affairs, and hence on the department. They therefore infringe upon the financial initiatives of the Crown and are not in order.

• (1710)

In this ruling, the Speaker of the Senate disagreed with the argument that the measures in themselves need not involve expenditure of public revenue and can probably be undertaken now, as a matter of exercising ministerial power in areas of the minister's jurisdiction, under other statutes and appropriations.

Honourable senators, Bill S-201 imposes a new purpose on an existing act and necessitates spending, which Senator Grafstein has indicated includes start-up costs between \$30 million to \$40 million, as well as ongoing operational costs. As a result, Bill S-201 is clearly inconsistent with rule 81 of *Rules of the Senate of Canada* and therefore should be ruled out of order.

**The Hon. the Speaker:** Are there comments on the point of order?

**Hon. Jerahmiel S. Grafstein:** First, I welcome the support of the measure. I welcome, as well, the opportunity to debate this issue with my honourable colleague. This issue is a surprise. It was not raised when I introduced the bill before. This issue has been raised for the first time by the government benches; I respect that. I say to the new senators, welcome to the Senate. I hope that I will have an opportunity to respond as quickly as possible, within a day or two, because I think the honourable senator has raised an important issue that affects this bill.

By the way, I am not saying that I agree with this point of order; quite the contrary, I disagree. There are 17 ways to skin a cat. Having said that, I think the honourable senator has raised

this point with some responsibility and I will act responsibly and respond at an appropriate opportunity — as soon as possible. I wish to take an adjournment with an opportunity to come back on this point of order.

**Hon. Claudette Tardif (Deputy Leader of the Opposition):** As was noted in a previous point of order to which I responded last week, which my honourable colleague raised, these bills are not necessarily money bills. The Senate receives many bills that have monetary obligations attached, but monetary obligations are not the primary purpose of the bill and the bill does not change the budgetary impact or the budget process of the government.

In addition, this bill has not been fully studied yet. In committee, the bill can be studied further. At this point, it is not up to us to say whether the bill has direct monetary implications. Should it have direct monetary implications, which I do not think it does, a Royal Recommendation can be received at any further point down the road of study on the bill. Therefore, it is premature to say that this bill is not in order. It can be studied in committee and then sent back to the House of Commons, at which point they, as well, can ask for a Royal Recommendation.

**Hon. Joan Fraser:** One starts to discern a pattern here. Whether it is of cooperation is, perhaps, another question. The point of order raised today is, in many ways, similar to the point of order that the Deputy Leader of the Government raised last Thursday on Senator Carstairs' bill. My comments, therefore, will be similar, *mutatis mutandis*, to those I made last Thursday. I can strike last Thursday's references to qualifications for employment insurance and insert references to use of government property.

The fact remains that this bill is not a supply bill. This is a bill to which a Royal Recommendation can be attached at any time while we continue our study of it or into which a clause could be inserted, if it is not already there, that the bill not take effect until Parliament has done what is necessary, as we discussed last week on the other point of order. I note with interest Senator Grafstein's eloquent expression of willingness to examine these matters and make any necessary changes, should they be advisable.

Once again, I do not think we have a point of order at this time.

[Translation]

**Hon. Pierre Claude Nolin:** Honourable senators, I will not repeat the arguments I put forward last week, but I want to respond to the point my colleague raised about this not being a bill that involves the expenditure of public money. I am surprised at her interpretation of this, because the new section of the Library and Archives of Canada Act ultimately gives instructions. The first subsection states that "in furtherance of its objects, the Library and Archives of Canada shall establish. . ." so it is a parliamentary order. The act instructs the public institution to establish a permanent display.

Subsection 2 states that "the permanent display established under subsection (1) shall be known as the National Portrait Gallery. . ." If that does not involve an expenditure of public funds, then I do not know what does.

Honourable senators, I would ask that you refer to the document I read last week and to my colleague's argument that it could come at any further point down the road of study of the bill. I will remind senators that, on the day this bill is introduced in the House of Commons, it will contain a fatal flaw because the Royal Recommendation will not have been attached to it beforehand. That is why this bill is flawed from the outset. That is why we cannot consider this measure.

[*English*]

**Senator Comeau:** I remind honourable senators of this continual story of attaching a Royal Recommendation in due course, somewhere along the way — that is, if we decide we need one. However, it can be done at any time: A few million here; a few million there; that is no problem.

Let me read rule 81, which is specific. It states:

81. The Senate shall not proceed upon a bill appropriating public money that has not within the knowledge of the Senate been recommended by the Queen's representative.

It is that simple. We cannot make rules simpler than that. Will we disregard the rules and say that we eventually will attach the Royal Recommendation somewhere along the line? Rule 81 says, "shall not proceed." I have raised a point of order in regard to a pattern raised by my honourable colleague. Obviously, it is our job; it is our role. It is the responsibility of all senators — not just mine, but of all honourable senators. If we play around with the rules and if we start disregarding the rules, it will have an impact on all of us in the long term — on both sides. Eventually, the honourable senator may sit on this side as well. Think of that day: God forbid — I hope it does not happen for a long time and I do not expect it to happen for a long time, but it could.

I suggest to the honourable senator that the disregard for rules is not where we want to go. Let us stick with the rules. Let us apply them. If the rule says that we shall not proceed with a bill that appropriates money, let us not proceed with it.

[*Translation*]

**Senator Tardif :** At this time, I would like to refer to the ruling by the Speaker of the Senate on Bill S-221, which states:

I am similarly persuaded by the common sense argument that it could certainly not be intended that every bill that has any monetary implications whatsoever must be introduced first in the other place. Such an interpretation would greatly impede the power of the Senate to initiate legislation. For this reason, and those that I have previously stated, I find that Bill S-221 is properly before the Senate and that debate on second reading may proceed.

That was a very fair and honourable decision by our dear Speaker.

**The Hon. the Speaker:** Honourable senators, I would like to thank you for your interventions in this matter. This point of order is somewhat similar to last week's. We have already begun to research and examine the procedural literature. I believe that I will be able to give a ruling soon.

• (1720)

[*English*]

## NATIONAL CAPITAL ACT

BILL TO AMEND—SECOND READING—  
POINT OF ORDER—SPEAKER'S RULING RESERVED

**Hon. Mira Spivak** moved second reading of Bill S-204, An Act to amend the National Capital Act (establishment and protection of Gatineau Park).

She said: Honourable senators, this bill is essentially the same as its predecessors — Bill S-210 and S-227. It is my third attempt to make a small but significant improvement towards the protection of Gatineau Park. This federal park is just minutes from Parliament Hill.

In the words of the National Capital Commission, its guardian for decades:

Not only is Gatineau Park part of our natural heritage, but it is home to a number of other heritage resources. Mackenzie King Estate, comprised of its historical gardens and buildings, is the most important cultural attraction in Gatineau Park, attracting some 60,000 visitors per year. Two of the six official residences managed by the NCC are also situated within Gatineau Park. These are the residence of the Speaker of the House of Commons and the Mousseau Lake residence, known as Harrington Lake, the country residence of the Prime Minister. Both contribute to the park's national and political symbolism.

Part of our national heritage, certainly, yet government after government has failed to give Gatineau Park the same legal protection that we grant our national parks. This bill would address that lapse. Specifically, it would fix the park boundaries in law and provide parliamentary oversight of any future changes.

As I have said on two former occasions, the National Capital Commission, by and large, has done a good job of preserving the park's integrity; as good as can be expected in the absence of needed legal protection and the funds to do anything differently.

The pressures of development on the other side of the river, however, have also tempted the NCC to sell off or trade portions of the park: This must stop. As new pressures on the government mount — the pressures of recession and deficits — we know that consideration will be given to selling off Crown assets. Gatineau Park land must not be among them.

In the legal sense, much of the land does belong to the government and it is the government's to sell. In the moral sense, it belongs to all Canadians, past, present and future. We are its temporal custodians. We must make sure that we protect what we inherited and pass it on to future generations. Parliament must be the final arbiter of future changes to Gatineau Park, as it is for our national parks.

The bill would also encourage — but does not require — the NCC to purchase private land in the park when owners decide to sell their property. In fact, it only requires property owners to give the commission the right to say “yea” or “nay” to a purchase.

Since I first introduced this bill, there have been very encouraging signs that the government is taking park protection seriously. That has not always been the case. In the past, governments have authorized construction of major highways that slash through the park. They have allowed housing developers to purchase parkland at little cost. They have allowed private homes in the park to appear on the market, to escalate in price and to remain private sanctuaries in a park that belongs to all Canadians. As has been reported in various news articles over the last two years, some eight square kilometres of the park’s territory have been removed, and over a hundred new houses have been built inside it.

In recent years, however, three important things have happened. It did not hurt to have a sitting member for the area appointed as the minister responsible for the NCC. Former Transport Minister Lawrence Cannon was well aware of the importance of the park to his constituents, to the many thousands of other Canadians who visit it and to the ecotourism industry. We can only hope that, despite his elevation to the Minister of Foreign Affairs, he continues to keep close watch on this crown jewel in his constituency.

Under the minister’s watch, the government, last spring, effectively halted a mid-sized new housing development inside the park by purchasing the private land on which it was to be constructed. Under the minister’s watch, the government, by order-in-council last summer, also took the significant step of allowing the NCC to purchase more private land in the park without requiring Treasury Board approval for purchases exceeding \$25,000.

Under the minister’s watch, the NCC finally completed the technical description of the park boundaries, the “metes and bounds” that appear as the schedule to this bill.

Honourable senators, there has been progress. What remains for us to do is to give these boundaries legal status, to fix them for all time to ensure that the park is not further diminished by new demands for new highways or any other reason to help keep the federal deficit in check. We must, through this bill, give parliamentary oversight to those park boundaries.

There is an obvious question: Why does the government not simply make Gatineau Park a national park? As history shows, that was how it was once envisaged to become.

First, the issue of private property would take decades or generations to resolve. As well, there is the issue of the claim that the Province of Quebec is the landowner of some 17 per cent of the park, and it has refused to transfer that land for the creation of a national park.

However, as Senator Banks clearly demonstrated at the second-reading stage of the two previous Gatineau Park bills, this claim that Quebec owns 17 per cent of the park seems impossible, given that the land was transferred to the federal government in 1973 in exchange for the Hull CEGEP lands.

Moreover, my office has received documents confirming that the NCC last year made payments in lieu of taxes in excess of \$260,000 to the municipality of Pontiac for this so-called Quebec land.

As for the Hull CEGEP lands, my office has also received City of Gatineau documents confirming that the Quebec government makes payments in lieu of taxes for that property.

Honourable senators, I do not think it is standard practice for governments to make payments in lieu of taxes for lands they do not own. In any event, hopefully NCC officials will be able to clear this up when they appear before the committee.

Another explanation for why Gatineau Park is not a national park is the reality that Parks Canada does not want to be its guardian. Parks Canada has its own priorities, according to its plan to represent specific ecosystems and regions of our country through its national park system. Gatineau Park would duplicate another national park from that perspective and add another burden to the already-strained resources of the national park agency. Moreover, a memo Parks Canada officials wrote to then Environment Minister John Baird last spring speaks volumes on the issue. That memo informed the minister that Parks Canada could not manage Gatineau Park properly with the budget currently provided by the NCC for that purpose.

• (1730)

Therefore, this bill retains management under the NCC, an agency that wants to keep managing it. It entrenches park boundaries in law and it makes Parliament the ultimate overseer of the very valuable bit of wilderness on our doorstep, just as we are for the many other national parks across the country.

When our committee examined Bill S-210 previously, Mr. Andrew McDermott, Chair of the New Woodlands Preservation League, told us that planners once thought Gatineau Park would be the first national park of Quebec. In fact, it was to be the first national park outside the Rocky Mountains, but that never came to pass.

Another witness, Mr. Stephen Hazell, Executive Director of the Sierra Club of Canada, told your committee that without this bill Gatineau Park has the same legal protection as the tulip beds on Confederation Square, which might be our next project. In short, there is no protection except by virtue of the fact that the NCC owns or controls most of the land.

The vice-president of the Ottawa Valley chapter of the Canadian Parks and Wilderness Society, Mr. Doug Anions told your committee:

We support Bill S-210. Gatineau Park is in urgent need of protection. . . . urban encroachment is occurring at an alarming rate.

Not only did these witnesses support the bill, but during their review of the NCC mandate some 15 groups that came together as the NCC Renewal Coalition endorsed the bill as the practical solution to many of the threats to the park. Of course, the NCC said:

We are pleased that the Senate has proposed a bill that recognizes what an essential role Gatineau Park plays in Canada's capital by clearly enshrining the park within the *National Capital Act*.

Officials also said clearly that the acquisition of private property within these boundaries is a priority for the NCC. It has been affirmed in successive master plans for the park, and so the bill reflects that fact in its preamble and in specific clauses.

Subsequent to these hearings, the question was raised about the bill's financial impact and whether it might be deemed a money bill requiring a Royal Recommendation. That is clearly not the case, as Micheline Dubé of the NCC testified:

The bill proposes to set a legal boundary for the park. The NCC has a boundary under which we operate so that provision would not have a monetary impact. The bill proposes that the NCC acquire properties, and it is the objective of the commission to do so.

Ms. Dubé suggested that the financial impact would only be created if this bill placed an obligation on the NCC to acquire those properties within a defined number of years. However, the bill does not do that. In fact, it does not obligate the NCC to acquire any specific property or to do anything other than to respond to property owners who want to sell and to report its decisions on property acquisitions to Parliament.

As your committee heard, the commission has had a well-established acquisition and disposal fund from the sale of Gatineau property since 1990 and from which it has withdrawn \$16.5 million for purchases. There is no reason to fear that this is a money bill beyond the scope of this chamber.

The New Woodlands Preservation League suggested amendments that make it clear that Gatineau Park is dedicated to the people of Canada today and for future generations. They also require that the maintenance or restoration of ecological integrity be the first priority of the commission in its management of the park. Other groups and your committee members supported these amendments that instilled the spirit of the National Parks Act in this legislation.

Your committee has also made one technical amendment to clarify wording about first refusal. Also, a keen eye in the law clerk's office spotted other very minor technical errors in the bill that have been corrected.

Of course, not everyone is in favour of what this bill would do. The residents favour the status quo. They think they are good stewards of the park, and that may well be the case in most instances. However, last summer it came to light that the landscaping of one property very near Meech Lake and run-off had deposited sediment in shallow waters where bass once flourished and people fished. The committee was not insensitive to the concern of property owners inside the park. They weighed that consideration against the benefits to all Canadians.

Therefore, this legislation does not require anyone to move from their home or cottage in the park. In fact, through trust arrangements families could continue to pass down their

properties through successive generations. The bill requires only one thing of them. When the decision is made to place their property on the open market, they must give the NCC an opportunity to say yes or no.

As honourable senators vote on this bill, I hope they will consider the great value of this park, both for its history and its biodiversity. An NCC study published in December 2006 found that Gatineau Park contains some 2,800 species, including 53 mammals, 234 birds, 52 species of fish and 1,100 distinct forms of plant life. It is by far the most diverse of all NCC properties. It has cougars, wolves and whitetail deer in abundance. It has shelters where backcountry skiers and schoolchildren can spend a night and learn firsthand about our natural world. However, it needs better protection.

As the Canadian Parks and Wilderness Society stated in its booklet entitled *Gatineau Park, a Threatened Treasure*, the park "should be given legislated protection along the lines of the National Parks Act," and that is exactly what this bill would do.

Honourable senators, it is time for Parliament to provide the legislative protection Gatineau Park so clearly needs. I hope you will support this bill and send it on to the other place without undue delay.

**Hon. Pierre Claude Nolin:** Would my honourable colleague agree to answer a few questions?

**Senator Spivak:** Yes.

**Senator Nolin:** I am looking at clause 3(c) of the bill.

**Senator Stollery:** Send it to committee.

**Senator Nolin:** I will ask you to comment after I read it. Clause 3(c) states:

... acquire real property situated in Gatineau Park that is not owned by the Commission.

First, who is asked to acquire?

• (1740)

**Senator Spivak:** It is the National Capital Commission. However, as I stated, the Commission can only do so if given the opportunity and if no one else buys it.

**Senator Nolin:** My question is more simple than that. In the act, does the word "acquire" refer to an instruction to the National Capital Commission?

**Senator Spivak:** No.

**Senator Nolin:** Rather than an "instruction," is it a mandate?

**Senator Spivak:** They have it.

**Senator Nolin:** Who will be entrusted to acquire?

**Senator Spivak:** The NCC already has that mandate.

**Senator Nolin:** When they acquire, under an existing mandate, real property situated in Gatineau Park that is not owned by them, from where will the money come?

**Senator Spivak:** As I stated in my remarks, they have a reserve fund for acquisitions. They have done this for years.

**Senator Nolin:** That money is already in their bank account, let us say. From where did that money come?

**Senator Spivak:** I know where you are going.

**Senator Nolin:** Answer my question first, and we will go there together after.

**Senator Spivak:** I believe that money comes from the sale of properties. They have sold things over the years, as I said in my remarks.

If the honourable senator is asking me whether that money comes from Parliament, I will not answer that. I plead the fifth.

**Senator Nolin:** That is a valid answer.

**Senator Spivak:** You will not outsmart me.

[*Translation*]

#### POINT OF ORDER

**Hon. Pierre Claude Nolin:** Honourable senators, in spite of Senator Spivak's extremely elegant answer, I would like to raise a point of order similar to the one raised by the Deputy Leader of the Government.

I draw your attention to an important word that is found in the English and French versions of the Constitution Act, 1867 and that was the focus of the debate.

[*English*]

Section 53 of the Constitution Act, 1867 reads:

Bills for appropriating any Part of the Public Revenue . . .

The word "any" is quite large.

[*Translation*]

In the French version, the section reads as follows:

Tout bill ayant pour but l'appropriation d'une portion quelconque . . .

It can be a dollar or a penny.

Honourable senators, I have heard arguments in favour of facilitating the work of Parliament. I support my colleague's legislation. However, I would like us to do our work in full compliance with the Constitution of Canada.

In my opinion, we cannot study this measure without a Royal Recommendation, which means that the bill would have to be introduced in the other place first, and then we would have complete latitude to examine it.

**Hon. Joan Fraser:** Honourable senators, I noted with interest that during her speech, Senator Spivak — who no doubt knew what lay in store — gave a clear and, in my opinion, very convincing reply that allowed for the possibility that a point of order might be raised. I suggest you consult her remarks.

[*English*]

**Hon. Mira Spivak:** Honourable senators, at one time I was the chairperson of a school board. The board had a lawyer whose job was to oppose everything.

Our legal counsel, who, the honourable senator will admit, is very competent, looked at this bill. As we know, any private member's bill in the Senate has to go through blood, sweat and tears before it gets anywhere. The last time this bill was in our chamber, the government supported it, as did Senator Nolin.

It is strange that someone could at one time support something and at another time not support it on legal grounds. One can make a legal case for anything.

I have been in the Senate for a while. This is a place to which many wonderful ideas come. These ideas are not political or partisan; they are ideas that benefit Canadians. Let us get over the red states and the blue states and remember that we are all in Canada.

The most important point is that at the last iteration of this bill everyone agreed that it did not need a Royal Recommendation. I rest my case.

**Hon. Tommy Banks:** On the point of order, and in a spirit of cooperation, Senator Spivak has made an important point. I believe that the implication of the rule is that new expenditures, for which funds are not already available, require a Royal Recommendation.

However, I think that in this case, as has been demonstrated in Senator Spivak's presentation, and by the facts of the matter, the National Capital Commission, as a matter of course, from time to time acquires property. It has done so many times in the past. It did so with a fairly large piece of property last year.

When it did that, it did not obtain a Royal Recommendation. It wrote a cheque, because the members of the board agreed that the National Capital Commission should, from its own extant resources, acquire a piece of property in order to protect that park.

As Senator Spivak has further said, her bill simply sets out and puts into law the boundaries of the park. It does not require that anyone hire a single person or spend a dime. It sets out the parameters of the park in law, which has never been done, and it is a great shame that it has never been done. The bill does not require the expenditure of any money other than for the acquisition of property, which is done in the normal course of events by the NCC. Whether they get the money for that acquisition from the sale of property or from parliamentary



appropriations is beside the point, because parliamentary appropriations are given to the NCC for the specific purpose of buying property in the National Capital Commission.

I urge Your Honour to consider that there is no point of order.

**Senator Spivak:** In everything there must be a balance. The most important part of this bill is not the money issue; it is that Parliament should ensure that this property, which is a national treasure, is protected.

• (1750)

One can say that the issue of protection is less important than some inaccurate, esoteric point about financing, but I say to the honourable senator that he has not made his case. The issue of protection is paramount and should be for everyone.

**The Hon. the Speaker:** Let me thank all honourable senators for their interventions on the point of order raised by Senator Nolin. The chair will take the matter under advisement and return with a ruling.

### IRANIAN NUCLEAR CAPACITY AND PREPARATIONS FOR WAR

INQUIRY—DEBATE ADJOURNED

**Hon. Hugh Segal** rose pursuant to notice of January 27, 2009:

That he will call the attention of the Senate to the government of Iran's imminent nuclear war capacity and its preparations for war in the Middle East, and to the commitment of Canada and its allies, including the USA, Russia, Turkey, the Gulf States, Egypt, Jordan, Saudi Arabia and others, to diplomatic and strategic initiatives that exclude first-use nuclear attack, the ability of Canada to engage with its allies in order to understand, measure and contain this threat, and the capacity of Canada to support allied efforts to prevent a thermonuclear exchange in the Middle East.

He said: Honourable senators, my hope in raising the Iran inquiry briefly this evening is that we might, in this chamber, generate some positive momentum toward a constructive Canadian role in finding a peaceful solution to the Iranian nuclear issue. This morning's announcement of a launch into space by the Iranian Islamic Republic of a rocket with a potential of far-reaching geography makes this consideration even more serious for us all.

The complexity of the task before us should not discourage us in our work. The costs of either inaction or failure are so large that neither can be tolerated as an option or outcome for Iran, her neighbours in the region or the rest of the world. Failure or inaction could, and I expect would, lead to a thermonuclear exchange of the kind that would make the death toll from previous wars in the region — including the horrific Iraq-Iran conflict where hundreds of thousands died — look like a walk in the park by comparison.

Avoiding nuclear war has been a pillar of Canadian foreign and defence policy since the late 1950s and the ascendancy of the Honourable Howard Green of British Columbia to the role of Mr. Diefenbaker's foreign minister. Much of what spurred

Mr. Pearson's Nobel Peace Prize winning work at the UN on Suez in the mid-1950s was the need to contain both a dispute within NATO and reducing the risk of Russian engagement on Egypt's side during the early days of the Cold War; so a Canadian initiative here is neither without precedent or historical roots of substance.

Unlike the United States, Canada has both full diplomatic relations with the Islamic Republic of Iran and warm and cordial relations with the Republic of Israel. While we have difficult consular issues and disputes with Iran, we have, despite tensions, maintained working and essentially business-like relationships with that country. Certainly, whatever disagreements we have had with the Iranian government, we have no quarrel with the Iranian people. Canadian companies do business in Iran, and Canada has been immeasurably strengthened over generations by a vibrant, growing and multi-faith Iranian diaspora in Canada, whose leadership on economic, cultural, professional, volunteer and charitable fronts is a credit to them and the welcoming nature of the Canada we love.

Honourable senators, I believe that rather than probe, consult back and forth, or only go where major power initiatives move us or fail to engage, Canada should be proposing a rational and humane plan in support of a Middle Eastern non-aggression treaty that is multi-state, sovereignty-affirming and guaranteed by neighbours and allies. Canada should be proposing a multi-state stability accord that underlines critical realities and embraces imperatives essential to the well-being of all the peoples of the region.

The key elements of that multi-state stability accord would be: one, acceptance by all signatories to the sovereign rights, the right to respect and fair treatment for all signatory governments; two, a clear affirmation of the rights of all signatories to the peaceful use of nuclear energy for economic development; three, the acceptance by all signatories of the unlimited right of international nuclear energy inspectors to inspect any and all facilities, laboratories and reactor construction sites on 12-hours' notice in all signatory countries; four, agreement to specific joint confidence-building visits by joint delegations reflecting all the signatories' political and scientific communities on an ongoing basis; five, formal acceptance of a "no first-use agreement" with respect to all non-conventional weapons by all the signatories, which would include gas, biological and nuclear; six, agreement to joint signatory oversight through use of NATO AWACS and satellite technology supporting both surveillance and enforcement, and both Russia and NATO would engage to provide joint surveillance support to this part of the agreement; and, seven, agreement by supporting witness signatories — Russia, the EU, France, the United Kingdom, the United States, Canada, Japan and China, among others — to financial and logistical support, and development investment in cooperation with signatory countries to advance economic and social opportunity in all the MSSA signatory countries.

The signatory countries, aside from Iran and Israel, would include Lebanon, Syria, Turkey, Libya, Jordan, Egypt, Saudi Arabia, Tunisia, Algeria, Iraq, Kuwait and the sovereign members of the Gulf Cooperation Council.

In a perfect world, this unique accord would base its administration and headquarters in an Arab state in the region, one that maintains working relationships with all the key players. Its staff would be multinational and from the region as well.

Honourable senators, there will be other views on this issue by those who are more learned in these matters, who have travelled more extensively, or who have military or diplomatic experience which I do not possess. I welcome a robust debate on this inquiry. I think the Senate can provide some leadership here which, for a host of reasons, appears to be unavailable elsewhere.

I submit to you all that we must be clear on two things: Dismissing Iran as a faraway place of which we know or care little, — to paraphrase Mr. Chamberlain on Czechoslovakia in the late 1930s — will take us to the same sort of horrible places Chamberlain's disengagement from reality and lack of preparation took the world back then.

Our American allies are now led by an administration that offers an open hand to those who would unclench their fists. President Obama is served by a broad mandate, immense goodwill worldwide and a remarkably strong and competent new Secretary of State in Hillary Clinton. This is an opening for Canada and all American allies who want to move beyond the despair of clenched fists and closed hearts to the promise of open hearts and new ideas.

As Canadians, whatever our bilateral challenges and opportunities with the trading American neighbour we trust and the ally we support, our global duty to bring fresh thinking, new ideas and Canadian engagement to geopolitical risks we share has never mattered more. To the extent our engagement with the United States is only about bilateral irritants, we will, as former U.S. Ambassador to Canada Gordon Giffin has often said, "be held hostage to U.S. domestic and protectionist pressures." To the extent Canada engages the world as an independent if not neutral middle power to help manage or dilute geopolitical risks and threats to the values we share with our American, European, Asian, African and Middle Eastern allies and partners, we advance our ability to pursue our own important trade and geopolitical interests bilaterally with many, including the United States.

• (1800)

On the eve of President Obama's visit to Canada in the middle of economic and financial restructuring worldwide — which could further destabilize the Middle East — the time for bold initiative and fresh thinking on the Iran-regional challenge has never been more compelling.

When and if the National Security and Defence Committee or the Foreign Affairs Committee of this chamber are constituted, I hope their respective memberships might be encouraged to consider this sort of initiative further. I have no doubt that senators with broader experience, and expert witnesses from Canada and the region we are addressing will be able, in their wisdom, to vastly improve on the suggestions I put on the record today.

[*Translation*]

**Hon. Marcel Prud'homme:** Although I do not agree with certain parts of the wording of Senator Segal's inquiry, I would like to ask that this debate be adjourned because I intend to participate fully. I am currently writing about this topic and I think it will be a very interesting debate.

[ Senator Segal ]

[*English*]

Senator Segal and I have discussed the debate in a civilized manner and he is more than happy to know that I will join in the debate on this dangerous issue. Although we have major points of disagreement, we agree on other points. Something could be done and, accordingly, I will adjourn the debate.

**The Hon. the Speaker:** Honourable senators, it being six o'clock I must leave the chair unless there is agreement not to see the clock. Is it agreed, honourable senators, that we not see the clock?

**Hon. Senators:** Agreed.

**The Hon. the Speaker:** Honourable senators, my understanding is that Senator Segal has time remaining.

**Senator Prud'homme:** May I remind the honourable senator that he could not have heard me for 20 years because I have been here for only 15 years.

**Hon. Jeremiah S. Grafstein:** However, I have known and heard the honourable senator for 50 years.

My question is to Senator Segal. I welcome this debate on a vexing international issue, probably the most vexing issue confronting the world and, in particular, the new administration of the United States. They have signalled a change in attitude about contact, which is something that should be tried. My question relates to an area that the honourable senator studiously seemed to avoid. The United Nations has had, and continues to have, a policy of economic boycotts. The honourable senator mentioned the words, "economic boycotts." The United Nations has a dozen resolutions. Senator Prud'homme will remember that the resolutions were about trying to curb, through peaceful means of economic boycott, the so-called intentions of the Iranian government to produce nuclear weapons. Where does the honourable senator stand on boycotts?

**Senator Segal:** I thank the honourable senator for his question. We have reached the point in this issue where we have to be frank with ourselves about efficacy. I do not diminish the role of the United Nations or its nuclear energy agency responsible for inspections. However, the economic circumstance for the people of Iran is difficult in many contexts. That being said, there is a common interest in the region between Sunni and Shia, and between Christians, Israelis and Muslims, to find a peaceful resolution to this problem. I do not believe for a moment that our Israeli friends would be excited about signing a no-first-use agreement because that would force an admission with respect to assets that the world knows they have at their disposal but that are not formally recognized by the Israelis in a public context.

I suspect that the Iranians would be deeply troubled by a proposition that would fail to give them the respect as a major regional power, which they have the right to and which is important to the stability of the region overall. There would be no incentive for them, without a multi-nation agreement that would both confirm their status and respect their sovereignty, to engage

in an agreement that would remove some of the options they appear to be considering, at least in one aspect of their government, if not all, relative to how to achieve greater leverage in the region.

This proposal is for discussion and improvement, but my hope is that by trying to initiate other forces that are both peaceful and respectful of the reality, while aiming for a peace based on common trust and confidence-building, we can make some progress. Further, my view is that the United Kingdom, Canada and the U.S., all of whom have been united in terms of sanctions against Iran for non-performance on the issue of nuclear development, are looking for new options as we speak. Meetings are taking place this week. There is a role for Canada, for our government, for our Prime Minister and for this chamber in setting forward fresh perspectives and ideas that might contribute to opening the debate in a way that would give the Iranians, the Israelis and all of our Sunni and Shia friends in the partner states in the region some opportunity for a way ahead. It is key that Turkey and Russia be partners in this process because they are important interlocutors. Of course, the Turks have been our brave NATO allies for many years.

**The Hon. the Speaker:** The honourable senator's time is expired. Does he wish leave to continue?

**Hon. Gerald J. Comeau (Deputy Leader of the Opposition):** No more than five minutes.

**Hon. Senators:** Agreed.

**Hon. Roméo Antonius Dallaire:** I am the patron of the Pugwash Movement, which started in 1957 in a little town called Pugwash in Nova Scotia. The aim of the movement was to move the world to discontinue the advancement of the potential use of nuclear weapons. We have not been overly successful and were held back drastically over the last while by the previous U.S. administration and the whole effort of non-proliferation and disarmament was being argued purely on non-proliferation. The ultimate aim is to eliminate one of the most vile instruments that abuses our human right to security not only by continuing to maintain arsenals of nuclear weapons but also by continuing to modernize them.

The point I wish to raise with the honourable senator is that the approach of world powers who hold nuclear weapons has been one of non-proliferation, and not one of exemplary attempts to disarm and inviting others to do the same. Ultimately, does the honourable senator not see that the aim of the exercise would be to try to move all these players, in the most volatile and significantly important area of the world, for the future of humanity, to disarm the possibility of nuclear weaponry in that region?

**Senator Segal:** Senator, I am sure that the notion of denuclearizing those in the region who have nuclear weapons capacity will emerge in this discussion. I would be stunned if my good friend, the senator from Quebec who is in the process of adjourning the debate, would not find a way to bring that issue forward in the discussion.

Honourable senators, I am not as optimistic as the great people who have worked in the Pugwash movement. I defer to the honourable senator in terms of that optimism. However, if a balanced agreement could be reached between the key partners in

the region that we are talking about now, I think there would be a contagion effect from that to other parts of the world.

• (1810)

We all know how desperately divided and hopeless Berlin once was and how agreements between great powers about doing away with the wall opened up new opportunities for millions of our fellow human beings. Therefore, I think we need to try to be optimistic, realistic and frank about our need to address that in the Middle East as we speak this evening.

**Senator Dallaire:** I was speaking at a high school southwest of Winnipeg and the question raised by the students was: Are there still nuclear weapons?

That was about four years ago and I thought that we were getting rid of them only to find out that the developed world has spent nearly \$1 trillion in modernizing them since the end of the Cold War. There are still 27,000 of them available, of which 3,000 of them are, at any minute's notice, to be launched from the air, ground and sea.

When I said "Yes, there is still such weaponry," the children asked me the following question: Why do we worry so much about plastic bags and the environment when the same adults know they have the capability — if we launch only five or six of them — to actually wipe out the whole environment and, in fact, to wipe out the whole surface of the planet?

Does the honourable senator not think there is a bicéphale exercise happening in which, on the one hand, we are tripping over each other trying to handle the environment and, on the other, we still maintain policies that are based on the ultimate possibility of use of nuclear weapons; for example, through NATO?

**Senator Segal:** I would argue that the elephant in the room on the grand environmental issues is precisely those nuclear weapons people do not want to discuss. They exist because of fear; because of the balance of power that fear forces people to try to construct with whatever weapons they can. As with Mr. Pearson and others from the past, we must try to find a basis of trust to proceed without weaponization; where fear is replaced with some progress moving forward. I fear that the crucible we will face sooner rather than later is the Iranian proposition, which is why, if we can make progress on that, there would be hope to share with those high school students and with others for many decades to come.

(On motion of Senator Prud'homme, debate adjourned.)

## RULES OF THE SENATE

### MOTION TO AMEND RULE 28(3.1)— DEBATE ADJOURNED

**Hon. Tommy Banks,** pursuant to notice of January 29, 2009, moved:

That Rule 28(3.1) of the *Rules of the Senate* be amended as follows:

That after the words “tables a document proposing a user fee,” the words “or the increase or extension of a user fee,” be added; and

That after the words “designated in the Senate for the purpose by the Leader of the Government in the Senate or the Deputy Leader of the Government in the Senate”, the words “, provided that the respective committee has been properly constituted under the authority of the Senate, and” be added.

He said: Honourable senators, I will be brief. This motion is self-explanatory and does exactly what it proposes to do, and I commend your attention to it. As Senator Di Nino told us in 2006 when he was presenting the second report of the Standing Committee on Rules, Procedures and the Rights of Parliament, the User Fees Act of 2004 requires that when a new user fee, an extension of a user fee or a change in the user fee is proposed by the government, it must be presented to and receive the approval of Parliament. It further provides that when those proposals are laid before either house of Parliament, they are deemed to have been referred forthwith to the committee of that house that is most appropriate, without debate and without vote. That has been done with a proposal for a user fee change that is before us now.

The committee has 20 sitting days in which to deal with that. Failing that, it is deemed to have been recommended to approve the proposal. However, a reading of the rule of the *Rules of the Senate of Canada* reveals two deficiencies: First, it refers only to new proposals for user fees; and, second, it does not take into account the present situation in which the clock may have begun to tick and there is no such committee.

The proposal is to make clear that, to be consistent with the act, government proposals of new user fees, changes to user fees or extensions to user fees are all included in this same arrangement

which I have described and to make clear that the 20-day clock can only begin counting when such a committee actually exists and not, as in the present situation, when the bill has been referred to a committee which does not exist. I hope we will all give quick and careful consideration to this motion and that it will be sent forthwith to the Standing Committee on Rules, Procedures and the Rights of Parliament, as soon as there is one.

**Hon. Consiglio Di Nino:** I want to thank my honourable friend for bringing this matter to our attention. I would like to take a look at it and reflect, and I will respond to it as soon as I can. Therefore, I move adjournment of the debate.

(On motion of Senator Di Nino, debate adjourned.)

### BUSINESS OF THE SENATE

**The Hon. the Speaker:** Honourable senators, you will recall the chair gave a ruling a few sittings ago on this matter. The rule was that the clock begins ticking when the committee is formed. I should have explicated somewhat because I ruled from the chair.

The implication of that ruling is that the tabling by the Deputy Leader of the Government on the day that he had tabled it will have been deemed to have been tabled on the day that committee membership is adopted by the house. Effectively, the ruling is consistent with what is being substantively proposed here. However, I want to make it clear that was the ruling that was accepted by the house and the implication is that it is deemed that the tabling of the user fee debate by the Deputy Leader will be deemed by this house to have been on the day that the committee is struck.

(The Senate adjourned until tomorrow at 2 p.m.)

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## **APPENDIX**

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

**THE SPEAKER**

The Honourable Noël A. Kinsella

**THE LEADER OF THE GOVERNMENT**

The Honourable Marjory LeBreton, P.C.

**THE LEADER OF THE OPPOSITION**

The Honourable James S. Cowan

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**OFFICERS OF THE SENATE****CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

Paul Bélisle

**LAW CLERK AND PARLIAMENTARY COUNSEL**

Mark Audcent

**USHER OF THE BLACK ROD**

Kevin MacLeod

## THE MINISTRY

(In order of precedence)

(February 3, 2009)

The Right Hon. Stephen Joseph Harper	Prime Minister
The Hon. Robert Douglas Nicholson	Minister of Justice and Attorney General of Canada
The Hon. Jean-Pierre Blackburn	Minister of National Revenue and Minister of State (Agriculture)
The Hon. Gregory Francis Thompson	Minister of Veterans Affairs
The Hon. Marjory LeBreton	Leader of the Government in the Senate and Minister of State (Seniors)
The Hon. Chuck Strahl	Minister of Indian Affairs and Northern Development and Federal Interlocutor for Metis and Non-Status Indians
The Hon. Peter Gordon MacKay	Minister of National Defence and Minister for the Atlantic Gateway
The Hon. Stockwell Day	Minister of International Trade and Minister for the Asia-Pacific Gateway
The Hon. Vic Toews	President of the Treasury Board
The Hon. Rona Ambrose	Minister of Labour
The Hon. Diane Finley	Minister of Human Resources and Skills Development
The Hon. Beverley J. Oda	Minister for International Cooperation
The Hon. Jim Prentice	Minister of the Environment
The Hon. John Baird	Minister of Transport, Infrastructure and Communities
The Hon. Lawrence Cannon	Minister of Foreign Affairs and Minister of State (National Capital Commission)
The Hon. Tony Clement	Minister of Industry
The Hon. James Michael Flaherty	Minister of Finance
The Hon. Josée Verner	President of the Queen's Privy Council, Minister of Intergovernmental Affairs and Minister for La Francophonie
The Hon. Jay D. Hill	Leader of the Government in the House of Commons
The Hon. Peter Van Loan	Minister of Public Safety
The Hon. Gerry Ritz	Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board
The Hon. Jason Kenney	Minister of Citizenship, Immigration and Multiculturalism
The Hon. Christian Paradis	Minister of Public Works and Government Services
The Hon. James Moore	Minister for Official Languages and Minister of Canadian Heritage
The Hon. Leona Aglukkaq	Minister of Health
The Hon. Lisa Raitt	Minister of Natural Resources
The Hon. Gail A. Shea	Minister of Fisheries and Oceans
The Hon. Gary Lunn	Minister of State (Sport)
The Hon. Gordon O'Connor	Minister of State and Chief Government Whip
The Hon. Helena Guergis	Minister of State (Status of Women)
The Hon. Diane Ablonczy	Minister of State (Small Business and Tourism)
The Hon. Rob Merrifield	Minister of State (Transport)
The Hon. Lynne Yelich	Minister of State (Western Economic Diversification)
The Hon. Steven John Fletcher	Minister of State (Democratic Reform)
The Hon. Gary Goodyear	Minister of State (Science and Technology)
The Hon. Denis Lebel	Minister of State (Economic Development Agency of Canada for the Regions of Quebec)
The Hon. Keith Ashfield	Minister of State (Atlantic Canada Opportunities Agency)
The Hon. Peter Kent	Minister of State of Foreign Affairs (Americas)

## SENATORS OF CANADA

### ACCORDING TO SENIORITY

(February 3, 2009)

Senator	Designation	Post Office Address
THE HONOURABLE		
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuaq, Que.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.
Mira Spivak	Manitoba	Winnipeg, Man.
Gerald J. Comeau	Nova Scotia	Saulnierville, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	South Shore	Halifax, N.S.
Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
Janis G. Johnson	Winnipeg-Interlake	Gimli, Man.
A. Raynell Andreychuk	Saskatchewan	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton, P.C.	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Winnipeg, Man.
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Tracadie-Sheila, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Wilfred P. Moore	Stanhope St./South Shore	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Joan Cook	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Francis William Mahovlich	Toronto	Toronto, Ont.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Vivienne Poy	Toronto	Toronto, Ont.
George Furey	Newfoundland and Labrador	St. John's, Nfld. & Lab.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.



Senator	Designation	Post Office Address
Tommy Banks	Alberta	Edmonton, Alta.
Jane Cordy	Nova Scotia	Dartmouth, N.S.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Mobina S. B. Jaffer	British Columbia	North Vancouver, B.C.
Jean Lapointe	Saurel	Magog, Que.
Gerard A. Phalen	Nova Scotia	Glace Bay, N.S.
Joseph A. Day	Saint John-Kennebecasis	Hampton, N.B.
Michel Biron	Mille Isles	Nicolet, Que.
George S. Baker, P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.
Raymond Lavigne	Montarville	Verdun, Que.
David P. Smith, P.C.	Cobourg	Toronto, Ont.
Maria Chaput	Manitoba	Sainte-Anne, Man.
Pana Merchant	Saskatchewan	Regina, Sask.
Pierrette Ringuette	New Brunswick	Edmundston, N.B.
Percy E. Downe	Charlottetown	Charlottetown, P.E.I.
Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire, Que.
Mac Harb	Ontario	Ottawa, Ont.
Terry M. Mercer	Northend Halifax	Caribou River, N.S.
Jim Munson	Ottawa/Rideau Canal	Ottawa, Ont.
Claudette Tardif	Alberta	Edmonton, Alta.
Grant Mitchell	Alberta	Edmonton, Alta.
Elaine McCoy	Alberta	Calgary, Alta.
Robert W. Peterson	Saskatchewan	Regina, Sask.
Lillian Eva Dyck	Saskatchewan	Saskatoon, Sask.
Art Eggleton, P.C.	Ontario	Toronto, Ont.
Nancy Ruth	Cluny	Toronto, Ont.
Roméo Antonius Dallaire	Gulf	Sainte-Foy, Que.
James S. Cowan	Nova Scotia	Halifax, N.S.
Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe, Que.
Hugh Segal	Kingston-Frontenac-Leeds	Kingston, Ont.
Larry W. Campbell	British Columbia	Vancouver, B.C.
Rod A.A. Zimmer	Manitoba	Winnipeg, Man.
Dennis Dawson	Lauzon	Sainte-Foy, Que.
Yoine Goldstein	Rigaud	Montreal, Que.
Francis Fox, P.C.	Victoria	Montreal, Que.
Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations, N.B.
Bert Brown	Alberta	Kathyrn, Alta.
Fabian Manning	Newfoundland and Labrador	St. Bride's, Nfld. & Lab.
Fred J. Dickson	Nova Scotia	Halifax, N.S.
Stephen Greene	Halifax - The Citadel	Halifax, N.S.
Michael L. MacDonald	Cape Breton	Dartmouth, N.S.
Michael Duffy	Prince Edward Island	Cavendish, P.E.I.
Percy Mockler	New Brunswick	St. Leonard, N.B.
John D. Wallace	New Brunswick	Rothesay, N.B.
Michel Rivard	The Laurentides	Quebec, Que.
Nicole Eaton	Ontario	Caledon, Ont.
Irving Gerstein	Ontario	Toronto, Ont.
Pamela Wallin	Saskatchewan	Kuroki Beach, Sask.
Nancy Greene Raine	Thompson-Okanagan-Kootenay	Sun Peaks, B.C.
Yonah Martin	British Columbia	Vancouver, B.C.
Richard Neufeld	British Columbia	Charlie Lake, B.C.
Hector Daniel Lang	Yukon	Whitehorse, Yukon
Patrick Brazeau	Repentigny	Gatineau, Que.
Leo Housakos	Wellington	Laval, Que.
Suzanne Fortin-Duplessis	Rougemont	Quebec, Que.

## SENATORS OF CANADA

### ALPHABETICAL LIST

(February 3, 2009)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Liberal
Andreychuk, A. Raynell	Saskatchewan	Regina, Sask.	Conservative
Angus, W. David	Alma	Montreal, Que.	Conservative
Atkins, Norman K.	Markham	Toronto, Ont.	Progressive Conservative
Bacon, Lise	De la Durantaye	Laval, Que.	Liberal
Baker, George S., P.C.	Newfoundland and Labrador	Gander, Nfld. & Lab.	Liberal
Banks, Tommy	Alberta	Edmonton, Alta.	Liberal
Biron, Michel	Mille Isles	Nicolet, Que.	Liberal
Brazeau, Patrick	Repentigny	Gatineau, Que.	Conservative
Brown, Bert	Alberta	Kathryn, Alta.	Conservative
Bryden, John G.	New Brunswick	Bayfield, N.B.	Liberal
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Liberal
Campbell, Larry W.	British Columbia	Vancouver, B.C.	Liberal
Carstairs, Sharon, P.C.	Manitoba	Winnipeg, Man.	Liberal
Champagne, Andrée, P.C.	Grandville	Saint-Hyacinthe, Que.	Conservative
Chaput, Maria	Manitoba	Sainte-Anne, Man.	Liberal
Cochrane, Ethel	Newfoundland and Labrador	Port-au-Port, Nfld. & Lab.	Conservative
Comeau, Gerald J.	Nova Scotia	Saulnierville, N.S.	Conservative
Cook, Joan	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Cools, Anne C.	Toronto Centre-York	Toronto, Ont.	
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Liberal
Cordy, Jane	Nova Scotia	Dartmouth, N.S.	Liberal
Cowan, James S.	Nova Scotia	Halifax, N.S.	Liberal
Dallaire, Roméo Antonius	Gulf	Sainte-Foy, Que.	Liberal
Dawson, Dennis	Lauzon	Ste-Foy, Que.	Liberal
Day, Joseph A.	Saint John-Kennebecasis	Hampton, N.B.	Liberal
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Liberal
Dickson, Fred J.	Nova Scotia	Halifax, N.S.	Conservative
Di Nino, Consiglio	Ontario	Downsview, Ont.	Conservative
Downe, Percy E.	Charlottetown	Charlottetown, P.E.I.	Liberal
Duffy, Michael	Prince Edward Island	Cavendish, P.E.I.	Conservative
Dyck, Lillian Eva	Saskatchewan	Saskatoon, Sask.	Liberal
Eaton, Nicole	Ontario	Caledon, Ont.	Conservative
Eggleton, Art, P.C.	Ontario	Toronto, Ont.	Liberal
Eyton, J. Trevor	Ontario	Caledon, Ont.	Conservative
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Liberal
Fortin-Duplessis, Suzanne	Rougemont	Quebec, Que.	Conservative
Fox, Francis, P.C.	Victoria	Montreal, Que.	Liberal
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Liberal
Furey, George	Newfoundland and Labrador	St. John's, Nfld. & Lab.	Liberal
Gerstein, Irving	Ontario	Toronto, Ont.	Conservative
Goldstein, Yoine	Rigaud	Montreal, Que.	Liberal
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.	Liberal
Greene, Stephen	Halifax - The Citadel	Halifax, N.S.	Conservative
Harb, Mac	Ontario	Ottawa, Ont.	Liberal
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Liberal
Housakos, Leo	Wellington	Laval, Que.	Conservative
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Liberal
Jaffer, Mobina S. B.	British Columbia	North Vancouver, B.C.	Liberal

Senator	Designation	Post Office Address	Political Affiliation
Johnson, Janis G.	Winnipeg-Interlake	Gimli, Man.	Conservative
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Liberal
Kenny, Colin	Rideau	Ottawa, Ont.	Liberal
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	Conservative
Kinsella, Noël A., <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton, N.B.	Conservative
Lang, Hector Daniel	Yukon	Whitehorse, Yukon	Conservative
Lapointe, Jean	Sauvel	Magog, Que.	Liberal
Lavigne, Raymond	Montarville	Verdun, Que.	Liberal
LeBreton, Marjory, P.C.	Ontario	Manotick, Ont.	Conservative
Losier-Cool, Rose-Marie	Tracadie	Tracadie-Sheila, N.B.	Liberal
Lovelace Nicholas, Sandra	New Brunswick	Tobique First Nations, N.B.	Liberal
MacDonald, Michael L.	Cape Breton	Dartmouth, N.S.	Conservative
Mahovlich, Francis William	Toronto	Toronto, Ont.	Liberal
Manning, Fabian	Newfoundland and Labrador	St. Brides's, Nfld. Lab.	Liberal
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	Conservative
Segal, Hugh	Kingston-Frontenac-Leeds	Kingston, Ont.	Conservative
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Liberal
Smith, David P., P.C.	Cobourg	Toronto, Ont.	Liberal
Spivak, Mira	Manitoba	Winnipeg, Man.	Independent
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Liberal
Stratton, Terrance R.	Red River	St. Norbert, Man.	Conservative
Tardif, Claudette	Alberta	Edmonton, Alta.	Liberal
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	Conservative
Wallace, John D.	New Brunswick	Rothsay, N.B.	Conservative
Wallin, Pamela	Saskatchewan	Kuroki Beach, Sask.	Conservative
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Liberal
Zimmer, Rod A.A.	Manitoba	Winnipeg, Man.	Liberal

**SENATORS OF CANADA**  
**BY PROVINCE AND TERRITORY**

(February 3, 2009)

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**ONTARIO—24**

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Senator	Designation	Post Office Address
THE HONOURABLE		
1 Lowell Murray, P.C.	Pakenham	Ottawa
2 Peter Alan Stollery	Bloor and Yonge	Toronto
3 Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa
4 Jerahmiel S. Grafstein	Metro Toronto	Toronto
5 Anne C. Cools	Toronto Centre-York	Toronto
6 Colin Kenny	Rideau	Ottawa
7 Norman K. Atkins	Markham	Toronto
8 Consiglio Di Nino	Ontario	Downsview
9 John Trevor Eyton	Ontario	Caledon
10 Wilbert Joseph Keon	Ottawa	Ottawa
11 Michael Arthur Meighen	St. Marys	Toronto
12 Marjory LeBreton, P.C.	Ontario	Manotick
13 Lorna Milne	Peel County	Brampton
14 Marie-P. Poulin	Northern Ontario	Ottawa
15 Francis William Mahovlich	Toronto	Toronto
16 Vivienne Poy	Toronto	Toronto
17 David P. Smith, P.C.	Cobourg	Toronto
18 Mac Harb	Ontario	Ottawa
19 Jim Munson	Ottawa/Rideau Canal	Ottawa
20 Art Eggleton, P.C.	Ontario	Toronto
21 Nancy Ruth	Cluny	Toronto
22 Hugh Segal	Kingston-Frontenac-Leeds	Kingston
23 Nicole Eaton	Ontario	Caledon
24 Irving Gerstein	Ontario	Toronto

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## SENATORS BY PROVINCE AND TERRITORY

## QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Charlie Watt	Inkerman	Kuujuaq
2 Pierre De Bané, P.C.	De la Vallière	Montreal
3 Jean-Claude Rivest	Stadacona	Quebec
4 Marcel Prud'homme, P.C.	La Salle	Montreal
5 W. David Angus	Alma	Montreal
6 Pierre Claude Nolin	De Salaberry	Quebec
7 Lise Bacon	De la Durantaye	Laval
8 Céline Hervieux-Payette, P.C.	Bedford	Montreal
9 Lucie Pépin	Shawinigan	Montreal
10 Serge Joyal, P.C.	Kennebec	Montreal
11 Joan Thorne Fraser	De Lorimier	Montreal
12 Jean Lapointe	Saurel	Magog
13 Michel Biron	Milles Isles	Nicolet
14 Raymond Lavigne	Montarville	Verdun
15 Paul J. Massicotte	De Lanaudière	Mont-Saint-Hilaire
16 Roméo Antonius Dallaire	Gulf	Sainte-Foy
17 Andrée Champagne, P.C.	Grandville	Saint-Hyacinthe
18 Dennis Dawson	Lauzon	Ste-Foy
19 Yoine Goldstein	Rigaud	Montreal
20 Francis Fox, P.C.	Victoria	Montreal
21 Michel Rivard	The Laurentides	Quebec
24 Patrick Brazeau	Repentigny	Gatineau
23 Leo Housakos	Wellington	Laval
22 Suzanne Fortin-Duplessis	Rougemont	Quebec

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**SENATORS BY PROVINCE-MARITIME DIVISION**


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**NOVA SCOTIA—10**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gerald J. Comeau	Nova Scotia	Saulnierville
2 Donald H. Oliver	South Shore	Halifax
3 Wilfred P. Moore	Stanhope St./South Shore	Chester
4 Jane Cordy	Nova Scotia	Dartmouth
5 Gerard A. Phalen	Nova Scotia	Glace Bay
6 Terry M. Mercer	Northend Halifax	Caribou River
7 James S. Cowan	Nova Scotia	Halifax
8 Fred J. Dickson	Nova Scotia	Halifax
9 Stephen Greene	Halifax - The Citadel	Halifax
10 Michael L. MacDonald	Cape Breton	Dartmouth

**NEW BRUNSWICK—10**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Eymard Georges Corbin	Grand-Sault	Grand-Sault
2 Noël A. Kinsella, <i>Speaker</i>	Fredericton-York-Sunbury	Fredericton
3 John G. Bryden	New Brunswick	Bayfield
4 Rose-Marie Losier-Cool	Tracadie	Tracadie-Sheila
5 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
6 Joseph A. Day	Saint John-Kennebecasis, New Brunswick	Hampton
7 Pierrette Ringuette	New Brunswick	Edmundston
8 Sandra Lovelace Nicholas	New Brunswick	Tobique First Nations
9 Percy Mockler	New Brunswick	St. Leonard
10 John D. Wallace	New Brunswick	Rothsay

**PRINCE EDWARD ISLAND—4**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
2 Elizabeth M. Hubley	Prince Edward Island	Kensington
3 Percy E. Downe	Charlottetown	Charlottetown
4 Michael Duffy	Prince Edward Island	Cavendish

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**SENATORS BY PROVINCE-WESTERN DIVISION**


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**MANITOBA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Mira Spivak . . . . .	Manitoba . . . . .	Winnipeg
2 Janis G. Johnson . . . . .	Winnipeg-Interlake . . . . .	Gimli
3 Terrance R. Stratton . . . . .	Red River . . . . .	St. Norbert
4 Sharon Carstairs, P.C. . . . .	Manitoba . . . . .	Winnipeg
5 Maria Chaput . . . . .	Manitoba . . . . .	Sainte-Anne
6 Rod A.A. Zimmer . . . . .	Manitoba . . . . .	Winnipeg

**BRITISH COLUMBIA—6**

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Gerry St. Germain, P.C. . . . .	Langley-Pemberton-Whistler . . . . .	Maple Ridge
2 Mobina S.B. Jaffer . . . . .	British Columbia . . . . .	North Vancouver
3 Larry W. Campbell . . . . .	British Columbia . . . . .	Vancouver
4 Nancy Greene Raine . . . . .	Thompson-Okanagan-Kootenay . . . . .	Sun Peaks
5 Yonah Martin . . . . .	British Columbia . . . . .	Vancouver
6 Richard Neufeld . . . . .	British Columbia . . . . .	Charlie Lake

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2 David Tkachuk . . . . .	Saskatchewan . . . . .	Saskatoon
3 Pana Merchant . . . . .	Saskatchewan . . . . .	Regina
4 Robert W. Peterson . . . . .	Saskatchewan . . . . .	Regina
5 Lillian Eva Dyck . . . . .	Saskatchewan . . . . .	Saskatoon
6 Pamela Wallin . . . . .	Saskatchewan . . . . .	Kuroki Beach

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2 Tommy Banks . . . . .	Alberta . . . . .	Edmonton
3 Claudette Tardif . . . . .	Alberta . . . . .	Edmonton
4 Grant Mitchell . . . . .	Alberta . . . . .	Edmonton
5 Elaine McCoy . . . . .	Alberta . . . . .	Calgary
6 Bert Brown . . . . .	Alberta . . . . .	Kathryn

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**SENATORS BY PROVINCE AND TERRITORY**


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**NEWFOUNDLAND AND LABRADOR—6**


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Senator	Designation	Post Office Address
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2 William H. Rompkey, P.C. . . . .	Newfoundland and Labrador . . . . .	St. John's
3 Joan Cook . . . . .	Newfoundland and Labrador . . . . .	St. John's
4 George Furey . . . . .	Newfoundland and Labrador . . . . .	St. John's
5 George S. Baker, P.C. . . . .	Newfoundland and Labrador . . . . .	Gander
6 Fabian Manning . . . . .	Newfoundland and Labrador . . . . .	St. Bride's

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**NORTHWEST TERRITORIES—1**


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Senator	Designation	Post Office Address
THE HONOURABLE		
1 Nick G. Sibbeston . . . . .	Northwest Territories . . . . .	Fort Simpson

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**NUNAVUT—1**


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Senator	Designation	Post Office Address
THE HONOURABLE		
1 Willie Adams . . . . .	Nunavut . . . . .	Rankin Inlet

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**YUKON—1**


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Senator	Designation	Post Office Address
THE HONOURABLE		
1 Hector Daniel Lang . . . . .	Yukon. . . . .	Whitehorse

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**ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES**

(As of February 3, 2009)

\*Ex Officio Member

**INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION**

**Chair: Honourable Senator Furey**

**Deputy Chair: Honourable Senator Stratton**

**Honourable Senators:**

Comeau,	Furey,	* LeBreton, P.C. (or Comeau),	Prud'homme, P.C.,
Cook,	Goldstein,	Massicotte,	Robichaud, P.C.,
Cowan (or Tardif),	Jaffer,	Nancy Ruth,	Stollery,
Downe,	Kinsella,	Phalen,	Stratton.

***Original Members as nominated by the Committee of Selection***

*Comeau, Cordy, \*Cowan (or Tardif), Dawson, Downe, Furey, Greene, Jaffer, Kinsella,  
\*LeBreton, P.C. (or Comeau), MacDonald, Massicotte, Munson, Rivard,  
Robichaud, P.C., Stollery, Tkachuk.*

**SELECTION**

**Chair: Honourable Senator Tkachuk**

**Deputy Chair: Honourable Senator Munson**

**Honourable Senators:**

Brown,	* Cowan, (or Tardif),	* Hervieux-Payette, P.C.	Robichaud, P.C.,
Carstairs, P.C.,	Di Nino,	LeBreton, P.C. (or Comeau),	Tkachuk.
Cochrane,	Fairbairn, P.C.,	Munson,	

***Original Members agreed to by Motion of the Senate***

*Carstairs, P.C., Cochrane, \*Cowan (or Tardif), Di Nino, Fairbairn, P.C., Hervieux-Payette, P.C.,  
\*LeBreton, P.C. (or Comeau), Munson, Robichaud, P.C., Stratton, Tkachuk.*

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