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Thursday, March 18, 2010



THE HONOURABLE NOËL A. KINSELLA
SPEAKER

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

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THE SENATE

Thursday, March 18, 2010

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

Prayers.

[*Translation*]

SENATOR'S STATEMENT

THE WEEK OF LA FRANCOPHONIE

Hon. Rose-Marie Losier-Cool: Honourable senators, I would like to highlight the Week of La Francophonie and to remind senators how very important francophone culture is to our country and to the world.

Nearly one third of Canadians are francophones or francophiles, which was evident from the many young, bilingual Canadian athletes at the recent Olympic Games in Vancouver.

Canada is just one of the 68 states that are members or accredited observers of the International Organization of La Francophonie. There are currently about 200 million French speakers in the world, but there are over 800 million francophones and francophiles, as the Honourable Senator Champagne pointed out two days ago.

This shows that La Francophonie is alive and well, and that it is everywhere, even if it must constantly battle other language groups, including, of course, the most powerful, the anglophone group. For example, an article in yesterday's *Le Devoir* said that, even within institutions in the European Union, where French is one of the three official languages, English still prevails nearly everywhere, including on the many EU Web sites.

Since I am an optimist, I remain hopeful that French and La Francophonie will be around for many more wonderful years. I am encouraged by the vitality of the Acadian people, an important group in the Canadian Francophonie that I am proud to represent.

The World Congress that was held on the Acadian peninsula — my part of the country — last August showed just how strong, proud and unified the Acadian people are. Remember the words of our colleague, the Honourable Senator Robichaud, when he spoke about Acadia and the Acadian people just two days ago.

I am also encouraged by the many other francophone minority communities that enrich Canadian society and economy. These other communities, from British Columbia to Newfoundland and Labrador, and from Windsor to Ellesmere Island, passionately defend the French language and their membership in the Canadian and international Francophonie. Other honourable senators could illustrate this better than I could.

This year, the international Francophonie is officially celebrating its fortieth anniversary, but that number is misleading, since the francophone world has been around since Astérix. We

are celebrating 40 years of structure, of a legal entity that will move into its brand new Maison de la Francophonie in Paris this year.

Honourable senators, I am sure you will agree that La Francophonie plays a key role in Canada and on the international scene. Happy anniversary, and long live the International Organization of La Francophonie.

[*English*]

ROUTINE PROCEEDINGS

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

BUDGET AND AUTHORIZATION TO TRAVEL—
STUDY ON CURRENT STATE
AND FUTURE OF ENERGY SECTOR—
SECOND REPORT OF COMMITTEE PRESENTED

Hon. W. David Angus, Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, presented the following report:

Thursday, March 18, 2010

The Standing Senate Committee on Energy, the Environment and Natural Resources has the honour to present its

SECOND REPORT

Your committee, which was authorized by the Senate on Thursday, March 11, 2010 to examine and report on the current state and future of Canada's energy sector (including alternative energy) respectfully requests funds for the fiscal year ending March 31, 2010, and requests, for the purpose of such study, that it be empowered to travel inside Canada.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

W. DAVID ANGUS
Chair

(*For text of budget, see today's Journals of the Senate, Appendix A, p. 107.*)

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

Senator Angus: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(g), I move that the report be placed on the Orders of the Day for consideration later this day.

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

Hon. Senators: Agreed.

(On motion of Senator Angus, with leave of the Senate and notwithstanding rule 58(1)(g), report placed on the Orders of the Day for consideration later this day.)

[Translation]

LEGAL AND CONSTITUTIONAL AFFAIRS

REPORT PURSUANT TO RULE 104 TABLED

Hon. Joan Fraser: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Legal and Constitutional Affairs, which outlines the expenses incurred by the committee during the Second Session of the Fortieth Parliament.

(For text of report, see today's Journals of the Senate, p. 99.)

[English]

BUDGET AND AUTHORIZATION TO TRAVEL— STUDY ON PROVISIONS AND OPERATION OF DNA IDENTIFICATION ACT— SECOND REPORT OF COMMITTEE PRESENTED

Hon. Joan Fraser, Chair of the Standing Senate Committee on Legal and Constitutional Affairs, presented the following report:

Thursday, March 18, 2010

The Standing Senate Committee on Legal and Constitutional Affairs has the honour to present its

SECOND REPORT

Your committee, which was authorized by the Senate on Tuesday, March 16, 2010 to examine and report on the provisions and operation of the *DNA Identification Act* (S.C. 1998, c. 37), respectfully requests funds for the fiscal year ending March 31, 2010 and it requests, for the purpose of such study, that it be empowered to travel inside Canada.

Pursuant to Chapter 3:06, section 2(1)(c) of the *Senate Administrative Rules*, the budget submitted to the Standing Committee on Internal Economy, Budgets and Administration and the report thereon of that committee are appended to this report.

Respectfully submitted,

JOAN FRASER
Chair

(For text of budget, see today's Journals of the Senate, Appendix B, p. 113.)

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

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

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

REPORT PURSUANT TO RULE 104 TABLED

Hon. Art Eggleton: Honourable senators, pursuant to rule 104 of the *Rules of the Senate*, I have the honour to table the first report of the Standing Senate Committee on Social Affairs, Science and Technology, which deals with the expenses incurred by the committee during the Second Session of the Fortieth Parliament.

(For text of report, see today's Journals of the Senate, p. 101.)

• (1410)

THE SENATE

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 for 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 proceedings categorized according to subjects of interest be prepared and made available for use by any television broadcaster or distributor of audio-visual programs, 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 the Committee, make the determination of the program content of the proceedings of the Senate and of its committees on a gavel to gavel basis;

That equipment and personnel necessary for the expert 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.

QUESTION PERIOD

NATURAL RESOURCES

RENEWABLE AND ALTERNATIVE ENERGY

Hon. James S. Cowan (Leader of the Opposition): Honourable senators, my question is to the Leader of the Government in the Senate. Yesterday, in response to my question regarding the budget's lack of investment in renewable energy initiatives, she said that her government "... announced 19 proposals for demonstration projects, renewable and alternative energy technologies from all regions. Wind energy, of course, is included in that."

However, the truth of the matter is that none of those 19 demonstration projects were for utility-scale renewable energy projects and, in fact, only amount to a total of \$146 million. That is a far cry from the original \$1.48 billion in the ecoENERGY for Renewable Power program designed to cover the production of 4,000 megawatts of low impact renewable energy.

As I pointed out yesterday, all the funds under that program have been allocated and the budget provided no new funding. I also pointed out that, in the meantime, the United States has invested, and continues to invest, 18 times more per capita in renewable energy than Canada.

In light of this reduction in renewable energy investments, the investments that we might all agree involve the jobs of the future, can the minister tell us why this government refuses to recognize, as many other countries have around the globe, that our nation's long-term economic recovery and competitiveness is contingent on investing in new green technology?

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I believe I was clear yesterday. Our government set an objective that aims for 90 per cent of Canada's electricity to be provided by non-emitting sources by 2020. We are a strong supporter of renewable energy technologies. Canada's Economic Action Plan included the \$1 billion Green Infrastructure Fund to create clean energy generation and the \$1 billion Clean Energy Fund to support critical research, development and demonstration of new and innovative renewable technologies.

Budget 2010, delivered less than a month ago, establishes the next generation renewable power initiative with \$100 million over the next four years to support the development, commercialization and implementation of advanced clean energy technologies in the forestry sector.

Senator Cowan: Honourable senators, in January 2007, the government announced the ecoENERGY Technology Initiative, a \$230 million investment in the research, development and demonstration of clean energy technologies. Eight proposals were selected under this program in response to a call for proposals issued by the government in April 2008. All projects were related to carbon storage and capture. We also learned that only two of the government's 19 renewable energy demonstration projects focus on wind energy as a viable alternative.

Instead of spending more tax dollars to mitigate the damaging effects of carbon emissions generated from burning fossil fuels, when will this government explore the innovative ways to help reduce our dependence on these harmful energy sources?

Senator LeBreton: Honourable senators, I am glad the honourable senator acknowledged that I was correct when I stated wind energy was part of the government's green technology plans.

With regard to the various specific projects that received government funding, I will seek further information from my colleague, the Honourable Christian Paradis, Minister of Natural Resources.

I think all honourable senators will agree that there will be a transition period between the use of fossil fuels and other sources of energy. Obviously, this issue is one the whole world faces. We are working closely with our partners in the North American context as a result of the Prime Minister's initiatives with President Obama when he visited Canada in February 2009.

I will obtain additional, more detailed information on various projects that support the government's move towards the use of green technology.

[Translation]

HERITAGE

TELECOMMUNICATIONS—FOREIGN OWNERSHIP

Hon. Marie-P. Poulin: Honourable senators, my question is for the Leader of the Government in the Senate and concerns the budget.

On a few occasions, I have called the attention of the Senate to the importance of Canada's broadcasting and telecommunications system, its impact on our Canadian identity, and its role in the propagation of our culture, both within Canada and around the world.

In the budget speech, the government mentioned plans to remove the existing restrictions on foreign ownership of Canadian satellites. I wonder if the Leader of the Government could explain the government's plans to us.

[English]

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator and will take her question as notice.

[Translation]

Senator Poulin: As the minister knows, the promotion and development of our culture should be one of her government's top priorities.

I think we would all agree that no part of the Canadian broadcasting system, which is governed by the Broadcasting Act, can be handed over to foreign interests; it must remain entirely Canadian. Universal access to advanced digital networks is key to the creation of a competitive, knowledge-based economy for the 21st century.

Given that Canadians want to be better connected and receive better services at better prices, could a study on the impact of the Canadian broadcasting system be considered, if the Broadcasting Act were to be changed?

• (1420)

[English]

Senator LeBreton: I thank the honourable senator for her question. As Senator Poulin would know, having been in the business with the CBC and in the broadcasting industry, new technologies like satellite transmission and new social media are having an impact on Canadian content in terms of what the government is doing — and can do — in support of the Canadian industry. However, for the record, I will reiterate some of the things our government has done to support Canadian television broadcasting. We have increased support for the CBC in each of our budgets. In the last election, we made promises to either maintain or increase CBC funding and we have delivered on those promises. The record of the previous government was to cut \$414 million from the CBC after promising stable multi-year funding. Additionally, we have provided \$450 million in relief to the television sector by forgiving Part II, licence fees, and delivering stability to an industry that has faced the economic challenges of the last year.

We stand behind the need for Canadians to have home-grown content within their communities. We instructed the CRTC that the interests of Canadian consumers are of the utmost importance and must be taken into account in its consideration of fees for carriage.

Honourable senators will be aware that our government is providing over \$300 million through a new Canada Media Fund. This fund will provide more high-quality programming to Canadians than ever before. There is a \$100 million Canada Feature Film Fund; \$200 million in Canadian film tax credits; and to preserve home-grown programming and content there is \$100 million per year for the Local Programming Improvement Fund.

FOREIGN AFFAIRS

CONVENTION ON CLUSTER MUNITIONS

Hon. Elizabeth Hubley: Honourable senators, my question is also to the Leader of the Government in the Senate.

It has been 15 months since Canada signed the United Nations Convention on Cluster Munitions. Can the leader tell this chamber when Canada intends to ratify the convention?

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for her question. Our government has been active in the negotiations of the new Convention on Cluster Munitions since 2008, and we are pleased to be among the 94 countries that have signed it.

As was explained in a delayed answer to the honourable senator, the Department of Foreign Affairs has said preparations are underway to seek ratification of this treaty.

[Senator Poulin]

As a signatory of the convention, Canada supports a total ban on all cluster munitions as defined in the text of the Convention on Cluster Munitions. We recognize that cluster munitions are unreliable and cause unacceptable catastrophic harm in theatres of conflict, not only to combatants but also to civilians.

Canada has never produced or used cluster munitions and is in the process of destroying its complete stockpile of these munitions.

Senator Hubley: Thirty countries have already ratified the convention, though Canada has not yet done so. The convention will come into force on August 1, 2010. Does the answer of the Leader of the Government in the Senate indicate that Canada is ready to meet its obligations as a signatory to this convention?

Senator LeBreton: Honourable senators, my first answer made that clear. I responded that preparations are underway for the government to seek ratification of this treaty. I am well aware of the deadline date some four or five months hence, and I cannot be any clearer than I was in my answer to the honourable senator.

[Translation]

OFFICIAL LANGUAGES

2010 OLYMPIC WINTER GAMES

Hon. Maria Chaput: Honourable senators, my question is for the Leader of the Government in the Senate and is in reference to the opening ceremonies of the Vancouver Olympic Games.

We are all aware that there was very little French during this world-class event that took place in a country with two official languages. The equality of our two official languages was not respected and the image of our linguistic diversity was tarnished. I am extremely saddened by this. It should never have happened. Twenty million dollars was spent on the opening ceremonies, and an important aspect of the Canadian identity, our linguistic duality, was excluded. Who is to blame?

I will come back to a question I asked the minister last fall. At that time, I urged the minister to ask the Prime Minister of Canada to appoint an individual in charge of the linguistic duality of the games, a person with the authority to enforce respect for both official languages.

It was very obvious back then that there were problems. I had brought to the attention of honourable senators the fact that there was no official decision maker, that people were talking about it, that they were aware of the problem, that they had the best intentions in the world, but that no one had the authority to enforce respect for bilingualism. Heritage Canada did not have this authority, and your government just let things happen rather than becoming directly involved.

Now, in hindsight, does the minister not believe that there should have been more forceful intervention by the Prime Minister and that he could have appointed someone with the necessary authority to ensure respect for the equality of both of Canada's official languages?

[English]

Hon. Marjory LeBreton (Leader of the Government): I thank the honourable senator for her question. Graham Fraser is the very qualified Commissioner of Official Languages.

With regard to VANOC's opening ceremonies of the Olympic Games, the first person who raised concerns about the language content of the opening ceremonies was the Honourable James Moore, Minister of Canadian Heritage and Official Languages.

As the honourable senator is aware, and as I have reported to this chamber, the government made record levels of investment to ensure that both of our official languages were incorporated in all aspects of the games, including the cultural Olympiad, the torch relay and every single Olympic site. Every venue was fluently bilingual.

I saw quite a few comments and reports in the media, particularly in the French language media, in which people and journalists who had attended the Olympics from the Province of Quebec or other francophone communities around the country acknowledged that the bilingual services were above reproach. All 15 venues were bilingual: Canada Place, the Vancouver Olympic Centre, the Canada Pavilion, the Pacific Coliseum, Whistler Olympic Park, the Richmond Oval, et cetera. All served Canadians in both official language.

Our government is proud to have delivered the funding to support bilingualism at the games, including extra funding so that the biographical information of all participating athletes was translated in the other official language.

I will also point out that the Commissioner of Official Languages recently reported in the press that, with the exception of the opening ceremonies, he was well pleased with the level of bilingualism at the Winter Olympic Games.

[Translation]

Senator Chaput: Honourable senators, I was talking about the opening ceremonies only. I am not questioning the government's investments, which were quite generous. I am not questioning the efforts of the Minister of Canadian Heritage, James Moore, who did everything he could to make the Olympic Games a success.

Nonetheless, the opening ceremonies set the tone for the Games. Unfortunately, it was not up to standard, and we know full well that Minister Moore, despite his good intentions, did not have the authority to force other departments to respect the linguistic duality. That is why I asked whether the government could at least give him, or someone else, that authority during the Olympic Games.

I am not questioning everything that was done well. I was commenting on the opening ceremonies only.

• (1430)

[English]

Senator LeBreton: As honourable senators know, the Olympic Games are run by the International Olympic Committee. VANOC was the group that worked with the International Olympic Committee in Canada.

Minister Moore and the government did everything possible to ensure that the Games and all of the various site facilities were fully bilingual. Minister Moore personally walked the length and breadth of the Vancouver Airport, pointing out places where officials had to bring the level of bilingualism up to proper levels. Minister Moore and the government expressed concern as we went along. That is why we put more money into ensuring that the Olympics fully respected Canada's two official languages.

At one point, VANOC and the International Olympic Committee were putting out biographies of athletes and they were only translating the ones they thought might win the medals. We insisted that everyone's biography be translated.

With regard to the opening ceremonies, we sought and were given assurances by the International Olympic Committee and VANOC that the government's wishes would be respected. However, at the end of the day, no government would be able to insert an individual into the process.

We had assurances. It turned out, with respect to only the opening ceremonies, that this was not up to the standards we had been led to believe it would be.

The honourable senator asked a question in hindsight. I do not believe that the government or Minister Moore could have done one single thing more than was already done to make the Games as respectful of our official languages as humanly possible. As I mentioned, everything that was under the control of the federal government was totally bilingual, reflecting the two official languages of our country.

[Translation]

Hon. Roméo Antonius Dallaire: The Leader of the Government did a good job of explaining the service that was provided in both official languages, as required by the Official Languages Act, and we congratulate her on that. However, I would like to come back to the opening ceremonies of the Games.

Canada, a bilingual country, was in the spotlight in front of 2.5 billion people. There was very little bilingualism during the opening ceremonies. It is interesting to hear the Leader of the Government say that the government's hands were tied.

I find it quite ironic that the opening ceremonies were organized by a team of Australians and Brits who do not speak a word of French, while in Canada, members of *Cirque du Soleil*, who speak both languages, were not approached for this.

Someone should have known that this Australian organization had some potential weak points and that there would have to be some intervention. Could the Leader of the Government share her thoughts on that?

[English]

Senator LeBreton: Honourable senators, I noticed that the honourable senator was part of the opening ceremonies of the Olympics. For us, now, the Olympics were a tremendous success.

Some Hon. Senators: Hear, hear!

Senator LeBreton: Canadians from coast to coast to coast, whether they were francophones or anglophones, or were descendents of people who chose to come to this country, all celebrated our great success. No matter what part of the country people are from, they will tell you that they have never seen people so excited about the successes of the Canadian athletes.

The honourable senator knows full well that Vancouver was the chosen site, and the International Olympic Committee runs the Games. There was VANOC, a committee responsible for running the Games in Vancouver. We were responsible for venues and sites at the Olympics where we had control over what would be expected in respect of our two official languages.

After such a successful Olympics, and the opening and the closing shows — and I also watched the opening of the Paralympics this past weekend — these were all great events. For us now to question that the choreographer was Australian, which I did not know until after the fact, and to question the hugely successful Olympic Games is an interesting exercise, but there is little that the government or anyone can do to change it.

As I pointed out, the Commissioner of Official Languages was in Vancouver. We saw him many times being interviewed by the various networks. He took it upon himself to do an onsite investigation and came back and said that, with the exception of the opening ceremonies, he was well pleased with the actions of the government in ensuring that both of our official languages were respected at the Olympics.

Senator Dallaire: Honourable senators, although we are not elected, we are being responsible to people from the areas we represent. When they raise a concern about something, we raise it here. This is our job. We only expect a responsible answer, as the Leader of the Government has given, and the job is done.

NATIONAL DEFENCE

SUPPORT FOR RESERVISTS

Hon. Roméo Antonius Dallaire: Honourable senators, I would like to carry on, if I may, on a question. We know the Leader of the Government has responded previously that the Canadian Forces has been well supported by this current government. Today the concern that is being raised is whether or not this current government will sustain that support to the Canadian Forces.

I remember too clearly in 1987 when Perrin Beatty, with the 1987 white paper, promised the world to the Canadian Armed Forces. Within two years, he completely destroyed it by the impact of the Finance Minister at the time, Mr. Wilson. It essentially left us high and dry and the Canadian Forces entered a very difficult era.

What I am getting at is that reservists right now are coming home from up to 18 months of high intensity training. They are going back to their militia units in every little town from Kamloops to Matane, and in isolated villages.

They are now finding themselves dropped down. That is to say the militia budgets have been cut so badly — the army, in particular, in this fiscal year — that they cannot go for training even one day a month.

Was it anticipated that those militia men coming back would be dropped out of this high intensity activity and not be given gainful employment in their regiments upon their return?

Hon. Marjory LeBreton (Leader of the Government): As a clarification, the honourable senator asked a specific question about the Vancouver Olympics; then he switched gears and is now asking a question, or a supplementary question as he said, about National Defence.

Senator Dallaire: I finished the supplementary question.

Senator LeBreton: I have to seek clarification, Your Honour. I thought when a senator is pursuing a line of questioning, he or she must not switch topics. I would seek clarification.

• (1440)

The Hon. the Speaker: A supplementary question must be supplementary to the principal question raised. In this instance, by the time the Honourable Senator Dallaire finished his supplementary question, I had determined that it was not a supplementary question. However, as Senator Dallaire pointed out, he was raising another topic, but I was about to call upon the Honourable Senator Tardif on a fresh question.

Honourable senators, I will go one step further. The procedural literature clearly shows that with respect to questions that are supplementary in nature, one ought not to be reading from a text, because that certainly would be presupposing the answer that will have been given. Few of us are gifted with prophecy, and that is why the procedural literature suggests supplementary questions are not to be read from a text.

On a supplementary question, let us go back to Senator Dallaire. Does Senator Dallaire have a supplementary question with respect to the Olympics?

Senator Dallaire: I do not.

The Hon. the Speaker: Then let us go to the Honourable Senator De Bané.

OFFICIAL LANGUAGES

2010 OLYMPIC WINTER GAMES

Hon. Pierre De Bané: Honourable senators, my question is for the Leader of the Government in the Senate. She has alluded to the fact that our Minister of Canadian Heritage, the Honourable James Moore, did express regret that the inaugural ceremony of the 2010 Olympic Winter Games did not reflect what is written in our supreme law of the land, that English and French are the languages of this country. An official of this Parliament, the Commissioner of Official Languages, also expressed regret that the inaugural ceremony did not reflect the supreme law of the land. The honourable leader would agree that the inaugural ceremony had by far the greatest audience around the world.

On the other hand, it is true, as the honourable leader has said, that other aspects with respect to official languages were good and done properly.

I have read the agreement between the Department of Canadian Heritage and VANOC wherein the Government of Canada disbursed \$20 million. When we read that agreement, particularly chapter (e) or (f) about both languages —

The Hon. the Speaker: I regret to interrupt the honourable senator. When the reading clerk rises toward the end of Question Period, that is a signal that there are 60 seconds that remain in Question Period. However, I had intervened for a few moments. If the honourable senator could come immediately to his question, there would be time for the honourable leader to respond.

Senator De Bané: May I suggest to the Leader of the Government in the Senate that for any future events, when federal money is disbursed for this purpose, the clauses of the agreement be much more specific. I understand that from the federal perspective it was perfect, but the other side interpreted it differently. I ask that it be much more specific.

Hon. Marjory LeBreton (Leader of the Government): Honourable senators, I obviously agree with the honourable senator. I also share the concerns of my colleague, the Honourable James Moore, and many others. Perhaps in the future, when we enter into agreements with international bodies such as the International Olympic Committee, we should use this as an example of how we have to be careful and explicit and clarify exactly what the terms of an agreement are. I think that the suggestion of Senator De Bané is an excellent one.

[Translation]

ORDERS OF THE DAY

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Poirier, seconded by the Honourable Senator Runciman:

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. Pierre-Hugues Boisvenu: Honourable senators, today I am pleased to deliver my maiden first speech in the Senate of Canada. I am speaking in memory of my daughter Julie, who was killed in 2002 by a repeat offender, and my daughter Isabelle, who was killed in a car accident in 2005.

I know that they are very proud of their father for being in this upper chamber, speaking for the victims of crime, and working to make Canada a safer country. For the thousands of families that have lost a loved one to crime, I will be the one to defend our cause in the justice system.

I am especially proud to be speaking about the Speech from the Throne and the Conservative government's budget, since the latter put the spotlight on helping victims and public safety.

My appointment to the Senate has special significance. It does recognize the involvement of an ordinary citizen, but also the courage of hundreds of families from all over Quebec who decided to join together and are resolutely committed to changing our justice system to make it more rigorous, responsible and accountable.

My family, like the Bolduc, Livernoche, Carretta and Drummond families, among others, is more than just a victim of crime. We are also the victims of the flaws in our system. De-incarceration and sentencing are a travesty of justice, as are concurrent sentences and parole after one sixth of the sentence. These changes to our justice system, criticized by both victims and the general public, are a topical issue that can no longer be ignored. It needs to be addressed immediately with intelligence and transparency.

The brutal murder of a son or daughter completely destroys our hopes, dreams and plans for the future. Our lives, which were once so peaceful, are shattered forever. However, we decided that our daughter's murder would not make victims of the other family members and that something good had to come out of Julie's death.

So, in December 2004, with three other fathers whose daughters had been killed or were missing, I founded Quebec's Murdered of Missing Persons' Families, known as AFPAD. This is an association of victims who help other victims on a volunteer basis. It is currently hundred and fifty-six families strong, and includes families from other Canadian provinces as far away as British Columbia. It is there to support families overcome with grief, to help them deal with the complexities of the justice system so they can get through their ordeal as best they can and get back on their feet.

Victims in Quebec are no longer being completely ignored by the justice system. Every day, we are seeing more and more federal and provincial government initiatives for victims. Quebec has introduced important measures to help victims of crime by

providing comfort, information, psychological support and consolation, whether in terms of the criminal justice system or simply in the community. Of course, a great deal of work remains to be done. We know that one day the rights of the families of victims of crime will be fully recognized.

To date, the association has managed to get three pieces of legislation passed in Quebec. It is also the driving force behind a dozen or so bills introduced by the federal government. I will come back to those in a moment.

In 2006, the Quebec National Assembly passed Bill 25, which gave the families of murder victims the right to receive psychotherapy services and now provides them with \$3,500 instead of \$600 for funeral expenses.

In 2007, Bill 58 amended the Quebec Labour Code to protect the jobs of mothers and fathers for two years if their child goes missing or is murdered. Before this bill, a parent's job was protected by a five-day parental leave for death, as is the case in most provinces. Lastly, the association pushed the Government of Quebec to reform the prison and parole systems so that no other dangerous criminals would be freed without any monitoring.

• (1450)

Are we doing a better job of helping families? Yes, but a lot remains to be done. Can we prevent some of these murders? Yes, through stricter administration of justice and prison systems. After spending the past seven years of my life meeting and working with hundreds of families that lost a loved one to murder, I realized that the notions of complacency and tolerance had become muddled in the government's public safety program.

This government is committed to tightening up the Canadian justice system. A lot remains to be done before Canadians can have full confidence in their justice system. I should point out that this government is in power largely because of the promises it made and is keeping to restore the confidence of Canadians in our justice and public safety system.

Honourable senators, the story of my family, and the experiences of 1,200 families in Quebec who have lost a loved one to murder since 1989, have taught me one thing: victims and criminals are not equal before the law.

Honourable senators, I would like to tell you something about my daughter's murderer. He was a repeat offender with a lengthy criminal record. He had already forcibly confined women on two occasions, in 1995 and 1999. In 1999, he broke into the home of a young woman, held her against her will and raped her several times. She managed to escape after 12 nightmarish hours and was able to call police. He was given two 18-month sentences: one for forcible confinement and another for rape. However, owing to the great generosity of our judicial system, the judge ruled that this sexual predator could serve the sentences concurrently because the offence involved the same victim, the same criminal and the same circumstances. He only spent three months in prison because of his good behaviour. He served one twelfth of his sentence. This is not an exception; on the contrary, it is standard in our prisons. That is what I and millions of Canadians call blatant laxity.

[Senator Boisvenu]

Under our justice system, the sentence and early release conditions for rape are the same as those for car theft. The crime of rape is on a par with the crime of theft. Yet, a life has been turned upside down and, unlike a damaged car, cannot be put right.

We do not want to harden our prison system or our justice system. We just want to make them more rigorous, more responsible and more accountable. Canadians are calling for rigour in sentencing and how sentences are served.

Honourable senators, I would not be in this place, in our upper chamber, if our justice system and prison system gave priority to the safety of families rather than the rights of criminals. I am here today because I believe that the Conservative Party of Canada and its leader are committed to restoring the confidence of Canadian citizens in our justice system.

Honourable senators, almost half of AFPAD's directors were present at the reading of the Throne Speech. They all applauded the speech. They saw three years spent lobbying Liberal, Bloc, New Democrat and Conservative members come to fruition. We have criticized the justice system and conditional release, which was only natural. Primarily, we presented proposals to Conservative MPs and senators to help families and to lighten the burden of crime in future.

Honourable senators, Prime Minister Harper and the Conservative Party are truly listening to the public and victims of crime in Canada. What is more, they have listened to and understood victims of crime. This Prime Minister is the first leader of a Canadian federal government to take action for victims of crime. The government's decision to make families of victims of crime eligible for employment insurance is quite significant for Canada.

Why? Because currently, there is no reciprocity among the provinces for helping victims. A murderer who commits homicide in Canada receives the same services no matter where in the country he is incarcerated. However, the victim's family receives no services if it does not live in the province where the crime was committed. Why? Because there are national standards to help murderers, but no national standard to help victims. As part of its commitment, the Conservative government will establish the first national standards for all families of victims of crime in Canada.

That is the difference between the Bloc's power to criticize and the Conservatives' power to get things done.

The Speech from the Throne goes even further than making a simple commitment to provide Canada with a more effective justice system. By making parents whose child was murdered eligible for employment insurance and by protecting the employment of federally regulated employees, the Conservative government has become the greatest defender of victims' rights in Canada. It is clearly stating its will to recognize that victims' rights take precedence over criminals' rights.

In Budget 2006, we announced the Federal Victims Strategy, which enhanced programming and created the National Office for Victims and the position of Federal Ombudsman for Victims of Crime.

The Speech from the Throne and the 2010 budget announced a \$52 million commitment over four years to improve the services offered to victims of crime and to provide funding for provincial programs. The government promised to introduce detailed legislation to support victims of crime.

The 2010 budget specifically provides funding, to the tune of \$6.6 million, to enhance support for victims' loved ones, including easier access to employment insurance benefits.

The Speech from the Throne includes the essentials of the political platform that the Murdered or Missing Persons' Families' Association of Quebec has been defending for five years. These commitments will have an effect on every Canadian family that has lost a loved one to murder, not only the families of victims in Quebec.

Honourable senators, the commitments made by the Conservative government in the Speech from the Throne convinced me even further that people across Canada must work together to build solidarity among the provinces in order to improve the lives of victims of crime and their families.

In closing, please allow me to recognize a young, 27 year-old woman with a bright future, my daughter Julie, whose senseless murder changed my life and the lives of numerous Quebec families. In the future, she will help improve the lives of all Canadian families that are victims of similar crimes.

I invite all political parties in the Canadian Parliament and, in particular, all senators, to strongly support this budget and the Speech from the Throne. By so doing, they will demonstrate their solidarity with victims of crime across Canada.

The Hon. the Speaker *pro tempore*: Would the honourable entertain a question?

Senator Boisvenu: Yes.

Hon. Roméo Antonius Dallaire: Your heart is obviously aching, and we stand by you in your suffering, your demands and your concerns about victims' rights versus those of criminals.

In your effort to establish a more rigorous system, you are casting aspersions on judges somewhat. When you talk about strengthening the justice system, are you advocating limited options for judges when it comes to sentencing?

Senator Boisvenu: I will give you an example that defies the logic of justice. In 2004, a young Chilean woman was killed by her husband in Montreal. She was stabbed 34 times.

• (1500)

He claimed that it was assisted suicide, saying that when he returned home that evening, the woman had stabbed herself with a knife once in the heart, and he stabbed her 33 more times to finish things off. Obviously, the jury did not believe him. The jury sentenced him to life in prison for first degree murder. Like all criminals, he appealed, and even though the jury gave him a life sentence, while awaiting his appeal he was released because of a little provision in the Criminal Code that allowed the judge to question the jury's decision.

I think the message to Canadians is that criminals have more rights than their victims, since victims are not here to defend themselves because they are dead.

I think that is a good example of where justice needs to be set straight.

I went to Chile six months later and I met with President Bachelet. She asked me when Canada started releasing criminals. For once, I was ashamed to be Canadian, because we had released a criminal who was judged by a jury. The judge did not believe the jury, and the criminal was released.

I think that these are situations in which, as legislators, we must say to the judges that enough is enough.

My daughter's murderer was given two 18-month sentences. If this person had received a 36-month sentence, he would have been incarcerated in a federal penitentiary or may have received psychiatric care or help for his sexual problems. He served three months in prison. The judge decided that the two 18-month sentences would be served concurrently. That decision led to the murder of my daughter.

In my opinion, when we talk about the idea of a rigorous system, that is what we are talking about. It must be recognized that when a woman is raped or assaulted and the perpetrator is given a three-month sentence, the sentence does not fit the crime. The message sent to other men is that they can kill a woman and get just three months in jail. That is what we are saying.

(On motion of Senator Comeau, debate adjourned.)

[English]

FEDERAL SUSTAINABLE DEVELOPMENT ACT AND AUDITOR GENERAL ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Banks, seconded by the Honourable Senator Mitchell, for the second reading of Bill S-210, An Act to amend the Federal Sustainable Development Act and the Auditor General Act (involvement of Parliament).

Hon. Hector Daniel Lang: Honourable senators, I am pleased to rise today to speak to Bill S-210, which proposes amendments to the Auditor General Act and the Federal Sustainable Development Act. I do not intend to speak at any length about the bill, as Senator Banks explained the need for the bill yesterday in full detail.

As the honourable senator mentioned, the bill corrects an oversight in the Auditor General Act and the Federal Sustainable Development Act and will ensure the full participation of both houses of Parliament in the accountability mechanisms contained in the acts.

I recommend and encourage all senators to join with me in sending this bill to committee for further consideration.

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

(Motion agreed to and bill read second time.)

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

REFERRED TO COMMITTEE

Hon. Tommy Banks: Honourable senators, I move that this bill be sent for further consideration to the Standing Senate Committee on Energy, the Environment and Natural Resources.

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

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

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

BUDGET AND AUTHORIZATION TO TRAVEL— STUDY ON CURRENT STATE AND FUTURE OF ENERGY SECTOR— SECOND REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Senate Committee on Energy, the Environment and Natural Resources (*budget—study on the current state and future of Canada's energy sector (including alternative energy)—power to travel*), presented in the Senate earlier this day.

Hon. W. David Angus: Honourable senators, I move the adoption of the report tabled earlier this day.

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

Hon. Gerald J. Comeau (Deputy Leader of the Government): I have a brief question. For certainty, my understanding is that we are being asked to approve Appendix B and not the other documents, as distributed. Am I correct?

Senator Angus: That is correct, honourable senators.

Senator Comeau: I am happy with the response.

Hon. Joseph A. Day: I wonder whether Senator Angus could help me with the schedule that I am looking at, activity 1, in travel. I have in mind that we are trying to keep down costs as much as we can, and I understand from Senator Angus's earlier comments that this is travel within Canada — I believe to Vancouver. That being the case, there is \$4,600 for nine senators to travel to Vancouver. Am I incorrect on that?

Senator Angus: If the honourable senator will refer to Appendix B, as Senator Comeau clarified, that part of the document is the only thing before the Senate, namely the findings

of the Standing Senate Committee on Internal Economy, Budgets and Administration this morning. The total budget is \$38,660, although I did seek a larger amount. I am respectful of the decision made, but I go home to Montreal with some chagrin.

Senator Day: I thank the honourable senator. I still do not follow his answer. In Appendix B, I see a figure for Transportation and Communications of \$32,000.

The point I make is that we have individual points that will take us there. With many committees that I serve on, we use our own points to travel to places within Canada and save money for the committee.

Does the amount of \$32,000 take into consideration using our own points or are we paying for the airline ticket for the senators?

Senator Angus: That amount includes travel for six people, four senators and two representatives of the Library of Parliament. They are not travelling on their own points. That figure is for the committee budget. That is the total budget.

• (1510)

Senator Day: Is there a reason why senators are not travelling on their own points? If senators travelled on their own points, the Senate could save money and have funds available for other projects. Senators are aware that we are living in a time of restraint.

Senator Angus: We can always find reasons explaining the actions of others. My understanding, and the representations that I have made consistently over these past many years, is that when committees travel and they have a budget, that budget is for the work of the committee.

Senators are all independent members of this chamber. They have a budget for their own offices that is separate from their committee work. The whole idea of the committee system is to highlight the work of the committees and so forth. When a committee, by its decision en pleine séance, decides to do A, B, or C, and obtains the approved budget from the Internal Economy Committee, it becomes a committee budget. Once it has been ratified, the budget excuses the senators from using their own travel points. I am seeking such ratification this afternoon.

If other senators wish to travel and use their own points, they are free to do so, but the Senate is being asked to finance these particular committee members.

Senator Day: I am sympathetic to the argument the honourable senator makes, but I know that other committees, particularly interparliamentary committees, do not follow that rule.

As a supplementary question, could the honourable senator tell me whether the transportation is based on travel from Ottawa or from the home base of the senator?

Senator Angus: That is a very good question. I understand, from my recent discussion with the newly appointed chair of the Subcommittee on the Review of Committee Budgets, that the transportation amount is based on travel from Ottawa, but that the amount that will be used will be from the senator's home

base, so there may well be some funds left over. We do not know yet, since we do not know who the senators are, because the time is brief and we had asked for others who had made plans.

The amount is based on \$4,600 each for four senators and \$3,000 each for those who will be leaving from Ottawa.

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

(Motion agreed to and report adopted.)

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO STUDY ACCESSIBILITY OF POST-SECONDARY EDUCATION AND REFER PAPERS AND EVIDENCE FROM SECOND SESSION OF FORTIETH PARLIAMENT

On the Order:

Resuming debate on the motion of the Honourable Senator Callbeck, seconded by the Honourable Senator Robichaud, P.C.:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on the accessibility of post-secondary education in Canada, including but not limited to:

- (a) analysis of the current barriers in post-secondary education, such as geography, family income levels, means of financing for students, debt levels and challenges faced specifically by Aboriginal students;
- (b) evaluation of the current mechanisms for students to fund post-secondary education, such as Canada Student Loans Program, Canada Student Grants Program, Canada Access Grants, funding for Aboriginal students, Canada Learning Bonds, and Registered Education Savings Plans;
- (c) evaluation of the current mechanisms to fund scientific research and development in post-secondary and related institutions and the commercialization of such research;
- (d) examination of the current federal/provincial transfer mechanism for post-secondary education;
- (e) evaluation of the potential establishment of a dedicated transfer for post-secondary education; and
- (f) any other matters related to the study;

That the papers and evidence received and taken and work accomplished by the Committee on this subject during of the Second Session of the Fortieth Parliament be referred to the Committee; and

That the Committee submit its final report no later than December 31, 2010, and that the Committee retain until June 30, 2011, all powers necessary to publicize its findings.

An Hon. Senator: Question!

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

(Motion agreed to.)

COMMITTEE AUTHORIZED TO STUDY CURRENT SOCIAL ISSUES OF LARGE CITIES AND REFER PAPERS AND EVIDENCE SINCE FIRST SESSION OF THIRTY-NINTH PARLIAMENT

On the Order:

Resuming debate on the motion of the Honourable Senator Eggleton, P.C., seconded by the Honourable Senator Cordy:

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

- (a) poverty, housing and homelessness;
- (b) social inclusion and cohesion;
- (c) urban economies;
- (d) models for collaboration and co-operation among governments;

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

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

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

That the Committee submit its final report no later than December 31, 2011, and that the Committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

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

(Motion agreed to.)

NATIONAL FINANCE**COMMITTEE AUTHORIZED
TO MEET DURING SITTING OF THE SENATE**

Hon. Joseph A. Day, pursuant to notice of March 17, 2010, moved:

That the Standing Senate Committee on National Finance have the power to sit at 4:00 p.m. on Tuesday, March 23, 2010, even though the Senate may then be sitting, and that the application of rule 95(4) be suspended in relation thereto.

He said: Honourable senators will know that committees are not entitled to sit when the Senate is in session without the permission of this body. It was earlier seconded by Senator Gerstein, the deputy chair of the Standing Senate Committee on National Finance — if that could be reflected, since this is a bipartisan request — to allow us to sit next Tuesday at 4 p.m., when the Senate may still be sitting, so we can hear from the President of the Treasury Board. That is the only time slot available to the President of the Treasury Board. If we do not meet with him then, we will not be able to meet the government's timeline with respect to supply.

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

(Motion agreed to.)

[*Translation*]

ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Tuesday, March 23, 2010, at 2 p.m.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, March 23, 2010, at 2 p.m.)

**THE SENATE OF CANADA
PROGRESS OF LEGISLATION**

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

(3rd Session, 40th Parliament)

Thursday, March 18, 2010

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

**GOVERNMENT BILLS
(SENATE)**

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to amend the Criminal Code and other Acts	10/03/17							

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

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

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-268	An Act to amend the Criminal Code (minimum sentence for offences involving trafficking of persons under the age of eighteen years)	10/03/04							

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-201	An Act to amend the Office of the Superintendent of Financial Institutions Act (credit and debit cards) (Sen. Ringuette)	10/03/04							
S-202	An Act to amend the Canadian Payments Act (debit card payment systems) (Sen. Ringuette)	10/03/04							
S-203	An Act respecting a National Philanthropy Day (Sen. Mercer)	10/03/04							
S-204	An Act to amend the Criminal Code (protection of children) (Sen. Hervieux-Payette, P.C.)	10/03/09							

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-205	An Act to provide the means to rationalize the governance of Canadian businesses during the period of national emergency resulting from the global financial crisis that is undermining Canada's economic stability (Sen. Hervieux-Payette, P.C.)	10/03/09							
S-206	An Act to establish gender parity on the board of directors of certain corporations, financial institutions and parent Crown corporations (Sen. Hervieux-Payette, P.C.)	10/03/09							
S-207	An Act to amend the Fisheries Act (commercial seal fishing) (Sen. Harb)	10/03/09							
S-208	An Act to amend the Conflict of Interest Act (gifts) (Sen. Day)	10/03/09							
S-209	An Act respecting a national day of service to honour the courage and sacrifice of Canadians in the face of terrorism, particularly the events of September 11, 2001 (Sen. Wallin)	10/03/09							
S-210	An Act to amend the Federal Sustainable Development Act and the Auditor General Act (involvement of Parliament) (Sen. Banks)	10/03/09	10/03/18	Energy, the Environment and Natural Resources					
S-211	An Act respecting World Autism Awareness Day (Sen. Munson)	10/03/10							
S-212	An Act to amend the Excise Tax Act (tax relief for Nunavik) (Sen. Watt)	10/03/10							

PRIVATE BILLS

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

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