



# DEBATES OF THE SENATE

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OFFICIAL REPORT  
(HANSARD)

Wednesday, March 26, 2014

The Honourable PIERRE CLAUDE NOLIN  
*Speaker pro tempore*

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## THE SENATE

Wednesday, March 26, 2014

The Senate met at 1:30 p.m., the Speaker *pro tempore* in the chair.

Prayers.

### VISITOR IN THE GALLERY

**The Hon. the Speaker *pro tempore*:** Honourable senators, I wish to draw your attention to the presence in our gallery of Dr. Mark Bernstein. Dr. Bernstein is a neurosurgeon at Toronto Western Hospital, University Health Network, and Professor of Surgery at the University of Toronto. He is the guest of the Honourable Senator Meredith.

On behalf of all senators, Dr. Bernstein, I welcome you to the Senate of Canada. I don't know if it can inspire you, but we have a neurosurgeon running as the leader of one of the provincial parties in the province of Quebec.

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

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## SENATORS' STATEMENTS

### DR. MARK BERNSTEIN

**Hon. Don Meredith:** Honourable senators, I rise today to recognize a truly inspiring man, an outstanding medical doctor and global pioneer in neurosurgery. He is an exemplary steward of the great province of Ontario.

Dr. Bernstein is a neurosurgeon at Toronto Western Hospital and the holder of the Greg Wilkins-Barrick Chair in International Surgery.

His is a Canadian story that speaks to all that is possible when our hearts are aligned with our vocation. Ultimately, it speaks to all that is good about the human condition. It is a story of which we can all be proud.

Several months ago, I learned about the good work of Dr. Bernstein. I learned about his passion, his talent and generosity of spirit in seeking out and delivering world-class care to those in critical need of medical attention in the farthest reaches of our globe.

I was immediately drawn to this age-old Chinese proverb:

Give a man a fish, and you feed him for a day; teach him how to catch a fish, and you will feed him for a lifetime.

Mark is doing this in places where it is critically needed, performing delicate life-saving procedures and training and teaching neurosurgeons in developing countries. I thought Canadians needed to know about Dr. Bernstein. That is why I invited him here. That's why he is here with us today.

Mark is an ambassador for Canada, transferring critical Canadian ingenuity, and that vast knowledge includes brain surgery performed even when a patient is awake. In fact, just yesterday he performed three surgeries, and the patients are home today.

I learned that this is a practical option in resource-poor countries because it doesn't require general anesthetic, but this is still a high-risk proposition in developing countries where the health care systems are usually underfunded and overburdened.

Mark's work overseas is supported by a gift established in 2011 by the family of former Barrick CEO Greg Wilkins, who passed away in December 2009 after a courageous battle with brain cancer. He had undergone brain surgery performed by Mark at Toronto Western Hospital.

Since the establishment of the chair, Mark has led missions to Ethiopia, Nigeria, Ukraine and Zambia. These countries lack the resources that we as Canadians take for granted. Some of these developing countries do not have high-end surgical drills or easy access to CT and MRI scanners. Beyond that, post-operative care is also lacking, and brain tumour patients often wait months for a diagnosis. Mark explained that he has even had to perform surgeries using battery-operated flashlights.

Neurosurgeons are also in short supply. For example, Zambia, with a population of 15 million, has only a handful of neurosurgeons, about 1 surgeon for every 5 million people. By comparison, in Canada we have 180 neurosurgeons for a population of over 35 million, roughly 1 per 195,000.

So, colleagues, I do celebrate my fellow Canadian and new friend, Dr. Mark Bernstein. I would like to quote his thoughts on knowledge transfer. He said this:

I have no illusions about changing the face of neurosurgery across the planet, but most things in life happen in baby steps. If we can teach doctors in developing countries how to do awake brain surgery, how to work better as a team and think critically, then those little things can stack up to produce better doctors who want to share what they learn. And, make no mistake, we learn a lot from the doctors and nurses we meet on teaching missions, including how to cope with dignity in very difficult working conditions. It's a lesson you don't forget.

As I reflect on Mark's work, I must tell you that as one who is passionate about our youth, I know that because of Mark many will be inspired to follow in his footsteps. His work inspires me to

want to do better. Anything is possible with conviction and hard work. I think each and every one of you will be able to share in that sentiment.

• (1340)

Honourable senators, I ask you to join me in paying tribute to Dr. Mark Bernstein and the other good Canadian stewards out there just like him who publicly or privately go about trying to make a positive difference. As public servants, we can only hope that our own contributions will inspire others, especially young people, to the better virtues of selfless service. Canada's future depends on it. The future of the world depends on it.

Thank you so much and God bless.

### RECRUITMENT OF CHILDREN IN ARMED CONFLICT

**Hon Mobina S. B. Jaffer:** I rise today to mark an important step forward in the fight to protect children around the world. On Friday, March 7, the United Nations Security Council unanimously adopted Resolution 2143, condemning the recruitment of children into armed conflict.

The Security Council calls on all nations to ensure that their military and police forces are properly trained, not only to deal with child soldiers when they encounter them in an armed conflict but also to prevent the recruitment of children as soldiers in the first place.

Honourable senators, the problem of recruitment of children into armed conflict is widespread in our world. There are around 250,000 child soldiers in the world today, and around 40 per cent of them are girls. These numbers are virtually unchanged since 2006.

During its hearings on the resolution, the Security Council heard from a young man named Alhaji Babah Sawaneh. Alhaji's childhood was spent in fear and danger, far from the comfort and security so many children know here in Canada.

Alhaji was 10 years old, living in Sierra Leone, when he and his brother ran into a group of armed rebels. Alhaji and his brother were abducted and conscripted into the armed group. For the next two years Alhaji was trained to shoot and dismantle AK-47 guns and was used to fight in various attacks. In what should have been carefree and precious childhood years, Alhaji and other child soldiers like him burned down houses, destroyed properties and killed people.

Honourable senators, Alhaji is just one of the hundreds of thousands of children who have had their innocence stolen from them. This UN resolution should give hope to those children still in the clutches of armed conflict. The international community has not forgotten them, and we will work to change their lives and our world for the better.

I wish to recognize in particular the incredible work done by the Child Soldiers Initiative at Dalhousie University. I extend my congratulations to Dr. Shelly Whitman, the executive director of

the initiative, and her entire team, who are working in various countries to prepare military and police forces to confront the reality of children in armed conflict.

In particular, honourable senators, I wish to congratulate our own colleague, Senator Roméo Dallaire, who has dedicated much of his life to raising awareness of the plight of child soldiers. Senator Dallaire's work on this file was recognized by many speakers during the Security Council's hearings on Resolution 2143.

Honourable senators, I am sure I speak for all of us here today when I say that he has made a truly remarkable effort to improve the lives of children around the world and to protect those who are most vulnerable in our global society.

Senator Dallaire, we thank you for your work and we wish you all the strength to continue your work. Thank you very much.

### INTERNATIONAL DAY OF LA FRANCOPHONIE

**Hon. Andrée Champagne:** Honourable colleagues, I had hoped to make this statement yesterday, but an unfortunate misunderstanding saw me being postponed until today.

[*Translation*]

I am very pleased to speak today to acknowledge the International Day of la Francophonie. March 20 was the Day of la Francophonie, an international day devoted to the French language, francophones, francophiles, and cultural diversity.

Why that date in particular? On March 20, 1970, the Niamey Accord was signed in Niger. The accord created the Agence de coopération culturelle et technique, which has since become the Organisation internationale de la Francophonie.

Since then, the Francophonie has not stopped growing and taking root in various forms on every continent. From Louisiana to Vietnam, Mauritius to Moldova, Senegal to France, and, of course, in our beautiful and great country, Canada, the French fact makes room for talent around the world. Today, the Francophonie includes 220 million speakers and it is estimated that in 30 years, there will be more than 700 million.

As you know, since last July, I have had the honour of chairing the Assemblée parlementaire de la Francophonie, an organization that brings together parliamentarians from nearly 80 parliaments and interparliamentary organizations. The APF is an assembly that seeks to promote democracy, the rule of law and human rights, in addition to bringing a political perspective to the bodies of the Francophonie.

The APF, the consultative assembly of the Francophonie, is an institution that represents the interests and aspirations of peoples within the Francophonie through its opinions to the heads of state and heads of government. In November 2014, Senegal will host the 15th Francophone Summit, and the APF will be represented there by our colleague, the Honourable Paul McIntyre, who will be presenting a strong opinion that will have been adopted in July, here in Ottawa, as part of the 40th annual session.

I would like to take this opportunity to invite you all to participate in this major international meeting. The plenary session will be held on July 7 and 8. This year, on the cusp of its 50th anniversary, the APF is focusing on democratic and participatory renewal. This year will be a turning point; the APF will learn from its past to better build the future.

Honourable senators, let's celebrate the French fact in Canada and North America and be proud of the fact that Canada is a member of the Francophonie and that our Parliament belongs to the APF.

[English]

### ACTIVE AT SCHOOL INITIATIVE

**Hon Rose-May Poirier:** Honourable senators, year after year, health specialists inform and warn us of the negative consequences of inactivity, especially for our children. The long-term effects can be drastic for our society, and we need to reverse the trend of inactivity. Different awareness campaigns were successfully put together, but one recent initiative could be a game-changer: Active at School. The goal of Active at School is to ensure that Canadian children receive one hour of quality physical activity and education before, during or after school every single day.

With Canadian Tire being a major partner, Active at School brings together over 60 different partners: the NHL, Bell, Boys and Girls Clubs, YMCA and the list goes on. By using their individual networks, expertise, resources and marketing channels, their goal is to reverse the trend of child inactivity. Never has a partnership of this magnitude with an important number and various resources ever been assembled to tackle the challenge of child inactivity.

We are already seeing the benefits of Active at School with the Premier's Challenge in New Brunswick. Last December, the Province of New Brunswick launched an initiative, the Premier's Challenge, designed to ensure children across the province have one hour of physical activity every day. With a \$1-million contribution from Canadian Tire and Active at School, the province can roll out the pilot project to 20 schools, with the eventual goal of reaching out to every school. Hopefully, other provinces and groups will have the chance to maximize their efforts in curbing the trend of inactivity among Canadian children and youth by offering them daily physical activity.

Not only is physical activity great to prevent health risks, it contributes to increased-bone density, healthy body composition, improved posture and reduced injury occurrence. It is also associated with improved psychological well-being with reduced stress, anxiety and depression, and it may lead to greater mental discipline, enhanced social skills and better performance in school.

Children are adopting a more inactive lifestyle by spending more and more time on computers, video games and television and are missing out on the benefits of physical activity. As

legislators and parents, we must find a way to engage our youth in daily physical activity, since the habit may carry over into adulthood for healthier living.

• (1350)

Please join me, honourable senators, in encouraging the Active at School partners in their goal of reversing the trend of inactivity among our youth and that other provinces and regions may take advantage of this exceptional partnership for a healthier tomorrow for our youth.

### ROUTINE PROCEEDINGS

#### CONFLICT OF INTEREST FOR SENATORS

##### THIRD REPORT OF COMMITTEE PRESENTED

**Hon. A. Raynell Andreychuk:** Honourable senators, I have the honour to present the third report of the Standing Committee on the Conflict of Interest for Senators. This report recommends the adoption of an amended *Conflict of Interest Code for Senators*.

(For text of report, see today's Journals of the Senate, Appendix, p. 561.)

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

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

#### STUDY ON THE ABILITY OF INDIVIDUALS TO ESTABLISH A REGISTERED DISABILITY SAVINGS PLAN

##### THIRD REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE TABLED

**Hon. Irving Gerstein:** Honourable senators, I have the honour to table, in both official languages, the third report of the Senate Standing Committee on Banking, Trade and Commerce, which deals with the ability of individuals to establish a Registered Disability Savings Plan.

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

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

[ Senator Champagne ]

[Translation]

**ADJOURNMENT****NOTICE OF MOTION**

**Hon. Yonah Martin (Deputy Leader of the Government):** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, April 1, 2014, at 2 p.m.

[English]

**DIVORCE ACT****BILL TO AMEND—FIRST READING**

**Hon. Anne C. Cools** introduced Bill S-216, An Act to amend the Divorce Act (shared parenting plans).

(Bill read first time).

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

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

[Translation]

**BOARD OF DIRECTORS MODERNIZATION BILL****FIRST READING**

**Hon. Céline Hervieux-Payette** introduced Bill S-217, An Act to modernize the composition of the boards of directors of certain corporations, financial institutions and parent Crown corporations, and in particular to ensure the balanced representation of women and men on those boards.

(Bill read first time.)

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

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

[English]

**HUMAN RIGHTS**

**NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO  
STUDY HOW THE MANDATES AND PRACTICES OF  
THE UNHCR AND UNICEF HAVE EVOLVED TO  
MEET THE NEEDS OF DISPLACED  
CHILDREN IN MODERN  
CONFLICT SITUATIONS**

**Hon. Mobina S. B. Jaffer:** Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the Standing Senate Committee on Human Rights be authorized to examine and report on how the mandates and practices of the UNHCR and UNICEF have evolved to meet the needs of displaced children in modern conflict situations, with particular attention to the current crisis in Syria; and

That the committee submit its final report no later than December 31, 2014.

[Translation]

**QUESTION PERIOD****PUBLIC SAFETY**

**RELEASE PROGRAMS FOR PRISONERS—AID  
PROGRAMS FOR VICTIMS OF CRIME**

**Hon. Joan Fraser (Deputy Leader of the Opposition):** Honourable senators, my question is for the Leader of the Government in the Senate.

[English]

This is a question that has been submitted by a member of the public, Mr. John Charlton of Kitchener, Ontario. He is concerned that insufficient funding goes to two programs: release programs from prison for criminals and programs for victims of crime. Mr. Charlton says:

I feel that more funding is needed in both areas since jail, or crime school, is not teaching anything healthy for criminals being released and leaves victims to suffer in fear and quite often embarrassment.

Mr. Charlton's question is: Can we study release programs for criminals and aid programs for victims of crime?

[Translation]

**Hon. Claude Carignan (Leader of the Government):** I thank the honourable senator for her question. As you know, we are staunch supporters of victims of crime. We have introduced a number of bills and measures to defend victims and give them a say in the process, including the parole process.

Our Economic Action Plan contains specific provisions that increase assistance for victims of crime, including provisions with respect to Employment Insurance.

[English]

**Senator Fraser:** Mr. Charlton's specific question was whether we can study these release programs for criminals and aid programs for victims of crime.

Let me give you a taste of the available information that suggests that such study would be useful.

Public Safety Canada, in a report from 2007, said that there is an absence of controlled evaluation studies of institutional and community-based interventions that have been implemented, and that there is a paucity of empirical research in the Canadian context, and that the lack of this research hinders effective development of programming and action on the way forward. That's in connection with release programs for criminals.

In connection with aid programs for victims of crime, the Public Safety Canada annual report for 2013 cites statistics from 2010, which are the most recent available, saying that in that year, the Victim Services Survey showed that 3.5 per cent fewer victims received formal assistance from a victims service office that year. Surely, we would wish to know why.

• (1400)

In other words, I ask Mr. Charlton's question again: Can we not study these issues?

[Translation]

**Senator Carignan:** Senator, as you know, part of the assistance provided to victims of crime falls under provincial jurisdiction, so part of it is in the hands of each of the provinces. That is one of the problems when it comes to standardizing the assistance provided to victims of crime.

Within our federal jurisdiction, we are taking a number of measures to help victims of crime, including amending parole legislation so that the victims can have their say. There is also Bill C-14, which is currently being examined in this chamber, as well as many other measures to help victims of crime that have been or will be adopted over the next few weeks.

[ Senator Fraser ]

[English]

**Senator Fraser:** It is a little disingenuous to say that is a provincial responsibility. The federal government has a very significant role to play and is quite activist. A recent example that comes to my mind is the whacking great fines, which by federal law are now to be imposed on criminals so that victims' services may be financed. We cannot just wash our hands and go away.

In terms of programming for people already in prisons, you know as I do, Senator Carignan, that for years the Correctional Investigator, Mr. Howard Sapers, has warned of the inadequacy of the programming available in the prisons, which means that the people who get out of prison all too often have not received the programming, the help, the assistance in improving their mental or social capabilities. Then when they get out, they're not in as good shape as they should be to reintegrate into society. And as Mr. Sapers regularly reports, the growing incidence of overcrowding in the prisons intensifies the pressures on these inmates in prison. They should be getting more programming, not less.

Let me remind you, from his most recent report, that in the prairie region alone over the past five years, the number of incidents of assault has gone up 60 per cent, the number of use-of-force incidents has gone up 48 per cent. The number of lockdowns in response to these incidents has gone up. Performance measures that speak to deteriorating conditions inside federal institutions suggest that many key indicators are trending in the wrong direction. He cited, as examples of key indicators, disciplinary and institutional charges, use-of-force interventions, incidents of self-harm, number of minor and major disturbances, segregation placements, offender grievances.

I suggest to you that somewhere along the line we are not doing the job collectively. We as a country are not doing the job we need to do to ensure that when these people emerge from our prisons they are less of a public danger than they were when they went in. So I ask Mr. Charlton's question again: Can't we study these matters?

[Translation]

**Senator Carignan:** Our government has taken the issue of mental health in prisons very seriously. Since 2006, we have improved access to mental health treatment and training for correctional officers in prisons. We have sped up mental health screening, created a mental health strategy for inmates, expanded mental health counselling and improved personnel training. Furthermore, we allocated additional resources to ensure that all inmates are given a mental health assessment in the first 90 days of their sentence.

The fact remains that prisons are not the ideal place to treat mental illness, and we are continuing to work with our provincial partners in order to keep our communities safe. Inmates can also turn to spiritual advisors for help.

There were several dimensions to the introduction to your question, so it's hard to respond to each individual claim. Generally speaking, however, if there is one government that is

standing up here in this chamber on behalf of victims, it is clearly on this side. When I hear the speeches from the other side, when we want to impose a victim surcharge, increase penalties or limit parole after one-sixth of a sentence, for example, I am very proud to be on this side, on the side of victims of crime.

[English]

## DEMOCRATIC REFORM

### DEMOCRACY—FAIR ELECTIONS BILL

**Hon. Grant Mitchell:** Honourable senators, I have a question from a member of the Canadian public as well. This question is from Dave Turchynsky from Simcoe, Ontario, who asks: In light of all the egregious changes the Harper Conservative government has forced upon our country, from dismantling environmental protections to dismantling research libraries and in light of the coming misguided changes to our elections laws, I want to know, where is Canada's democracy? Where is our democracy?

[Translation]

**Hon. Claude Carignan (Leader of the Government):** Honourable senator, we now have fixed election dates so that people can have their say in due course. A bill is currently being studied in the House of Commons. This bill would make elections fairer; it would ensure that more people can vote and that the right to vote and democracy are respected; and it would reduce fraud. I think that our democracy is healthy. You travel as well, senator, and as you know, in light of the events all over the world, particularly in Ukraine, Canadians should be very proud and should consider themselves lucky to live in the best country in the world.

[English]

**Senator Tkachuk:** Oh, oh!

**Senator Mitchell:** Speaking about being all across the world, it's interesting; I'm pretty sure that there are democratic elections in Saskatchewan because they won't be under the new elections act, senator. So I don't think you need to worry, as a person from Saskatchewan. But this gentleman from Simcoe and many Canadians and groups across the country — experts on democratic institutions throughout the world — are saying to this government that this elections bill is anything but a promotion of democracy. It's quite the contrary; it's a fundamental erosion of democracy.

You are not answering me when you say "senator," Senator Carignan; you're answering the gentleman from Simcoe. How can you stand here and say nothing more to Mr. Turchynsky than parroting the talking points you've received from across the way? Your talking points were probably prepared by none other than Minister Poilievre, who has been discredited for this and many other things time and time and time again. If he is your epitome of democratic renewal, this government is in serious trouble and so are the people of Canada.

[Translation]

**Senator Carignan:** Senator, for once I answered your question without using my notes. Please don't criticize me for that.

[English]

**Senator Mitchell:** It has become so ingrained that it's become second nature, he doesn't have to refer to the talking points. It's part of the deep culture inbred on that side. The leader did refer to the fact that somehow this elections bill was going to address election fraud. Yet Mr. Neufeld, who did a special study at the request of the government, I believe, on this very issue, said there was no voter registration fraud. That has been backed by the courts in Canada who have also ruled that there has not been evidence of election voter fraud. Instead, the two techniques that are involved in this legislation to "reduce" election fraud will in fact disenfranchise seniors, Aboriginal people, homeless people, many, many students and rural people who don't necessarily have specific addresses.

• (1410)

Why is it that this government would stand and this leader would stand and try to state that they're enhancing democracy and democratic elections when in fact they're disenfranchising as many as 120,000 Canadians?

[Translation]

**Senator Carignan:** The bill is being examined in the other place. We really would have liked to have done a pre-study here in order to discuss the bill more quickly, but when it comes before us, we can have a more in-depth debate about the bill's importance for our electoral system and how it will make our elections fairer.

[English]

**Senator Mitchell:** Why is it that, contrary to tradition and to normal process, the transition document that led to this bill was requested under Access to Information — that's not contrary; that's consistent — and of the 199 pages, all but three were redacted? What was in that document that led to this elections bill that this government doesn't want Canadians to know? They've released 2 per cent of that document and the other 98 per cent of that document they have hidden. What are you afraid of?

[Translation]

**Senator Carignan:** Senator Mitchell, the fair elections act addresses problems concerning the undue influence of money. It provides for new penalties for people who make fraudulent calls, gives more power to enforcement agencies, and implements 38 of the recommendations made by the Chief Electoral Officer himself.

The fair elections act protects voters against misleading and fraudulent calls. It provides for the creation of a mandatory public registry for mass calling, prison sentences for people who impersonate elections officials, and harsher penalties for people who mislead voters in order to prevent them from voting.

The fair elections act eliminates the political loans loophole, which allowed the Liberal Party to accept hundreds of thousands of dollars in illegal contributions by simply describing them as unpaid debts.

The fair elections act enhances Elections Canada's ability to increase voter turnout by focusing its efforts on providing basic information that will make it possible for people to vote, such as the location of polling stations, the date of the election, the pieces of ID they need to bring, and the specific tools available to help Canadians with disabilities exercise their right to vote.

Senator Mitchell, I don't know why you are attacking this bill. We will see, when it is examined here in the Senate, if you are able to change your mind or whether you will continue going around in circles, since you seem to be so good at that. Yesterday, you taught me what the expression "spinning wheels" means. I don't know whether you will continue to spin your wheels. However, I urge you not to, because doing so produces greenhouse gas emissions in three ways. First, you are using more gas. Second, you are burning rubber, and tires are made with oil, and third, you are also burning asphalt, which is also an oil product. You are therefore producing greenhouse gas emissions in three ways by spinning your wheels.

[English]

**Hon. Wilfred P. Moore:** That was a mixed answer, leader. You went to your notes for a while, then you were winging it, then you went back to your notes. It was an interesting response.

I have a question for you, leader. When this bill gets to the Senate, would you commit to not bringing in time allocation and let us have a fulsome debate about it?

[Translation]

**Senator Carignan:** Honourable senators, our issue with this bill is that we would have liked to have conducted a pre-study here; however, that does not seem to be possible.

We will use all of the tools available to us through the Rules to ensure that this bill is passed as quickly as possible, according to the procedural rules governing this chamber.

[English]

#### VOTER FRAUD—2011 ELECTION

**Hon. David P. Smith:** My question is also for Senator Carignan and it is also from a member of the public, Jordan Hill, from Dundas, Ontario. His topic is voter fraud. I will read his exact words:

Is there any concrete evidence that voter fraud is a significant problem in Canadian elections? My definition of voter fraud is: Knowingly voting when you know that you have no legal right to do so or conspiring with others to vote illegally. There might be a few cases where illegal votes are

made but without criminal intent. One measure of whether this is a serious problem is to identify the number of investigations that take place and the number of charges and convictions that result from same.

Those are his exact words: "to identify the number of investigations that take place and the number of charges and convictions . . ."

Now, can you tell us the number of charges and convictions that occurred as a result of investigations from the 2011 election that caused you to bring in this undemocratic bill?

[Translation]

**Hon. Claude Carignan (Leader of the Government):** Senator Smith, could you tell me the individual's name again?

[English]

**Senator D. Smith:** His name is Jordan Hill from Dundas, Ontario.

[Translation]

**Senator Carignan:** I believe that in a democracy, a single fraudulent vote is one too many. Our electoral system must ensure, for our democracy's sake, that one person cannot vote in another's place and that no such fraud is occurring.

I hope that both sides of the chamber share that opinion.

[English]

**Senator D. Smith:** I don't disagree with that, but to do something like this, where the head of Elections Canada is going to disenfranchise thousands of people, a lot of them older citizens — that's what he's saying on the record — and not to give me any statistics to back up why you're bringing it in? I'll ask you the question again: Can you tell me the number of charges and convictions that occurred as a result of investigations from the 2011 election? How many were there?

[Translation]

**Senator Carignan:** Senator, I believe that it is much safer to ensure that someone has 2 pieces of identification in order to vote — 2 of the 39 possible pieces of identification — instead of allowing a person to vote because someone who knows someone who knows the voter can vouch for him.

[English]

**Senator D. Smith:** That wasn't my question. My question was this: What evidence do you have that this is happening that warrants bringing in a bill that is widely believed, from the head of Elections Canada, will mean that a lot of eligible voters won't be able to vote? What's your hard evidence to justify it?

[ Senator Carignan ]

[Translation]

**Senator Carignan:** What evidence is there that there has been no fraud?

[English]

**The Hon. the Speaker *pro tempore*:** Senator Smith, do you have another question?

**Senator D. Smith:** Well, no. We're talking to dreamland here.

**Senator Tkachuk:** No, we're not. What is the evidence of that?

**Senator D. Smith:** Evidence of charges and convictions.

**The Hon. the Speaker *pro tempore*:** Senator Smith, do you have another question?

**Senator D. Smith:** No. I'll give the time to someone else.

[Translation]

**Hon. Joan Fraser (Deputy Leader of the Opposition):** Senator Carignan, you mentioned that a single fraudulent vote is one too many. Since I myself have been a victim of electoral fraud — somebody voted using my name — that hits a nerve. However, I did not ask for the law to be changed as a result.

The question was perfectly legitimate: how many cases have there been that justify this major change to our electoral system?

**Senator Carignan:** Thank you, Senator Fraser. Your case justifies changing the law.

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• (1420)

[English]

## ORDERS OF THE DAY

### BUSINESS OF THE SENATE

**Hon. Yonah Martin (Deputy Leader of the Government):** Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: Item Nos. 1, 2 and 3 under the heading of Reports of Committees — Other, followed by all remaining items in the order that they appear on the Order Paper.

## THE ESTIMATES, 2013-14

### SUPPLEMENTARY ESTIMATES (C)—FIFTH REPORT OF NATIONAL FINANCE COMMITTEE ADOPTED

The Senate proceeded to consideration of the fifth report of the Standing Senate Committee on National Finance (Supplementary Estimates (C) 2013-2014), tabled in the Senate on March 25, 2014.

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

He said: Honourable colleagues, this is the first of three reports that we'll be looking at today that were tabled in this chamber yesterday. This is a report on the Supplementary Estimates (C), the third one for this particular year. Perhaps later on we can discuss why supplementary estimates are necessary, but this is the final one for this fiscal year and deals with cleaning up some matters so that our books are in order as of next Monday, which is the end of the fiscal year.

I encourage honourable senators to take a look at the report. It has been circulated and we wanted to have it in your hands as quickly as we possibly could so that you could have it before you.

The Supplementary Estimates (C) report will form the basis for Bill C-28, which will be the fourth item of business today, after the three reports of our committee, then we will go into the bills.

Honourable senators will know that appropriation bills that provide for supply are dealt with somewhat differently from other items that come before this chamber. It's that difference which makes it important that you have a basis for voting on the supply bill, and the basis for voting, so that you understand what you're voting for, is in this report.

I appreciate very much the Deputy Leader of the Government in the Senate making it possible for me to speak and for you to understand the basis for the particular item that has now been called. This is the basis, as I said, for Bill C-28, which will be forthcoming.

The Supplementary Estimates (C) is not an overly extensive document but was studied by our committee and was tabled here in this chamber in mid-February of this year. It consisted of approximately 50 pages of documents, outlining what changes should be made to the fiscal outlook of the government for the year. Honourable senators will see from the report that \$358 million is what you're going to be asked to vote on. When you get Bill C-28, which will be before you as Item No. 1 under second reading of government business, that is for \$358 million and this report explains where that \$358 million is going.

There are other statutory items that are not voted on but are given for information purposes, and that is less forthcoming now than it used to be from Treasury Board. They're trying to cut down on what was in these various documents and estimates. That's a bit of a disappointment, but it was based on a request of the House of Commons committee to just focus on what we're

voting on. We get the overall picture, but we get less detail of the statutory items. They're the items that we've approved for a department to spend money outside of the estimates process.

There are two ways the government — cabinet and the departments — get approval to spend money; one is through voted appropriations and the other is through statutory authority. We are not voting on the statutory authority here but just on the voted appropriations. Voted appropriations are typically 20 per cent to 25 per cent of the total amount of money that the government spends in the year.

Honourable senators, Treasury Board officials appeared before us and outlined the major areas that we're being requested to fund: Shared Services Canada, \$102 million. Treasury Board acts as the gatekeeper for all of the departments. Where the same kind of expenditure is repeated a number of times, Treasury Board will typically ask for the global amount and then feed it out to the various departments. They're asking for \$73 million to finish their particular work; Public Works, \$63 million; Indian Affairs, \$36 million; Citizenship and Immigration, \$35 million; and National Defence, \$34 million. Those are the global amounts that appear here.

I can give you a little background on each of these that I think would be helpful. Public Works and Government Services are requesting, as I indicated, \$63 million, and that is extensively outlined in our report. Officials explained, for example, that the Build in Canada Innovation Program is intended to benefit businesses that are looking for commercialization of their products. The government and the government departments are given the mandate to go out and look for small- and medium-sized businesses that have new innovation and try to incorporate that into a government purchase so that company can get started. I think it's a wonderful initiative. I hope it works. We'll be watching to see if it works because if the company can get the product going in an order to the government, then it will have the opportunity to use that as the basis for a commercial venture. That is a wise initiative, called Build in Canada Innovation Program. It is a new program.

On the other hand, a \$2.5 million increase for funding in government advertising may be less of a wonderful program. This is another \$2.5 million for advertising and it's certainly not the only one. This is new money being requested. Public Works officials say that this is not promoting a particular government; this is just promoting government programs. Primarily, this is procurement of online services. The \$2.5 million is being handled by Public Works so they can pay that to an outside service provider who will then get Internet advertising for the government. The \$2.5 million is not going to be actual advertising but administrative fees. It's an area that we'll want to keep an eye on and we have, in fact, been keeping close watch on the advertising because it appears in all the different departments along the way. It would be nice to get this all drawn together, but we haven't been able to do it yet.

• (1430)

Aboriginal Affairs and Northern Development Canada is requesting \$72 million for notable items to meet the obligations of the Northwest Territories Lands and Resources Devolution

Agreement, which happens to be coming into force next week. The government is asking for \$36 million for this fiscal year to bring into effect a piece of legislation that starts the next fiscal year. We can assume that \$36 million is for prep work to get ready to implement the legislation once it comes into force.

Next is \$33 million to meet additional health and safety pressures in the First Nations communities related to the Emergency Management Assistance Program for evacuations in Manitoba and Ontario due to forest fires, recovery from flooding in Saskatchewan, and floods and storm surges in the Atlantic region. As well, \$1 million in out-of-court settlements will be paid to First Nations regarding losses associated with oil and gas royalties; \$1 million to provide implementation support for Family Homes on Reserves and Matrimonial Interests or Rights Act; and \$1 million — it's interesting that they all seem to be \$1 million, which is a nice round figure — for Cape Breton University Purdy Crawford Chair in Aboriginal Business Studies to encourage Aboriginal students to study in Cape Breton. I thought honourable senators would be interested in knowing about that.

Aboriginal Affairs has been spending roughly \$27 million in addition to their other allocations. They have come back each year in supplementary estimates for an amount of roughly \$27 million because of disaster relief efforts. They're asking for an increase of \$27 million to their base budget in anticipation of continuing disasters that have to be dealt with quickly, for which funds have to be in place. The department has set aside \$19 million each year through internal reallocation in order to negotiate agreements with the other provinces and territories for their support in emergency efforts. That's \$19 million in administrative costs to negotiate agreements with the other provinces. That money is not going to the Aboriginal people who need it but to people in the department.

Members of the committee noticed a transfer of \$22.4 million from vote 1, which is operating, to vote 10c with grants and contributions. We're always watching for that movement between operating and capital, and capital and grants and contributions; those are the three basic areas. We were assured by officials that this was a reprofiling. The money wasn't needed for one particular purpose in operations, so they'll move \$22.4 million over to put it into something else.

Shared Services Canada is another area we're keeping a close watch on. It is growing almost exponentially in the number of employees and in its activities. This newly created organization is supposed to act for all government departments in providing information technology and services. The problem is that the people who work in the various departments are working for Shared Services Canada but doing so remotely. That can create a management nightmare, as you know, as to what these people are doing and when they should be doing it. They're not reporting directly to the deputy minister in their respective departments but rather share their reporting through Shared Services Canada.

Before Shared Services took over, each department was responsible for its own procurement, but now Shared Services is doing that. We asked about some way of measuring the effectiveness of this transfer of responsibilities, which I think is a work-in-progress. It is fair to say from the answer we heard at

committee that empirically they felt that there was a 10 per cent savings, which amounted to \$150 million, in total expenditures.

Shared Services funding is required to improve the ability to support Canada's cybersecurity strategy. In most nations of the world, cybersecurity is part of defence and security; but in this country, National Defence has not been given the mandate to the same extent. They participate in the joint approach, but they don't have the lead like they would have in, for example, the United States. We want to keep an eye on that area to know how it's working, but we probably won't know until an emergency occurs, after which it will be to clean things up.

Other departments transfer money to Shared Services, which has been going on for the last two or three years. At the beginning of the year, a department is given the money, then the government changes the mandate and Shared Services performs the duties, so the money is transferred over. All of that has to be approved. From Canada Border Services Agency, \$20.9 million was transferred to Shared Services. Once the mandate is determined, the money will be allocated through these various votes, such as the estimates, directly to Shared Services, not to a department and then transferred. Shared Services is entitled to charge for certain extraordinary services in addition to the basic fundamental services and, therefore, will create revenue in addition to the voted revenue they receive.

**The Hon. the Speaker *pro tempore*:** Honourable senators, is it agreed to give more time to Senator Day?

**Senator Day:** Two minutes.

**Some Hon. Senators:** Agreed.

**Senator Day:** Of course, I could say an awful lot more about what we have learned. I would like to thank all honourable colleagues who serve on the committee for their fine work and understanding in moving things along quickly because we get things from the other place on such short notice. I will leave it to honourable senators to review the report and comment on the various points.

Citizenship and Immigration is requesting \$20 million in voted authorities. Much of where it will be spent is outlined in the report.

The committee took an interest in a writeoff of \$806,000. We have to approve writeoffs, which is a good thing, because they're not accounted for and we don't have to approve a loan. When loans were made but not repaid, the government did not tell anybody about it. However, we insisted that the expenditure should be reflected on the books if it's written off. They followed our interpretation of the Financial Administration Act, and \$806,000 is being written off, which is for loans given to new arrivals in Canada to help them settle in. It was indicated to the committee that about 2 per cent of such loans are written off because some new immigrants can't settle in and pay off their loans. Officials stated that about 91 per cent of the loans are repaid to the government, and some are deemed uncollectible and have to be written off. It amounts to about \$800,000 to \$1 million

per year, which is almost a hidden cost of our immigration process. Perhaps it is a good investment, nonetheless. Once we know about it, then we can assess that aspect. If we don't know about it, we don't think about it.

Honourable senators those are a few of the points and highlights I wanted to bring to your attention in relation to the fifth report of the committee. I trust you will find it helpful and will vote to adopt it.

• (1440)

**Hon. Lillian Eva Dyck:** Would you answer a question?

**Senator Day:** I would be pleased to hear your question.

**Senator Dyck:** Thank you. I may have misunderstood. When you were talking about the budgetary allocations for Aboriginal Affairs and Northern Development Canada, you were talking about their moving money from one area to the other.

**Senator Day:** Yes.

**Senator Dyck:** That, I guess, is seen as standard practice, yet when an individual First Nation moves money from their budget from one area to another, that is seen as something really terrible and unconscionable. Doesn't it seem kind of like a double standard?

**Senator Day:** Thank you for the question. I would invite you to come when we have this particular department. It is quite incredible the number of entries that we see of funds being moved from various programs to other programs and from various departments to other departments, and to try and get our arms around all of the expenditures that relate to Indian Affairs and Northern Development, which is still the official name. Aboriginal Affairs is, I hope, the intended name, but we haven't gone to the expense of changing that, unlike Foreign Affairs, which was very quickly changed.

Our committee is very interested in knowing all of the expenditures in relation to Aboriginal Affairs and Northern Development — not only this department but all of the other government departments. For example, Health Canada has huge expenditures. I mentioned as well safety and emergency and reacting to emergencies that have taken place. There is money in various places designated for Aboriginal Affairs, so not only does the department move funds from vote to vote, which we have to approve, but there are also many other areas that we don't know about, and we're going to try to draw all of that together.

**Hon. Wilfred P. Moore:** I was interested in the item about shared services. Could you tell the Senate what that body is, how many people are employed there, what the administrative set-up is, who it reports to, and what its annual budget might be?

**The Hon. the Speaker *pro tempore*:** Senator Day, it is going to be a short answer. Your time is running out. Let's have a short answer.

**Senator Day:** My short answer is that I will be speaking on another report coming up very quickly, and I will deal with that as part of the next report.

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

**Hon. Senators:** Question.

**The Hon. the Speaker *pro tempore*:** It was moved by the Honourable Senator Day, seconded by the Honourable Senator Moore, that this report be adopted now.

[Translation]

Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

**The Hon. the Speaker *pro tempore*:** Adopted.

(Motion agreed to and report adopted.)

[English]

## THE ESTIMATES, 2014-15

### MAIN ESTIMATES—SIXTH REPORT OF NATIONAL FINANCE COMMITTEE ADOPTED

The Senate proceeded to consideration of the sixth report (First Interim) of the Standing Senate Committee on National Finance (Main Estimates 2014-2015), tabled in the Senate on March 25, 2014.

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

He said: My understanding was that my honourable colleague Senator L. Smith did have a short two-minute speech on the earlier report, which I invite him to add to his two-minute speech on this particular report, once I have finished, and I will try to be less verbose on this particular item, honourable senators, because it deals with another report of our committee, and is intended for the same purpose as the last report, which is to help you understand what you will be voting on when item No. 2 is called, which is Bill C-29. The last measure is Supplementary Estimates (C), closing out this fiscal year that ends this week.

This particular report deals with the interim funding of the government for the next fiscal year for the first three months to the end of June. At the end of June, we will be here asking you to give us full supply, but at this stage we're looking for supply because the document has only just arrived and the document is the Main Estimates document that we have to review. It follows the budget. First we get the budget and then we get the Main Estimates. We don't vote on the budget here. The budget is the government's plans and outlines, so I will put that one away.

Then we have the estimates, which is the authority that the government needs to spend money, and we get this for a short period of time before we have to report back before the supply bill

comes in. Supply has to be in place by next Tuesday. Next Tuesday morning, the government needs \$86.2 billion. At least, they need \$24.8 billion of that 86.

**An Hon. Senator:** Oh, oh.

**Senator Day:** That's for you to determine, but I'm telling you it is for me to tell you what is in these particular documents.

For this report, the main estimate for fiscal 2014-15 was tabled on February 27. That is when we got it. Estimates were referred to the National Finance Committee after being tabled here. The National Finance Committee has a reference to study the Main Estimates throughout the whole year, so it is not as if we're expected to look at this book and then not look at it again.

We do have the whole year to look at them, and we do that. We will get back to Aboriginal Affairs and work on that issue; we will get to shared services and look at that issue. For the purposes of voting interim supply, it is important that we have a quick look at it.

Spending is shown as both voting and statutory, which I have already described. Studying the estimates is probably the most important role that we, as parliamentarians, have to play. This is what the Battle of Runnymede was about and this is what all the wars were about: The people's representatives have the authority to control the expenditure and what taxes should be applied and the supply of money to the government. That's what this is all about. This is your most fundamental role that you have to play in this chamber, as parliamentarians.

Honourable senators, voted appropriations are \$86.28 billion; statutory appropriations, 149 in these particular estimates; \$235 billion is what the government estimates it is going to need throughout the year, and 86 of that has to be voted. This represents an increase in mains over mains of \$1.2 billion, pretty much the same amount, but don't forget there are supplementary estimates that can move this up as we go along. So comparing mains to mains is comparing half an apple to half an apple. It doesn't help us a lot.

The National Finance Committee held two meetings and heard from four government departments. Treasury Board is our usual and up-first source of information, and they were very helpful again, and I thank them on behalf of our members as well.

There are many other documents that our committee is expected to look at, like plans and priorities, in addition to supplementary estimates, plans and priorities, the budget, and then in the fall there are the departmental performance reports. There's a monthly fiscal monitor. There are the various other documents produced by Treasury Board, which is dollar-based, and by the Department of Finance, which is accrual-based.

• (1450)

As a committee, we are expected to try to follow government practice by following these various documents and publications that come out throughout the year, including debt management. The debt is now up to \$650 billion, so we will want to keep an eye

on that. When interest rates are low, we don't talk a lot about that debt, but as soon as those interest rates change, just watch how much that will be a focus for us.

The Canada Revenue Agency is requesting \$3.9 billion in funding for the upcoming fiscal year. This is a net reduction, which is always good, but it is the result of the softwood lumber products. Us selling less softwood lumber to the United States has resulted in less federal government money going to the producers across the country, who as a result of the last softwood lumber agreement with the United States, after the volume got up to a certain amount in shipments to the U.S., had to start paying a royalty fee to the U.S. The federal government paid that to the producers so they wouldn't lose anything. That went way down because we're not selling lumber. It's kind of disappointing that they have a reduction in this particular case.

Other notable items with the Canada Revenue Agency are typical matters of funding collective agreements, \$22.3 million; \$17 million for upgrades to the income tax processing system to help the government collect income tax more efficiently and rapidly; and \$5.4 million to implement several programs announced in Budget 2012. The reason I wanted to mention that is we don't always get in the estimates or the supplementary estimates those initiatives that appear in the budget, so all the fanfare around the budget is really not where the focus should be. The focus should be on what the government is proceeding with. This particular initiative is 2012 federal budget money for implementing pooled Registered Pension Plans and extending hiring credits for all small businesses.

Here we are again, Aboriginal Affairs and Northern Development, total planned expenditures within the department of \$8.1 billion. Officials stated the money would be used to continue improving the quality of life of our Aboriginal people and northern residents. \$26 million of this funding is to be used to renew the Gas Tax Fund for Aboriginal communities. They will get a portion of the Gas Tax Fund that goes to all of the provinces as well.

The committee had many questions surrounding how the budgets are spent in terms of education and housing, and they undertook to provide us with more detailed information; but at the time of presenting this report to you, honourable senators, we have not heard from them. They're not off our radar, I assure you.

They informed the committee that their particular department had a savings of \$160 million over a three-year period, \$105 million of which they find in these particular estimates. They're asking for \$105 million less than they would otherwise have done. We asked where they got that money from, and they stressed that it came from reductions in internal operations but not in services outside. That was \$160 million over three years, \$105 million in this particular year.

Aboriginal Affairs and Northern Development typically has larger requests in the supplementary estimates as well due to programs announced in various budgets that don't get implemented until later in the year, but this year, that is not particularly the case.

Other notable inclusions are the extension to the Indian residential schools Truth and Reconciliation Commission mandate until June 15; \$1.8 billion is allocated to education in First Nations and Inuit communities primarily on reserves. That just gives you a bit of a flavour. I'm pleased that the government has seen fit to extend the Truth and Reconciliation Commission mandate until June 2015. I would like to see it extended until it is concluded naturally.

We had a good discussion on Infrastructure Canada. They have about \$6 billion sitting there that has already been approved by Parliament, but the projects have not progressed to the stage where the money should be paid out. There are a lot of different programs in Infrastructure Canada, a lot of new ones coming along. The old ones can't be stopped until all of the programs that have received initial approval are in the works, which can sometimes go to five or ten years and they're all still sitting there. We have asked for a complete listing of all the programs so we can get an understanding of that, but we haven't received that as of yet, either.

The Gas Tax Fund includes funding for certain projects such as water, waste water and sewer systems, or community sports centres. They can all come out of this Gas Tax Fund, which are all good projects. It is based on population by province.

There is a new Building Canada Fund, which includes several programs that are intended to support provincial and territorial infrastructure.

We will be following the infrastructure program as well because it is one of those programs that has money in a lot of different places, and there seem to be new programs being created far too frequently as opposed to having a program in place and continuing with that. You can guess as to why that might be the case, that new programs are being created so frequently.

Officials explained that they're moving ahead with the Champlain Bridge in Montreal, and they're hoping to go out for requests for qualifications of contractors in March, this month. They want to have a private partner involved in this effort. Construction is aimed to be completed by 2018, which we said seems somewhat ambitious, and they indicated ambitious, yes, but possible. So they're proceeding on that instruction from their masters. We will be monitoring that particular project as well.

Honourable senators, those are just a few of the highlights. You will be asked to vote on \$24.8 billion when the bill comes up before you, and I hope that you find this report helpful in understanding why \$24.8 billion is being requested.

**The Hon. the Speaker *pro tempore*:** On debate. Senator Smith (*Saurel*).

**Hon. Larry W. Smith:** Thank you. If I could briefly revert back to Bill C-28, the first supply bill, three questions were asked that I might be able to help our chair with in terms of providing further information.

Regarding the issue of loans in terms of immigration, \$806,000 of loans are written off, which is 2 per cent of the total. For everyone's comprehension, it is important to understand that there are \$40 million of these loans, so \$806,000 is a relatively small number.

Secondly, in Aboriginal Affairs and Northern Development, we asked the question how much comes from other departments, and the purpose of asking that question was to get a total impact of the importance of the work done in Aboriginal Affairs and Northern Development and also to get a sense of performance. That was not just in this department but the other departments where Senator Day led the charge in terms of our questioning.

The third point was asked by Senator Moore, which was the importance of Shared Services. Shared Services is basically the consolidation of IT services focusing on email, Internet and the acquisition and streamlining of IT systems within various departments. There are up to approximately 6,000 employees; it's a huge operation.

• (1500)

We also asked what the performance indicators are, but it was too soon to be determined because this operation has only been in existence for the last couple of years.

Now just a short summary if I can, Mr. Speaker, of what Senator Day went through on Bill C-29.

[Translation]

Honourable senators, the bill before you today, Appropriation Act No. 1, 2014-15, provides for the release of interim supply for the 2014-15 Main Estimates that were referred to the Senate on March 4, 2014.

The government submits estimates to Parliament in support of its request for authority to spend public funds. Estimates include information on both budgetary and non-budgetary spending authorities, and Parliament subsequently considers appropriation bills to authorize the spending.

[English]

The 2014-15 Main Estimates include \$235.33 billion in budgetary expenditures that cover the cost of servicing public debt, operating and capital expenditures, transfer payments to other levels of governments, organizations or individuals and the payment to Crown corporations. These Main Estimates support the government's request for Parliament's authority to spend \$86.28 billion under program authorities that require Parliament's annual approval of their spending limits.

The remaining \$149.5 billion is for statutory items previously approved by Parliament, and the detailed forecasts are provided for information purposes only. The 2014-15 Main Estimates also include \$0.03 billion in voted, non-budgetary authorities and net repayments of \$10.505 billion in statutory authorities.

[ Senator Smith ]

Non-budgetary expenditures, loans, investments and advances are outlays that represent changes in the composition of the financial assets of the Government of Canada.

Part I of the 2014-15 Main Estimates includes a detailed comparison of 2014-15 Main Estimates against 2013-14 Main Estimates. Together, the budgetary and non-budgetary voted spending authorities total \$86.31 billion, of which \$24.82 billion is sought through appropriation act No. 1, 2014-15. The balance will be sought through appropriation act No. 2, 2014-15, in June 2014.

Honourable senators, I think Senator Day has done an outstanding job of providing you with detailed information, and I thank you for your time.

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

**Hon. Wilfred P. Moore:** Will Senator Smith take a question, Speaker?

**Senator L. Smith:** I will try to do my best.

**Senator Moore:** I thank you, senator, for your answer with regard to the number of employees at Shared Services; you said 6,000. I was wondering, what is the administrative structure, to whom does this department report, and what is its annual budget?

**Senator L. Smith:** Senator Moore, you asked the question of annual budget to Senator Day. Like Senator Day, I don't have that number at my fingertips, but I will provide that to you.

The most important element of Shared Services with the number of departments, and when we went through this it's a consolidation of anywhere up to 100 hundred departments, as we understood it, in terms of IT services, email services, the whole Internet services and facilitating systems development. This is a consolidation of setting up a centralized system.

Of course, your question of the amount of the budget is an important one. I will get back to you on that, but it's important to understand that it's an efficiency model of centralizing the processes for IT services.

If you remember, one of the largest corporations in Canada is CGI. A fellow named Serge Godin started that company when I was in that business, back in 1980. He had 24 consultants at the time, and he now has 40,000. It's a \$5-billion company. Those types of companies are in the business of consolidating for more efficient operational services as opposed to having singular operations in each of the various government departments.

I will undertake to get you the number on the budget, if that's okay with you.

**Senator Moore:** When you get the other answers, could you also advise as to its administrative structure and to whom it reports?

**Senator L. Smith:** I will undertake to do that.

**Hon. Pierrette Ringuette:** In regard to this new model of IT supply to public service, what measure of IT security is part of the contract or the new model?

**Senator L. Smith:** That's an excellent question. The truth of the matter is that when we go through and finance the budgets of these various groups, we try to get into things such as what's your mandate, what are your objectives and what are you trying to achieve. We did not get into that particular question because, as you can imagine, with the number of folks that we're meeting during the sessions, we're trying to focus on financial issues. We do get into operational issues, but we don't have an answer for that particular question.

**The Hon. the Speaker pro tempore:** Further questions? Still on debate? I see none.

Are honourable senators ready for the question?

**Some Hon. Senators:** Question.

**The Hon. the Speaker pro tempore:** It was moved by the Honourable Senator Day, seconded by the Honourable Senator Dyck, that this report be adopted now. Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

(Motion agreed to and report adopted.)

## THE ESTIMATES, 2013-14

### MAIN ESTIMATES—SEVENTH REPORT OF NATIONAL FINANCE COMMITTEE—DEBATE ADJOURNED

The Senate proceeded to consideration of the seventh report of the Standing Senate Committee on National Finance (Main Estimates 2013-2014), tabled in the Senate on March 25, 2014.

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

He said: Honourable senators, this is the final report for this fiscal year, which ends the end of this week, first of next week. I have been trying to give you information that will help you with respect to two bills that are forthcoming very shortly, Bill C-28 and Bill C-29, which are appropriations. The last one would be No. 5 and appropriation No. 1 for the next fiscal year.

Under those circumstances, honourable senators, subject to me just answering one question on the previous matters, I'm going to propose that I adjourn this matter because no bill relates to this

particular report. It's a report ending off all the work that we've done, and I can conclude my remarks on that tomorrow rather than use up the time today.

But with respect to Shared Services and a question that was asked, this may prevent my friend Senator Smith, the deputy chair of the committee, from having to do some research. If you look at the fifth report at page 12, you'll see that we say:

According to the officials, Shared Services Canada's total budget will be \$2 billion when the funding requested in the Supplementary Estimates (C), 2013—2014 and \$321 million in revenues . . .

I mentioned that they can now generate revenue as well on their own by charging for services.

Shared Services Canada's revenues come mainly from amounts charged to partner departments and agencies for optional services.

That appears at the bottom of page 12 and the top of 13 in the fifth report that we've just adopted.

The committee focused on the differences between total expenditures that appeared in the plans and priorities and the amount that appeared in their other documents and projected in terms of projected revenues in the estimates. They are two different numbers, and they undertook to get back to us with that. But I thought that was an excellent example of the good work of our committee in comparing various documents — the estimates with plans and priorities — and, if there is a difference, trying to get an explanation for it.

The number of employees was also asked for, and I think my honourable colleague said 6,000. That is probably the case today, because that's been going up so quickly, but we reported last week on this: \$2 billion, 5,895 employees.

Honourable senators, with that one addition to the earlier information, I would move that this particular motion to adopt the seventh report be adjourned for the balance of my time.

• (1510)

**Hon. Wilfred P. Moore:** Question?

**The Hon. the Speaker pro tempore:** I have a motion to adjourn. Maybe we can wait for the next sitting.

Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

(On motion of Senator Day, debate adjourned.)

# **APPROPRIATION BILL NO. 5, 2013-14**

## **SECOND READING**

**Hon. Larry W. Smith** moved second reading of Bill C-28, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2014.

He said: Honourable senators, effectively, Senator Moore and I might have covered the salient points of Bill C-28. I would pass at this particular time from making any further comments on Bill C-28.

**Hon. Joseph A. Day:** This is Bill C-28. Honourable senators, when I was talking about the report, I referred to the fifth report of our committee; I know that Senator Smith has already spoken about combining the report and the bill.

Because the bill is just a pro forma-type bill — “pro forma” in the sense that the words that are here are the same words that appear in all of these appropriation bills — the real meat of “why” is in the reports that we’ve already looked at. I think that’s what Senator Smith was indicating and I was indicating.

This is Appropriation Bill No. 5. We don’t normally, as a practice in this chamber — not as a rule, but as a practice — send this bill to committee after second reading. We’re being asked to consider second reading now. Having seen the report and having had an opportunity to discuss it and adopt the report, I’m content to allow this bill to proceed to third reading, once you vote on it at second reading.

**Hon. Wilfred P. Moore:** In his remarks, or maybe in your remarks, Senator Day, you said that the total number of employees of Shared Services Canada was approximately 6,000 employees and that the annual budget was \$2 billion. My question is: Where did those 6,000 employees come from, from within the civil service? If so, were there savings realized in moving these staff people from where they were to this new structure?

**Senator Day:** Thank you, Senator Moore, for your question. I can’t tell you precisely if all the employees were moved, but virtually all of them were moved from the various departments. I see my honourable colleague is helping me out here. Some of them were obviously hired from without. As the mandate for Shared Services expanded and they needed people to do things that were not being done previously, those people would have been hired from outside. A lot of these employees were moved from within and they just have a different employer. They were working for the Department of National Defence and they are now working for Shared Services Canada.

We did ask about the savings issue. I did not feel that they had a good handle on performance indicators. We asked them about that but they did indicate they thought, based on empirical information, that it was about a 10 per cent saving. However, that would come from the entire operation, not from just the employee transfer.

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

**Some Hon. Senators:** Question.

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

(Motion agreed to and bill read second time, on division.)

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

(On motion of Senator Smith (*Saurel*), bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

# **APPROPRIATION BILL NO. 1, 2014-15**

## **SECOND READING**

**Hon. Larry W. Smith** moved second reading of Bill C-29, An Act for granting to Her Majesty certain sums of money for the federal public administration for the financial year ending March 31, 2015.

He said: Again, honourable senators, I think because of the detail that Senator Day has brought to the house — and, hopefully, I have added a few ideas to the answers that he gave — I have no further comments on Bill C-29 at this particular time.

**Hon. Joseph A. Day:** Honourable colleagues, Bill C-29 deals with the interim supply for the government from next Tuesday until the end of June. They’re asking for you to approve \$24.8 billion. That is roughly a quarter or three months of the year, to the end of June. Then we’ll have to do full supply before we break for summer recess at the end of June.

This is the interim, which allows our committee to then continue to study the Main Estimates for 2014-15. We will continue to study and report to you again with another report prior to seeing the appropriation bill that will give full supply for the other nine months of the year.

It is for \$24.8 billion, and at third reading I can go through the pro forma document with you. It basically has a schedule attached to some standard clauses, which are important, but they’re repeated on a regular basis.

I would be content to allow this bill to go to third reading, should this chamber see fit to adopt it at second reading.

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

**An Hon. Senator:** Question.

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

**Some Hon. Senators:** Agreed.

**An Hon. Senator:** On division.

(Motion agreed to and bill read second time, on division.)

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

(On motion of Senator Smith (*Saurel*), bill placed on the Orders of the Day for third reading at the next sitting of the Senate.)

• (1520)

## OFFICIAL LANGUAGES ACT

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

On the Order:

Resuming debate on the motion of the Honourable Senator Chaput, seconded by the Honourable Senator Massicotte, for the second reading of Bill S-205, An Act to amend the Official Languages Act (communications with and services to the public).

**Hon. Yonah Martin (Deputy Leader of the Government):** Honourable senators, with leave, I ask that the clock be reset on this item. It is at day 15, and I would like to ask for you to agree to reset the clock once again.

**The Hon. the Speaker *pro tempore*:** It is moved by the Honourable Senator Martin, seconded by the Honourable Senator Marshall, that further debate be adjourned until the next sitting.

Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

(On motion of Senator Martin, debate adjourned.)

## INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

### THIRD REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the third report of the Standing Committee on Internal Economy, Budgets and Administration (Senate budget for 2014-2015), presented in the Senate on February 27, 2014.

**Hon. George J. Furey** moved the adoption of the report.

He said: Honourable senators, as Deputy Chair of the Standing Committee on Internal Economy, Budgets and Administration, I'm pleased to present you with the Senate's Main Estimates for 2014-15.

The Senate's Main Estimates for the fiscal year 2014-15 show that the proposed total budget is \$91,485,177, down from \$92,517,029 from the previous year. This translates into a decrease in the total budget of 1.12 per cent.

The Senate undertook a very thorough strategic review of all its programs and expenditures to ensure a greater fiscal responsibility and accountability. This exercise will result in reductions in the voted budget over three fiscal years. As a result, the Senate reduced the voted budget by a total of 5.05 per cent from 2011-12. However, the Senate needed to fund salary increases that were outside the reduction plan, resulting in a net decrease of 2.63 per cent.

Senators' offices and Senate administration were given a mandate to streamline operations and realign activities. The Senate is continuously striving for greater fiscal responsibility and accountability. The Senate is proud to say that it met the 5 per cent reduction by 2014-15. Many of the cost-cutting measures are already implemented and were applied to the 2012-13 Main Estimates. They include: reduction in the maximum available for expenses related to living in the National Capital Region; reduction in the limit allowed under the miscellaneous expenditures account budget for senators; reduction in political officers' budgets; reduction in caucus budgets; reduction in committee budgets; reduction of the contribution to International and Interparliamentary Affairs' budget; a decrease in paper consumption and prudence in spending on material and supplies, repair and maintenance; restraint on travel; savings in telecommunications; reduction in professional services consulting; and reduction in the number of person years through attrition.

The Senate is very much aware of the current economic context. This is why we are managing to fund special initiatives with existing resources through internal reallocation.

In closing, I would like to take this opportunity to thank my fellow members of the committee, the clerk and his staff, the staff and the Director of Finance for their work in what have become very complex and challenging times. The Senate is a vital part of our parliamentary system, scrutinizing legislation and investigating a wide range of social, economic and cultural issues. Through their work and support, our people help us provide a real forum for issues of importance to Canadians.

Honourable senators, I respectfully request your support for the adoption of this report.

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

Is it your pleasure, honourable senators, to adopt the motion?

**Hon. Senators:** Agreed.

**Hon. Marjory LeBreton:** On division.

(Motion agreed to and report adopted, on division.)

## HYDROCARBON TRANSPORTATION

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Neufeld, calling the attention of the Senate to the safety of hydrocarbon transportation in Canada, and in particular, to the twelfth report of the Standing Senate Committee on Energy, the Environment and Natural Resources entitled: *Moving Energy Safely: A Study of the Safe Transport of Hydrocarbons by Pipelines, Tankers and Railcars in Canada*, deposited with the Clerk of the Senate on August 22<sup>nd</sup>, 2013, during the First Session of the Forty-first Parliament.

**Hon. Douglas Black:** Honourable senators, today I rise to recognize the significant contribution made by the Standing Senate Committee on Energy, the Environment and Natural Resources to the discussion of hydrocarbon transportation in Canada.

It is now time for us, as senators, to ensure that this important work is shared with Canadians. I have received very positive feedback from constituents in Alberta on the accessibility and the quality of this recent report. I believe it is of fundamental importance that we create opportunities such as this to discuss energy in an objective and reasoned way. Improving energy literacy in Canada is a necessary first step to addressing our current energy challenges and opportunities.

Now more than ever we need to amplify the credible voices that can help inform the Canadian public. The events that have taken place across North America in recent months illustrate the timeliness of the Senate's study.

The tragic loss of life in Lac-Mégantic, as well as derailments in Gainford, Alberta, Plaster Rock, New Brunswick, and Casselton, North Dakota, have underlined this urgency. These incidents show that more must be done to ensure the safe transportation of hydrocarbons.

Affordable and reliable energy forms the basis of our modern standard of living and the future of Canada's prosperity. Canada's energy is Canada's opportunity — an opportunity for jobs, a stronger economy and for improved environmental performance.

Canada's oil production has now reached 2.5 million barrels per day, and it's expected to reach 4.2 million by 2022. Already, the energy sector employs over half a million Canadians and generates about 25 per cent of the country's export revenue,

\$112 billion in 2011. Capital investment in the oil sands alone is estimated to reach \$218 billion over the next 25 years. Indeed, as we know, energy development is one of the main reasons that Canada has enjoyed economic stability during a period of global economic volatility.

The benefits of energy development roll across the country in the form of jobs and more money in Canadians' pockets through royalties, taxes, contracts and investment.

• (1530)

If we get things right, just the oil sands will create \$444 billion in tax revenue for governments in Canada over the next 25 years. Over 75 per cent of this, or \$322 billion, will go to the federal government.

As we know, there is a direct connection between being able to sell our energy at the highest price possible throughout the world and maintaining the world-leading standard of living that Canadians have come to enjoy, so developing our resources and the infrastructure needed to link them with Canadian industries and world markets benefits every Canadian.

I believe that expanding market access for our energy resources is the single-most urgent and important economic challenge facing Alberta and Canada. Simply put, to achieve our energy ambitions, we need a safe, reliable and responsible network to transport our resources.

The committee's study on hydrocarbon transportation in Canada has made a significant contribution to this goal by providing policy recommendations to the government and practical recommendations to industry. Relevant studies like this demonstrate to Canadians the value of the Senate to advance a practical, common sense public policy agenda.

The fact that the recommendations outlined in this report reflect the recent findings of the Canadian Transportation Safety Board as part of their investigation of the Lac-Mégantic disaster speak to the wisdom and the thoroughness of the Senate's work.

I also know that in Alberta, the mayors of both Calgary and Edmonton, cities through which major rail lines run, have voiced their support for the work that the Senate has done in this regard.

The Railway Association of Canada has also supported the recommendations as put forward. Indeed, CN Rail announced just yesterday changes to their fleet respecting the types of recommendations made in this Senate report.

I'm proud to be a senator and a new member of the Senate Standing Committee on Energy, the Environment and Natural Resources. It is this quality of work that Canadians expect us to do. Thank you.

(On motion of Senator Cowan, debate adjourned.)

## THE SENATE

ROLE IN REPRESENTING THE REGIONS OF THE  
CANADIAN FEDERATION—INQUIRY—  
DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Nolin, calling the attention of the Senate to its role in representing the regions of the Canadian federation.

**Hon. Nicole Eaton:** Mr. Speaker and honourable colleagues, I would like to begin by thanking my honourable colleague, Senator Nolin, for having launched his inquiry into the Senate of Canada, its purpose, its past and future, and the overarching pursuit of the reform of this place.

The notion of Senate reform has been a preoccupation in this country for more than 20 years. Since 1980, there have been no less than eight major studies on the subject. These have ranged from the Senate's own review undertaken in 1980 by the Standing Senate Committee on Legal and Constitutional Affairs, entitled *Report on Certain Aspects of the Canadian Constitution* and commonly known as the Lamontagne report. There was the Special Joint Committee of the Senate and the House of Commons on Senate Reform in 1984, known as the Molgat-Cosgrove committee. There was the study by the Canada West Foundation and the Alberta Select Special Committee on Upper House Reform, and the Special Joint Committee on a Renewed Canada, known as the Beaudoin-Dobbie commission. In 1991, there was the Government of Canada's report, *Shaping Canada's Future Together: Proposals*. There was as well the Royal Commission on the Economic Union and Development Prospects for Canada issued by the Macdonald commission in 1985, and of course there was the Charlottetown Accord of 1992.

We must also be reminded that the tradition of public discourse on Senate reform dates back to at least 1874. In that year, less than a decade after Confederation, the other place heard a proposal that it consider amending the constitution to allow each province to choose senators. The debate has continued since then and, in 1909, the Senate itself first debated reform, when a proposal that terms be limited to seven years and that two thirds of senators be elected was rejected.

While it has been said that "freedom is hammered out on the anvil of discussion, dissent, and debate," one doesn't tamper lightly with a system of governance that has served this nation well for almost 150 years.

Thus far in this debate, we have been reminded through the words of George Brown of the importance of the Senate and its place as perhaps the dealmaker in Confederation. The need to accommodate diversity amongst the first four provinces was accommodated by this agreement. In this compromise, a bicameral system including a lower house with representation by population and an upper house with representation based on regional rather than provincial equality was put in place.

[Translation]

Let's consider, honourable colleagues, how much our diversity has grown in the nearly 150 years since our dominion was created. From a nation of four provinces and a population of 3.463 million in 1867, we have grown to become a federation of 10 provinces and three territories, with a population of over 35 million people, who live in the second-largest country in the world.

[English]

Of course, with such population growth and the diversity that comes with it, there is real need to ensure our institutions adapt accordingly. In the case of the Senate of Canada, I believe that we have yet an upper chamber that need not be elected in order to remain effective.

Sir Wilfrid Laurier seemed to agree with this perspective. He said:

Confederation is a compact, made originally by four provinces but adhered to by all the nine provinces who have entered it, and I submit to the judgment of this house and to the best consideration of its members, that this compact should not be lightly altered.

Sir John A. Macdonald echoed this sentiment in Confederation debates when he asserted:

The Senate must be an independent House, having a free action of its own, for it is only valuable as being a regulating body, calmly considering the legislation initiated by the popular branch, and preventing any hasty or ill considered legislation . . .

The essence of my position is a simple yet powerful notion: Democracy, while an essential component of good governance, is not necessarily its guarantor.

As former U.S. President Jimmy Carter said, "Governance should be designed as an equalizer." This means that we, as an appointed Senate, are to serve as an intended, purposeful check and balance. I believe our own Fathers of Confederation would agree.

The United Nations Social and Economic Commission for Asia and the Pacific cites eight major characteristics for good governance. It is participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive, and follows the rule of law. It assures that corruption is minimized, the views of minorities are taken into account and that the most vulnerable in society are heard in decision making. It is also responsive to the present and future needs of society.

If this is indeed a template of good governance — and I firmly believe it is — we are serving a noble and productive purpose in this place, colleagues, to the benefit of Canadian society.

Let's look at the perspective of one who has dealt frequently with the Senate and has seen its value firsthand. Mel Cappe was a former deputy minister appointed by Prime Minister Mulroney who went on to serve as Clerk of the Privy Council under Prime Minister Chrétien. In a *Globe and Mail* editorial published last year, he affirmed his position that an appointed Senate is essential to our democracy. He mused:

As a senior official, it was always easier for me to appear before a committee of the House of Commons than of the Senate. In House committees, the two sides would go at each other making partisan political points while the official witness sat back and watched. Stick to your facts and you could get out of there without even answering questions.

Before a Senate committee, however, you had to really know your stuff. Senators didn't have constituencies to worry about or elections to win.

They could spend their time doing their homework, delving deeply into substance and challenging official witnesses. They probed the estimates, seriously reviewed legislation and considered big strategic policy questions.

Indeed, several were expert in the fields of municipal finance, national security, health care, tax law, business and so on. It was much more difficult for an official.

Senate Committees can be major contributors to the public debate, going beyond party politics and dealing with policy. The Senate Finance Committee used to review estimates of government spending and would truly hold the government to account in a way that makes Question Period seem like a joke.

• (1540)

Colleagues, this is highly illustrative of the type of accountability and check and balance that the Senate of Canada brings to our Parliament.

Mr. Cappe was also emphatic of the value of the people that comprise an appointed Senate. He said:

The people appointed to the Senate were not usually professional politicians. They had actually done something with their lives. They were small business people, senior managers in big business, heads of NGOs or professionals with real-world experience. They were the kind of people who wanted to make a difference and contribute to Canada, without subjecting themselves to the contact sport of elected politics. How to attract such people to public life without making them run for office? Appoint them.

The notion of appointed versus elected bodies is not uncommon. Consider that the members of the cabinet of the United States — perhaps the most powerful body in the free world — are all appointed. They are nominated to their positions by the president and presented to the United States Senate for confirmation or rejection by a simple majority. Yet, conversely, in America, judges, sheriffs and the like are often elected.

Last year, the American Constitution Society for Law and Policy, the long-time progressive advocacy group, released the results of a landmark study on the effect of campaign contributions on judicial behaviour. The statistics confirmed what former Supreme Court Justice Sandra Day O'Connor and countless other observers had long contended: judicial elections impair the fair administration of justice by fostering impermissible appearances of impartiality by judicial candidates and judges. In seeking votes and acting like politicians, judges invariably lose what they ought to prize most: their perceived credibility as neutral arbiters of cases and controversies.

[Translation]

Compare that to how we select judges in Canada. The Prime Minister appoints them, in consultation with the legal communities in the various provinces, where the nominations of competent, well-known and accomplished people have been compiled.

[English]

Gordon Gibson, columnist and Senior Fellow in Canadian Studies at The Fraser Institute, recently suggested that senators could be selected in the same way. Provincial nominating bodies could be made up of members chosen by the governing and opposition parties in the local legislatures, by the municipalities, the bar, universities and perhaps a few others. As with court nominations, their efforts could be private and undertaken only for the eyes of the prime minister.

With regard to the views of a former prime minister, only recently in a media interview Brian Mulroney suggested that his idea for Senate reform from the proposed Meech Lake Accord could be implemented to improve the appointment process. Under the Meech proposal, a provincial government would submit a list of nominees for Senate appointments and the prime minister would pick from that list. Mr. Mulroney believes the change would lead to a strong Senate. He also asserts it would bear democratic legitimacy because provincially elected politicians are involved in the process. All of this is grist for the mill — good fodder for constructive debate.

Moreover, we must acknowledge the calls for total abolition of the Senate.

Another bicameral legislature, the Senate of Ireland, sought abolition of its upper chamber for reasons of cost, lack of power, superfluity, a desire to reduce the number of politicians and lack of democratic election. Much like the dialogue here in Canada, there had been numerous official reports published on Senate reform over the years. Those against the proposed abolition contended that there was a mandate for Senate reform; that the process of legislation needed greater scrutiny; that most Westminster-system countries have bicameral legislatures; and, most important, that the Irish financial crisis showed a need for greater governance. Ultimately, in an October 2013 referendum with results very similar to those of the 1995 referendum in Quebec, the plans for Senate abolition were rejected by 51.7 per cent of the population.

So then, honourable colleagues, what is the way forward?

[ Senator Eaton ]

First, we must acknowledge a number of important things. We are accountable and transparent to our caucuses and to the regions by which we represent Canadians. The extent of our proactive disclosure in respect of finances for this place far exceeds that of the other place. Indeed, it should set the standard for all parliamentarians.

[Translation]

Second, we need to improve communication with Canadians in order to enhance their understanding and perception of what we do as well as how we contribute to good governance. We act as a safeguard in the Canadian Parliament.

[English]

If there is to be meaningful engagement with Canadians and a fruitful dialogue with them about the future of the Senate, we cannot leave informing citizens to political sound bites provided by the press.

Third, our committee endeavours and the reports that flow from them are of great value, but they are poorly presented to the public and thus often fall beneath the public radar, failing to gain the attention of the media, civil society and Canadians at large.

[Translation]

I find it extremely disappointing that we have missed so many opportunities to shine a light on the Senate's meaningful work, which is rooted in the implementation of committee recommendations.

[English]

The examples are numerous: the Standing Senate Committee on Social Affairs, Science and Technology's 2009 report, *A Healthy, Productive Canada: A Determinant of Health Approach*; the Standing Senate Committee on Agriculture and Forestry's 2011 report, *The Canadian Forest Sector: A Future based on Innovation*; and the Standing Senate Committee on Human Rights' 2011 report, *Cyberbullying Hurts: Respect for Rights in the Digital Age*.

Each of these studies was groundbreaking, informative and progressive in respect of their observations and recommendations.

[Translation]

We need to do more with them. We need to promote their value and their potential to help improve Canadian society.

[English]

Honourable colleagues, this must change.

Fourth, we must strive to remain true to our mandate and purposefully choose to override partisanship. As Sir John A. Macdonald emphasized in 1865 about the Senate:

It must be an independent House, having a free action of its own, for it is only valuable as being a regulating body, calmly considering the legislation initiated by the popular

branch . . . but it will never set itself in opposition against the deliberate and understood wishes of the people."

We should not, must not, and cannot allow ourselves to become a rubber stamp of the House of Commons. We've seen the tacit indignation that can arise when, as a chamber, we choose to exercise our prerogative and push back proposed legislation.

We saw it first-hand last year with respect to our deliberations around Bill C-377, a private member's bill about union transparency. The other place had reported and passed the bill without amendment. However, our study of its provisions concluded that there were serious concerns over the constitutional validity of the proposed legislation both with respect to the division of powers and the Charter. Other issues raised include the protection of personal information, the cost and need for greater transparency, and the vagueness as to whom this legislation would apply.

[Translation]

In light of those concerns and the consideration they were given here in this place, we did not pass the legislation. It was sent back to the other chamber, and rightfully so.

[English]

We saw it again with Bill C-314, a private member's bill around the screening of women with dense breast tissue, which, while a well-intentioned piece of proposed legislation, was literally hurried through the other place with little study. Our approach saw us undertake numerous hearings that, on the basis of expert witness testimony, enabled us to conclude that enacting such legislation would have meant bringing undue harm to women. This is the value of the Senate as a check and balance; this is the intentional outcome of undertaking sober second thought.

While Triple-E might be a catchy slogan, it by no means mirrors the challenges Canada faces respecting geography and demography —

**The Hon. the Speaker pro tempore:** Senator Eaton, do you need more time?

**Senator Eaton:** May I have five more minutes?

**Hon. Senators:** Agreed.

**Senator Eaton:** — or ensuring that the content and application of our laws remain as noble and appropriately protective of rights and personal safety as they should be. The reality is that Triple-E is not good or thoughtful public policy.

Colleagues, we can indeed be the bulwark of the Canadian people, particularly in the face of large majority governments in the other place. We can focus on the unique and fundamentally distinctive differences and needs of our nation's diverse regions — yet do so with a longer-term view of the net benefit to Canada as the sum of its parts, and not just as a "community of communities."

• (1550)

Lastly, we cannot speak of reform in this place without acknowledging the recent incidences of infamy on the part of a scant few of our colleagues. They have brought true dishonour to this place and to the esteem in which it was once held.

Faced with criticisms of his own team, Prime Minister Macdonald once said, “Give me better wood and I will make you a better cabinet.” Colleagues, I contend there’s little wrong in any way with the quality of the timber in this place.

The misdeeds of only five senators in a period of nearly 150 years cannot be permitted to reflect upon — nor at all diminish — the very significant contributions made by the overwhelming majority of honourable senators since Confederation.

One thing is certain: Change of some kind will come to this place.

What we must now decide is whether we choose to be the architects of such change, or rather will we allow ourselves to become merely afflicted by its onset?

President Dwight D. Eisenhower wrote, “Neither a wise man nor a brave man lies down on the tracks of history to wait for the train of the future to run over him.”

An appointed Senate works and can indeed flourish, providing we continue to act in the spirit of rendering independent and carefully considered study, while thoughtfully serving as the check and balance we were created to be nearly a century and a half ago.

Thank you. Merci.

(On motion of Senator Tkachuk, debate adjourned.)

[*Translation*]

## FOREST INDUSTRY

### INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Mitchell calling the attention of the Senate to the forestry industry’s efforts to address public criticism about environmental practices and how it could be applied to the energy industry.

**Hon. Ghislain Maltais:** Honourable senators, I am pleased to resume Senator Mitchell’s debate regarding Canadian forestry companies and getting our forests back to where they should be.

To start, I would like to remind Senator Mitchell that the provinces have sole jurisdiction over the forestry industry, which is governed by provincial laws. Since 1985, companies in each of

the provinces — whether it is Newfoundland, Nova Scotia, New Brunswick, Quebec, Ontario or British Columbia — have done a remarkable job in response to the very strict laws passed by the provinces and the significant royalty fees imposed to provide for the rebuilding of our forests after timber harvests, which are so important to the Canadian economy.

Mr. Speaker, I supported a bill in another parliament, Bill 65 in Quebec, which completely changed the formula for logging rights and timber concession rights. I remember at the time, public servants in Quebec looked to Scandinavia as a model. I am not a big spender, so I first looked at what was going on in Canada and at the excellent model of New Brunswick.

We went to New Brunswick for very little money to talk to departmental scientists and engineers about how they managed to keep rebuilding a forest. New Brunswick is a bit of a special case, because the majority of the forests belong to companies and small producers, while Quebec has timber concessions, a holdover from the British Empire.

Let us remember that, at the time, building a paper mill did not cost a cent. All one needed was a timber concession in Quebec which covered a vast tract of land and could be mortgaged to build a paper mill. As soon as the mill produced its first roll of paper, money started pouring into shareholders’ pockets. The same happened in many other provinces, including British Columbia, Ontario and Newfoundland. Over the years, back when there was a federal forestry minister — the last one was Gerald Merrithew from New Brunswick — the provinces agreed to pass similar legislation. In other words, you don’t build a road to last one year; you build it to last 50. You don’t clear-cut; you do selective logging and, most importantly, you plant one tree for every tree you cut. As a result, since the 1980s, Canadian forests have been renewing themselves despite difficult climate conditions.

The development of greenhouse and reforestation technology in New Brunswick has led to a custom-made tree that grows very quickly in all regions of Canada. Quebec borrowed that technology to regrow its northern forests, and so did Ontario. The climate in British Columbia is very different from what we have here.

However, Senator Mitchell said that things are not the same in the western provinces, and that’s true. How can forestry companies achieve sensible development? I don’t think we need to look elsewhere; we have everything we need here. We have forestry programs. For example, in 1985, there was one forestry program in Quebec, and now there are five. Forestry technicians are being trained by forestry engineers, who are the experts in forest development in all provinces. We can use these new technologies to rebuild what was sadly neglected from 1920 to 1970. Today we can be proud of the work each province has done.

However, there is always room for improvement, and that will come from new reforestation technologies. This is really important. As you may recall, there was an old saying in Canada: Canada’s forests are inexhaustible — until the day we realized that only 25 per cent remained. That is when Canadians started to wake up. The federal government had significant

[ Senator Eaton ]

responsibilities in this area, but it downloaded them to the provinces, which then played their role. Now, if we want to do the same thing with oil development — Senator Mitchell alluded to this — new technologies that are advancing every year could undoubtedly allow energy companies to return the land to an acceptable state. We will certainly not be able to repair all the damage done by energy development; however, if energy production companies were to reinvest a percentage of their profits to help rehabilitate the land, as forestry companies are obligated to do now — which is how we have rebuilt the forests — we can rebuild and restore a certain quality of life to a land environment that has been exploited.

• (1600)

If this could be done in Eastern Canada and the Western provinces, it can also be done in Western Canada with oil development. All that is needed is the will to do it. First, this requires the will of the people in that sector, and also the will of the provincial governments, which must not be afraid to impose fees after development, which is what Quebec and Ontario have done. After a mine shuts down, you have to reclaim the land. There has to be reforestation.

In northern Quebec, I saw the town of Gagnon close. It was an open-pit iron mine. Today it is a forest because the Iron Ore Company was required to reforest the land it had mined for 30 years.

This is not impossible. It is a question of goodwill. Senator Mitchell, I am pleased that you raised this question because if nothing is done today in Western Canada, what will the land be like in 25 years? What will happen to the wildlife? How will this affect the population? I am convinced that this is something that needs to be done in your province and across Canada, and it is to your credit that you have raised this issue. Thank you.

[English]

**The Hon. the Speaker *pro tempore*:** It's four o'clock, but does anyone wish to speak other than Senator Mitchell? If Senator Mitchell speaks, that will close the debate. There is no time, unfortunately, for a question.

Senator Fraser, are you moving the adjournment?

**Hon. Joan Fraser (Deputy Leader of the Opposition):** Yes, although I did think there was some time remaining in Senator Maltais' time.

**The Hon. the Speaker *pro tempore*:** I think he closed his remarks.

**Senator Fraser:** Then I move the adjournment, Your Honour.

(On motion of Senator Fraser, debate adjourned.)

(The Senate adjourned until Thursday, March 27, at 1:30 p.m.)

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