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OFFICIAL REPORT
(HANSARD)

Thursday, October 6, 2016

The Honourable GEORGE J. FUREY
Speaker

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

Debates Services: D'Arcy McPherson, National Press Building, Room 906, Tel. 613-995-5756
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THE SENATE

Thursday, October 6, 2016

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

Prayers.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, we have a full list of senators wishing to speak on Senators' Statements, so I would caution senators to keep their remarks to three minutes. Thank you.

SENATORS' STATEMENTS

THE LATE HONOURABLE ISOBEL FINNERTY

Hon. Joseph A. Day (Leader of the Senate Liberals): Honourable senators, I was deeply saddened to learn that our former colleague Senator Isobel Finnerty, passed away on Monday of this week. I wanted you to know a little bit about that wonderful lady and former colleague of ours.

Senator Finnerty arrived here in September 1999, together with five other new senators at that time, a group that included Senator Sibbeston and our Speaker, Senator Furey. She proudly served here until July of 2005, representing the province of Ontario, with a particular emphasis and attention on northern Ontario.

Colleagues, there has been a lot of discussion of late about the proper role of partisan politics in this place, and indeed some have questioned whether someone with a strong partisan background is a good fit. Well, Senator Finnerty was a shining example of a strong partisan who was truly excellent as a senator.

She loved politics — a love affair that began when her brother ran for political office when she was a child. She became a political organizer extraordinaire.

Our former colleague Senator Joyce Fairbairn once described Prime Minister Chrétien paying tribute to Senator Finnerty in a cabinet meeting and asking who had been helped by her in their campaigns. Senator Fairbairn said that it seemed that everyone in the room, from every corner of the country, leapt to their feet and cheered her.

So she was a strong partisan. There's no doubt about that. But here in the Senate, she was recognized by all sides for her ability to harness her political skills and knowledge in the service of her work here in the chamber.

Senator Lowell Murray, a strong partisan himself of the former Progressive Conservative Party of Canada, served as Chair of the National Finance Committee with Senator Finnerty as his deputy chair. I succeeded her in that particular position. He told this chamber how Senator Finnerty always approached her work in

the spirit of negotiation and honourable compromise, welcoming and encouraging the expression of all views, supportive and opposing. Interestingly, Senator Murray attributed this even-handed approach precisely to her political involvement. In his words, "It springs from her deep roots as a partisan in the Liberal Party."

Honourable senators, Senator Finnerty left her mark on so many of her colleagues here in this place. I came to this place just a few years after Senator Finnerty, and we worked together on the National Finance Committee for many years. She became a true and dear friend.

I am told that I may not close these remarks without mentioning the impact she had on Senate staff members, including my own. Her kindness and generosity toward all around her shone always and left an indelible mark.

Colleagues, I have missed Senator Finnerty's presence in this chamber since she retired more than 10 years ago, and now we mourn her passing. But the example she set remains and hopefully will serve to guide all of us in this chamber as we continue to serve.

Hon. Senators: Hear, hear!

[*Translation*]

WOMEN'S RIGHT TO VOTE

CENTENNIAL ANNIVERSARY

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, since 1992, Status of Women Canada has been recognizing specific aspects of women's history in Canada in the month of October. It is in that context that I want to acknowledge today an initiative of the Association de la presse francophone, which launched a website yesterday and a series of three special issues to mark the hundredth anniversary of the women's right to vote. These special issues will be published in more than 225,000 print-runs in every francophone minority paper in Canada and more than 700,000 print-runs in English-language papers in Quebec through a partnership with the Quebec Community Newspaper Association.

Like many of you, honourable colleagues, I took part in this project. I chose to pay tribute to Marie-Claire Kirkland-Casgrain, a Quebecer who inspired me greatly. As you know, she was the first woman to be elected as a member of the National Assembly, the first woman to be appointed to cabinet, the first woman to be appointed acting premier, and the first female judge in the Court of Quebec.

• (1340)

As a politician, she made progress toward creating greater social equality for women on several fronts. She helped gain recognition for women's rights by sponsoring Bill 16, which put

an end to the legal incapacity of married women by making it possible for them to legally sign a lease or open a bank account without their husband's authorization.

It is my fervent hope that more women will choose to get involved in public affairs so that we can achieve gender parity in our political representation as soon as possible.

You can read our colleagues' articles at www.clique-clicking.ca. The Association de la presse francophone has partnered with school boards across the country and expects 300,000 people to visit the site, which is a source of inspiration for young people across the country.

In closing, honourable senators, I suggest you go see "Nice Women Don't Want the Vote," an exhibition whose title is drawn from words uttered by Manitoba Premier Sir Rodmond Roblin during a heated exchange with suffragist Nellie McClung. The exhibition was created by the Manitoba Museum and is presented at the Canadian Museum of History until March 12, 2017. It outlines the historical context of the suffragist movement in Manitoba, the first province to give women the right to vote in 1916.

The one hundredth anniversary of women's right to vote is certainly a turning point in Canadian history, which is why I felt it was important to share these initiatives with you. Thank you.

[English]

NORTHERN SHRIMP INDUSTRY

Hon. Michael L. MacDonald: Honourable senators, one of the primary roles of any senator is to ensure the province they represent is always treated fairly and equally by the federal government in areas of public policy.

As a Nova Scotian, I am compelled to put on the record the concern of all informed Nova Scotians, indeed of all fair-minded people, about the federal government's decision regarding the management of the northern shrimp fishery.

There was no shrimp fishery to speak of until Nova Scotian entrepreneurs approached the federal government in the late 1970s with proposals to develop this fishery. They put up millions of dollars over the next two decades establishing this new industry. It was all private money, and these investors took all of the risk.

In the late 1990s, Newfoundland and Nunavut interests were given access to this established fishery. It was made very clear at the time that the principle of "last in, first out," or LIFO, would apply if there were negative impacts on the size of the stock. This LIFO principle was supported by the Chrétien, Martin and Harper governments and was agreed to by all of the new entrants in the fishery. That was the deal.

The news last year that the biomass had plunged by 40 per cent meant that the federal government would have to slash the quota. This is understandable; it is all part of maintaining a responsible and sustainable fishery.

All governments have the right to change policy, but policy decisions must be made on a fair and unbiased assessment of the facts. Let's look at the facts.

The government claims they abandoned the policy on the advice of a ministerial advisory panel that they appointed. But three of the four people on the committee were from the province of Newfoundland and one was from British Columbia. There was nobody from Nova Scotia or any other Maritime province on this committee. One of the members is a former MHA and fisheries minister from Newfoundland who previously declared in that legislature that any allocation of shrimp should be restricted to Newfoundland interests. In addition, his wife, a chief negotiator for an Inuit land claim company, appeared before this panel in Nunavut, opposing the LIFO policy.

Hearings were held in five Newfoundland communities where the shrimp industry is an issue, but similar communities in Nova Scotia and the other Maritime provinces dependent on the shrimp industry were completely ignored. Apparently, their opinion did not matter.

This entire process was unacceptable from start to finish. I don't criticize Newfoundlanders for fighting for their piece of the pie, but I do hold the government completely responsible for this farce of a review, a one-sided process that could only have one predetermined outcome. Of course, a new policy was announced the week after Parliament rose for the summer — the duplicity exceeded only by the cowardice.

There is no doubt that scrapping the LIFO policy in favour of a proportional system will be to the detriment of Nova Scotian fishing communities. According to reports, our offshore northern shrimp trawlers have now had their quotas cut by 53 per cent.

And where are the elected Nova Scotian members of Parliament during this time? Their silence is deafening. They apparently hold little influence with their leader or their own party. They could almost be confused for Liberal senators.

The government's decision is grossly unfair to Nova Scotia, and the Prime Minister and his Nova Scotian MPs have to answer for this. Hiding behind the work of a biased review panel that totally lacked appropriate representation is not good enough for me, and it is certainly not good enough for the people of Nova Scotia.

Some Hon. Senators: Hear, hear!

VISITOR IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Samuel Breau, representative of the Mental Health Commission of Canada and Campaign Ambassador for the 2016 Faces of Mental Illness Awareness Week. He is the guest of the Honourable Senator Meredith.

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

Hon. Senators: Hear, hear!

MENTAL ILLNESS AWARENESS WEEK

Hon. Don Meredith: Honourable senators, it gives me great pleasure to rise today to mark Mental Illness Awareness Week, an annual national public campaign designed to help open the eyes of Canadians to the reality of mental illness.

Honourable senators, mental health problems and illnesses have many forms, from substance-related disorders to deliberate self-injury. Unfortunately, mental illnesses are still feared and misunderstood by many people. I strongly believe that one of the best ways to stop this fear and reduce the stigma around mental health issues is education. That is why I'm proud to support this campaign.

Canadians must understand that maintaining your mental health is just as important as your physical health. The key to maintaining mental wellness is striking a balance in all aspects of your life: social, physical, spiritual, economic and mental.

Reaching that balance is a learning process. Recovery does not necessarily mean a cure, but it does mean living a satisfying, hopeful and contributing life. Even when mental health problems create ongoing challenges, every recovery journey is different and builds on individual, family, cultural and community strengths that can be fostered by many types of services, supports and treatments. That is why each individual and every organization has a role to play in supporting people through their journey of recovery.

Tuesday, some of you may have had a chance to meet those involved with the Faces of Mental Illness Campaign. They are the ultimate ambassadors of recovery as they courageously lend their faces and share their personal recovery stories with everyone in Canada, illustrating that there is no standard path to recovery.

I want to thank Andrea Paquette, Dexter Nyuurnibe, Stéphanie Fontaine and Samuel Breau for being the 2016 Faces of Mental Illness and for sharing their stories and proving that recovery is not only possible but probable — with timely treatment, services and support.

Samuel Breau from the Mental Health Commission of Canada joins us today in the gallery. Thank you for being here.

Everybody living in Canada has a part to play in reducing stigma and creating socially inclusive communities that foster recovery and well-being for all.

Today, and all this week, I call on parliamentarians and all Canadians to use their platform to encourage dialogue and help Canadians learn more about how to advance recovery and mental health services. Let's work together to promote a greater understanding of mental health and to encourage others to share their stories of hope and recovery.

THE LATE HONOURABLE BARBARA A. HAGERMAN, O.P.E.I.

Hon. Elizabeth Hubley: Honourable senators, I rise to pay tribute to the Honourable Barbara Hagerman, the former Lieutenant Governor of Prince Edward Island, who died earlier today at the age of 73 years.

Ms. Hagerman served as Her Majesty's representative from 2006 to 2011 with passion and a deep sense of purpose. She freely shared her gift of music with others and was widely recognized for her contributions to the social and cultural life of the Island. Her commitment to excellence and strong connection to her fellow Islanders ensured her term as Lieutenant Governor was a great success.

Throughout her life, Ms. Hagerman showed a talent for public service, and her many volunteer activities are a testament to her commitment to the people around her. She was an active volunteer in a number of organizations, most notably with the Federation of Canadian Music Festivals and the Prince Edward Island Music Festival Association.

A member of the Order of PEI, Ms. Hagerman's story is one of accomplishment. I am certain that she will be missed by all those who had the good fortune to know her and by Islanders across the province.

• (1350)

I would like to extend our sincerest condolences to her husband, Nelson, her children, Kurt and Brynne, and their families and to her many loved ones and friends. Thank you.

[Translation]

THE LATE MICHEL PAGEAU

Hon. Pierre-Hugues Boisvenu: Honourable senators, the great animal lover Michel Pageau, passed away on Wednesday, October 5, at the Amos Hospital at the age of 76.

For years, Michel talked to the animals he kept at his home in a makeshift shelter before it became an actual shelter that attracts thousands of visitors to the region of Amos every year.

I even remember that Michel once kept baby beavers in his home that were abandoned by their parents. You can easily imagine what happened next. Michel and Louise's home was a refuge for all kinds of injured animals that live in the Abitibi forest.

Who was Michel Pageau? He was a staunch protector of the region's wildlife and a conservationist. He founded his refuge with his wife, Louise, more than 30 years ago in Amos. At first, his refuge accepted injured or abandoned forest animals, often ones that wildlife protection officers brought to him to care for and then return to their natural habitat. Those that could not be returned to the wild remained at the refuge and became part of his growing animal family. In this way, he carried out his volunteer mission to educate people, which became increasingly popular. I actively contributed to the creation of the Michel Pageau Zoo, and I must say that it was quite an adventure. In 1987, when I was regional director of the wildlife ministry, I attended the first Abitibi-Témiscamingue socio-economic summit, which was co-

chaired by the wildlife minister, Yvon Picotte, and the transportation minister, Guy Chevrette.

As well as dedicating himself to his mission of saving injured and sick wild animals, Michel also worked for Quebec's Ministry of Transportation as a road signalman. In a historic gesture that meant so much to Michel, the Government of Quebec announced at that summit that it was giving him a \$400,000 grant to make professional upgrades to his zoo and animal shelter.

Michel was in for another surprise at that summit. In a rare gesture of complicity between two ministers, the Minister of Transport, Guy Chevrette, dramatically announced to his colleague, the Minister of Wildlife, that Michel Pageau was being permanently transferred to the wildlife ministry so that he could dedicate himself full-time to his mission of saving wild animals. That is when Michel came to work for me.

In the months following this life-changing decision for Michel and his entire family, I got to know a man who was incredibly charismatic and tremendously kind to people and animals alike. This philosopher, humanist and former trapper soon won over the people of the region, the rest of Quebec, and even France, where news about the man travelled widely. In 2001, he was the subject of the NFB documentary *The Man Who Talks with Wolves*.

Throughout the 1990s, he became an icon for tourism development in the Abitibi-Témiscamingue region, thanks to his magnificent long, white Santa Claus beard and his six-foot, 300-plus-pound frame.

Michel had been semi-retired for the past few years, after handing responsibility for the shelter over to his daughter Nathalie and his son-in-law Félix.

Michel leaves behind his family, his friends and the entire local community, and he will be sadly missed by the animals of the Abitibi boreal forest.

May you rest in peace surrounded by your animal friends in heaven, Michel.

[English]

ROUTINE PROCEEDINGS

ENVIRONMENT AND CLIMATE CHANGE

2016-19 FEDERAL SUSTAINABLE DEVELOPMENT STRATEGY TABLED

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, I have the honour to table, in both official languages, the 2016-19 Federal Sustainable Development Strategy.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—STUDY ON THE ISSUE OF DEMENTIA IN OUR SOCIETY—FOURTH REPORT OF COMMITTEE PRESENTED

Hon. Kelvin Kenneth Ogilvie, Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Thursday, October 6, 2016

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

FOURTH REPORT

Your committee, which was authorized by the Senate on Tuesday, February 23, 2016, to examine and report on the issue of dementia in our society, respectfully requests funds for the fiscal year ending March 31, 2017, and requests, for the purpose of such study, that it be empowered to engage the services of such counsel, technical, clerical and other personnel as may be necessary.

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

Respectfully submitted,

KELVIN KENNETH OGILVIE

Chair

(For text of budget, see today's Journals of the Senate, Appendix, p. 835.)

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

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

NATIONAL SICKLE CELL AWARENESS DAY BILL

FIFTH REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE PRESENTED

Hon. Kelvin Kenneth Ogilvie, Chair of the Standing Senate Committee on Social Affairs, Science and Technology, presented the following report:

Thursday, October 6, 2016

The Standing Senate Committee on Social Affairs, Science and Technology has the honour to present its

FIFTH REPORT

Your committee, to which was referred Bill S-211, An Act respecting National Sickle Cell Awareness Day has, in obedience to the order of reference of September 28, 2016, examined the said bill and now reports the same without amendment.

Respectfully submitted,

KELVIN KENNETH OGILVIE

Chair

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

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

CANADA-EUROPE PARLIAMENTARY ASSOCIATION

MEETING OF THE STANDING COMMITTEE OF
PARLIAMENTARIANS OF THE ARCTIC
REGION, MAY 23-24, 2016—
REPORT TABLED

Hon. Percy E. Downe: Honourable senators, I have the honour to table, in both official languages, the report of the Canadian parliamentary delegation of the Canada-Europe Parliamentary Association respecting its participation at the Meeting of the Standing Committee of Parliamentarians of the Arctic Region, held in Bodo, Norway, from May 23 to 24, 2016.

Your Honour, no senators participated in these meetings or this trip.

[*Translation*]

QUESTION PERIOD

HEALTH

MENTAL ILLNESS—SUICIDE PREVENTION STRATEGY

Hon. Claude Carignan (Leader of the Opposition): Honourable senators, my question is for the Leader of the Government in the Senate.

Leader, October 2 to 8 is Mental Illness Awareness Week in Canada. This gives Canadians an opportunity to help put an end to the stigma associated with mental illness and consider the major impact mental illness can have on individuals, families and communities across the country.

[Senator Ogilvie]

According to an editorial in the *Canadian Medical Association Journal*, the Liberal government's 2016 budget contained very few measures to address issues related to mental illness.

• (1400)

The authors also called on the federal government to implement a national suicide prevention strategy. However, in April, the Minister of Health said that she did not really think that national strategies were an effective way of getting results.

What is the government's position on the possibility of implementing a national suicide prevention strategy?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for this question on a subject which is of interest to all Canadians and certainly all senators. All of us have some relationship to this issue of mental illness, either family or friends or perhaps ourselves. That is a reality that we are struggling with as a society.

You properly raised what the role of the Government of Canada is, and I do recall that this was an issue that was addressed by the Minister of Health when she appeared before the Senate in Question Period. She associated the need for an approach from the Government of Canada with respect to mental illness that was inclusive of broader sets of issues that relate to and are interactive with the state of mental health in Canada.

I certainly will, on behalf of the honourable senator opposite, remind and relate the ongoing interest of the Senate on this issue and report back as appropriate, but I do recall that this is an issue that we have discussed in this chamber with the minister responsible.

[*Translation*]

Senator Carignan: The delayed answer tabled on June 21, 2016, indicated the following regarding the Federal Framework for Suicide Prevention, and I quote:

The Framework, which is currently being finalized, builds upon mental health promotion and suicide prevention work underway across federal departments. A report on progress will be provided by December 2016 as specified in the Act.

Can the Government Representative in the Senate tell us whether the government will commit to following up on the progress report regarding the practical measures taken to prevent suicide in Canada?

[*English*]

Senator Harder: Honourable senators, I again thank the honourable senator for his ongoing interest on the subject and would be happy to report back on progress that is made, recognizing, of course, that this issue is associated with so many other health and social conditions that need to be taken into account when considering good public policy on the issue of mental illness and well-being.

IMMIGRATION, CITIZENSHIP AND REFUGEES

SYRIAN REFUGEES

Hon. David Tkachuk: My question, Senator Harder, is one that I didn't get a chance to ask Minister McCallum when he appeared here. It has to do with the government's refugee program.

Could you tell us how many new refugees from Syria — that is, those who were not in the process under the previous Conservative government and those who were not sponsored by non-governmental agencies — your government brought into Canada by December 31, 2015; by February 28, 2016; and by March 31, 2016?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question and interest in this subject. As the premise of his question suggests, I don't have that information. I would be happy to seek it and table it in this chamber.

Senator Tkachuk: While you're doing that, could you also provide the costs of bringing in those refugees on December 31, February 28 and the end of March?

Senator Harder: If those costs are available in the time frames that you're asking for, I will provide them. Otherwise, I'll provide them in the form in which I receive them but certainly try as best I can.

Senator Tkachuk: Thank you.

HEALTH

MENTAL HEALTH COMMISSION

Hon. James S. Cowan: Honourable senators, I want to return to the theme that Senator Carignan raised, and that's the issue of mental health.

The previous government, towards the end of its mandate, did renew the mandate of the Mental Health Commission of Canada for a further period of time, I think extending out a total of eight years. There was discussion then about negotiating a new mandate for the Mental Health Commission of Canada.

I wonder if you could find out and tell us as quickly as possible the status of those negotiations. It's my understanding that the mandate has not been finalized, but I'd like to know what the status of the discussion is and when we might expect to hear the form of the new mandate of the Mental Health Commission of Canada.

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question and interest in this area and would be happy to so report. Hopefully I could do that the week we are back after the break, and it would be easier for me to do that if you asked me the question at that time so I don't have to go through the process of written responses.

Senator Cowan: Thank you.

Hon. Jane Cordy: Along the lines of the Mental Health Commission, the previous government did indeed renew the mandate for the Mental Health Commission. Unfortunately, they provided no funding to go along with that mandate. Perhaps I will ask this question again after the break week, which is related to whether or not they would consider funding the Mental Health Commission, which is doing excellent work.

Senator Harder: I will take note of the question and respond as quickly as I am able.

INTERNATIONAL DEVELOPMENT

SUPPORT FOR VICTIMS OF HURRICANE MATTHEW

Hon. Don Meredith: Leader of the Government in the Senate, Hurricane Matthew is hitting a category almost 5 now. I just got off the phone; I was speaking to my mother in Florida and they are bracing for the worst.

However, Canada has always been generous in supporting countries like Haiti, which has been hit hard by Hurricane Matthew. I'm wondering what the government's plans are with respect to supporting Haiti and also all the affected Caribbean countries. The Bahamas is about to be hit as well. What is the government's plan at this time for support with this hurricane?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question and for the ongoing interest in this region as it faces this incredible storm.

The Minister of International Development has stated publicly that Canada is ready and willing to respond. I believe the Government of Canada is waiting for a precise request from the appropriate international organizations that are involved and stands ready to make an immediate announcement. I don't believe that announcement has been made yet, although it may have been made without my being aware, in the last number of hours.

I think you can anticipate that the Government of Canada will continue to live up to Canada's reputation in situations like this, to be among the early responders and continue to update and respond appropriately as the situation becomes clearer and the impact of the storm is better understood.

IMMIGRATION, CITIZENSHIP AND REFUGEES

REVOCATION OF CITIZENSHIP

Hon. Michael L. MacDonald: The minister was here the other day and I had some questions for him, but I didn't get an opportunity to ask them, so I'll ask them to you today, with your indulgence.

Leader, the current legislation provides that people who are convicted of terrorism and are citizens of Canada and also citizens of a second country have their Canadian citizenship revoked upon

conviction. Many Western democracies already have similar laws. Some Liberals have said this action creates two-tiered citizenship, but I say this action places a value on Canadian citizenship and removes it from those who seek to harm innocent civilians in their pursuit of terrorist objectives.

Would you not agree with me that it is the actions of the terrorists themselves that break the social contract with peaceful Canadians and place themselves outside the law, much in the same way a criminal loses his freedom upon conviction?

This is not two-tiered citizenship; it is exempt status for people who cause problems for innocent people. Why is there special favouritism for convicted terrorists?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. While he didn't have the occasion to ask the question of the minister the other day, this issue was one that was raised and the minister responded. I'm happy to respond on behalf of the Government of Canada.

The Government of Canada has a view that a citizen is a citizen is a citizen, and that is to say that the proper place for citizens of dual nationality who are convicted of the horrendous crimes that you reference are more appropriately housed in our jails and convicted of the crimes for which they are held accountable rather than be removed to a country which may or may not act appropriately in the face of the extradition.

As well, this issue was well canvassed, as you will know, in the last election, and the government was explicit with respect to it and is intending to move forward with appropriate legislation, some of which is before our chamber, to reflect that view.

• (1410)

Senator MacDonald: I guess when I think about the government negotiating with the Chinese government on an extradition treaty, I can take that advice with a bit of a grain of salt.

REQUIREMENTS FOR CITIZENSHIP

Hon. Michael L. MacDonald: There's a current debate in Europe over immigration, and it's been acknowledged that perhaps the best model for Europe and the United Kingdom to manage their immigration systems is the points model used by Australia and Canada. That system has produced a welcoming home for millions of new Canadians who have gone on to make tremendous contributions to their new country. It has produced millions of new Canadians who are proud of their new country, and Canada is proud of them. The system works to the benefit of new Canadians and Canada as a whole because it uses standards of literacy, civic knowledge, skill levels and the ability to adapt and become successful new citizens.

Are you not concerned that in eliminating these criteria, such as the ability to speak either French or English, as well as the requirements for applicants for citizenship to demonstrate knowledge of Canada, you're granting citizenship to people who are less likely to get a job and less likely to succeed in

Canada? Why not continue to grant citizenship to new Canadians who are much more likely to succeed than bringing people here who are less likely to succeed?

Hon. Peter Harder (Government Representative in the Senate): Again, this is a matter that is before the Senate, and I hope that the honourable senator participates in the debate more fully.

I think it's important to reference what category we're talking about when we're talking about the criteria, the point system and the requirements for access to a particular category. What the government is doing with particular amendments that are before us is seeking to balance in the historic way in which we have balanced humanitarian treatment and consideration of older permanent residents seeking to be citizens and their ability to integrate.

It's very clear that the Government of Canada and the people of Canada have benefited greatly over the years from immigration. The various categories, including economic migration, have contributed significantly. The issue of family unification and the citizenship entitlements to members of the family class are reflected in the amendments before us, and I believe that they're entirely appropriate, balanced and fair.

FOREIGN AFFAIRS

INVITATIONS TO FORMER PRIME MINISTERS FOR FOREIGN STATE FUNERALS

Hon. Leo Housakos: My question is to the Leader of the Government, and it's in regard to the state funeral of Shimon Peres. The Prime Minister of Canada led a delegation to that state funeral. It has come to my attention that an invitation was extended to certain former prime ministers but no invitation was extended to other prime ministers. I was wondering if you could share with this chamber what criteria this current government uses for which prime ministers received an invitation to this delegation and which prime ministers did not.

Hon. Peter Harder (Government Representative in the Senate): I can only presume it's the same criteria that have been used by other prime ministers, but I will seek an answer to your question.

Senator Housakos: Well, I can assure the representative of the government in this chamber that the criteria the previous Prime Minister used is all former prime ministers were invited to state funerals when Canadian delegations would go. For example, in the case of South Africa, when the late great Nelson Mandela's funeral took place, Prime Minister Harper extended an invitation to all prime ministers, and a large number of them did take that invitation on and accompanied the Prime Minister to the funeral.

In this particular instance the Prime Minister talks about being magnanimous and non-partisan, and I think it was an opportunity to show it once again, but it's come to my attention that some prime ministers were invited and certain others were not invited, and I would like to have the government share with this chamber the criteria they used for those invitations.

Senator Harder: I take note of your question.

[Translation]

HEALTH

ZIKA VIRUS

Hon. Claude Carignan (Leader of the Opposition): My question is for the Leader of the Government in the Senate and is on a growing public health problem. In recent months we have heard a lot about the Zika virus. This virus is transmitted by mosquitos and can cause birth defects, namely microcephaly, where a child's head is smaller.

Can the Leader of the Government in the Senate tell us whether the Public Health Agency of Canada has implemented a program to monitor the Zika virus? Is there a protocol for collaboration between the provinces and territories on this file? I would also like to know how much money has been allocated to the monitoring program in Canada, given that as of this morning there are 328 known cases of Zika virus in Canada.

[English]

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question. This is an important public health issue, one that the public health services of Canada have been actively engaged in and well engaged with public awareness of the issue. A number of directives and public advisories have taken place that have adjusted over time as the circumstances have evolved.

I am not at this point off the top of my head aware of the precise amount of resources available, but I want to assure the honourable senator and, through the honourable senator, all Canadians that there is active engagement at the international level and through public health with the provinces to ensure the highest level of awareness and responsiveness among Canadian health care providers to this challenge.

[Translation]

Senator Carignan: Can the Leader of the Government explain to us in what capacity the Public Health Agency of Canada is working with the provinces and territories on screening for and monitoring this virus, especially in cases of pregnant women who have been exposed to it?

[English]

Senator Harder: Again, I thank the honourable senator for his question. There exists a protocol of federal-provincial cooperation with public health agencies in the provinces, territories and the national government that cooperate on a regular basis on this public health issue and all emerging public health issues, including data sharing and campaign awareness is reflected in the directives given by Health Canada and the Public Health Agency of Canada to the public and, through the distribution of the federal-provincial-territorial network, the data to health care providers and public health in particular.

[Translation]

Senator Carignan: Does the government plan to deploy an awareness campaign to inform Canadians about the virus? Many Canadians will soon be travelling south, to Florida in particular, where there are problems, but also to a number of countries in Latin America, Central America, and the Caribbean. The 328 known cases are all travel related. Will there be a real awareness campaign or will we have to settle for notices on the Public Health Agency of Canada's website?

[English]

Senator Harder: Clearly, the senator is referring to a very important issue as we approach the season in which many Canadians wish to take advantage of more favourable climates, often, unfortunately, in areas where the Zika virus is present. That warning to Canadian travellers does reflect itself in the travel warnings and travel information being provided to Canadian travellers.

With respect to a more active and broader campaign, which I believe his question implies, frankly I would have to get back to the senator with updated information.

ORDERS OF THE DAY

INCOME TAX ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Day, seconded by the Honourable Senator Hubley, for the second reading of Bill C-2, An Act to amend the Income Tax Act.

Hon. Larry W. Smith: Honourable senators, before I give my presentation, I would like to thank Senator Day as the sponsor of the bill. He outlined the intent that he was proceeding with as a senator and the fact that we're supposed to scrutinize, analyze and make modifications if appropriate, and I just wanted to say thank you for that because the intent that I have today as the critic is to look at this as an analytical assessment of what Bill C-2 gives.

Each of you will receive or has received in your emails two pieces of paper. One is the breakdown of what Canadians will receive as tax credits from Bill C-2, and the other is the impact on the TFSAs.

• (1420)

Honourable senators, I began studying Bill C-2, an Act to amend the Income Tax Act, when it was introduced in the House

of Commons on December 9, 2015, following the general election of October 19, 2015.

[Translation]

The bill delivers on the election promise the Prime Minister made last fall and the pledge in the latest federal budget, which called on wealthier Canadians to contribute more to strengthen the middle class.

[English]

For clarity, I will read it in English:

I will be asking wealthy Canadians to pay a little more in order to give more to growing a healthier middle class in Canada.

[Translation]

I think that's the right thing to do.

[English]

However, when I read this bill, I started to have second thoughts as to whether Bill C-2 would achieve this. I fail to understand how the middle class will be made healthier by giving someone earning \$180,000 a tax cut of \$820. I can't see how a tax measure designed to shuffle less than \$1,000 from someone making \$200,000-plus a year to someone making \$180,000 a year can grow anything but more red tape and bureaucracy with little to no real benefit to growing the economy.

When you get these papers, you're going to see the breakdown by category. There are five categories of tax in this country.

I cannot see the benefit of the bill in its present structure.

The Parliamentary Budget Officer calculates Bill C-2 will create a shortfall of \$8.9 billion over the next four years. This is not a revenue-neutral situation. This is a situation where there will be a deficit of \$1.8 to \$1.9 billion per year for four years.

If Bill C-2 passes, the real winners will be those making \$150,000 to \$200,000 a year, like MPs and senators, and not the Canadians one would think need the most help.

[Translation]

As you know, I have some business experience and, as a businessman, I try to simplify things.

[English]

What I'm saying in French is the same in English. I'm a businessman, and I look at things in a simple way: What is the best thing for Canadians? That's why I never say I'm a politician.

[Translation]

Since the government is looking to strengthen Canada's middle class, two things need to happen.

[Senator Smith]

[English]

First, we must assist hard-working Canadians who aspire to move into the middle class. Second, we must assist hard-working Canadians to move through the cycles of the middle class and progress in their careers. We discussed with the Minister of Finance that the middle class was categorized as \$45,000 to \$90,000 dollars. When I asked the Minister of Finance in the Finance Committee, is this the middle class, unfortunately he couldn't give us an answer because he wasn't necessarily sure at the time.

Honourable senators, this is not rocket science. Does this legislation help build the middle class? Does it meet its intended goal?

Unfortunately, Bill C-2 as written does not fulfill the intended goal. Honourable senators, it is our role to analyze legislation to be sure it benefits Canadians. Most citizens don't bother with the details of legislation. They trust parliamentarians to get it right. Partisan politics caused Bill C-2 to pass through the House of Commons with a vote of 167 to 122. As senators, we have a duty to review the legislation openly, independently and honestly.

There are three major components of Bill C-2 that I believe fail to meet the test.

First, the bill does not take money from the wealthiest to give to the middle class. It takes a small portion from the wealthy and gives it back to the wealthiest 35 per cent of the population. It is not revenue neutral. If you're earning \$200,000 plus, and you go up to the new bracket of 33 per cent, as a Quebecer, you will be paying 53.4 per cent. It varies depending on the province. There is provincial tax also. This is a major hit for those earning the top level.

Second, reducing the TFSA contribution from \$10,000 to \$5,500 makes no sense. The data I supplied today was from 2013. According to the Canada Revenue Agency's 2014 data, there are over 15.1 million Tax Free Savings Accounts. Almost half of these accounts, 7.3 million, are held by citizens with an income below \$45,000. There are 2.1 million seniors with an income under \$45,000 who are holders of these accounts. Another 4.4 million Canadians under the age of 65, with an income less than \$45,000, have TFSAs, and would probably want to have that \$10,000 limit back. Why? A financial counsellor would tell you that investing in a TFSA is better than investing in a Registered Retirement Savings Program. With an RRSP, you put money in and delay the time when you will pay tax on it. With a TFSA, it's a tax-free savings account, so anybody who earns any amount of income would want to have more ability to put into this type of an account. By taking that money back, what have we done?

Third, adjusting split incomes and trusts to the highest individual percentage doesn't make economic sense given the state of our economy. According to the IMF, the latest targets of growth are down to 1.2 per cent this year and 1.7 per cent next year. This is a tough situation. With the resource sector in the doldrums, MPs and senators need to do everything we can to give risk-takers and innovators a break. Tightening up access to cash is a step in the wrong direction.

Let's have a closer look at what the government is proposing in terms of changes to the lower income tax brackets, and why the proposal in Bill C-2 just doesn't make any sense.

There are five income groups. For taxpayers making up to \$45,000, the rule is 15 per cent tax. Those making \$45,000 to \$90,000, the new rule is 20.5 per cent. It used to be 22 per cent. Income of \$90,000 to \$140,000, is 26 per cent, and \$140,000 is 29 per cent and over \$200,000 is 33 per cent.

The Minister of Finance wants us to believe that those middle income Canadians in the second tax bracket, \$45,000 to \$90,563, are about to receive a 7 per cent tax cut. That is wrong. When you take the bracket from 22 to 20.5 per cent, the change in bracket is 7 per cent, but it's not the amount of money you receive. So the people in that tax bracket are making between \$45,000 and \$60,000. This group, who are barely holding on to the middle income status, will only net a 2.6 per cent reduction, which is \$261.44. The best any Canadian taxpayer can expect from Bill C-2 is, at that level of \$89,000, a 4.2 per cent reduction, or \$696.

Groups from \$89,000 back to \$44,000, the entry point, will see a declining benefit. The group between \$90,000 and \$200,000 will have the greatest dollar figure tax reductions, while those above \$200,000 will see a declining benefit up to \$220,000, of which they will receive nothing.

So what does this all mean? Bill C-2 aims to give Canadians trying their hardest to get in and stay in the middle class, those earning around \$60,000, an annual tax break of \$260 a year. You're going to build the middle class with that?

• (1430)

Let's be realistic. I live with my wife, and I'm an older person. We spend \$150 a week on groceries. A family of three or four is going to spend \$260. That's one week's worth of grocery money. How is that going to build our economy?

Again, because we have a progressive tax system, only those above the second tax bracket get the full benefit of the reduction, as I referenced in my introduction. The government wants to give \$820 to someone earning \$180,000 a year from someone making over \$200,000 a year.

Senator Tkachuk: Liberal math.

Senator Smith: Does that make sense?

Let's be clear: All Canadians with incomes below \$45,000 get nothing, no benefit. I'm not sure how much sense that makes.

The median income in our country is \$32,000. "Median" means middle. You have 50 per cent of the population above and 50 per cent below. That's for individuals. The average couple's income is somewhere between \$50,000 and \$55,000, just to put this in perspective.

Who can blame Canadians for being confused? Although many of us like to identify ourselves as middle class, even those of us in

the chamber, the reality is the median income in Canada is only \$32,000, according to Statistics Canada 2013.

Fifty per cent of Canadians earn less than \$32,000; 50 per cent earn more. This is why the Parliamentary Budget Officer reported that 65 per cent of Canadians will see no benefit from Bill C-2.

Bill C-2 will not be revenue-neutral. I hope you understand what I'm saying. Sixty-five per cent of people will not get any benefit, but we're going to be paying back \$1.9 billion a year. So you are getting hit twice. Do you understand that? You are getting hit twice.

The poor 65 per cent will bear, equally, the burden of giving money back to the people who earn more than them. Not only 65 per cent of people don't get their money, but they also have got to pay it back because we're creating a deficit.

When you go to the bank and the bank gives you \$10,000, what happens? You have payment terms. If you are lucky enough to have a credit line of \$10,000, you have a minimum payment you have to make per month. You have to pay it back.

Senator Tkachuk: Not if you're a Liberal, you don't.

Senator Smith: One hundred per cent of Canadians will carry it because, don't forget, the people over \$200,000 who gave their money away, they have to pay it back too. One hundred per cent of Canadians will have to pay back \$1.8 billion a year.

Honourable senators, the devil is in the details and in having the capacity to take the time to understand them. The government says the tax measure they outline in Bill C-2 will put more money in the pockets of Canadians "... to save, invest, and grow the economy."

Yet, Bill C-2 reduces the savings and investment vehicle, the TFSA, and the biggest beneficiaries resulting from the change in the second tax bracket, as outlined in Bill C-2, will be income earners between \$90,000 and \$200,000 — a tax measure that will not benefit 65 per cent of the population and will pressure the highest earners while costing all Canadians \$8.9 billion over four years.

This begs the question: Who is going to pay for all these unnecessary changes?

The government wants those Canadians who have worked hard their entire careers and are now lucky enough to earn in excess of \$200,000 a year to pay a new 33 per cent levy. Honestly, that would not necessarily be bad if it were revenue-neutral because you wouldn't be creating the debt. But not only are you paying more money, but then you have to pay back the \$1.8 billion. You see what I'm saying? It is not revenue-neutral.

Again, on the face of it, it makes sense: Rob Peter to pay Paul. I get it, because it's simple. The problem is Bill C-2 does not achieve its objective.

Honourable senators, I encourage you to read Bill C-2. This is why I sent this to each of you — and you will receive it as of now because I asked it to be sent out exactly when I started to speak — so that you can understand the implications of this bill.

Sixty-five per cent of the population get zip, and 1.4 per cent of the population earn over \$200,000. It is going to cost us \$8.9 billion over four years.

This can work if it's done properly. The PBO has done some studies for us. I'm not going to say "me" because that makes me sound like I'm doing a lot of stuff. It is a lot of people helping. I asked for solutions to make this revenue-neutral so that this would be an effective step, because the argument the government will give back is, "With the child care benefit, you're going to get \$6,000 to \$7,000. When you add this \$600, you're going to get another \$6,000 to \$7,000-plus. You will have \$7,600." Come on, guys. This is \$1.8 billion a year.

We have to be realistic and make sure that we do things that make sense.

As my last thought, let me ask you a question: Do you think that when Canadians went to the polls a year ago, they would have agreed to spend \$1.8 billion a year to give a tax break to the wealthiest 35 per cent of the population?

It's something to think about. There's opportunity to make this better. We need to make this better, and not just this side of the fence. It has got to be everybody. We talk about independence, we talk about independent thought, but this is the time where we have to do something that makes sense.

Senator Plett: Hear, hear.

Senator Smith: I have always believed in my life that you cannot spend more than you earn. You can do deficit financing, but you don't do stupid deficit financing. This is not the right thing to do.

Don't forget, on our child care program, which I agreed to, it is more than what the past government did. This will add another \$4 billion onto the deficit that the prior government created. It took us five years to get out of the deficit.

Also, where are our priorities and focus going to be? This has to be fixed because this is an irritant. This isn't a benefit. Thank you.

Some Hon. Senators: Hear, hear!

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

Senator Plett: Question.

The Hon. the Speaker: Honourable senators, it was moved by the Honourable Senator Day, seconded by the Honourable Senator Hubley, that this bill be read a second time.

Is it your pleasure to adopt the motion?

[Senator Smith]

Some Hon. Senators: Agreed.

Senator Plett: On division.

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

REFERRED TO COMMITTEE

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

(On motion of Senator Day, bill referred to the Standing Senate Committee on National Finance.)

[Translation]

THE SENATE

MOTION TO AFFECT QUESTION PERIOD ON OCTOBER 18, 2016, ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of October 5, 2016, moves:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, October 18, 2016, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

She said: Honourable senators, this is the question period after we return from Thanksgiving break and during which we will have the honour of receiving the Minister of Public Services and Procurement, Judy Foote.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[English]

REFERRED TO COMMITTEE

CRIMINAL CODE

BILL TO AMEND—SEVENTH REPORT OF LEGAL AND CONSTITUTIONAL AFFAIRS COMMITTEE ADOPTED

On the Order:

Resuming debate on the motion of the Honourable Senator Baker, P.C., seconded by the Honourable Senator Harder, P.C., for the adoption of the seventh report of the Standing Senate Committee on Legal and Constitutional Affairs (Bill S-217, An Act to amend the Criminal Code (detention in custody), with an amendment and observations), presented in the Senate on June 16, 2016.

Hon. Yonah Martin (Deputy Leader of the Opposition): Question.

The Hon. the Speaker: Are senators ready for the question? It was moved by Senator Baker, seconded by Senator Harder, that this report be adopted now. Is it your pleasure, honourable senators, to adopt the motion?

Hon. Senators: Agreed.

The Hon. the Speaker: When shall this bill, as amended, be read the third time?

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

• (1440)

CONSTITUTION ACT, 1867 PARLIAMENT OF CANADA ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Mercer, seconded by the Honourable Senator Day, for the second reading of Bill S-213, An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate).

Hon. Terry M. Mercer moved second reading of Bill S-213, An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate).

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time).

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

Hon. Stephen Greene: I would like to ask a question as to the rationale for sending it to the Modernization Committee, when the Modernization Committee has already produced a recommendation which we will be debating in the chamber soon. I'm just looking for the rationale.

Senator Carignan: You don't trust your committee?

Senator Greene: Of course I do, but that's not the issue.

The Hon. the Speaker: Honourable senators, the decision has already been made, but we're masters of our own house, so, with leave, Senator Greene may put the request to Senator Mercer.

Senator Plett: No; no leave.

The Hon. the Speaker: Is leave granted?

Senator Plett: No.

(On motion of Senator Mercer, bill referred to the Special Senate Committee on Senate Modernization.)

DIVORCE ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Cools, seconded by the Honourable Senator McCoy, for the second reading of Bill S-202, An Act to amend the Divorce Act (shared parenting plans).

Hon. Anne C. Cools moved second reading of Bill S-202, An Act to amend the Divorce Act (shared parenting plans).

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

Hon. Senators: Agreed.

(Motion agreed to and bill read second time).

REFERRED TO COMMITTEE

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

(On motion of Senator Cools, bill referred to the Standing Senate Committee on Legal and Constitutional Affairs.)

SENATE MODERNIZATION

THIRD REPORT OF SPECIAL COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the third report (interim) of the Special Senate Committee on Senate Modernization, entitled *Senate Modernization: Moving Forward (Committees)*, tabled in the Senate on October 4, 2016.

Hon. Art Eggleton moved the adoption of the report.

He said: Honourable senators, I rise to speak to Recommendation 21 in the modernization report. I think the purpose behind Recommendation 21 is best put on page 21 of the modernization report, where it says:

If the Senate is truly to take up the task of modernizing itself to account for contemporary realities, it is of crucial importance that it change its rules so that senators who are not affiliated with a political party caucus are given equal consideration in the Senate's procedural and administrative rules and practices.

There are three recommendations in the report that I think are vital to proceed with as quickly as possible, which relate to that statement I just read: Recommendation 7, which deals with the new reality of having not just party caucuses but also other kinds of caucuses or groups within our midst; Recommendation 8, which deals with the question of how resources are allocated amongst these various groups — resources for research and for staffing, et cetera, which have traditionally been given to the political party entities in this chamber; and the third one is the one I'm speaking on, Recommendation 21, which deals with how we compose the committees that we serve on from this house.

So the preamble, very similar to the statement I just read, says:

That the Senate direct the Senate Committee on Rules, Procedures and the Rights of Parliament to amend the *Rules of the Senate* to change the process for determining the composition of the Committee of Selection and the composition of each standing committee, using the process set out below as the basis for such changes. The committee members leave it to the procedural experts to craft appropriate language to give effect to the objectives of the committee and the principles underlying the objectives.

What follows then are eight steps for how we would proceed to change the Committee of Selection and the standing committees so that in fact we have this kind of a proportional representation, equal representation, within the chamber.

Step one says that the Committee of Selection shall be composed of 8 to 12 members and, second, that the leaders, facilitators or convenors, as the case may be — that's new language, of course — of all recognized political parties, caucuses or groups shall meet and agree on the size and proportional composition of the Committees of Selection. The people who occupy those positions get together and determine the composition of the Committee of Selection.

The size and proportional composition of the selection shall be determined in five sitting days. This is the standard procedure now at the commencement of a new Parliament or a session of Parliament. A session of Parliament is one that would begin after a prorogation and another Speech from the Throne, and traditionally in majority government circumstances we usually get one approximately halfway. In a four-year term, as we are in before the next election, it would be around the two-year mark, which would put it probably about a year from now. That's approximate. It is up to the government as to when there is to be a prorogation.

• (1450)

I point that out because these rules, when they are in place, would take effect with a prorogation or a new Parliament. At the end, I will talk about the need to do something now and how I think we could do that, but let me carry on with the rule here.

So that's step one. Further, step one says the composition of the Committee of Selection must adhere to the following principles or requirements: All caucuses or groups must have a minimum of one representative.

So the Conservatives, Liberals, independents, and perhaps the Government Representative as well, would be part of that.

As closely as possible, membership on the Committee of Selection shall be in proportion to each caucus's or group's standing in the Senate. Now, they would be recommending as to the numbers from each of the groups — not the people but the numbers.

The leaders, convenors or facilitators, as the case may be, of each party, caucus or group in the Senate shall be non-voting ex officio members of the Committee of Selection.

On to step two: Each caucus or group shall select, according to a process of its choosing, the senator or senators from among their caucus or group who will occupy a seat or seats, as the case may be, on the Committee of Selection.

So each caucus will decide. In the past it's been the leadership that has decided these things. We're saying each caucus should decide that. The leaders may recommend to the caucus, but the caucus should indicate its will.

Step three:

The leaders, facilitators and convenors of two largest caucuses or groups —

I think that language is pretty well what they use now. There may be other caucuses or groups where you need a mover and a seconder, so I think that's quite fine.

— shall present a motion in the Senate setting out the size and the composition of the Committee based on the individual selections made by each caucus or group.

As it is now, it has to be, in fact, adopted in this chamber. This is the formalizing process.

Step four: The Committee of Selection, then, when it's up and operating, shall determine the number of seats on each standing committee of the Senate to be allocated to the members of each caucus or group in proportion to that group's or caucus's standing in the Senate. They won't again say who; they will say, "Here are the numbers on the basis of the proportional representation within this body."

Second, each caucus or group shall select its nominee or nominees for membership to each committee by a process of their choosing. Again, it is the caucus — not just the leadership, but the caucus will then decide who will be the people that will fill those seats.

Now, step five: The Committee of Selection shall allocate the positions — so we have the populated committees by the caucuses, determined on the proportional representation that the Selection Committee works on. Then we have this:

The Committee of Selection shall allocate the positions of chair, vice chair and third member of a steering committee . . .

The steering committee is officially known as the Subcommittee on Agenda and Procedure, but we all call it the "steering committee." It has traditionally had three people on it: chair, deputy chair and a third person, and we're not suggesting any quarrel with that. We're saying, though, that they should decide amongst the different groups who would be the chair. Maybe a Conservative should be the chair of this group, and maybe an independent should be chair of that group.

You could have a situation — and likely, I think, would have a situation — where the three positions of the steering committee would be held by the three different groups putting everybody into one of three groups at this point in time — I know there could be more — the Conservatives, independent Liberals and the independents.

They would then determine members of each caucus or group in proportion to that group's or caucus's standing in the Senate, although not any individual senator in that group. They won't populate the thing; they will just determine who gets what position, which group or party gets what position.

In any allocation, the chair and deputy chair positions shall not be occupied by senators who are members of the same caucus or grouping, and probably that should apply to all three positions.

This is a note: It should be noted that historic practice has been that certain chairs of committees, such as the National Finance Committee, have been allocated to senators who are not members of the party in government. That's been a tradition; if you want to keep it going, it is so noted here.

Now, step six. The Committee of Selection, after having completed the membership of each committee and having allocated chair, deputy chair and third-member positions of a steering committee to each group or caucus — so not the individuals — in accordance with the choices made by each caucus or group, shall present a report. I'm sorry; this is after,

then, each caucus has made their choices. They shall then present a report on the full membership of each committee to the Senate. Again, the Senate has to adopt the Selection Committee report.

Step seven: Each standing committee shall meet to elect its chair, deputy chair and third member of its steering committee, in accordance with the report of the Committee of Selection on the allocation of such seats, by secret ballot if contested.

So let's say there's a particular committee that has a Conservative chair, and two of the Conservative members decide to run for that chair position. There would be a secret ballot for all members of the committee to decide who the chair of the committee would be.

When it comes to selecting who populates the committees, this should be done by the individual caucuses. But when it comes to the chair, deputy chair and the steering committee, all members of that committee will make that decision and will make it by secret ballot if there is, in fact, a contest.

That brings us to step eight. If the foregoing selection election process results in opposition or government caucuses not being represented on the Subcommittee of Agenda and Procedure of a committee, the leaders — government caucus or representative — the leaders or designate of the unrepresented caucuses will become ex officio members of that subcommittee when they are considering government legislation.

One could understand the logic of the Government Representative. If there's government legislation and there are no positions on the steering committee for the Government Representative, then the Government Representative — there would be a discussion of that in the steering committee, the procedure that is to be followed in processing the bill. The same point has been made about the opposition.

We are evolving our system, which is not so much the traditional Westminster system. I won't go into that any further, though; that's for another day. But I think this evolution was at a stage in the Modernization Committee, a consideration where it felt that there should be some recognition of those traditional functions of opposition and government.

That's the rationale behind step eight, and they're ex officio members.

On an ongoing basis, logically, changes happen during the year, and so the Committee of Selection will continue to meet as necessary during the session to recommend to the Senate any changes in the committee framework or membership, after consultations with each caucus or group. There is a Committee of Selection presently in existence, and it probably has much the same kind of authority, if necessary, so it is logical that it would continue to operate.

Those are the eight steps in the ongoing procedure with respect to Committee of Selection. As I pointed out, this would go to the Rules Committee. The Rules Committee would then determine how to put this in language that fits the *Rules of the Senate* and amend the current rules.

How long will that take? I don't know. It could take a month or two; it could take several months for all of that to be done. I hope that wouldn't be the case. I hope it would be done expeditiously.

However, there is a situation that presently exists that I think requires attention. Twenty-seven per cent of the current membership of this chamber is independents — 27 per cent. They have 17 per cent of the membership on committees. That is out of whack with the notion of proportionality that the Modernization Committee puts forward. But we keep hearing that there are another 20 on the way any day now. There were actually 21 vacancies after Senator Johnson retired. When those are filled, then the independents will be 40 per cent of the membership of this chamber, with only 17 per cent of the positions on the standing committees, or the Selection Committee for that matter, or other committees, the Internal Economy Committee or the Ethics and Conflict of Interest Committee. I strongly believe that needs attention sooner rather than later.

• (1500)

I have thought about three different ways that might be done, and I'd like to suggest they be considered by members of the chamber as we proceed with this debate. Plus they may have other ideas. There might be better ideas and maybe modifications of this idea.

First of all, the possibility of putting a deadline —

The Hon. the Speaker: Excuse me, senator. Your time has expired. Are you asking for more time?

Senator Eggleton: Yes, I am.

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

Hon. Senators: Agreed.

Senator Eggleton: The first would be to put a deadline on when the Rules Committee reports back. They may not particularly like that. But I do note that one of the other recommendations, No. 7, does have that on it. They ask them to report back by November 30. So it's possible. I think 7, 8 and 21 are the three recommendations that need quick attention, and it's possible to put that kind of a deadline on all three. That's one option.

The second option is one that was reached in the spring, I think largely between the work of Senator Cowan and Senator Carignan, for the Liberals and Conservatives to vacate some of the positions, on an ad hoc basis, so that independents could occupy them. A similar kind of process could be used to arrive at something that's more proportional.

The third is what I would call the use of the term "notwithstanding." Now "notwithstanding," we did it about 15 minutes ago. Did you notice? Fifteen minutes ago we used that phrase, and we use it every week. We use it every week to allow for cabinet ministers to come here and be part of Question Period,

[Senator Eggleton]

because the rules don't provide for that. So we say notwithstanding this rule and that rule we will have a cabinet minister in here.

If we feel that this needs to proceed at pace and is getting bogged down, or one of those other two options I suggested aren't working, then we could say that notwithstanding the rules as they exist, we will proceed to have some process put in place. It would probably be some modification of this Recommendation 21 to proceed promptly with the appointment with changes in the committees so that we, in fact, have that proportional representation.

That is something to consider when the 20 or 21 new people arrive, because then we get to the situation where it's 40 per cent membership but only 17 per cent on the committees.

I put this forward, both to recommend these steps as being a new process for the Selection Committee that tries to recognize the realities of this Senate Chamber as it is today and is becoming, but at the same time to suggest that we all give some further consideration to how we might take an earlier position on bringing about a better reflection of the Senate Chamber in our standing committees. Thank you.

Some Hon. Senators: Hear, hear.

[*Translation*]

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Will the Honourable Senator Eggleton take a question?

I read the recommendations carefully. The report sets out the key principles, including the principle of proportionality, which is very clear in this motion. However, the definition of the Government Representative or his team does not appear anywhere in the report.

You alluded to it when describing the steps that the Senate Committee of Selection must follow. When I read the French version, I noticed some confusion regarding the word "group." This word did not seem to be associated with the Government Representative's group, because, in another recommendation, a recognized caucus is defined as a group of nine people, while the Government Representative's team is made up of only three.

The reason for my question is that I do not see the agendas for the committees that will examine the bills in your committee selection model. How will this way of doing things ensure that there will be a balance between those presenting government bills in committee and those testifying? Do we not need to ensure that we have a fair and equitable procedure so that all views are represented?

[*English*]

The Hon. the Speaker: Senator Eggleton, your extended time has expired.

Senator Eggleton: Could I get more time, so I can answer these questions?

Some Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

The Hon. the Speaker: Senator Eggleton.

Senator Eggleton: You raise an excellent point. When we started into this exercise in drafting up this resolution, what we understood to be the status of the three of you was that you were part of the independents. You classified yourself and I've heard you say that you're an independent. In terms of your membership in the Senate, you are government representatives, yes, but also independent as senators. Read the website. That's what it says.

Now at the time the independents, in which Senator McCoy is the facilitator, were in fact meeting with a larger number of people than what they meet with today. As of a week or so ago, they did more clearly identify a group of 15 people who are part of the Independent Senators Group. They've actually given it a title, a capital letter title. So it's evolved. Because initially our understanding was that the independent senators were all meeting together. Maybe that was never the case.

It's now a situation that perhaps has evolved in a different way and needs to be considered differently. Certainly, the part of it that deals with the ex officio involvement in the process of dealing with government legislation in committees would allow for Senator Harder as the Government Representative, or you, or whoever else of your three-member team to be present, but it doesn't provide for it being a separate group of membership.

I'm open to hearing what you have to say about this, what your own thoughts are about this, and perhaps there will need to be some change in this to accommodate that. Like a lot of this, it evolves; it evolves very rapidly.

Hon. David Tkachuk: You mentioned the 17 independent members. How many committees don't have that percentage in the Senate, the 17 per cent independents?

Senator Eggleton: I don't know. That wasn't the point I was making. The point I was making was that they have 17 per cent of the membership on the standing committees but they have 27 per cent of the membership in the house, and they're about to have 40 per cent of the membership in the house. The whole purpose behind this is to have the committees better reflect what this house is about in terms of the proportionality.

Senator Tkachuk: On our Banking Committee we have Senator Campbell, Senator Ringuette and Senator Black. I think we have three.

Senator Eggleton: Maybe you're fine, but obviously there are some that it's not quite the same. The committee that I'm deputy chair of has one and I don't know about the others. I'm saying the membership overall is not balanced.

• (1510)

Hon. André Pratte: Would you take another question?

Senator Eggleton: Oh, yes.

Senator Pratte: It's interesting that the defence of the principle of proportionality comes from a partisan senator. I find it interesting because it's also often seen as something that is against political parties or partisan senators, and certainly that's not the way I see it. I have nothing against partisan senators or political parties. I see it simply as an issue of fairness; one man, one person, one vote.

So I would be interested to see how you came to this idea that it's something that has to be done.

Senator Eggleton: Well, I'm a Liberal, small "l" or capital "L." I believe in fairness. It is part of the values that I think are important.

Hon. Elizabeth (Beth) Marshall: Senator Eggleton, when you were going through step four and you were talking about the different groups assigning individual senators on committees, it says by a process of its choosing, so every group can determine its own process.

Was there any consideration given to standardizing a process? Why wouldn't the committees recommend a process for each of the groups that follow so there would be consistency? Why is it left up to the individual groups?

Senator Eggleton: We came to the conclusion we should not be prescriptive in telling groups how they should go about deciding who they want. If the Selection Committee says, "Okay, Committee X will have five Conservative members," we're saying it's up to the Conservatives to caucus and determine what five members go forward as opposed to us on the Liberal or the independent side saying, "Oh, here is who we want from the Conservative ranks." We think it's up to you to decide that. We don't want to get into the micromanagement of how caucuses or groups operate.

Senator Marshall: Was there any discussion at all about that point, or was it just generally accepted by the members?

Senator Eggleton: Oh, I think there was a brief discussion about it. I think we did come to the conclusion, though, that each caucus is a master of its own rules.

Hon. Percy E. Downe: I support the report, but I do have one concern, something others have referenced today and in the last few weeks, about partisan senators and people who are in a party group. I'm an aligned Liberal Senate member. I'm aligned with the values of the Liberal Party, as are my colleagues in that caucus. That does not mean that we're members of a cult or that we support the party to the bitter end, and you will notice that in our votes. We vote as we see fit on every issue, but we are aligned as well as independent.

Part of the party duties that are conducted in this chamber — and it's significant that this not be lost with the changes — is the role of the party structure, particularly that of the whips, who make sure that senators participate in committees. There is work to be done. For someone to drop in for five minutes to have their attendance taken and then to leave, they have to show up and do the work.

I've been hearing a concern from some of our caucus colleagues about this great push in June to get independents on and then, for example, National Defence meets and the participation could have been higher; it was not what it should have been. That's something we need reassurance on, and I'm sure we'll get it from Senator McCoy and others, that they have some internal process to control their independents, that if they don't perform at committees, if they don't do the work, that they will be replaced and other independents will go in their place. As the whips in other parties now tend to that, that function should be done by the other party.

With that reservation — and it's a serious one, because if people don't show up and do the work, then we're all going to be bogged down. We all have to be conscious of that.

At the end of the day, human nature being what it is, every now and then a whip/facilitator is needed to bring the gavel down on some people who aren't doing their fair share.

Senator, is that being given any consideration, or are you leaving that up to the individual caucuses or groups?

Senator Eggleton: Well, it's not covered in this particular resolution, but I think all the points you make are excellent ones and I agree with all of them. I don't think it is in the current system. There may be whips, per se. I can't recall whether they are actually noted in the rules.

Nevertheless, yes, I think each caucus has to take its responsibility seriously about helping to ensure that it does populate these committees. And if somebody can't be there — there are a lot of reasons why people can't be there; some of them are travelling this week, for example — then each caucus has to make sure that other people go as substitutes.

The Hon. the Speaker: Senator Eggleton, your further extended time has expired.

Senator Eggleton: Well, I'm okay with that, but I don't want to become impatient or have my colleagues become impatient with me.

The Hon. the Speaker: Are you asking for five more minutes?

Senator Eggleton: Yes. Sure, I'll ask.

Senator Plett: I'm moving the adjournment, Your Honour.

The Hon. the Speaker: Five more minutes. I saw at least three senators rising. We have only five more minutes, so please keep your questions brief.

[Senator Downe]

Senator Plett: No leave is granted and I move the adjournment.

(On motion of Senator Plett, debate adjourned.)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

THIRD REPORT OF COMMITTEE—MOTION IN AMENDMENT—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Housakos, seconded by the Honourable Senator Maltais, for the adoption of the third report of the Standing Committee on Internal Economy, Budgets and Administration (Senate budget for 2016-2017), presented in the Senate on February 25, 2016.

And on the motion in amendment of the Honourable Senator Ringuette, seconded by the Honourable Senator McCoy:

That the Senate postpone debate on the third report of the Standing Committee on Internal, Economy, Budgets and Administration (Senate budget for 2016-17) until the full itemized budget has been tabled and distributed to Senators, as well as the detailed Senate expenses for 2015-16, and, five sitting days after it has been distributed, the Senate sit as Committee of the Whole for questions and that the Committee of the Whole sit until all questions by Senators have been answered.

Hon. Elaine McCoy: Honourable senators, I just wanted to stand up and say I've been trying to get my notes together on this motion and I have failed, so I'd like to take the adjournment for the remainder of my time, if you please, colleagues. Thank you.

(On motion of Senator McCoy, debate adjourned.)

THE SENATE

MOTION TO AMEND THE *RULES OF THE SENATE* TO ENSURE LEGISLATIVE REPORTS OF SENATE COMMITTEES FOLLOW A TRANSPARENT, COMPREHENSIBLE AND NON-PARTISAN METHODOLOGY—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Bellemare, seconded by the Honourable Senator Harder, P.C.:

That, in order to ensure that legislative reports of Senate committees follow a transparent, comprehensible and non-partisan methodology, the *Rules of the Senate* be amended by replacing rule 12-23(1) by the following:

“Obligation to report bill

12-23. (1) The committee to which a bill has been referred shall report the bill to the Senate. The report shall set out any amendments that the committee is recommending. In addition, the report shall have appended to it the committee's observations on:

(a) whether the bill generally conforms with the Constitution of Canada, including:

(i) the *Canadian Charter of Rights and Freedoms*, and

(ii) the division of legislative powers between Parliament and the provincial and territorial legislatures;

(b) whether the bill conforms with treaties and international agreements that Canada has signed or ratified;

(c) whether the bill unduly impinges on any minority or economically disadvantaged groups;

(d) whether the bill has any impact on one or more provinces or territories;

(e) whether the appropriate consultation have been conducted;

(f) whether the bill contains any obvious drafting errors;

(g) all amendments moved but not adopted in the committee, including the text of these amendments; and

(h) any other matter that, in the committee's opinion, should be brought to the attention of the Senate."

Hon. Yonah Martin (Deputy Leader of the Opposition): Honourable senators, I wish to adjourn this item for the balance of my time.

(On motion of Senator Martin, debate adjourned.)

• (1520)

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO STUDY THE ACQUISITION OF FARMLAND IN CANADA AND ITS POTENTIAL IMPACT ON THE FARMING SECTOR

Hon. Terry M. Mercer, pursuant to notice of October 5, 2016, moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to examine and report on the acquisition of farmland in Canada and its potential impact on the farming sector, including:

(a) reasons behind the increasing value of Canadian farmland;

(b) concerns of agricultural stakeholders and the challenges they face in acquiring farmland;

(c) possible solutions to resolve issues resulting from the acquisition of farmland; and

That the committee submit its final report to the Senate no later than June 30, 2017, and that the committee retain all powers necessary to publicize its findings until 180 days after the tabling of the final report.

He said: Honourable senators, this is a straightforward motion. The committee is currently finishing its study on market access, and we are travelling to China in November to attend a large agricultural expo, and then our work on that project should almost be finished and we'll be ready to report. This new study should be informative in light of food supply and the feedback we've gotten from farmers in the ever-growing world population.

There seem to be different rules surrounding farm ownership by locals and foreigners alike, and we want to study these different possibilities and recommend ways to streamline in order to protect our farmland for Canadians.

I urge honourable senators to support this motion.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[Translation]

ADJOURNMENT

MOTION ADOPTED

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

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, with leave of the Senate and notwithstanding rule 5-5(g), I move:

That when the Senate adjourns today, it do stand adjourned until Tuesday, October 18, 2016, at 2 p.m.

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

Hon. Senators: Yes.

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

Hon. Senators: Agreed.

(Motion agreed to.)

(The Senate adjourned until Tuesday, October 18, 2016, at 2 p.m.)

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