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Wednesday, March 5, 1997

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THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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THE SENATE

Wednesday, March 5, 1997

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

Prayers.

[English]

Today, I do not wish to talk about the subject itself; I want to prolong the debate. How many more will take the initiative taken by the Honourable Senator Kolber? I thank him very much. A very important issue is at stake.

SENATORS' STATEMENTS

HEALTH

CLOSING OF MONTFORT HOSPITAL IN OTTAWA

Hon. Leo E. Kolber: Honourable senators, yesterday my friend Senator Marie-P. Poulin made a statement in our chamber, voicing the indignation of Franco-Ontarians following the announcement of the recommended closure of the Montfort Hospital in Ottawa. The Ontario Health Services Restructuring Commission has ordered the closing of the only French teaching and professional development hospital in Ontario. This unique, specialized hospital also offers a complete range of services in French in a setting in which a Franco-Ontarian patient can feel at home during what is, very often, a difficult time in his or her life.

Honourable colleagues, I am speaking to you as an anglophone living in Montreal. My family and I have access to excellent health services in the English language, in surroundings where we feel comfortable. Moreover, the Province of Quebec boasts internationally renowned English-speaking teaching hospitals.

I add my voice to those of Senator Gauthier and Senator Poulin. Let us be vigilant, honourable colleagues. Services to minorities in Ontario remain a priority, even during cost-cutting activities.

Hon. Senators: Hear, hear!

[Translation]

Hon. Marcel Prud'homme: Honourable senators, yesterday Senator Marie-P. Poulin spoke with great eloquence of the significance of the Montfort Hospital issue, and I indicated that I would speak on the matter today. Given the touching words by Senator Kolber, however, I am again reserving my comments on this matter. I am in favour of our using every means available to us to convince the Government of Ontario of the significance of the Montfort Hospital. I find it most reassuring that, every day, senators from different parties, not just "French-Canadian" senators — an expression I love, because that is what I am — are taking a stand in the Senate on this matter.

However, I do not wish to attack Mr. Harris, the Premier of Ontario. With diplomacy, we can obtain more. With conviction, we can obtain more than by making this issue a debate. If there is an issue about which the Senate should truly have an opinion, it is an issue of this kind. You have heard from me so often that I do not want to bore you with my views on what Canada and the Senate is all about. The Senate has a duty to represent either regions or minorities of all kinds. I am very happy to see that more and more people in Ontario understand that this is not a nationalist issue; it is a very important community issue.

• (1340)

I am more than 60 years old. When I have to see a doctor, I always have in mind what the famous Jean Marchand, a much loved Quebecer, once said on the question of le français dans l'air. We wanted to have French in the air. I believe that Jean Marchand was a member of cabinet at the time, and I think he may even have resigned over that issue. Yet, toward the end of the debate he said, "You do not understand me. I would rather land safely in English than crash in French." He was explaining what the issue was all about. I will try to do the same today.

Please, honourable senators, look into this matter to see if each and every one of us has a role to play in this very important issue which, unfortunately, could turn out to be sour. Some people here understand what Ontario is all about, and they understand what the subject-matter is all about. I hope that each and every one of us will see what role the Senate could play in this matter. I will make a statement at a later time concerning the Montfort Hospital.

NATIONAL FORUM ON HEALTH

Hon. Wilbert J. Keon: Honourable senators, the National Forum on Health released its final report on Tuesday, February 4. The forum, chaired by the Prime Minister, was established following the federal government's 1994 Speech from the Throne. The mandate of the 24-member forum was "to inform and involve Canadians and advise the government on innovative ways to improve the health care system."

Among its many recommendations, the forum has concluded that "medicare can be preserved if changes are made to the way the system is funded and structured — especially in the area of primary care, home care and medically necessary drugs."

Honourable senators, the reason for my remarks today are twofold: First, I should like to take this opportunity to commend the forum members for their excellent work and for the early completion of their mandate. Throughout their term, the forum released several outstanding documents on the current state and future status of health care in this country. Second, I wish to table my strong support for one particular recommendation highlighted in the forum's final report, namely that relating to the plea for a continued strong national presence in our country's health care system.

Federal reductions in transfer payments have created a critical revenue shortfall for the provinces and territories. These reductions have accelerated the need for system adjustments and have begun to seriously challenge the ability of the provinces and territories to maintain current services. In many instances, these reductions have started to force the pace and magnitude of change beyond the system's ability to absorb and sustain adjustments. Moreover, as the federal government continues to pare cash transfers to the provinces under the Canada Health and Social Transfer agreement, it is losing both its moral authority and its financial capability to enforce top-down standards.

In his recent financial statement, the Finance Minister acknowledged public anxiety about cuts to health care and announced that the federal government plans to spend an extra \$300 million on health-related programs over the next three years. While this is commendable, it is not enough. In the same breath, the government indicated that it will continue to decrease the amount of money it transfers to the provinces for health and social services until the year 2000.

Honourable senators, you may recall the Notice of Inquiry that I delivered in this chamber in December, calling for the need for a continued and strong federal role in clarifying and enforcing the national health principles and standards that will protect our national health care system. Public consultations and discussion groups held by the national forum on health across the country reaffirmed that the basic principles of medicare accurately reflect people's values of equity, compassion, collective responsibility, individual responsibility, respect for others, efficiency and effectiveness. In fact, the forum found that the public will not support changes to the health care system — at any level — unless the essence of Medicare is preserved.

The forum recommended that public funding for medically necessary services be preserved, and supported a continued, strong, federal-provincial-territorial partnership in the health system. The forum also called on the government to freeze the amount of money Ottawa transfers to the provinces for health and social programs at \$12.5 billion in the coming year and to maintain federal support at that level in the ensuing years. In other words, the federal government should stop reducing its funding to Medicare and other provincial social programs after cuts that are scheduled to take place this April are implemented.

Honourable senators, there is no doubt that preserving the fundamental principles of the Canada Health Act will require that the federal government agrees to inject adequate, predictable and sustainable funds into the system in the interest of preserving a "national" health system that is able to continue to improve the health of Canadians in a cost-effective and equitable manner.

As a health care provider, I can tell you that I am proud of the high standards that we have achieved, and I am dedicated to maintaining them. Indeed, it has been an honour to serve in this marvellous system. I can also tell that you that I have experienced firsthand the strong commitment that exists among most health providers for universal health care. We know why Canadians hold it so dear to their hearts. We see people come through the door at the most vulnerable times in their lives. They expect — and they receive — high quality, compassionate care, regardless of their financial and social status. Very few countries in the world can make that claim.

Only the federal government has the ability, control and clout to ensure that this system of health care that we all cherish continues. Honourable senators, I call on you to join with me in doing whatever you can to ensure that the federal government assumes a leadership position in protecting our most prized social program.

ROUTINE PROCEEDINGS

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

SIXTEENTH REPORT OF COMMITTEE PRESENTED

Hon. Colin Kenny, Chairman of the Standing Senate Committee on Internal Economy, Budgets and Administration, presented the following report:

Wednesday, March 5, 1997

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

SIXTEENTH REPORT

Your Committee has examined and approved the following supplementary budget presented to it by the Standing Senate Committee on Banking, Trade and Commerce for the proposed expenditures of the said Committee with respect to its study of Bill C-70 for the fiscal year ending March 31, 1997:

Professional and Special Services	\$ 25,100
Transportation and Communications	79,868
Other Expenditures	<u>5,500</u>
Total	\$110,468

Respectfully submitted,

COLIN KENNY
Chairman

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

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

CANADIAN FOOD INSPECTION AGENCY BILL

REPORT OF COMMITTEE

Hon. Leonard J. Gustafson, Chairman of the Standing Senate Committee on Agriculture and Forestry, presented the following report:

Wednesday, March 5, 1997

The Standing Senate Committee on Agriculture and Forestry has the honour to present its

FOURTH REPORT

Your Committee, to which was referred the Bill C-60, an Act to establish the Canadian Food Inspection Agency and to repeal and amend other Acts as a consequence, has, in obedience to the Order of Reference of Tuesday, February 18, 1997, examined the said Bill and now reports the same without amendment but with the following observations and recommendations, which reflect concerns raised by some witnesses and Committee members.

Bill C-60 is enabling legislation that would allow the creation of the Canadian Food Inspection Agency; however, inadequate details have been provided in the bill concerning key elements of the proposed Agency, especially with respect to financing. The Committee was told that a long-term corporate business plan would be tabled in each House of Parliament as soon as possible after the Agency is established. However, this timing is unacceptable. The Committee had requested that a business plan be provided to it; nevertheless, the documentation subsequently provided reflected information already contained in the 1997-98 *Estimates* of Agriculture and Agri-Food Canada and the Department of Fisheries and Oceans, and provided no additional details. Moreover, the Canadian Federation of Agriculture also expressed concern about the lack of a business plan with costs and revenue projections, and urged industry consultations in the formulation of the proposed Agency's business plan and budget. Given that the Committee is passing the bill without the benefit of the business plan, we recommend that the proposed Agency's President and Executive Vice-President appear before the Committee once the business plan has been tabled, in order to provide answers to outstanding questions.

Consultations are important for industry representatives, since they would be stakeholders in the proposed Agency and would be required to pay user fees. The issue of cost recovery is of critical importance to agricultural producers and processors. Certainly, the extent to which our producers

and processors will have to incur such costs will affect their international competitiveness. This remains a concern of the Committee despite the fact that we were informed that no new cost recovery initiatives would occur until the year 2000. Moreover, the Committee notes that no assessment of the total cost recovery moneys paid by the agricultural sector has occurred. In the absence of such an analysis, it is difficult to ensure that our producers and processors are not being placed at a competitive disadvantage in the global marketplace. The Committee recommends that such an analysis be undertaken as soon as possible.

Finally, concerns were raised about accountability. The proposed Agency would be a new structure, and this fact creates anxiety for some. Moreover, while the bill specifies the maximum size of the proposed Advisory Board and notes that the proposed Board would advise the Minister on any matter within the responsibilities of the proposed Agency, the bill is silent on key issues. In particular, it would appear that there would be no requirement that the proposed Board be representative, and greater details on its specific mandate would have been helpful. While such information may be included in regulations, the Committee notes that draft versions of these have not been provided. The Committee recommends clarity on these issues, and the release of draft regulations, as soon as possible.

Respectfully submitted,

LEONARD J. GUSTAFSON
Chair

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

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

[*Translation*]

• (1350)

CANADA-FRANCE INTER-PARLIAMENTARY ASSOCIATION

TWENTY-SEVENTH ANNUAL MEETING HELD IN OTTAWA,
VANCOUVER AND VICTORIA—REPORT OF
CANADIAN DELEGATION TABLED

Hon. Shirley Maheu: Honourable senators, pursuant to Standing Order 23(6), I have the honour to table in both official languages the report of the 27th annual meeting of the Canada-France Inter-Parliamentary Association held in Ottawa, Vancouver and Victoria from October 9 to 16, 1996.

THE HONOURABLE MAURICE RIEL

[Translation]

CAREER OF A DISTINGUISHED CANADIAN—NOTICE OF INQUIRY

Hon. Normand Grimard: Honourable senators, pursuant to Standing Orders 56(1) and (2) and 57(2), I hereby give notice that next Tuesday I will draw the Senate's attention to the political life of Senator Maurice Riel, to his record of service in Parliament, both as a senator and as Speaker of the Senate, and to his upcoming retirement on April 3, 1997.

[English]

QUESTION PERIOD

CODE OF CONDUCT

RECENT APOLOGY TO TOBACCO MANUFACTURER BY MINISTER OF HEALTH—REFERRAL OF MATTER TO PERSONAL ADVISOR TO PRIME MINISTER—GOVERNMENT POSITION

Hon. Michel Cogger: Honourable senators, I return to my favourite subject. We established yesterday that the Honourable Mitchell Sharp was alive and well. We also established that he was overworked and underpaid.

Would the minister find out if the Honourable Mitchell Sharp would have time to look into the bizarre conduct that we witnessed recently on the part of the Minister of Health?

On the one hand, the minister went out of his way to apologize to a foreign manufacturer of tobacco because the minister delivered himself of an untruth regarding a certain product. On the other hand, the apology was apparently not the minister's apology but that of the department. This is an altogether new concept of non-accountability or, to paraphrase *The Globe and Mail*, has the minister donned the Pontius Pilate garb? It seems to be in fashion these days: a bunch of ministers who hear nothing and know nothing. When the worst happens, it is never their fault. No one is responsible in that gang.

The minister's excuse is apparently as follows: He got poor advice, or bad advice, or wrong advice from his department, and therefore he has done nothing wrong other than, if you please, act on that advice. Perhaps he should have checked into it, but he did go ahead and act.

How can it be that the Minister of Health is not responsible?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I will undertake to get an update from the Minister of Health. Once again, I thank Senator Cogger for continuing to support the valuable role that Mr. Sharp plays on behalf of the people of Canada.

HUMAN RESOURCES DEVELOPMENT

PROSPECTIVE AGREEMENT WITH QUEBEC ON THE SUBJECT OF MANPOWER—GOVERNMENT POSITION

Hon. Roch Bolduc: Honourable senators, my question is for the Leader of the Government in the Senate. There was talk at one point of an agreement between the federal government and the Province of Quebec with respect to manpower. This possibility of an agreement has been floating around for a number of years. The issue has come up again with the appointment of Minister Pettigrew. Could the minister give us any information on the evolution of these discussions with Quebec?

[English]

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I believe the discussions with Quebec are continuing in this regard. The last time I spoke to the minister, he indicated that progress had been made. I cannot tell the honourable senator anything today on the matter of timing, but I would be pleased to ask my colleague for a progress report.

[Translation]

HEALTH

RESULTS OF RECENT CAMPAIGN AGAINST SMOKING—GOVERNMENT POSITION

Hon. Thérèse Lavoie-Roux: Honourable senators, my question is for the Leader of the Government. It concerns the whole tobacco issue. I do not wish to comment on the substance of the bill. I believe more in education and in developing a sense of responsibility than in prohibition. In any event, when the government wanted to do something about the black market in cigarettes and liquor, it lowered the price of cigarettes, which increased consumption. It promised to launch a campaign to educate young people.

In fact, for a time we saw television advertising along these lines. How much did this campaign cost? What were the results? Were the results evaluated? Does the government still intend to use this approach to reduce smoking among young people?

[English]

• (1400)

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I know that my colleague the Minister of Health has been considering the best possible way to educate Canadians, in particular young Canadians, on the question of smoking and the destructive effects of tobacco use. I will try to find for my honourable friend the information which she requests on the program which, as I understood from her question, took place a year or so ago.

Senator Lavoie-Roux: Honourable senators, to be precise, I want to know, first, the amount of money involved; second, were the results of the campaign evaluated; third, are the plans for the future along the same lines?

Senator Fairbairn: Honourable senators, that is the information which I will try to obtain for the honourable senator.

CODE OF CONDUCT

RECENT APOLOGY TO TOBACCO MANUFACTURER BY MINISTER OF HEALTH—ACCOUNTABILITY OF MINISTER FOR STATEMENT—GOVERNMENT POSITION

Hon. Marjory LeBreton: Honourable senators, my question is addressed to the Leader of the Government in the Senate. It is a follow-up to the question asked by my colleague Senator Cogger. It concerns a matter which I have raised before, that is, ministerial accountability.

It is particularly troubling when one sees a senior public servant, the Deputy Minister of Health, publicly chastised and shoved out in front of the Minister of Health to shield the minister from legal and political fallout about statements he made on a certain tobacco product. When asked about his apology, the Minister of Health is quoted as saying, "You mean the department's apology?" When asked if disciplinary measures had been taken, he went on to say, "I have dealt with it internally, put it that way."

My question is simple, honourable senators: Is it the policy of this government to abandon totally the principle of ministerial accountability? It is a trend that is unfortunately all too evident, as demonstrated by other ministers who absolve themselves of all responsibility for their portfolios.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, the simple answer to my friend's question is "No." I will couple her question with Senator Cogger's question to see if I can garner any more information on this issue from my colleague the Minister of Health.

Senator LeBreton: Honourable senators, perhaps while the Leader of the Government in the Senate is raising this matter with her colleague, she might be reminded of something that the Prime Minister said in the House of Commons on June 12, 1991, at a time when he was in opposition. It was reported in *Hansard* as follows:

However, I would like to tell the people of Canada that when we form the government, every minister in the cabinet that I will be presiding over will have to take full responsibility for what is going on in his department. If there is any bungling in the department, nobody will be singled out.

HUMAN RIGHTS

CURRENT POLICY WITH RESPECT TO CHINA AND OTHER COUNTRIES—GOVERNMENT POSITION

Hon. A. Raynell Andreychuk: Honourable senators, the Honourable Minister Axworthy has indicated that human rights is now again part of the foreign policy of Canada. I understand that, yesterday, Raymond Chan stated that Canada has little to show for its policy of engaging Beijing in a dialogue on human rights. In light of this "quiet diplomacy" obviously being entirely too quiet and ineffective, could the Leader of the Government indicate whether the government will change its human rights practices and policies vis-à-vis China? In fact, will the government broaden the options available to deal with the issue of human rights in other countries as well?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, first, I will say to the honourable senator that I am not aware of the comments of my colleague Mr. Chan. I will look into that matter in order to inform myself.

On the question of Mr. Axworthy and human rights, he has pursued the issue in every country that he has visited during his tenure in the department, as has the Prime Minister. I believe that the government will continue to do this in a vigilant and forthright manner. I will look into the comments of my colleague to see what background I can obtain for her.

Senator Andreychuk: Honourable senators, another question I asked with respect to which I have not received an answer was: How will the evaluation of the present policy take place? If such quiet diplomacy is supposed to be between leaders and not known to the Canadian public, how will the evaluation of such a policy be done? I would still like an answer to my question. If, in fact, the evaluation is what Mr. Chan based his remarks on, I should like to know what the present policy will be with respect to China.

Senator Fairbairn: Honourable senators, I will do my best to obtain an answer for my honourable friend.

[Translation]

HEALTH

CLOSING OF MONTFORT HOSPITAL IN OTTAWA—TRANSFER PAYMENTS TO PROVINCES—CONSEQUENCES OF CUTS—GOVERNMENT POSITION

Hon. Jean-Maurice Simard: Honourable senators, I have two questions to ask the Leader of the Government. My first concerns the closing of Montfort Hospital in Ottawa, the only francophone hospital in Ontario. We know that all of the provincial governments, and certainly the Government of Ontario, have had to do some reorganization in their respective provinces. We have seen this happen in Alberta, in New Brunswick, in Ontario, and in Quebec. What prompted this provincial government reorganization of funding, and the

delivery of health care in particular, was the 40-per-cent reduction in federal transfer payments to the provinces since 1993. The governments of Ontario and the other provinces have therefore reviewed their health care priorities. Given the contradictory statements on this matter in the past few weeks, and the numerous times Prime Minister Jean Chrétien has changed his tune, could the Leader of the Government clarify the current position of the federal government regarding this issue?

[English]

• (1410)

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I will want to reread the honourable senator's question so that I can reply to the various parts of it.

I do have a couple of observations, however, on the question of the transfers. My friend is using the figure of 40 per cent. The honourable senator knows that the transfer cuts that the government undertook two budgets ago were not in the magnitude of 40 per cent. Those cuts were made in the most responsible manner possible by the federal government, which was under pressure to sustain its own financial balance. The federal government gave the provinces a period of five years to adapt to the cuts that would be regulated during that period. It undertook to establish a base figure below which financial transfers would not fall, so the provinces would know exactly what they could expect.

To say that the Premier of Ontario is being forced to make his cuts because of lower transfer payments from Ottawa does not present the full picture of the situation in that province. For example, it ignores the pledge of that government to produce tax cuts for the people of Ontario.

In terms of the hospital that is causing such concern here in Ottawa, it is clear that this decision is fully within the responsibility of the provincial government. The commission involved in those changes has also set a period during which it will seek comment and advice from others. Comments and advice will come from a variety of sources in this province, including members and senators of this Parliament.

My honourable friend talked about other provinces. My province of Alberta experienced a frenzy of cuts a couple of years ago. The premier later acknowledged that there was no well-thought-out plan for many of them. The Premier of Alberta is now saying that he is in the process of trying to find some way to change what has been done. Therefore, I would not hold up all the provinces as a reflection of the best way to make cuts. We tried to make our budgetary cuts in the most responsible and open way that we could.

Senator Simard: Honourable senators, we have all heard the explanation in answer to my first question. Do I understand that the minister, after having read my question, will provide a further written answer? If so, as part of that answer, would she state the government's position today or next week, maybe, if it changes? Is the Prime Minister ready to take a stand and review or revise the health transfer formula so that New Brunswick and Ontario could come to different decisions? What is his position on the Montfort Hospital today?

Senator Fairbairn: Honourable senators, there are two questions there. One refers to the Prime Minister's position on one particular hospital.

Senator Simard: He is speaking for the government, too.

Senator Fairbairn: The Prime Minister's position on that particular hospital closure is clear. His position that this is a provincial responsibility is also clear. He has made his opinion on that hospital clear.

With regard to changing his decision on transfer payments, I will be delighted to provide my friend with whatever additional information I can obtain. The transfer payments remain substantial. A figure of \$25.1 billion is not to be sneezed at. I do not believe the Prime Minister will be changing his mind, today or next week, on the question of transfers but, of course, I will try to substantiate that answer and respond to any other parts of the senator's question I might have missed.

Senator Perrault: Call your friends in Ontario.

OFFICIAL LANGUAGES

KINGSTON ROYAL MILITARY COLLEGE—REQUEST TO TABLE REPORT ON BILINGUAL STATUS

Hon. Jean-Maurice Simard: Honourable senators, I have another question dealing with the closure of the military college in Saint-Jean, Quebec, dating back a couple of years. The government tried to justify the decision to have one college, located in Kingston, and Canadians were promised that it would be a bilingual institution able to meet the needs of education for cadets. We were promised a report on the state of affairs and the progress of bilingualism at that Royal Military College in Kingston.

Did the government prepare such a report? Is it ready to table that report? Has any progress been made in making the Kingston institution fully bilingual, fully equipped, to serve Canadian cadets?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I will certainly seek that information to see what I can put together for my honourable friend.

CODE OF CONDUCT

MINISTERIAL RESPONSIBILITY AND ACCOUNTABILITY FOR STATEMENTS MADE—POSITION OF GOVERNMENT LEADER

Hon. Finlay MacDonald: Honourable senators, I was listening on the Oasis system to the answers given by the Honourable Leader of the Government to questions posed by Senators Cogger and LeBreton respecting ministerial responsibility. The leader has been sworn into the Privy Council. I was surprised by the honourable senator's response that she would take the questions as notice and get an answer. I do not know what answer senators in this chamber should expect to a question like that. Maybe the question should have been put this way: Under those circumstances, what would you have done?

[Senator Simard]

Honourable senators, could the Leader of the Government have been a little more candid with this house? We are talking about ministerial responsibility. That is something she knows about, and on which she can provide an answer.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I certainly can answer that question for Senator MacDonald. I am fully aware of the doctrine of ministerial responsibility and accountability. It is one which I try to follow in everything I do in this chamber and in any of my other responsibilities in cabinet.

When I was speaking to the honourable senator's colleagues, I wanted time to find more information for myself on what they were saying about one of my cabinet colleagues. I intend to do that.

With regard to the doctrine of ministerial responsibility and accountability, or whatever you wish to call it, of course, it remains the same as has been stated by the Prime Minister many times. That is very definitely part of the oath on which I was sworn in, and that is the way that I endeavour to do my job.

Senator MacDonald: Honourable senators, there are obviously gradations in all that has been said about ministerial responsibility, but one thing remains clear: The buck stops with the minister, regardless of what he or she does with respect to the elimination of practices of that kind within their respective departments. Everything we know about that issue is now in print. There are no secrets. We all know what has happened, and it is clear. I cannot see the honourable senator operating a department in the same fashion as that minister.

• (1420)

MINISTERIAL RESPONSIBILITY AND ACCOUNTABILITY FOR
STATEMENTS MADE—POSITION OF MINISTER

Hon. Lowell Murray: Honourable senators, I should like to ask the Leader of the Government in the Senate if it is the position of Mr. Dingwall that he is not responsible for what he said on the subject-matter in question?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, my honourable friend has referred to the same question raised earlier, the one to which I should like to obtain a response from my colleague. In my experience, Mr. Dingwall, in the past, has been very open and ready to take responsibility for his actions.

Senator Murray: Honourable senators, the facts have already been placed on the record. Mr. Dingwall made a statement about a certain product. We subsequently learn that he made that statement on the basis of bad advice.

Senator Doody: The devil made him do it!

Senator Murray: The apology was made by his deputy minister. The minister now takes the position that the apology is

the department's to make, and not his. The question that must be answered is: Is the minister responsible for what he said, or does the minister take the position that someone else is responsible for what he himself said?

Senator Fairbairn: Honourable senators, I take the honourable senator's point, and that is precisely why I will talk to my colleague rather than rely on other reports.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, I have a response to a question raised in the Senate on December 3, 1996, by the Honourable Senator Cochrane regarding post-secondary education and the increase in certain provinces of tuition fees for out-of-province students. I have a response to a question raised in the Senate on February 12, 1997 by the Honourable Senator Lynch-Staunton regarding intergovernmental affairs and the amendment to section 93 of the Constitution requested by the Province of Quebec. I also have a response to a question raised in the Senate on February 13, 1997 by the Honourable Senator Grafstein regarding alleged war crimes.

POST-SECONDARY EDUCATION

INCREASE IN TUITION FEES FOR OUT-OF-PROVINCE STUDENTS
BY CERTAIN PROVINCES—POSSIBLE ABROGATION OF
INTERPROVINCIAL AGREEMENTS—GOVERNMENT POSITION

(Response to question raised by Hon. Ethel Cochrane on December 3, 1996)

The free movement of students is of great importance to the Government of Canada. Through its various programs of support for post-secondary education, the government has long contributed to further the achievement of a broad range of national, economic and social objectives, including those relating to mobility in post-secondary education.

For example, student loans provided under the Canada Student Loans Program (CSLP) to over 300,000 students annually are fully portable to over 5,000 institutions across Canada and the world.

In cooperation with the Council of Ministers of Education, Canada (CMEC), the Government of Canada through the Department of Human Resources Development Canada (HRDC) supports the financing and management of the Canadian Information Centre for International Credentials (CICIC). The Centre, which was established in 1990, provides information on Canadian post-secondary studies, diplomas, and degrees needed to promote mobility and recognition of Canadian qualifications abroad.

In cooperation with the Department of Foreign Affairs and International Trade, HRDC recently launched programs aimed at promoting international mobility in higher education and training. Under the Program for North American Mobility in Higher Education, Canada-European Community Program for Cooperation in Higher Education and Training, and a consortium of universities and colleges in Canada, the United States, Mexico, and Europe undertake international joint activities focusing on increased institutional cooperation and academic exchange. These initiatives support the development of institutional linkages which in turn increase student mobility at the graduate and undergraduate levels and strengthen the international dimension of higher education in Canada.

These are but some examples of the government's efforts to promote academic mobility at the post-secondary level. The Government of Quebec's intention to impose differential tuition fees for out-of-province university students is of concern to this government. This measure, if implemented, is expected to increase tuition fees for out-of-province students by about 75 percent, from approximately \$1,700 to \$2,900 per year – a measure that is bound to have an impact on the mobility of non-Quebec resident students wishing to study in Quebec, including Francophones wishing to attend a Francophone university in that province.

While recognizing that education is an area of provincial jurisdiction and that provinces are responsible for establishing tuition fees, the Government has expressed its concerns about this proposal to the Quebec Minister of Education and has urged the Minister to reconsider this scheme.

Withholding transfers to provinces as a result of differential tuition fees must be considered in the context of the Government's support for post-secondary education under the *Federal-Provincial Fiscal Arrangements Act*, which currently, is unconditional. As you know, in the last Speech from the Throne, it was announced that the Government will work with the provinces and Canadians to develop, by mutual consent the values, principles and objectives that should underlie the Canada Health and Social Transfer (CHST), and the social union more generally. The 1996 Speech committed the Government of Canada to preserve and modernize Canada's social union, and to work with the provinces and Canadians to explore new approaches to decision making in social policy. With respect to mobility, the Speech from the Throne also stated that the Government will continue to protect and promote unhampered social mobility between provinces and access to social and other benefits, and work with the provinces to identify new and mutually agreed approaches.

There has been considerable activity on this front. Regrettably, to this date, Quebec has decided to not take part in these discussions. Recently, all provinces and territories with the exception of Quebec proposed for further discussion a statement of principles to guide social policy reform and renewal. They included such principles as accessibility, serving the basic needs of all Canadians, reflecting our individual and collective responsibility, affordability, effectiveness and accountability. This Ministerial Council Report was a very positive contribution to further discussions on these topics among First Ministers last June, among Premiers in August and finally among the Social Service Ministers in September of 1996.

These substantive actions demonstrate that the mobility, of students and social mobility generally, are of major importance to the Government of Canada.

INTERGOVERNMENTAL AFFAIRS

CHANGES TO SECTION 93 OF CONSTITUTION REQUESTED BY PROVINCE OF QUEBEC—ASSURANCE OF LINGUISTIC AND EDUCATIONAL RIGHTS FOR ANGLOPHONE MINORITY—GOVERNMENT POSITION

(Response to question raised by Hon. John Lynch-Staunton on February 12, 1997)

Premier Bouchard has stated that he rejects the idea of offering additional constitutional protections to Quebec's Anglophone community.

That being said, it is of overriding importance that we actually have the official request from the Government of Quebec. The National Assembly, however, has not yet expressed its opinion on this issue.

For that reason, it is not the Government of Canada's place to interpret Premier Bouchard's statements concerning linguistic protection for Quebec's Anglophone community.

The Canadian government will therefore wait until it has received the aforementioned request before making any further comments.

JUSTICE

ADEQUACY OF RESOURCES AVAILABLE TO PURSUE AND PROSECUTE ALLEGED WAR CRIMINALS—GOVERNMENT POSITION

(Response to question raised by Hon. Jeremiah S. Grafstein on February 13, 1997)

It is this government's policy that Canada will not be a safe haven for war criminals. If persons living in this country have committed war crimes, crimes against humanity or other reprehensible acts during time of war, they will be dealt with to the full extent of the law,

regardless of the lapse of time. This policy applies not only to persons who committed their crimes or other heinous acts as part of the Nazi war machine during World War II, but also to others who have been involved in more recent armed conflicts, such as those in Bosnia, Rwanda, or Central or South America.

Over the years, Canada has pursued a multi-pronged program to bring to justice any such people who may have sought refuge here, while at the same time denying entry to other suspected war criminals. In January 1995, Ministers Rock and Marchi announced that, henceforth, Canada would focus on revoking the citizenship of suspected Nazi war criminals and on deporting them, instead of trying to prosecute these people under the Criminal Code. If the Government can show that these persons lied about their war time activities or concealed the heinous things they did for the Nazis, then these persons would have been ineligible to immigrate to Canada and become Canadian citizens. Such people can be expelled now.

The Government has committed itself to commence 12 such cases before April 1997. Ten cases have been started already (although the subject of one such case, Mr. Kenstavicius, died on the opening day of his deportation hearing), and two more will be started before April 1, 1997.

Justice counsel have been urging the Federal Court of Canada to expedite the hearing of these cases. The Court has begun to schedule proceedings in these cases, including trial dates. The Bogutin case, for example, has been set down for trial starting on May 12, 1997, and several other cases are expected to be tried on their merits this year as well.

With respect to modern war crimes, the Minister of Citizenship & Immigration has intervened successfully more than 200 times before the Convention Refugee Determination Division of the Immigration and Refugee Board to prevent modern war criminals from wrongly acquiring refugee status. Of these 200, some 45 have already been expelled from Canada while others have managed to remain in Canada. Citizenship and Immigration Canada (CIC) has launched a project to bring legal enforcement proceedings against these remaining people to remove them from Canada as quickly as possible.

In fiscal year 1996-97, the Department of Justice spent \$1,762,703 on the war crimes program. Approximately 29 "full time equivalents" were engaged in the effort across the country, including lawyers, historians, paralegals and support staff.

The Department of Justice has the capacity to respond quickly as circumstances and the need for resources change. As the pace of litigation varies, the Department adjusts. If additional counsel are required to plead new or more important cases, counsel are reassigned from lower priority work. Justice now has five litigation teams assigned

to the nine active cases before the court and tribunal; a sixth team was handling the now-closed Kenstavicius case. More counsel will be assigned as the need arises.

The Department of Justice is committed to ensuring that Canada does not become a safe haven for war criminals or for others who committed reprehensible acts during time of war. The Department will therefore ensure that adequate resources are allocated to this program. Should more money or people be needed, the Department will use the the government's Expenditure Management System to re-allocate resources internally to meet that need. Should the Department's own resources prove insufficient, the Department will seek resources from elsewhere in government for this important program.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I should like to introduce the distinguished visitors who are today in our gallery. They are His Excellency Hennadii Udovenko, who is Minister of Foreign Affairs of Ukraine. Minister Udovenko is accompanied by His Excellency Ambassador Volodymyr Furkalo, along with a delegation from Ukraine. In that delegation are Messrs Anatoliy Ponomarenko, Andriy Vesselovsky and Yevhen Kyrlyenko.

We welcome you to the Senate of Canada.

Hon Senators: Hear, hear!

ORDERS OF THE DAY

NUCLEAR SAFETY AND CONTROL BILL

SECOND READING

Leave having been given to proceed to Order No. 2, Government Business:

Resuming debate on the motion of the Honourable Senator Taylor, seconded by the Honourable Senator Marchand, P.C., for the second reading of Bill C-23, to establish the Canadian Nuclear Safety Commission and to make consequential amendments to other Acts.

Hon. Mira Spivak: Honourable senators, I should like to thank Senator Taylor for his very comprehensive discourse on Bill C-23 the other day. I support the thrust of Bill C-23, which would reconstitute the Atomic Energy Control Board as the new Canadian Nuclear Safety Commission and more clearly define its purpose as a guardian of the health and safety of workers, the public and the environment from undue risk of nuclear technology.

I support the distinction this bill would draw between the new regulatory agency and Atomic Energy of Canada Limited, our super sales company for CANDU reactors. We need an industry overseer that is entirely removed from promoting nuclear energy.

I support the bill despite my serious misgivings about the current government's nuclear energy policy. The bill is far from flawless, and I support it knowing that, when it comes to nuclear energy, we must live a long time with mistakes that were made decades ago, and that any new mistakes will be imposed on generation after generation of Canadians.

The bill has the short title of the Nuclear Safety and Control Act. It is self-evident that we need to be careful with nuclear energy, that we need to restrict its use through licences and that we need to impose strict controls on those licensed to use it.

In three provinces, Ontario, Quebec and New Brunswick, we have nuclear reactors powering electrical generating stations. In Ontario and in my home province of Manitoba, we have nuclear research stations. In Ontario and Saskatchewan, we have uranium mining and processing. In all these locations, potential disaster can only be averted by a high level of vigilance and backups to backup safety systems.

We need the sort of commission proposed by Bill C-23. We have needed it for some time, considering this country's record on nuclear incidents. We tend to forget that we have had major accidents and are not exempt from them in the future.

In 1952, at Chalk River, the Ontario AECL had the world's first major nuclear accident. The fuel melted, an explosion destroyed the reactor core and there was a large release of radiation. Six years later, again at Chalk River, irradiated fuel broke off and caught fire. The clean-up of radioactive contamination involved 600 men, mostly Canadian and U.S. soldiers.

Approximately five years ago, at Pickering Nuclear Generating Station, a short distance from Toronto, a tube break dumped 3,000 litres of radiation-contaminated heavy water into Lake Ontario, causing the shut-down of a nearby municipal water supplier. In December 1994, a valve leak at that same plant dumped 140 tonnes of heavy water out of a reactor, and for the first time in the history of CANDU, an emergency core cooling system was needed to avoid a meltdown. Everyone involved was thankful that the emergency system worked; however, in April of 1996, someone noticed it would not, and all eight reactors at Pickering were shut down.

This is the generating station about which it was recently stated in a report to the Ontario government that workers have been found sleeping on the job, playing computer games and in other ways not doing their jobs diligently. At other stations, according to peer review reports pried from Ontario Hydro by the news media, alarms to warn of serious problems are routinely silenced. Workers have added fuel to the wrong part of a reactor. The reports go on.

My point in mentioning these incidents is that we cannot be sanguine. We cannot be lulled by AECL's sales line touting CANDU as the highest quality and safest reactor in the world. In fact, those same words were used by the Minister of Natural Resources last November in a speech in Toronto. In point of fact, the Atomic Energy Control Board has said that CANDU is not

the highest quality or the safest reactor. In the AECB's 1989 report, after decades of looking at reactor safety, the AECB stated that CANDU plants cannot be said to be either more or less safe than other types.

In the five-year period from 1989 to 1993, there were more than 900 incidents at Ontario's five nuclear stations that required reporting to the regulatory agency. In 1995, there were 670 significant events at Ontario Hydro stations. Even more vigilance is required as these reactors age, as budget cuts reduce staff, as plants are decommissioned and as storage of spent fuel is necessary while we struggle with the industry's Achilles' heel: what to do with nuclear waste.

There is no doubt we need what this bill purports to do. I support this bill with reservations. First, if this bill is to create a commission whose prime focus is health, safety, protection of the public and defence of the environment, then I agree with those who presented briefs to members of Parliament suggesting that this bill puts the wrong minister in charge. It would be more appropriate to have the commission report to the Minister of the Environment or perhaps to the Minister of Health, whose department deals with radiation safety, and to ask the Minister of Natural Resources to be the salesman for CANDU reactors, a position she fills nicely. In asking her to pick and choose members of the safety commission or to make other critical decisions, I suggest that we are not moving as far as we might in the delineation between regulatory and promotional functions.

Second, this bill has a troubling feature that we see all too frequently in legislation aimed at protecting the environment. It allows for too much ministerial discretion and for exemption after exemption. Although binding on the Crown, it allows cabinet to order exemptions for the Department of National Defence or the Canadian Armed Forces. It automatically exempts foreign nuclear-powered vessels that enter Canadian waters and ports, as they are wont to do around Vancouver Island. Finally, it allows the commission to exempt anyone, any group, any substance or any activity, anywhere, at any time, temporarily or permanently.

• (1430)

For years we have seen the concept of ministerial discretion — and some of our colleagues were just talking about responsibility and accountability — and broad exemptions creep slowly and steadily through virtually every piece of environmental legislation, and then we are presented with this bill.

The other troubling element — and this must be the second thing that is writ large on the walls of the Department of Justice for drafters of environmental bills — is delegation to the provinces. It seems to have become this government's mantra. Ontario was concerned about labour matters, therefore we have an amendment that will delegate administration of a related portion of the Canadian Labour Code. Saskatchewan was concerned about uranium mining regulations, therefore we delegated administration and enforcement in that area to the province. In fact, the delegation provisions are so potent that a thoughtful observer suggested that they appear to clear the way for considerable devolution of power to the provinces.

Nuclear safety is not a matter which should be anywhere near the interminable federal-provincial poker game. How could we explain to our American neighbours, in the event of an accident, that the Government of Canada had delegated its authority to a provincial government that was at arm's length from the reactor operator? It is absurd.

Honourable senators, I have some reservations also about the very limited public participation allowed by this bill, and a few other matters of safety, but I hope to speak in future at greater length on other aspects of Canada's nuclear policy and its nuclear industry. However, for now, I suggest that the principle of the bill is laudable, and one that we should support.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

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

[*Translation*]

MANGANESE-BASED FUEL ADDITIVE BILL

INTERIM REPORT OF ENERGY, THE ENVIRONMENT
AND NATURAL RESOURCES COMMITTEE ON QUESTIONS—
POINT OF ORDER—SPEAKER'S RULING

The Hon. The Speaker: Yesterday, after I had called "Orders of the Day," Senator Kinsella rose on a point of order to object to the course of certain events that had occurred during Routine Proceedings. It is his contention that the order of the Senate setting the consideration for third reading of Bill C-29 "at the next sitting of the Senate" is out of order. He based his position on the fact that the Senate had adopted a motion on February 4 ordering the Standing Committee on Energy, the Environment and Natural Resources to prepare an interim report related to Bill C-29 for the purpose of answering several questions. Using references to the practices of the National Finance Committee and its consideration of the Estimates, Senator Kinsella argued that, from a procedural point of view, there should be an examination of the interim report before debate proceeds to the third reading of Bill C-29. According to Senator Kinsella:

...unless we are to rescind the order made by this House on February 4, 1997... we must first proceed with an examination of the interim report, and then with an examination of the report of the committee on the bill itself.

[*English*]

Although I suggested that I did not believe it was the appropriate time to raise the point of order according to my understanding of rule 23(1), I allowed debate to continue, and invited other senators to submit their arguments. The Deputy Leader of the Government, Senator Graham, challenged Senator Kinsella's position and maintained that there was no procedural link between the interim report and the report on the bill. As he

explained, the terms of the resolution of February 4 were met by the presentation of the interim report, a position subsequently endorsed by Senator Kenny. Senator Graham went on to state that, with respect to the report on the bill, as it was presented without amendment, it was deemed adopted and a motion was carried to have the item placed on the Order Paper for third reading consideration at the next sitting.

[*Translation*]

The Leader of the Opposition, Senator Lynch-Staunton, urged that we look to the intent behind the motion of February 4. From this perspective, he said the case is very clear, and I quote:

It was to give this chamber guidance on three key questions relating to the subject-matter of the bill in order to help the Senate, in debating the interim report, to have a better understanding of the issues involved.

However, by reversing the order, by allowing the third reading debate to proceed before debate on the interim report, he claimed that the Senate would be contravening the intent of the February 4 motion. This position was supported by Senator Nolin.

I want to thank the honourable senators for the arguments that were presented. Based on what was said, I fully appreciate the different positions that have been taken on this matter.

[*English*]

First, I want to address the issue of when this point of order should be raised. Rule 23(1) states in part that:

Any question of privilege or point of order to be raised in relation to any notice given during this time —

— of Routine Proceedings —

— can only be raised at the time the Order is first called for consideration by the Senate.

Thus, the first appropriate opportunity to raise this point of order as to whether it is procedurally acceptable to proceed to third reading of Bill C-29 would be when that item is actually called the first time. The reason behind this rule, as I perceive it, is that points of order should be anchored to the proceeding that is being questioned, in this case the third reading of Bill C-29. Be that as it may, the Senate seemed disposed to hear the point of order raised by Senator Kinsella, and so I decided to allow the arguments to be made despite the clear intent of rule 23(1). Let it be understood, however, that this should not be construed as a precedent. Unless the Senate decides to change the rule, I feel bound to apply it when required to do so.

As to the substance of the point of order, honourable senators, the dispute revolves around the difference in the interpretation of the motion adopted February 4. The relevant portion of the motion states:

That, notwithstanding rule 98, the Standing Senate Committee on Energy, the Environment and Natural Resources present an interim report, before submitting its final report on Bill C-29...

On the one hand, it has been proposed that I follow the example of the courts when confronted with ambiguous language in the law and go behind the intent of the motion. On the other hand, I am advised that this is unnecessary since the language of the motion is clear and straightforward. In this particular case, I am inclined to agree that the terms of the motion are not particularly ambiguous or open to interpretation. The motion simply authorized the Standing Senate Committee on Energy, the Environment and Natural Resources to present an interim report before presenting its report on Bill C-29, and this is what has happened. The motion did not stipulate or suggest in any way what subsequent action was to be taken after these reports were presented. The motion provides no indication at all that one report was to be debated before the other. If the language of the motion had even suggested any follow-up proceeding beyond the presentation of the reports, I would have considered the point of order differently. In this case, however, it is unnecessary to follow the cited example of courts since there is nothing ambiguous in the terms of the motion. Were I to do so, I believe I would be exceeding my authority as Speaker.

Accordingly, honourable senators, I rule that the order for the third reading of Bill C-29 is properly before the Senate, and that it will be in order to move the appropriate motion when the order is called later this day.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, we challenge the ruling and ask for a vote.

The Hon. the Speaker: You challenge the ruling?

Senator Lynch-Staunton: Yes, we do.

The Hon. the Speaker: The question before the Senate, then, is: Will the ruling of the Speaker be sustained?

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

Some Hon. Senators: Yes.

Some Hon. Senators: No.

The Hon. the Speaker: Will those honourable senators in favour of the ruling please say "yea"?

Some Hon. Senators: Yea.

The Hon. the Speaker: Will those honourable senators opposed to the ruling will please say "nay"?

Some Hon. Senators: Nay.

The Hon. the Speaker: In my opinion, the "yeas" have it.

And two honourable senators having risen.

The Hon. the Speaker: Call in the senators.

• (1540)

Speaker's ruling sustained on the following division:

YEAS

THE HONOURABLE SENATORS

Anderson	Kolber
Bacon	Lewis
Bonnell	Lucier
Bosa	Maheu
Bryden	Marchand
Carstairs	Mercier
Cools	Molgat
Corbin	Pearson
De Bané	Perrault
Fairbairn	Petten
Forest	Poulin
Gigantès	Prud'homme
Graham	Sparrow
Haidasz	Stanbury
Hays	Stewart
Hébert	Stollery
Kenny	Taylor—34

NAYS

THE HONOURABLE SENATORS

Andreychuk	Kinsella
Atkins	Lavoie-Roux
Bolduc	LeBreton
Cogger	Lynch-Staunton
DeWare	MacDonald (<i>Halifax</i>)
Di Nino	Murray
Doody	Nolin
Doyle	Roberge
Grimard	Robertson
Gustafson	Rossiter
Keon	Tkachuk—22

ABSTENTIONS

THE HONOURABLE SENATORS

Nil

THIRD READING—DEBATE ADJOURNED

Hon. Colin Kenny moved third reading of Bill C-29, to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances.

He said: Honourable senators, I am grateful to have this opportunity to speak on Bill C-29, the manganese-based fuel additives act. Throughout Canada's history, the upper chamber of Canada's Parliament has served a variety of useful purposes. The one on which I would like to focus today is its precautionary purpose.

We in the Senate take the time to examine issues that are important to Canadians. We examine them thoughtfully and in a disinterested way. We are able to look at the long-term benefit to our country in a way that is not always possible for our friends in the other place. They, of course, are often vulnerable to the pressures of the moment — the interests of their particular ridings.

This chamber was designed to look past the moment and the pressures of the day. It is our job to ensure that prudence and wisdom weigh as heavily as momentary passions or the interests of particular communities or individuals in determining how Canada evolves.

I cannot think of a better way to apply the intelligent, precautionary instincts that the upper chamber has shown over the years than to use such instincts to improve the quality of air that Canadians breathe. Many factors help unite this country, but Canadians have no more powerful common cause, from the Queen Charlotte Islands to St. John's, than this very basic cause: our need to breathe. It makes many other causes with which we are sometimes seized seem trivial by comparison.

All honourable senators know that the Standing Senate Committee on Energy, the Environment and Natural Resources has spent considerable time examining Bill C-29. However, not all honourable senators may know that, in so doing, committee members were able to scrutinize the arguments of automotive companies which were united in telling us that the effectiveness of their anti-emission systems were being undermined by methylcyclopentadienyl manganese tricarbonyl, which is an octane enhancer for gasoline. We also listened to the arguments of Ethyl Corporation which manufactures this relatively inexpensive octane enhancer for refiners in Canada. The refiners using MMT, of course, pointed out that they would incur capital costs and operating costs to replace it with other additives.

• (1550)

Finally, we listened to other intervenors, such as the Sierra Club and the Learning Disabilities Association of Canada, which expressed health and environmental concerns about MMT.

Frankly, the Learning Disabilities Association was clearly concerned about the potential effects MMT may have on the neurodevelopment of foetuses and young children. They note that the brain is a target organ for known neurotoxins like manganese and its compounds. However, there is not yet clear evidence that MMT represents such a hazard in the amounts that are now entering the air we breathe.

I repeat, there is no clear evidence, just as there was no clear, incontestable scientific evidence that lead was a hazard for many decades; just as there was no clear, incontestable scientific evidence for decades that cigarettes cause lung cancer. We can guess and we can predict. However, at this point, the evidence is not there to declare MMT a health hazard to Canadians.

On the question of whether manganese oxide created in combustion of MMT adheres to the anti-emission equipment which is installed on all new vehicles sold in Canada and the United States, there is no doubt. The car companies have evidence that it does. Ethyl Corporation does not dispute that evidence. Rather, it says that this adherence does not represent much of a problem, if it is a problem at all. The only companies that seem to have come to that rosy conclusion are Ethyl Corporation, which manufactures MMT, and the refiners which use it.

I might mention that Ethyl Corporation, after it introduced lead as an anti-knock additive in 1924, continued to promote this additive as safe and benign, long after the overwhelming preponderance of evidence made it clear that lead was a neurotoxin and deleterious to human health.

In contrast, there is a list of American oil companies that have said publicly that they have no intention of using MMT. The list includes Amoco, Anchor Gasoline, ARCO, BP, Chevron, Conoco, Exxon, Hess, Marathon Oil, Mobil, Pennzoil, Philips, Shell, Sun Oil and Texaco.

California has banned the use of MMT. A number of areas in the U.S. suffering from severe air pollution have banned MMT. However, Canadians, who are supposed to be the most environment-conscious people in the world, continue to wallow in MMT.

Honourable senators, allow me to present you with one more list. This is a list of vehicle manufacturers who say that MMT not only throws their carefully calibrated converters out of whack, causing increased emissions of hydrocarbons and carbon monoxide, but that it fouls spark plugs and endangers the warning systems that alert drivers that their emission systems are malfunctioning. These are the corporations which want to wash their hands of MMT: General Motors, Ford, Chrysler, Toyota, Honda, BMW, Jaguar, Hyundai, Lamborghini, Mazda, Mitsubishi, Nissan, Rolls-Royce, Subaru, Volvo, Lada, Land Rover, Mercedes-Benz, Saab, Suzuki and Volkswagen.

I would like to note at this point that Ethyl Corporation contends that MMT may actually improve the performance of emissions control equipment. The auto manufacturers are adamant that it does quite the opposite. The truth is we would be delighted if Ethyl Corporation were right. Why? Because these companies are being squeezed with tighter and tighter emissions standards in Canada, the United States and all over the world. Would it not be heavenly for them if some of the residue that stuck to the expensive equipment that they have been installing recently actually worked to make it function better? This would mean far less expense in taking anti-emission equipment to the next plateau. However, these 21 companies, traditional competitors all, have banded together to tell us that MMT is endangering the considerable progress that has been made on auto emissions in recent years; and they are going to considerable cost and trouble to take on the powerful refinery lobby in order to do so.

I firmly believe that the balance of probability lies with the people who are afraid of MMT, who are convinced that it is already doing damage. If I am wrong, I will have cost the average driver about \$5 a year. That extra five bucks presumes that refineries that use MMT in Canada will pass on all the costs involved in switching to safer additives. By the way, these safer additives are manufactured in Canada but, at the moment, most of the production is shipped to the United States.

If I am right, I will have helped to save many of those same Canadians the \$250 that it costs to replace each of these oxygen sensors that are critical to monitoring the performance of catalytic converters. I will have helped Canadian motorists save on the replacement costs of spark plugs; but, most important, I will have done my little bit to assist this planet and Canadians to breathe better air.

Most of us are old enough to have watched corporations engage in endless foot-dragging to avoid rectifying environmental problems and health problems. How many times have we heard the words, "Let us do just one more study. All these people moving away from MMT around the world may be wrong. Let us have another study. Perhaps there will be an election. Perhaps the legislation will get lost. At least, we will kill some time."

Bill C-29 is important environmental legislation. Therefore, I suggest that this chamber perform its vital precautionary role. I suggest that it vote in favour of this bill and, in doing so, that we act prudently and wisely on behalf of all Canadians. Let us do this on behalf of all living, breathing Canadians, as well as those Canadians who have not even drawn their first breath yet.

I commend my fellow senators for the excellence of their work on the committee under the most capable leadership of Senator Ghitter. I commend this bill to you for quick passage.

Hon. Pierre Claude Nolin: Honourable senators, would Senator Kenny explain to this chamber the level of support that

the Minister of the Environment has from his colleagues on the Canadian Council of Ministers of the Environment on this specific subject?

Senator Kenny: Honourable senators, I thank Senator Nolin for his question. The answer is that it is mixed. It is either 10 to 2 or 12 to 2, depending on how you add it up.

Senator Nolin: Does the honourable senator mean to say that only two are in favour of the minister's position?

Senator Kenny: Yes, sir.

Senator Nolin: Can the honourable senator explain to the Senate why the Department of the Environment has refused to list MMT as a priority item to be studied by the CCME's technical group?

Senator Kenny: I am not sure of the facts on that point, and therefore I cannot help the honourable senator. I am not certain that they have refused that request. I simply do not know the answer to the question.

On motion of Senator Kinsella, debate adjourned.

• (1600)

CAPE BRETON DEVELOPMENT CORPORATION

NOTICE OF MOTION TO AUTHORIZE SPECIAL COMMITTEE TO EXTEND DATE OF FINAL REPORT

Leave having been given to revert to Notices of Motions:

Hon. Lowell Murray: Honourable senators, I give notice that, on Thursday next, March 6, 1997, I will move:

That notwithstanding the Order of the Senate adopted on February 11, 1997, the Special Committee of the Senate on the Cape Breton Development Corporation which was authorized to examine and report upon the annual report and corporate plan of the Cape Breton Development Corporation and related matters, be empowered to present its final report no later than April 10, 1997; and

That the Committee retain all powers necessary to publicize the findings of the Committee contained in the final report until April 14, 1997; and

That the Committee be permitted, notwithstanding usual practices, to deposit its report with the Clerk of the Senate, if the Senate is not then in session; and

That the report be deemed to have been tabled in the chamber.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

SEVENTEENTH REPORT OF COMMITTEE PRESENTED

Leave having been given to revert to Reports of Committees:

Hon. Colin Kenny, Chairman of the Standing Committee on Internal Economy, Budgets and Administration, presented the following report:

Wednesday, March 5, 1997

The Standing Committee on Internal Economy, Budgets and Administration has the honour to present its

SEVENTEENTH REPORT

Your Committee has examined and approved the following budget presented to it by the Special Committee of the Senate on the Cape Breton Development Corporation for the proposed expenditures of the said Committee, for the fiscal year ending March 31, 1997, with respect to its study as authorized by the Senate on February 11, 1997:

Professional and Special Services	\$ 16,500
Transportation and Communications	42,885
Other Expenditures	<u>2,000</u>
Total	\$ 61,385

Respectfully submitted,

COLIN KENNY
Chairman

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

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

BUSINESS OF THE SENATE

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, this being Wednesday, several committees are scheduled to meet. Normally we try to conclude our deliberations on this day of the week at three o'clock or, at the latest, 3:15 but always allowing for unusual circumstances such as the debates and the vote that we had today. I believe that we could have agreement that all remaining questions, orders, and inquiries on the Order Paper stand until tomorrow.

The Hon. the Speaker: Is it agreed, honourable senators, that all matters remaining on the Order Paper stand until tomorrow?

Hon. Senators: Agreed.

The Senate adjourned until tomorrow at 2 p.m.

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