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Friday, April 25, 1997

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THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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THE SENATE

Friday, April 25, 1997

The Senate met at 9:00 a.m., the Speaker in the Chair.

Prayers.

SENATORS' STATEMENTS

FORUM FOR YOUNG CANADIANS

Hon. Jean B. Forest: Honourable senators, during the last few weeks I, along with many of my colleagues, have had the pleasure of attending the breakfasts hosted by His Honour for high school students who have come to Ottawa as participants in the Forum for Young Canadians program. I am sure I speak for all those senators in expressing appreciation to His Honour for our opportunity to meet these fine young people who represent the best of students from all across Canada.

All those with whom I have spoken have expressed great enthusiasm for the value of the program, genuine interest in the workings of Parliament, and a real delight in their visits to Ottawa. Their questions and comments showed that they had been well prepared for their trip, prepared in such a way as to enable them to gain from it a valuable educational experience. I commend their teachers, parents and counsellors for having provided them a firm foundation upon which to build the future, both theirs and that of Canada's.

Yesterday, in speaking to legislation dealing with penalties for criminal activity, Senator Andreychuk made an eloquent plea for early assistance to children at risk. While the students whom we met at the forums probably had no need for this type of intervention in their lives, they did provide for us positive models of the kinds of young people who will be best equipped to lead fruitful lives of their own and to lead Canada into the next millennium. As concerned Canadians, we need to do our best to ensure that all of our children have an equal opportunity to do so.

THE SENATE

Hon. Orville H. Phillips: Honourable senators, I notice there are no Orders of the Day, at least on this side of the Senate. I can recall in previous years, when the situation was reversed and we were sitting over there, distinguished senators such as MacEachen, Frith, Molgat, Fairbairn, and a host of lesser souls complaining that we did not have the Order Paper and wondering how we were to know what was being called. This is particularly important when we do not follow the orders logically by number.

Hon. Dan Hays: Here they come. You better be quick!

Senator Phillips: This is terrible. They are just being passed out now. The Senate was to begin at nine, not quarter after. Can we not get things done on time?

Hon. Philippe Deane Gigantès: Honourable senators, my father will probably spin in his grave, but I have to admit, after all these years, that I have discovered in this chamber that there are many Tories I like. I thank those Tories — but only those.

ROUTINE PROCEEDINGS

INCOME TAX CONVENTIONS IMPLEMENTATION BILL, 1996

REPORT OF COMMITTEE

Hon. Michael Kirby, Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Friday, April 25, 1997

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

SEVENTEENTH REPORT

Your Committee, to which was referred the Bill C-37, An Act to implement an agreement between Canada and the Russian Federation, a convention between Canada and the Republic of South Africa, an agreement between Canada and the United Republic of Tanzania, an agreement between Canada and the Republic of India and a convention between Canada and Ukraine, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, has examined the said Bill in obedience to its Order of Reference dated Thursday, April 24, 1997, and now reports the same without amendment.

Respectfully submitted,

MICHAEL KIRBY
Chairman

• (0910)

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

Senator Kirby: With leave of the Senate and notwithstanding rule 58(1)(b), I move that the bill be read the third time later this day.

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

Hon. Senators: Agreed.

Motion agreed to.

BUDGET IMPLEMENTATION BILL, 1997

Friday, April 25, 1997

REPORT OF COMMITTEE

Hon. Michael Kirby, Chairman of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Friday, April 25, 1997

The Standing Senate Committee on Banking, Trade and Commerce has the honour to present its

EIGHTEENTH REPORT

Your Committee, to which was referred the Bill C-93, An Act to implement certain provisions of the budget tabled in Parliament on February 18, 1997, has examined the said Bill in obedience to its Order of Reference dated Thursday, April 24, 1997, and now reports the same without amendment.

Respectfully submitted,

MICHAEL KIRBY
Chairman

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

Hon. Michael Kirby: With leave of the Senate and notwithstanding rule 58(1)(b), I move that the bill be read the third time later this day.

The Hon. the Speaker: Is leave granted?

Some Hon. Senators: No.

Some Hon. Senators: Yes.

The Hon. the Speaker: Leave is denied.

Hon. Michael Kirby: At the next sitting of the Senate, then.

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

**YORK FACTORY FIRST NATION
FLOODED LAND BILL**

REPORT OF COMMITTEE

Hon. Landon Pearson, Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

The Standing Senate Committee on Aboriginal Peoples has the honour to present its

THIRD REPORT

Your Committee, to which was referred the Bill C-39, an Act respecting the York Factory First Nation and the settlement of matters arising from an agreement relating to the flooding of land, has, in obedience to the Order of Reference of Thursday, April 24, 1997, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LANDON PEARSON
Chair

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

On motion of Senator Pearson, with leave of the Senate and notwithstanding rule 58(1)(b), bill placed on the Orders of the Day for third reading later this day.

**NELSON HOUSE FIRST NATION
FLOODED LAND BILL**

REPORT OF COMMITTEE

Hon. Landon Pearson, Chair of the Standing Senate Committee on Aboriginal Peoples, presented the following report:

Friday, April 25, 1997

The Standing Senate Committee on Aboriginal Peoples has the honour to present its

FOURTH REPORT

Your Committee, to which was referred the Bill C-40, an Act respecting the Nelson House First Nation and the settlement of matters arising from an agreement relating to the flooding of land, has, in obedience to the Order of Reference of Thursday, April 24, 1997, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LANDON PEARSON
Chair

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

On motion of Senator Pearson, with leave of the Senate and notwithstanding rule 58(1)(b), bill placed on the Orders of the Day for third reading later this day.

**CANADA LABOUR CODE
CORPORATIONS AND LABOUR UNIONS
RETURNS ACT**

BILL TO AMEND—REPORT OF COMMITTEE
PRESENTED AND PRINTED AS APPENDIX

Hon. Mabel M. DeWare: Honourable senators, I have the honour to present the seventeenth report of the Standing Senate Committee on Social Affairs, Science and Technology which deals with Bill C-66, to amend the Canadian Labour Code (Part I) and the Corporations and Labour Unions Returns Act, and to make consequential amendments to other Acts.

I ask that the report be printed in the *Journals of the Senate* of this day.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

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

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

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

ADJOURNMENT

NOTICE OF MOTION

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, I give notice that on Saturday next, April 26, 1997, I will move:

That when the Senate adjourns today, it do stand adjourned until Sunday, April 27, 1997, at 1 p.m.

[*Translation*]

QUEBEC

LINGUISTIC SCHOOL BOARDS IN QUEBEC—RESOLUTION
TO AMEND SECTION 93 OF THE CONSTITUTION—NOTICE OF
MOTION TO ESTABLISH JOINT PARLIAMENTARY COMMITTEE

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I give notice that on Tuesday next, April 29, 1997, I will move:

That the Senate do unite with the House of Commons in the appointment of a Special Joint Committee of the Senate and the House of Commons to study matters related to the resolution of the National Assembly of Quebec respecting a proposed Amendment to Section 93 of the Constitution Act, 1867 concerning the Quebec school system;

That seven Members of the Senate and fourteen Members of the House of Commons be members of the Committee;

That the Committee be directed to consult broadly and review such information as it deems appropriate with respect to this issue;

That the Committee have the power to sit during sittings and adjournments of the Senate;

That the Committee have the power to report from time to time, to send for persons, papers and records, and to print such papers and evidence as may be ordered by the Committee;

That the Committee have the power to retain the services of expert, professional, technical and clerical staff;

That the quorum of the Committee be eleven members, whenever a vote, resolution or other decision is taken, so long as both Houses are represented, and that the Joint Chairpersons be authorized to hold meetings, to receive evidence and authorize the printing thereof, whenever six members are present, so long as both Houses are represented;

That the Committee be empowered to appoint, from among its members, such sub-committees as may be deemed advisable, and to delegate to such sub-committees all or any of its power, except the power to report to the Senate and the House of Commons;

That the Committee be empowered to authorize television and radio broadcasting of any or all of its proceedings;

That the Committee make its final report no later than May 31, 1997;

That, notwithstanding usual practices, if the Senate or the House of Commons is not sitting when the final report of the Committee is completed, the report may be deposited with the Clerk of the House which is not sitting, or the Clerks of both Houses if neither House is then sitting, and the report shall thereupon be deemed to have been presented in that House, or both Houses, as the case may be; and

That a Message be sent to the House of Commons to acquaint that House accordingly.

[English]

• (0920)

QUESTION PERIOD

HEALTH

COMMENTS OF MINISTER ON REFERENCE TO COURT OF TOBACCO ACT—GOVERNMENT POSITION

Hon. Michel Cogger: Honourable senators, we do not seem to be having much success with Delayed Answers to Oral Questions, so I will try another tack. I ask the Leader of the Government in the Senate to consider this as a delayed question to an answer, and we will see if that gets us anywhere.

The answer is as follows: According to press reports, when the Minister of Health, that fine gentleman of whom we have heard so much recently, was asked to comment on the fact that tobacco manufacturing companies had decided to apply to the courts to seek an injunction against the coming into force of Bill C-71, he said that the fact that the tobacco industry was exercising its right to go before the courts was — if you please — “despicable.”

Can you imagine a minister of the Crown, asked to comment on the conduct of Canadian corporate citizens exercising their Charter rights to go before the courts, referring to that as despicable?

The author of the press report goes on to say that Mr. Dingwall owes the tobacco industry and all Canadians an apology for what the author refers to as a “despicable statement.”

The Minister will recall that, a while ago, I asked her whether this was the new norm. The last time Mr. Dingwall was supposed to apologize, he went out of his way to say that it was not he who owed the apology but the department, because his civil servants made him do it. That was at the time of the glass-in-the-tobacco event. There is no glass this time and there is no civil servant involved.

Is it the new norm that anyone attempting to exercise rights before the court against this government will be found to be despicable?

If Mr. Sharp is still in good health, will we ask for his advice on this as well?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, the tobacco industry has chosen to use its rights under our law to go to court. The government as well is engaging in court activity. It is obviously within our law for both sides to engage in that activity.

With regard to Mr. Sharp, I saw him the other night. He is in fine health. As always, I will transmit Senator Cogger's questions and, indeed, his answers, to Mr. Sharp.

Senator Cogger: Honourable senators, that does not answer the question. I know that it is right for those companies to go before the courts, as the minister indicates. What is wrong is the minister calling it despicable.

What will be done about this? On whose behalf does Minister Dingwall speak? Does he speak on behalf of the government? Will the government tell the minister to apologize, or will it overstep its own minister and convey its own apology?

Canadians are becoming weary of this government. Not so long ago, during the proceedings on the Pearson bill, the government wanted to make it illegal to sue this government.

Let us leave Mr. Sharp out of it for now. He is probably resting before the election.

Will the Leader of the Government in the Senate apologize? Will she suggest that the Minister of Health apologize? Will the Prime Minister apologize?

Senator Fairbairn: Honourable senators, I have stated that the activity taking place before the courts is perfectly within the law. My colleague Mr. Dingwall has made certain comments with which my honourable friend disagrees. This has been a heated issue. There has been much testimony before committees. There have been heated comments back and forth.

I will simply say to my friend that the process which is taking place before the courts is a proper process under our law.

PUBLIC WORKS

OPENING OF CONFEDERATION BRIDGE AND FLOATING OF HIBERNIA OIL DRILLING PLATFORM—INVITATION TO OPENINGS OF PEOPLE INVOLVED IN PROJECTS—GOVERNMENT POSITION

Hon. Marjory LeBreton: Honourable senators, I have a question for the Leader of the Government in the Senate. A few weeks ago, there was an insert in *The Globe and Mail* with regard to the completion and opening of the Confederation Bridge between Prince Edward Island and New Brunswick. I found the statement in that publication quite amusing:

On October 7, 1993, the Government of Canada signed an agreement with a private sector consortium to build, operate and maintain...

Et cetera, et cetera. That was, of course, the same date as the completion of the Pearson Airport Agreement. One deal was cancelled and one went ahead.

In addition, there are plans to move the Hibernia oil drilling platform out of Trinity harbour and into position at sea in early May. Senators will recall the words of the former premier of Newfoundland, Clyde Wells, who said that this project would not amount to any more jobs than would be generated by a couple of fish plants.

Ceremonies marking the opening of the bridge and the moving of the platform will take place within the next month. These two events will most likely become major campaign-style photo opportunities for the Prime Minister and the government. My question is: Will the people who were really responsible for these projects be acknowledged, and given the high profile they deserve for these tremendous achievements? Will they be invited to attend these events?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, with regard to the first part of my honourable friend's question, I have no knowledge of who will attend at the opening of the bridge. I am certainly aware of the opening of the bridge from a letter from my friend opposite, Senator Phillips, and constant invitations from Senator Bonnell. I do not know who will be there, but I will certainly pass on suggestions of my honourable friend as to who should be included on the invitation list.

BUSINESS OF THE SENATE

Hon. Norman K. Atkins: Honourable senators, the Senate is in session today, which is unusual, although not highly unusual. There are now motions before us to sit on Saturday and on Sunday. Can the Leader of the Government in the Senate explain to the house why we are doing this? What is the emergency? Will she please explain in order that we will all understand.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, Senator Hays was asked this type of question the other day. As he said then, we do not know precisely what the future holds in terms of an election call. I do not believe that Senator Hays knows, and I certainly do not.

• (0930)

The effort of the Senate is to be prepared and to have done its job in the very best way it can in the event that such a call takes place. We have some very important business before this house, some of which is hotly contested. We will do our best.

Senator Atkins: Honourable senators, in that case, why are we rushing? If it is not important, why are we not coming back next week to deal with it?

Senator Fairbairn: Honourable senators, I do not know whether we are coming back next week. My colleague the Deputy Leader of the Government has been doing everything in his power to organize our business so that we can keep up to date with the demand. That is why he is moving these motions. We will do the best we can.

PUBLIC WORKS

OPENING OF CONFEDERATION BRIDGE—CONFUSION AS TO NUMBERS OF INVITEES—GOVERNMENT POSITION

Hon. Orville H. Phillips: Honourable senators, I have a supplementary question to that asked by Senator LeBreton concerning the opening of the Confederation Bridge.

There appears to be some conflict as to who is responsible. The federal government is attempting to assume responsibility. The Province of Prince Edward Island is attempting to assume responsibility. The company which built and which, technically, owns the bridge says, "We are in charge." The situation is coming to the point where someone must make a decision.

An anticipated crowd of 50,000 people will be attending the opening of the bridge, along with 1,500 international journalists. Yet, no one can come to a decision as to who is in charge.

I urge the Leader of the Government to speak to her cabinet colleagues and to try to get some agreement.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I have not been aware of the confusion which Senator Phillips believes exists in this situation. I will certainly look into it. I am sure the matter will be resolved and that it will be a glorious occasion to celebrate a monumental achievement.

Senator Berntson: A monument to Mulroney.

HUMAN RESOURCES DEVELOPMENT

RATE OF UNEMPLOYMENT IN NEW BRUNSWICK—POSSIBILITY OF NEW FEDERAL INITIATIVE—GOVERNMENT POSITION

Hon. Brenda M. Robertson: Honourable senators, I have three questions on different issues on which I should like to get information from the Leader of the Government in the Senate. I doubt very much that I will be able to get the information today, although I might be surprised.

My first question relates to the last figures on unemployment released by Statistics Canada. Those figures on unemployment in my province show that the strategy of the McKenna government has failed completely in alleviating unemployment in New Brunswick. The statistics show that our province had the highest growth in unemployment in all of Canada, which is rather disgraceful. Looking at the provincial government's inability to create sustainable and substantial employment in the province, does the federal government have any plan for supportive intervention?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I should like to determine if there are any specific measures designed for New Brunswick in the works. The honourable senator will know that there are a number of active measures, such as employment insurance programs and others, that have been announced over the recent period of time. I take it she is looking for something new. I will endeavour to find out if there is anything in the works in that regard.

Senator Robertson: Honourable senators, obviously, past interventions have not worked. I see no new initiatives coming forward from either the federal or the provincial government. I will put that aside for the moment.

INTERGOVERNMENTAL AFFAIRS

REPLACEMENT OF MONCTON MUNICIPAL POLICE FORCE BY RCMP—INITIATIVE BY FEDERAL OR PROVINCIAL GOVERNMENT—GOVERNMENT POSITION

Hon. Brenda M. Robertson: Honourable senators, about 10 days ago in New Brunswick, the provincial minister responsible for municipal affairs made a startling announcement which related to the three municipalities of Moncton, Dieppe and Riverview. It concerns the fact that no longer will the police forces of these municipalities be allowed to continue their functions. Instead, the RCMP will be the official police force for those three municipalities. This has caused a great deal of consternation in the general area of Moncton. Many municipal police officers will lose their jobs.

The answers received thus far from the RCMP and from the provincial minister are inadequate. I should like to know whether it was the department responsible for municipal affairs or the provincial government which requested this initiative. Who initiated this unusual request for an RCMP police force in a municipality without any consultation with those involved? Did it come from Ottawa or did it come from Fredericton?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I will follow up that question for my honourable friend. I simply do not have the answer.

Senator Robertson: It is important that I have answers to these questions. If we are not sitting next week, I should like to have the answers forwarded to my office, minister, because these are important issues about which the people of my province are seeking answers.

GOODS AND SERVICES TAX

HARMONIZATION WITH NEW BRUNSWICK SALES TAX— POSSIBILITY OF MEASURES TO RELIEVE IMPACT ON POOR— GOVERNMENT POSITION

Hon. Brenda M. Robertson: Honourable senators, in view of the disproportionate burden on the poor as a result of the recently imposed HST, and in view of the fact that the provincial Minister of Finance has conceded that these poor New Brunswickers will fall through the cracks of other support systems that are in place, I should like to know if there has been any indication from the province that it will do something to lessen the blow to the poor people of New Brunswick.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I will do my best to obtain information for the honourable senator on all three of the issues she has raised today.

I assume that someone is endeavouring to get responses from the provincial government on these questions as well.

Senator Robertson: Unfortunately, we have the same difficulty getting answers there that we seem to have here.

MANITOBA

CHANGES TO FORMULA TO PERMIT GREATER COMPENSATION FOR PREPARATORY WORK RELATING TO EXTENSIVE FLOODING OF RED RIVER—GOVERNMENT POSITION

Hon. Mira Spivak: Honourable senators, I am sure that all honourable senators share concerns about the beleaguered population of Southern Manitoba, some 20,000 of whom have been driven from their homes. As well, the city of Winnipeg is being threatened by potential flooding of the tributaries.

Last night, I listened to the explanation given by the Minister of Foreign Affairs to a question from the premier regarding the compensation that will be available and the formulae that are now in place. There was some concern on the part of the premier that the compensation for preparatory work is determined a lesser formula vis-à-vis the province and the federal government than that which governs the damage that will occur later.

As honourable senators may realize, this is the largest flood in Manitoba in, perhaps, 500 years. Given that there is a formula in place for preparatory work prior to damage which may not benefit the province to the degree it should, and given the extraordinary nature of what is now taking place, has the federal government considered altering that particular formula to allow greater reimbursement for the millions of dollars which are now being spent, in addition to the millions that will have to be spent after the damage has been assessed?

• 10940

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I am sure everyone in this house feels sympathy for the people of Manitoba, and shares the concern about the dreadful circumstances that are taking place. On our television screens, we have seen what is happening in Southern Manitoba, and it is now affecting the city of Winnipeg itself.

I might say to the honourable senator that I am quite familiar with the assistance agreement in place for emergencies. I am less familiar with details of what she refers to as a preparatory arrangement. The federal government is fully involved, and is engaged in attempting to do everything it can to assist in this emergency. I will certainly forward my friend's questions on the advance work which has taken place to my colleagues and try to obtain for her some clarification of the position at this time.

As my honourable friend will know, in these circumstances, and certainly this may be one of the biggest circumstances of its kind in the country, the first priority is to deal with the emergency. As the damages are ascertained on the ground at the provincial level, the formula kicks in, and the federal government supplies its considerable part of the costs.

However, I will certainly take my honourable friend's questions to my colleagues to ensure that Manitoba's problems are treated with the greatest care by the federal government at this difficult time.

Senator Spivak: Senator Carstairs and His Honour the Speaker may be more familiar with the formula, but this is something that was agreed to by the province. For the work that takes place now, the formula is 84/16; that is, 84 per cent by the province and 16 per cent by the federal government, whereas, afterwards, the federal government picks up 90 per cent of the cost. The Minister of Foreign Affairs said on television that this is what the provinces had agreed to.

Given the extraordinary nature of this emergency, will the federal government agree to overlook that formula, and ensure that those front-end costs are considered in a different light? That was the basis of the Premier of Manitoba's concern, as expressed to the minister.

Senator Fairbairn: I will certainly follow up on that point, honourable senators. There are at least three parts to the arrangement which prevails. As you move up the scale, the federal contribution becomes higher and higher. I wish to educate myself on the preparatory side of it, and I certainly will take my honourable friend's comments to my colleagues.

NEED FOR STUDY OF ENVIRONMENTAL PHENOMENON
OF PRAIRIE FLOODING—GOVERNMENT POSITION

Hon. A. Raynell Andreychuk: Honourable senators, it seems to me that the prevailing Manitoba situation is neither the preparatory situation nor the disaster situation. The flooding of the prairie plains is an environmental fact, and this flooding occurs repeatedly and regularly.

The province should be commended, because every time there has been a flood, action has been taken within the province to reinforce the defences so that the community would be less vulnerable. I do not believe, therefore, that this is a real disaster. It is a known phenomenon. Surely it is time we begin to look at these kinds of situations in environmental terms, involving a whole new relationship with respect to funding. I would ask the leader whether there is any willingness on the part of the government to look at the situation from that perspective.

I appreciate that the federal government, with limited resources, cannot be liable to pay out funds for what might be a disaster pending. On the other hand, this is a well-known and well-documented situation, and preventative action, again, would save a lot of money. Curative resolutions of these problems are much more expensive. In the long run, as a society, we would be better off if we began to treat these environmental phenomenon as a new category, and I would ask you to indicate whether there is any willingness on the part of the federal government to look at it in that way.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, the suggestion of Senator Andreychuk is

worthwhile. I do not know the degree to which this perspective is being considered by the governments involved. The system that is in place now has been refined by each government as it comes along and faces these same circumstances.

In this case, advance work has been done both by the province, as Senator Spivak has said, and also by the federal government in a way which had not been the case before; for instance, through the Department of Agriculture and through prairie farm rehabilitation, as well as efforts to start moving cattle well in advance. In other circumstances, that has not been the case, and I think of what happened in my own province several summers ago.

In certain areas of this country, and certainly along the Red River, these concerns arise every year. My friend is quite right to indicate the desirability of determining if there is not a better established, long-term view which could take place within all three levels of government in anticipation of these events which, in the case of the Red River, sometimes is threatening but not overwhelming. In this case, it is a dreadful circumstance for the people of that province, and indeed, for the people in North Dakota, it has been overwhelming.

I will certainly take my honourable friend's comments and any elaboration she wishes to make on them to my colleagues.

FLOODING DEVASTATION SUFFICIENT TO PRECLUDE
CALLING ELECTION—GOVERNMENT POSITION

Hon. A. Raynell Andreychuk: I believe that the right to vote is probably the most fundamental right we have, because it gives us the opportunity as citizens to have our say in the parliamentary process. At what point does your government feel that a situation such as that prevailing in Manitoba would preclude calling the election? A significant number of people live in an area of the country which has diminishing numbers, and has a difficult time having its voice heard in Canada. At what point would your government deem this to be a sufficient disaster such that it would preclude people from having their attention on the election and, therefore, that you might consider that calling an election would not be appropriate?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I quite honestly cannot answer that question. It is undoubtedly something which I will pass on today.

• (0950)

HEALTH

DANGER OF INFECTION FOR HAEMOPHILIACS FROM
CONTAMINATED BLOOD PRODUCTS—GOVERNMENT POSITION

Hon. Richard J. Doyle: Honourable senators, not all members of this chamber are regular weekend readers of what we sometimes wrongly regard as the local press. As one who missed last Saturday's *Ottawa Citizen*, I am anxious to draw it to the attention of honourable senators today.

Last Saturday's special article was in the "Observer" section and I have reserved a copy on the feature "Blood Lines" for the Leader of the Government in the Senate. The story, by Mark Kennedy, tells us about the last days of Artibano Milito. Mr. Kennedy writes: Artibano —

...was the eldest child of Italian immigrants who had settled in British Columbia in 1967 and moved to Ottawa eight years later. There were nine children in the family; four of them, including Artibano, were hemophiliacs who relied on the Canadian Red Cross Society for blood products to help clot their blood.

When Artibano died, a short time after his admission to hospital, what ailed him had still to be diagnosed. The autopsy tells us, and Mark Kennedy fills us in:

His body was riddled with infections. The brain swelling had been caused by toxoplasmosis, a rare infection of the central nervous system. As well, there were ulcers in the stomach and bowel, abscesses in the heart, bronchial pneumonia and infections of the lungs.

The official cause: Acquired Immune Deficiency Syndrome, or AIDS.

Artibano Milito had died without ever knowing what had killed him. Before long, he would be identified as the first Canadian hemophiliac to die from an unprecedented public health scandal — the tainted blood tragedy — that would kill hundreds more. Within 12 years, Artibano's three other hemophilic brothers died from AIDS-contaminated blood products.

The Kennedy account of the decline and deaths of the healthy, hearty Milito brothers and the governments that abandoned them is not a hasty synopsis intended to spare your feelings and ours. It occupies four full pages of *The Ottawa Citizen* and probably will be a candidate for a national newspaper award or a prize from the Governor General. It is the complete account of how the Canadian government, the provincial governments and the Red Cross juggled what-to-do's about their solemn responsibilities.

Three years after Artibano's death, Mark Kennedy writes about a stage in the quarrel:

On June 12, the national warehouse sent 150 vials of untreated blood products to the Toronto Red Cross Centre which, in turn, sent 98 of them the next day to the Hospital for Sick Children in Toronto. On that same day, about 15 million units of the safer heat-treated product sat in the Red Cross's national warehouse.

Do we need these tragic reminders of the tragedies of AIDS, the particular sorrows of haemophiliacs and the subsequent epidemic among the 12,000 Canadians who contracted hepatitis from blood transfusions and the survivors among them who are

still waiting for something as cheap as sympathy? I should not say that. I do believe the Leader of the Government when she tells us, as she did when I last raised the blood scandal in Question Period. "I could not agree with him more that this is an incredible tragedy," she said of a young Vancouver boy's fight against the infection.

Senator Fairbairn promised on March 4 to find some kind of a reply to the cry for help. However, the answer has not come and the government is about to go into the hinterland campaigning, after dispatching dollars in every direction to prove its eligibility as a suitor for re-election.

My question for the minister is: Is it too much to hope that, as late in the day as it is, it is not too late for some help for the stricken families and, most of all, help for the children?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I thank Senator Doyle for bringing *The Ottawa Citizen* article of last weekend to my attention. I have not forgotten any of his questions. I am not sure, Senator Doyle, that anything that I could ever say would satisfy the concerns of those who have suffered and are suffering. I do not have a comment for him today. However I shall continue to press in every way that I can for a response.

• (1000)

The Hon. the Speaker: Honourable senators, the time for Question Period has expired. However, two honourable senators still wish to speak. Is leave granted to continue?

Hon. Senators: Agreed.

POST-SECONDARY EDUCATION

DIMINISHING ENROLMENT AT CANADIAN COLLEGES AND UNIVERSITIES—POSSIBILITY OF INCREASE IN FUNDING AND REINSTATEMENT OF CANADA SCHOLARSHIPS PROGRAM—GOVERNMENT POSITION

Hon. Ethel Cochrane: Honourable senators, I have a question for the Leader of the Government in the Senate. She knows, as I do, and as does every other senator here, that applications for enrolment has down at most of our Canadian universities and colleges.

Would the Leader of the Government give a commitment today — or at least very soon — to restore funding for post-secondary education so that these institutions will not have to continue their drastic fee increases?

As a supplementary question, will the government consider restoring the Canada Scholarships Program? That was an excellent program, and students as well as college presidents are rather disappointed that it is no longer available. The Canada Scholarships Program provided students the opportunity to attend university. The cancellation of the program is an issue of serious concern to students.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I will pursue the question posed by Senator Cochrane on the Canada Scholarships Program. I cannot make the commitment for a restoration of funds which she seeks today. The honourable senator will appreciate that such a comment falls within the realm of my colleague the Minister of Finance. She will recall that, in the budget, my colleague did make significant commitments to assist in post-secondary education, in terms of both costs for students and the ability of their parents to use the savings plan in a more realistic fashion to prepare to finance post-secondary education for their children.

The honourable senator may not believe these measures go far enough. I know they have met with a positive response from students and from university communities, and I certainly hope they will be helpful, but I cannot today make the kind of commitment that the honourable senator asks of me.

TRANSPORT

EFFECT OF CANADA MARINE ACT ON CERTAIN PORTS— POSSIBILITY OF INCREASE IN FUNDING—GOVERNMENT POSITION

Hon. Ethel Cochrane: Honourable senators, Bill C-44, which was reported to us yesterday, poses a threat to the future viability of many medium-sized ports in Atlantic Canada. Will the government provide assistance to municipalities to maintain these ports beyond the \$125 million promised in the divestment fund? Could the Leader of the Government also provide me with a list of the ports that the government is currently negotiating to commercialize?

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I will follow up on those questions with the Minister of Transport.

If I may revert just for a moment to her previous questions, Senator Cochrane, as are all senators in this house, is of course aware of the current study being conducted by the Senate on post-secondary education. I think the report and the recommendations that will come from that study — which I have certainly drawn to the attention of my colleagues — will also be instructive not just for our government but for other governments as well.

[*Translation*]

INTERGOVERNMENTAL AFFAIRS

QUEBEC—RESOLUTION TO AMEND SECTION 93 OF CONSTITUTION—ESTABLISHMENT OF JOINT PARLIAMENTARY COMMITTEE—POSITION OF MINISTER

Hon. Jean-Maurice Simard: Honourable senators, I have a question for the Leader of the Government in the Senate.

Yesterday, I asked a question regarding the tabling of two motions last Tuesday in the other place by Minister Dion. The first deals with an amendment to Section 93 of the Constitution Act, 1867. The second deals with the creation of a special joint committee composed of members of the Senate and of the House of Commons.

Yesterday in this house, the Leader of the Government said that the question was a hypothetical one because it depended on the willingness of the other chamber to approve these two motions.

According to the rumours confirmed by the Right Honourable Jean Chrétien in Montreal, it seems we are nearly at the end of the government's legislative agenda.

Given the importance of this resolution, for Quebec certainly and for Canada undoubtedly, can the Leader of the Government tell us whether it is included in the short list of business the government is determined to get through before adjourning? Is it just so much talk, a smokescreen?

[*English*]

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, of course the response of the government on this issue is not a smokescreen. It is very real. The government has indicated its agreement to move ahead with the bilateral process on this issue. It has laid down the resolution in the House of Commons and has announced its intention to set up a joint committee to allow the public to participate in this decision.

I cannot give the honourable senator a commitment on timing. I can give him a commitment of the government's intention to move ahead on this issue at the best possible time. I really cannot go beyond that because I do not know precisely how events will unfold, but this is a solid and firm commitment of the government both as to the resolution and the proposed joint committee.

[*Translation*]

Senator Simard: Honourable senators, I come back to the topic. Last Tuesday, in the speech he made when tabling the two motions, the minister, Stéphane Dion, said that the Senate and the House of Commons would have to answer three fundamental questions. He answered these questions.

Mr. Dion believes that the Senate can play a role. Why, therefore, do the Leader of the Government in the Senate and her party not undertake a parallel study today? If the government is really serious and sees a role for the Senate and for the House of Commons, why wait for the House of Commons?

[English]

Senator Fairbairn: When we were discussing this issue yesterday, it was obvious that there were different options on how to proceed with these important questions. In this case, it was the government's view that a joint committee was a very good way to proceed. As I said yesterday, this has happened before. Senator Beaudoin has been a very important leader in a couple of these constitutional committees in this Parliament and also in his participation outside. In this particular case, it was felt that the subject would be a very good one in which to involve jointly both houses of this Parliament. That is the way we will proceed.

• (1015)

At this point the proceedings were interrupted by the sounding of the fire alarm.

The Hon. the Speaker: Honourable senators, the session is suspended to the call of the Chair.

The Senate was suspended to the call of the Chair.

[Translation]

• (1020)

The sitting of the Senate was resumed.

QUEBEC—RESOLUTION TO AMEND SECTION 93 OF
CONSTITUTION—ESTABLISHMENT OF JOINT PARLIAMENTARY
COMMITTEE—CONDUCT OF DEBATE—GOVERNMENT POSITION

Hon. Gérard-A. Beaudoin: Honourable senators, my question follows up on Senator Simard's question. Am I to understand that it is out of the question for the Senate to wait for the debate to be completed at the other place and to lag behind the House of Commons on the issue of Quebec's resolution to amend section 93 of the Constitution?

Am I to understand that the debate on the main motion and the debate on the motion to establish a committee will be held concurrently?

[English]

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, I believe I indicated yesterday that it was the intention of the government to pass the motion through the House of Commons and then send it to the Senate, as has been done in the past.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, I have responses to questions raised in the Senate by the Honourable Senator Doyle on February 6, 1997 regarding the inquiry into the safety of

blood supply and on March 4, 1997 regarding safety of blood supply. I have a response to a question raised in the Senate on April 10, 1997 by the Honourable Senator Lynch-Staunton regarding the consensus related to the possibility of amending section 93 of the Constitution, which deals with education, and the need to hold public hearings in Parliament on the matter; I have a response to a question raised in the Senate on April 17, 1997 by the Honourable Senator Beaudoin concerning Quebec, amendment to section 93 of Constitution, the appearance of justice experts before the parliamentary committee; and I have a response to a question raised in the Senate on April 17, 1997 by the Honourable Senator Haidasz regarding cost to taxpayers of the settlement of a lawsuit regarding Pearson airport.

HEALTH

INQUIRY INTO SAFETY OF BLOOD SUPPLY—REFERENCE
BY RED CROSS SOCIETY TO SUPREME COURT OF
CANADA—AVAILABILITY OF LEGAL FUNDING
FOR CONSUMER GROUPS—GOVERNMENT POSITION

(Response to question raised by Hon. Richard J. Doyle on February 6, 1997)

It is not the policy of government to provide funding to intervenors in judicial review proceedings. However, the Government had previously decided to contribute to the costs of certain intervenors before the Commission of Inquiry on the Blood System in Canada. As the intervenors before the Commission were also appearing before the Federal Court, the Government decided to depart from the usual policy and make a contribution to their intervenor costs before the Federal Court.

The Commissioner, as the respondent before the Federal Court and the Federal Court of Appeal, retained his own counsel to represent his interests. The Commissioner's counsel indicated to the Federal Court that the Commissioner considered himself fully capable of defending the interests and procedures of the Commission before the Federal Court. The Commission's costs are being fully funded from public funds. Given the narrowing of issues at the appellate level, the Government decided not to provide any assistance to any of the intervenors for the appeal to the Federal Court of Appeal.

The Government has requested the assistance of the RCMP to determine whether or not the destruction of Canadian Blood Committee documents in 1989 constitutes a breach of the Criminal Code or other Federal Statutes. The information that was provided to the RCMP was examined and they determined that an investigation is warranted. Given that an investigation is now underway, it would not be appropriate to make any comment on this matter at this time.

SAFETY OF BLOOD SUPPLY—CARE FOR VICTIMS OF ALLEGEDLY
TAINTED BLOOD SUPPLIED BY RED CROSS—INFLUENCE
OF LEGAL TACTICS—GOVERNMENT POSITION

(Response to question raised by Hon. Richard J. Doyle on March 4, 1997)

Concerning the Red Cross, it is very important to point out that it is the provinces and territories that provide the revenues to the Red Cross related to its blood services program, not the federal Government. The Government's role is to regulate, not to fund the blood program.

The courts are available to all citizens to advance their claims. With the exception of programmes to fund *Charter* challenges, and some native litigation, the federal Government has no programs to fund individuals pursuing private claims in the courts.

The federal Government has provided funding assistance to intervenors before the Commission of Inquiry on the Blood System in the interest of ensuring a full and comprehensive review of the system. As the intervenors before the Commission were also appearing before the Federal Court, the Government decided to depart from the usual policy and make a contribution to their intervenor costs before the Federal Court.

INTERGOVERNMENTAL AFFAIRS

QUEBEC—REFERRAL OF PROPOSED CONSTITUTIONAL CHANGES
TO PARLIAMENTARY COMMITTEE—GOVERNMENT POSITION

(Response to question raised by Hon. John Lynch-Staunton on April 10, 1997)

On Tuesday April 22, 1997, the Minister of Intergovernmental Affairs, Mr. Stéphane Dion, gave notice in the House of Commons of a motion to establish a Special Joint Committee of the House of Commons and the Senate to study the proposed amendment to section 93 of the Constitution Act, 1867.

QUEBEC—AMENDMENT TO SECTION 93 OF
CONSTITUTION—APPEARANCE OF JUSTICE EXPERTS BEFORE
PARLIAMENTARY COMMITTEE—GOVERNMENT POSITION

(Response to question raised by Hon. Gérald-A. Beaudoin on April 17, 1997)

It is not the practice of the Government of Canada to make public the legal opinions it receives.

PEARSON INTERNATIONAL AIRPORT

COST TO TAXPAYERS OF SETTLEMENT OF LAWSUIT—
REQUEST FOR PARTICULARS

(Response to question raised by Hon. Stanley Haidasz on April 17, 1997)

[Senator Graham]

On April 16, 1997, the Government of Canada settled the litigation arising from the cancellation of the contract to privatize Terminals 1 and 2 and Lester B. Pearson International Airport. Under the terms of the settlement agreement, the T1T2 Limited Partnership agreed to settle for the sum of 45 million dollars for out of pocket expenses and disbursements, plus 15 million dollars for costs and interest.

ANSWERS TO ORDER PAPER QUESTIONS TABLED

NATIONAL DEFENCE—CREATION OF COMMITTEES
TO REVIEW CANADIAN FORCES

Hon. B. Alasdair Graham (Deputy Leader of the Government) tabled the answer to Question No. 167 on the Order Paper—by Senator Forrestall.

JUSTICE—RCMP—AIRBUS INVESTIGATION

Hon. B. Alasdair Graham (Deputy Leader of the Government) tabled the answers to Questions Nos. 65 to 79, inclusive, on the Order Paper—by Senator Lynch-Staunton.

THE CABINET—LIST OF MEMBERS WHO PURCHASED
STEVIE CAMERON'S NOVEL

Hon. B. Alasdair Graham (Deputy Leader of the Government) tabled the answers to Question No. 80 on the Order Paper—by Senator Lynch-Staunton.

SOLICITOR GENERAL—MULRONEY LAWSUIT—
INVOLVEMENT OF RCMP

Hon. B. Alasdair Graham (Deputy Leader of the Government) tabled the answers to Questions Nos. 81 to 88 on the Order Paper—by Senator Lynch-Staunton.

• (1030)

CANADA LABOUR CODE CORPORATIONS AND LABOUR UNIONS RETURNS ACT

BILL TO AMEND—REPORT OF COMMITTEE—POINT OF ORDER—
SPEAKER'S RULING RESERVED

Hon. Orville H. Phillips: Honourable senators, I rise on a point of order. It is my view that the report of the Standing Senate Committee on Social Affairs, Science and Technology on Bill C-66, presented without amendment, is out of order because the committee had not properly reached the report stage on that bill.

The Standing Senate Committee on Social Affairs, Science and Technology met on Tuesday of this week, at which time a motion was raised that Bill C-66 be reported unamended. The motion was defeated. Therefore, the committee decided not to report the bill at this time.

Yesterday morning, the committee met again and the steering committee presented a report which recommended:

(b) in view of the fact that the Committee passed all clauses of Bill C-66 unamended, that the Committee now reconsider its decision of Tuesday, April 22, 1997, not to report the bill to the Senate.

Honourable senators, that report was unanimously rejected. Therefore, we have had motions to the effect that the bill not be reported on two separate occasions. Twice, the bride has said "No," but Senator Bosa is determined to go ahead with the wedding. This is something that I do not understand.

Our rules provide a basis on which we can rescind or change a motion. Rule 63(2) states:

An order, resolution, or other decision of the Senate may be rescinded on five days' notice if at least two-thirds of the Senators present vote in favour of its rescission.

Honourable senators, people will probably argue that that applies to the Senate, not to a committee. I should like to draw to your attention rule 96(7), which states:

Except as provided in these rules, a select committee shall not, without the approval of the Senate, adopt any special procedure or practice that is inconsistent with the practices and usage of the Senate itself.

In other words, the *Rules of the Senate of Canada* apply in committee. I have noticed, in the last two or three years in particular, that people say that they have found a precedent somewhere and want to make a decision on that precedent. It is probably because of the computer age — I do not know. Honourable senators, this book says that it is the *Rules of the Senate of Canada*. It does not say that it is a book of precedents. There is no such document in existence.

Honourable senators, the report on Bill C-66 must be rescinded before we can proceed with it in this chamber. I would respectfully request a ruling from the Chair on this matter.

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, this morning we received a report from the Standing Senate Committee on Social Affairs, Science and Technology on Bill C-66. It was submitted by the chairman of that committee, Senator DeWare.

The point that has been raised by Senator Phillips is correct. Points of order of this nature have been raised in the past, but Speakers have always ruled that procedural problems in

committees should be resolved in the committee, not in the Senate.

I do not wish to read the entire ruling of Speaker Charbonneau of October 4, 1990, but I will read an excerpt, which states:

Many of the points raised by honourable senators —

There were various honourable senators involved, some of whom are in this chamber today. Speaker Charbonneau went on to state:

— had to do with the proceedings of September 24, 1990 of the Committee on Banking, Trade and Commerce.

Without reading everything that Speaker Charbonneau said, he concluded:

In addition, a number of the points that were raised seemed to deal with questions relating to committee rules and procedure. Beauchesne is quite clear in this respect. I have here Citation 608: "Procedural difficulties which arise in committees ought to be settled in the committee and not in the House."

Speaker Charbonneau concluded:

For these reasons, I must rule that when they raised these points Tuesday, honourable senators did not raise genuine questions of privilege.

Senator Phillips: Honourable senators, I should like to direct a question to Senator Graham. First, let me comment that I am rather surprised that he would turn to Senator Charbonneau for the authority, because I have heard him express very contrary opinions.

Senator Graham: Very contrary opinions on what?

Senator Phillips: Regarding the former Speaker of the Senate, namely, Senator Charbonneau.

Senator Graham: You have never heard me say anything contrary to the speakership of Senator Charbonneau.

Senator Phillips: Perhaps you have forgotten the GST debate.

Senator Graham: I have not forgotten the GST debate.

Senator Phillips: Let us not get into that.

I brought this matter of rescinding before the committee, and there is no way we can get it on the Order Paper. Where does that leave us, following the rule book? This is the rule book. The ruling of Speaker Charbonneau, or any other Speaker for that matter, does not change this. This book was approved by the Senate and it is the supreme rules of the Senate. No looking around or searching on the computer for a previous case changes this book of rules. This can only be changed by the Standing Committee on Privileges, Standing Rules and Orders making a recommendation to the Senate and the Senate adopting that recommendation.

Hon. Peter Bosa: Honourable senators, I submit to you that the Social Affairs Committee report on Bill C-66 is before the Senate in a proper way. What Senator Phillips neglected to mention is that the recommendation of the steering committee to review the motion not to report was rejected.

• (1040)

We therefore opened up the meeting again, starting from scratch, except that the bill had already been given approval clause by clause.

We proceeded to hear witnesses, which was not foreseen previously. The senators opposite agreed to that. We heard the witnesses. Then a series of motions and recommendations were made. Some of the recommendations made by honourable senators opposite were not accepted.

A motion was made by Senator Cools that we report Bill C-66 without amendment but with recommendations, and honourable senators agreed. I do not see, therefore, where this procedure contradicts the one outlined by Senator Phillips.

Hon. Mabel M. DeWare: Honourable senators, I am afraid that the opposition members in the Senate did not agree. We voted against.

Could my honourable friend tell this chamber why the recommendations from this committee were not accepted?

Senator Bosa: They were not accepted, honourable senators, because they were not properly submitted. They were in one language and the rules stipulate that they be in both languages.

Senator Lynch-Staunton: Since when?

Senator Bosa: We wanted to report the bill yesterday. Proposals were made on the spur of the moment, and recommendations were being added by the minute. We would have had a whole volume of recommendations to be attached.

The majority of the members of the committee wanted to report the bill with the recommendations that were properly presented to the committee, and that was that.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, my honourable friend argues that because the recommendations were offered only in one language, they were not receivable. That is totally false. Official documents of Parliament must be in both official languages. Documents submitted by witnesses, briefs given by witnesses and recommendations made by senators, individually or collectively, are not official documents. The report of the committee is an official document. Let us not use that false argument. Both languages can be used together or singly. They are on a par. When a senator speaks or writes to make recommendations, he can use one or the other language. He need not use both.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, on the point of order, I have listened carefully to what has been said so far, and I am becoming more and more alarmed with the situation that seems to be unfolding, not only in this committee but perhaps in other committees.

We must be very careful not to allow the seepage of the terrible principle of the tyranny of the majority. It seems to have found its way into many of our committees.

Honourable senators, only the rules and parliamentary procedure act as a shield against the tyranny of the majority. We can count, as you can count. Seven will always out-vote five. We have must be very specific and very critical in insisting that the letter, as well as the spirit, of the rules and the parliamentary procedures which find expression beyond the rules in the parliamentary literature are, first, understood and then respected.

Senator Phillips has drawn our attention to page 102 of the *Rules of the Senate of Canada*, rule 95(7). The wording is very clear. It states:

Except as provided in these rules, a select committee shall not, without the approval of the Senate...

Honourable senators, there is a relationship, not simply of parentage, between this chamber and its committees; there is a relationship in terms of the parliamentary procedure to be followed in the standing committees of this chamber. The rules which must be followed are the *Rules of the Senate of Canada*. At page 102 of our rule book we have an explicit statement to the effect that a select committee, such as the Standing Senate Committee on Social Affairs, Science and Technology, cannot make up rules which are offensive to the *Rules of the Senate*, contrary to what we heard from Senator Bosa a few moments ago. We must follow the rules that have been laid down — otherwise, there is tyranny; otherwise, the parliamentary system will not work.

Honourable senators, in my view, this is a fundamental issue upon which we must focus.

We have apprehended in this chamber that a standing committee has acted — and we have Senator Bosa's statement on the record now — in a manner inconsistent with the practices and the usages of the Senate itself. The fruit of the labour of that committee is defective if the method it was following was defective. The only solution is to refer the matter back to that committee for proper consideration, following the instruction or the reference that it had from this chamber and to do so consistent with the *Rules of the Senate*.

Hon. Shirley Maheu: Honourable senators, I have been around Parliament and other municipal organizations for many years. I have sat on many committees, and I have never seen a Chair as biased as the one who chaired this committee. The opposition could not win the vote without the Chair's vote.

Hon. Michel Cogger: Point of order!

Senator Maheu: I have the floor, honourable senators.

Senator Cogger: It is out of order for a senator to question the motivation of another senator!

The Hon. the Speaker: Senator Cogger, Senator Maheu is speaking to the point of order. I have you on the list as the next speaker.

Senator Cogger: Just you wait!

Senator Maheu: I draw it to the attention of honourable senators that it is not normal procedure for committees to ask that documents presented to them be bilingual. Our recommendations were deposited in both languages. We did not insist that the report be in both languages before the committee would accept the document.

I repeat: I have never heard of any committee in the Senate or in the House of Commons that did not have a Chair who was at least seen to be unbiased.

Please know the facts before you accuse us or the government of being wrong in our suppositions.

Senator Cogger: Honourable senators, my honourable friend tells us that she has been around for a long time, but she has not been in this chamber for a long time. May I remind her that, in this house, contrary to many houses of assembly, our Speaker is allowed to vote. The Chair is allowed to vote. Look at our rules. More important, senator, I remind you that under our rules it is also a breach to put into doubt the motivation, the conduct and the behaviour of a colleague. I wish the honourable senator to show her mettle by offering an apology to Senator DeWare.

• (1050)

Hon. Paul Lucier: Honourable senators, for Senator Lynch-Staunton's benefit, I wish to make one point. There was vigorous opposition to putting documents which were not in both official languages before the committee. That vigorous opposition came from Senators Cogger and Lavoie-Roux. That is when the committee was told that it could not accept amendments of any kind unless they were in both official languages.

Hon. Brenda M. Robertson: Honourable senators, I was not in attendance at the committee hearing which is now under discussion. However, I should like to ask Senator Graham to provide me with the date of his precedent.

Senator Graham: It is from the *Minutes of the Proceedings of the Senate* of October 4 and October 5, 1990.

Senator Robertson: Honourable senators, when Speaker Charbonneau gave his ruling at that time, the rule to which senators have referred was not in the rule book. These rules only came into effect on June 18, 1991. Therefore, the precedent to which Senator Graham referred is not applicable in this case. These rules were not in place at that time. We are speaking about a totally different circumstance.

Senator Graham: With respect to the dates, Senator Robertson is perfectly accurate. However, when Speaker Charbonneau made his ruling, he was referring, not to the *Rules of the Senate of Canada*, our red book, but rather to Citation 608 of Beauchesne's Fifth Edition. He said, and I repeat:

Beauchesne is quite clear...Citation 608: "Procedural difficulties which arise in committees ought to be settled in the committee and not in the House."

For these reasons, I must conclude that when they raised these points last Tuesday, honourable senators did not raise genuine questions of privilege.

Senator Robertson: With respect, Senator Graham, it would seem obvious that Speaker Charbonneau's ruling was correct in the absence of a specific rule that would deal with the circumstance. In those days, when we had the old rules, there was no rule to deal with this specific conduct in a committee. Naturally, that would be the only reference that he would have had.

I submit, honourable senators, that a specific rule of this chamber would certainly have more value and more weight than any reference. It was a totally different circumstance when Senator Charbonneau made his ruling.

Hon. Eric Arthur Berntson: Honourable senators, in fact, rule 1(1) and 1(2) cover that very point, by indicating that the *Rules of the Senate* take precedence over any appendix or any other suggestion that might be cited as a precedent or otherwise.

Senator Bosa: Honourable senators, I should like to mention a recent precedent. When we were considering Bill C-41, we were in exactly the same position. That bill was presented and accepted here in this chamber. Therefore, there is a precedent.

Second, senators opposite tried every trick in the book to delay passage of this bill. The majority decided not to accept the recommendations put forward by Senators Cogger and Lavoie-Roux. The matter was put to the Chair. The Chair called a vote. It was defeated. Consequently, I do not see how senators opposite can possibly invoke a rule that the committee itself disregarded.

The Hon. the Speaker: If no other honourable senator wishes to speak to the point of order, I will take the matter under advisement and report later this day.

THE SENATE

POINT OF ORDER—SPEAKER'S RULING RESERVED

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, before calling Orders of the Day, I wish to raise a point of order on another matter. I can only raise it now because points of order cannot be raised during Routine Proceedings. It has to do with Senator Graham's notice given today, that he will move tomorrow that the Senate sit on Sunday.

I maintain that notice of motion is not receivable for the simple fact that our rules state that we can only sit Monday through Friday. I refer in particular to rule 14, which states:

Unless otherwise ordered, when the Senate adjourns on Friday, it shall stand adjourned until the Monday following.

It is impossible for Table Officers to prepare an Order Paper for a day on which the Senate, as of this moment, has not been ordered to sit.

I refer also to rule 4(7)(b) which states:

“One day's notice” —

Which is what Senator Graham has attempted to do today.

— means a notice given on any sitting day for a motion or inquiry to be made on the next succeeding sitting day;

That means that any notice of motion given today can only apply to the next succeeding sitting day, which is Monday. We will be coming to a motion later to sit tomorrow. If it is passed, then Senator Graham would be quite in order to attempt to move his motion. However, I maintain that he was premature in doing so. At the moment, there is no Order Paper for Saturday; and there will not be one unless the Senate so orders. By the rules, it is quite specific: after today, unless otherwise ordered, we sit on Monday.

For the reasons given, I would ask Your Honour to declare Senator Graham's notice of motion out of order.

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, this is a procedural motion. According to rule 62(1)(a), it is not debatable. This rule is supported by rule 58. Rule 58(1)(h) states that you need one day's notice for a motion to change the ordinary day of the adjournment. However, rule 58(1)(i) states that you also need one day's notice for making a substantive motion. Clearly, the authors of the rules distinguish between a substantive motion and a motion to change the ordinary daily adjournment. Otherwise, there would be no need for rule 58(1)(h).

That situation, namely, changing the ordinary time of adjournment, would be covered by rule 58(1)(i), which deals with substantive motions; but it is not. There are two separate provisions. One deals with a motion to change the ordinary time of adjournment; the other deals with substantive motions. This

distinction is borne out by rule 62(1) which provides a list of which motions are debatable. Rule 62(1)(a) states that substantive motions are debatable. However, nowhere in rule 62(1) is a motion to change the ordinary time of adjournment mentioned.

Therefore, the obvious question, honourable senators, is: Why mention such a motion specifically in rule 58, which deals with notice periods, but not mention it in rule 62(1) which lists debatable motions? I submit the only answer is that this is a motion which requires notice, but is not one that is debatable. Since it is not debatable, the vote cannot be deferred by rule 67, and any other interpretation would lead to a gross inconsistency between rule 58 and rule 62.

• 1100

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, the attempt to close off debate just adds to my comments on the other matter a few moments ago.

I would draw honourable senators' attention to rule 62(1)(r), and His Honour the Speaker might also want his advisors to consider this rule. It deals with the fixing of sittings. We have before us an attempt to fix the sittings of the Senate at a time other than as provided for by the Senate. Rule 62 lists motions which are debatable, and paragraph (r) states:

...the fixing of its sitting days or the times of its meetings or adjournments.

Clearly it is a debatable motion, and we are into the debate.

The Leader of the Opposition has already pointed out that, according to rule 4(7)(b):

“One day's notice” means a notice given on any sitting day for a motion or inquiry to be made on the next succeeding sitting day;

The notice which was given yesterday, and which we will have before us, I assume, later today, is a proper notice of motion. We will have a chance to consider it. It speaks to whether we ought to sit tomorrow. However, today is the succeeding sitting day from yesterday. Therefore, we will properly have before us later today the motion, notice of which was given yesterday.

Today, an attempt was made to give notice and to require us to consider the motion not on the next succeeding sitting day but on what might be a sitting day tomorrow. It clearly cannot be entertained.

If the government had wanted the Senate to sit on Saturday and Sunday, it could have introduced this motion on Monday last. I have no quarrel with the right of the government to bring forward this motion; however, I think the time has come for us to say that the rules must be followed. I believe His Honour will have no choice but to be attentive to that now.

Throughout the rules you will find many other expressions of this. Rule 4(14)(a) states:

“Meeting of the Senate” means the times set out in these rules, or as otherwise ordered, —

We will need such an order; however, to get that order, we must follow the proper procedures.

The motion placed before us today is clearly not receivable and should be rejected by the Speaker.

Senator Graham: I have just one final point. Rule 4(14)(a) at page 7 with respect to sittings, reads:

“Meeting of the Senate” means the times set out in these rules, or as otherwise ordered, for the Senate to meet for the transaction of business;

Senator Lynch-Staunton: That is quite right, and that is the point we are making. We are not debating the adjournment order because it is out of order to debate that today. The debate is around a point of order which claims that Senator Graham was, in the least, premature and utterly out of order in introducing a notice of motion to fix an order on an Order Paper on a day that the Senate, by its present rules, will not be sitting.

As Senator Kinsella quite properly pointed out, if it was the intention of the government to sit on the weekend, it should have given these notices of motion two or three or four days ago. He cannot come in at the last minute, suddenly realizing that perhaps Saturday or Sunday is insufficient or that something may happen to upset their agenda, and call for the debate on the motion to sit on Sunday, on a day when we are not sitting. It is like calling for an order on Christmas Day or New Year’s Day or a public holiday. If we decide to sit, then we can proceed as Senator Graham wishes. Otherwise, he is completely out of order, and I hope His Honour the Speaker will confirm that.

Senator Graham: If I do it tomorrow, you will say I should have done it yesterday.

Senator Lynch-Staunton: You should not do it at all. What is the rush?

The Hon. the Speaker: Do any other honourable senators wish to participate in the debate on this point of order? If not, I will take this matter under advisement and report later this day.

ORDERS OF THE DAY

INCOME TAX BUDGET AMENDMENTS BILL, 1996

THIRD READING—DEBATE ADJOURNED

Hon. Michael Kirby moved third reading of Bill C-92, to amend the Income Tax Act, the Income Tax Application Rules and another Act related to the Income Tax Act.

He said: Honourable senators, I rise to make a few comments on Bill C-92, comments which I was unanimously asked to make by the Standing Senate Committee on Banking, Trade and Commerce. Once again, the committee would like to put on record, in the strongest terms possible, its frustration that important legislation has been presented to the Senate with very little time for the committee to study the legislation and its implications. The lack of legislative planning, which the committee recognized rests fully with the other place, not with the legislative planning in the Senate or, indeed, with the departments which introduce the legislation, places the Senate and its committees in an intolerable position.

As members of this chamber know, this problem perennially arises before lengthy recesses, as well as on the eve of anticipated prorogations and dissolutions. In order to get bills through the House of Commons, there is little or no consideration, or so it appears, of the impact that this rush in the other place has on this chamber. Consequently, adequate time is not built into the schedules of governments and bureaucrats to permit the Senate to carry out its legislative function. Honourable senators, we all know that this is not a new problem. For at least the 12 years I have been in the Senate, governments past and present have exhibited an unfortunate disregard for the legislative responsibilities of the Senate.

This is not a new issue of concern to the Standing Senate Committee on Banking, Trade and Commerce. On July 11, 1995, the committee, in its 20th report regarding Bill C-91, strenuously objected to the arrival of bills just before a lengthy recess. In that report, the committee noted that section 17 of the Constitution Act of 1867 clearly sets out the roles of the Senate and the House of Commons. It stated:

There shall be One Parliament for Canada, consisting of the Queen, an Upper House styled in the Senate, and the House of Commons.

With the exception of the introduction of certain money bills and constitutional amendments, the powers of the Senate are identical with, and equal to, those of the House of Commons. The Senate is not, as it certainly appears to be regarded by people in the other place, a subordinate chamber, nor should it be viewed as an afterthought or a mere hurdle in the legislative process that must be vaulted before the inevitable Royal Assent.

• (1110)

In the report of the Standing Senate Committee on Banking, Trade and Commerce, in July of 1995, the following point was made which I should like to repeat here for emphasis:

If the Senate is to perform its role, and fulfil the functions that have been conferred on it by the Constitution, it is essential that it have enough time to properly carry out its work. It is inappropriate for bills to come to the Senate in a rush just before a long recess on the assumption that the Senate will pass them with only cursory examination.

Even if one sees the Senate as a chamber of “sober second thought,” or a revising chamber, it is essential that senators have sufficient time to consider legislation. When bills come to the Senate at the last minute, and pressure is brought to bear to pass them forthwith, the bills cannot be adequately scrutinized and witnesses cannot be heard or do not have sufficient time to prepare their presentation. In short, senators are prevented from carrying out their constitutional duties.

Honourable senators, that is a quote from a report I made in this chamber two years ago. As we noted in that report, we accepted the fact that no government is completely and utterly in control of the legislative process in the other house. Nevertheless, the Senate should not be expected to solve problems that have arisen because the House of Commons has not been able to better manage its affairs. Clearly, there needs to be a much better effort in legislative planning and scheduling in order to allow bills to be tabled in the Senate in sufficient time for a proper study to be undertaken.

Whether the answer is to have priority bills passed by the House of Commons in sufficient time to enable this to be done, or the introduction of more bills in the Senate, or a change of rules such as, for example, requiring that bills be tabled in the Senate a certain number of sitting days before they can be passed, clearly, changes must be made if we are to avoid this problem in the future.

Therefore, honourable senators, on behalf of all of my colleagues on both sides of the Standing Senate Committee on Banking Trade and Commerce, may I publicly put on record the fact that we will be extremely reluctant, if not in opposition to automatically accommodating the government’s legislative agenda in the future if we believe that the pressure on the committee to get things done quickly has been caused simply by the inability of the House of Commons to manage its affairs appropriately. The committee is not a rubber stamp.

Honourable senators, I had hoped that this message would have been received by our colleagues in the other place when I made this statement in July of 1995 on behalf of the committee. Since then, because we would not rush the process in spite of pressure from the other house, we failed to pass a bill which the government originally wanted before the Christmas recess in 1995. We went ahead and did the regular due process and ultimately passed the bill in February. We also resisted the pressure to jam a bill through on the eve of prorogation in early 1996, and again the bill ultimately came through the process and we dealt with it accordingly.

This is the first time for many years that the committee has been asked to effectively try to jam through legislation prior to a dissolution. I emphasize that the committee felt unanimously that we should put on record our view that, while we acceded to the request to get certain bills through this time in advance of dissolution, the government should not expect us to do so automatically in the future when we are faced with a future dissolution.

Honourable senators, it also seems to me that it is absolutely critical as an early element of business in this chamber that when we return in the fall, that we begin to develop a clear set of rules, procedures or conventions, whatever one wants to call it, that deal with how committees in this chamber and how this chamber as a whole will respond to pressure to jam through legislation.

The kind of legislation with which the Standing Senate Committee on Banking, Trade and Commerce deals, namely business legislation, is virtually never partisan. The votes in the committee have all been unanimous except for once or twice in the last decade. We believe that business legislation, because of its enormous impact both on individual firms and on the economy, requires very clear and thorough analysis and review. This view is based on the extensive business experience which many members of the committee have. Therefore, we are strongly of the opinion that bills should not be jammed through the system in this manner. That practice simply cannot continue in the future.

We hope the government pays attention to what is essentially a warning shot because it should not expect the kind of cooperation from the Standing Senate Committee on Banking, Trade and Commerce in the future that it has received in the past week.

On motion of Senator Kinsella, for Senator Stratton, debate adjourned.

CANADA MARINE BILL

THIRD READING—MOTION IN AMENDMENT— MOTION FOR ADJOURNMENT NEGATIVED

Hon. Lucie Pépin moved third reading of Bill C-44, for making the system of Canadian ports competitive, efficient and commercially oriented, providing for the establishing of port authorities and the divesting of certain harbours and ports, for the commercialization of the St. Lawrence Seaway and ferry services and other matters related to maritime trade and transport and amending the Pilotage Act and amending and repealing other Acts as a consequence.

Hon. Ethel Cochrane: Honourable senators, yesterday I tabled three pages of documents sent to me by the Mayor of the City of Toronto, Barbara Hall. These documents are related to Bill C-44 which we are considering today. I ask that those three pages be printed as part of today’s proceedings of the Senate.

I wish to speak to Bill C-44, the legislation which will fundamentally change the operation of our ports and harbours, the St. Lawrence seaway system, our ferry services, pilotage and harbour policing. Rather than saying that I rise to speak on the bill, I probably should say that I rise to object to it.

During the debate on second reading, I suggested that we were being too hasty with this piece of legislation. I suggested that again during the very quick two afternoons of committee proceedings that we conducted on Bill C-44. I should like to repeat that concern now.

Honourable senators, this is very complex and far-reaching legislation. It will have a tremendous impact on our ports and harbours, on municipalities and on people. There is no reason to proceed without taking the time to hear objections to this bill, and to consider amendments that certainly would improve it. Why we are hurrying it through now is beyond me. This is a national issue. It will affect ports right across this country. The Port of Churchill in His Honour the Speaker's Province of Manitoba will probably be affected, and we have not heard from those people. Bill C-44 will accelerate the process of divesting ports and harbours that are at present operated and maintained by the government.

I suspect that we will be revisiting this legislation in a few short years, for the reason that in many areas that process simply will not work. The very existence of a number of communities will be threatened. I am telling you that this is my feeling. When I was appointed here to review legislation seriously, I thought that this is what would happen; that we would take time and make sure that anything that we pass in this house was given sober second thought. I want to say to honourable senators that this bill has not been given sober second thought in the Senate. The chairman says, "Yes, we had 147 witnesses on the other side, in the House of Commons." Honourable senators, we do not do what they do on the other side. What we do best in the Senate is that we give legislation a sober second thought.

• (1120)

In my view, this piece of legislation was not given that sober second thought. Senators on the other side, I am sure, feel exactly as I do. I know Senator Corbin would stand up and say the same thing that I am saying here, that we do our thing in the Senate. Senator Carstairs would probably stand and say the same thing because she shares my view that we in the Senate do our thing. We in the Senate are not required to review legislation according to the House of Commons. I have digressed from my speech but, in my opinion, this is important.

I can speak with familiarity about the situation in my own Province of Newfoundland and Labrador. I can tell you that many ports would be protected under the system proposed in Bill C-44. In fact, 21 ports in communities like Black Head, Tickle, Gaultois, Hopedale, Nain and Ramea have been designated by the government as remote ports.

Certainly, I know, and Senator Rompkey knows, that these are very remote ports. One cannot even get to Ramea except by boat. These remote ports will continue to be owned, operated and maintained by the government.

At the other end of the spectrum, I do not fear for the port of St. John's. That major port will continue to be a viable commercial enterprise under any kind of administration. I do fear for the future of the many ports in my province which are not designated as remote and which lack the stature and commercial clout that a port like St. John's enjoys.

Let me name some of these ports: Corner Brook, Stephenville, Botwood. These are major ports that serve our paper mills, and our paper mills are the very lifeblood of our communities. I continue: Argentia, where some new developments have just been announced; Marystown; Harbour Breton, which definitely relies on all these vessels coming in; Port aux Basques; St. Anthony; Goose Bay; Come By Chance; Long Pond.

These ports will be offered for sale to private, commercial interests. If no buyer can be found, they will be handed over to the municipalities. If they are taken over by private hands, these ports may be made commercially viable only by reducing services and raising fees. If they are not taken over by private interests, the municipalities simply may not be able to afford to operate them. They will be closed.

Make no mistake about it, honourable senators; in my province, the ports are the lifeblood of their communities. I know that this will be the situation as well in Prince Edward Island, in Nova Scotia, in New Brunswick, in Quebec and in British Columbia.

I tried to persuade the Standing Senate Committee on Transport and Communications that they needed to hear the concerns of these communities before proceeding on this bill, but the Liberal members on that committee would not agree. The committee did hear, however, from the City of Toronto. It received a letter from the mayor of that city, Barbara Hall, protesting this bill.

The committees heard testimony on Wednesday from two city councillors and one regional councillor from that city. They told us that Toronto does not want to be transformed into a port authority under Bill C-44 and that there is no justification for doing so. They told us that this came about as a result of a surprise amendment at third reading in the House of Commons, that Toronto was not intended to be part of this bill until the last moment. That is what they told us. Honourable senators can get the blues.

They told us that Toronto Harbour handles one-tenth of the shipping tonnage that Hamilton Harbour handles. However, honourable senators, Hamilton is exempted from this legislation, and the councillors from Toronto are asking why. They told us that the vast majority of the economic activity at the harbour and at the waterfront in Toronto has nothing whatever to do with shipping or with the port. They simply do not want it included in this bill.

Honourable senators, I do not have the evidence at hand about the serious effect of this legislation on communities in my province. The government's unseemly haste in pushing this bill through the Senate without proper examination has prevented me from gathering that evidence. However, we do have testimony from the City of Toronto and that allows me, honourable senators, to recommend concrete action that we could take to redress that city's grievances. I believe we should take steps to do so.

MOTION IN AMENDMENT

Hon. Ethel Cochrane: Therefore, I move, seconded by Senator Robertson, that Bill C-44 be amended as follows:

Delete the following words from the schedule on page 97 of the act:

Toronto Port Authority

Administration portuaire de Toronto.

The Hon. the Speaker: It is your pleasure, honourable senators, to accept the motion in amendment?

Some Hon. Senators: No.

Some Hon. Senators: Agreed.

Hon. Brenda M. Robertson: Honourable senators, I have a question for Senator Cochrane. The chamber was a bit noisy, so I could not quite hear some of her remarks.

The Hon. the Speaker: Could we ask honourable senators who must have conversations to have them outside the chamber? It is difficult to follow the debate.

Senator Robertson: Did I understand you correctly to say that the port of Hamilton is exempt from the legislation? If so, are there other exempted ports, or is Hamilton the only exemption?

Senator Cochrane: It is my understanding from the witnesses from the City of Toronto that Hamilton is the only exemption. That is my understanding. They had requested that they not be included in this legislation as well, but in the last few weeks — and they cannot figure out what happened — they were included.

Senator Robertson: Did you hear from the minister?

Senator Cochrane: I must tell you, senator, that the minister was included on my list of requested witnesses, so that we could get the concrete evidence needed, but my request was voted down.

Senator Robertson: It seems rather strange, honourable senators, with a piece of legislation of this magnitude, that the minister did not appear to answer the questions. It is most curious that, if there is an exemption, there is only one exemption and that is Hamilton. Those of us who live near ports have to be curious. There was no reason given?

Senator Cochrane: No.

Senator Robertson: There you go. It is the arrogance again for Hamilton and Sheila.

[*Translation*]

Hon. Lise Bacon: Honourable senators, for your information, at the request of committee members, departmental employees came before the committee a second time.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): May I ask some questions of Senator Bacon?

[*English*]

Senator Bacon: I am not debating. I am just making a point.

Senator Kinsella: My understanding from yesterday is that, if senators rise and say a few words, they are considered to have joined the debate.

The Hon. the Speaker: The honourable senator is not required to answer questions. It is possible to ask questions, but it is not essential that they be answered.

Senator Kinsella: I move the adjournment of the debate, honourable senators.

Hon. B. Alasdair Graham (Deputy Leader of the Government): No, we refuse the adjournment.

Senator Lynch-Staunton: Put the question.

The Hon. the Speaker: It is moved by Honourable Senator Kinsella, seconded by the Honourable Senator DeWare, that the debate be adjourned. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: No.

Some Hon. Senators: Yes.

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

And two honourable senators having risen.

The Hon. the Speaker: Call in the senators.

We have no agreement on the bells. We revert to the one-hour rule. We will vote at 12:32.

Motion for adjournment of debate negated on the following division:

• (1230)

YEAS

THE HONOURABLE SENATORS

Andreychuk	Kinsella
Atkins	Lynch-Staunton
Beaudoin	Phillips
Berntson	Rivest
Cochrane	Robertson
Cogger	Rossiter
DeWare	Spivak—15
Doyle	

NAYS

THE HONOURABLE SENATORS

Adams	Landry
Anderson	Lewis
Bacon	Lucier
Bonnell	Maheu
Bosa	Milne
Bryden	Moore
Carstairs	Pearson
Cools	Pépin
Corbin	Petten
Fairbairn	Rizzuto
Forest	Robichaud
Gigantès	Rompkey
Graham	Stanbury
Hays	Stewart
Hébert	Stollery
Hervieux-Payette	Taylor
Kenny	Watt
Kirby	Wood—36

ABSTENTIONS

THE HONOURABLE SENATORS

Nil.

BUSINESS OF THE SENATE

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, there have been discussions

between the leadership of both sides, and it has been determined that we will break for lunch and reconvene at 1:45 p.m.

The Hon. the Speaker: Is that agreed, honourable senators?

Hon. Senators: Agreed.

The sitting of the Senate was suspended.

• (1350)

The sitting of the Senate was resumed.

INCOME TAX BUDGET AMENDMENTS BILL, 1996

THIRD READING

Leave having been given to revert to Order No. 2:

Resuming debate on the motion of the Honourable Senator Kirby, seconded by the Honourable Senator Lucier, for third reading of Bill C-92, to amend the Income Tax Act, the Income Tax Application Rules and another Act related to the Income Tax Act.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, in the name of Senator Stratton who took the adjournment on this matter, I wish to state that we have no further comments to make on the matter and, therefore, conclude the debate.

Motion agreed to and bill read third time and passed.

BUDGET IMPLEMENTATION BILL, 1997

THIRD READING

Hon. B. Alasdair Graham (Deputy Leader of the Government) moved third reading of Bill C-93, to implement certain provisions of the budget tabled in Parliament on February 18, 1997.

Motion agreed to and bill read third time and passed.

INCOME TAX CONVENTIONS IMPLEMENTATION BILL, 1996

THIRD READING

Hon. B. Alasdair Graham (Deputy Leader of the Government) moved third reading of Bill C-37, to implement an agreement between Canada and the Russian Federation, a convention between Canada and the Republic of South Africa, an agreement between Canada and the United Republic of Tanzania, an agreement between Canada and the Republic of India and a convention between Canada and Ukraine, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

Motion agreed to and bill read third time and passed.

YORK FACTORY FIRST NATION FLOODED LAND BILL

THIRD READING

Hon. Landon Pearson moved third reading of Bill C-39, respecting the York Factory First Nation and the settlement of matters arising from an agreement relating to the flooding of land.

Motion agreed to and bill read third time and passed.

NELSON HOUSE FIRST NATION FLOODED LAND BILL

THIRD READING

Hon. Landon Pearson moved third reading of Bill C-40, respecting the Nelson House First Nation and the settlement of matters arising from an agreement relating to the flooding of land.

Motion agreed to and bill read third time and passed.

CRIMINAL CODE

BILL TO AMEND—THIRD READING

Hon. Landon Pearson moved third reading of Bill C-46, to amend the Criminal Code (production of records in sexual offence proceedings).

Motion agreed to and bill read third time and passed.

BUSINESS OF THE SENATE

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, I believe there is a disposition that all other items on the Order Paper stand.

Hon. M. Lorne Bonnell: Honourable senators, I seek permission to say a few words about the interim report of the Subcommittee on Post-Secondary Education.

Senator Graham: Honourable senators, Senator Bonnell has asked for leave to speak to the interim report on post-secondary education. It will take two or three minutes of the Senate's time. There is a disposition that all other items on the Order Paper will stand. The Leader of the Opposition wants to say something as well. We would then suspend the sitting to the call of the Chair for Royal Assent.

The Hon. the Speaker: Is it agreed, honourable senators, that we hear the Honourable Senator Bonnell now?

Hon. Senators: Agreed.

POST-SECONDARY EDUCATION

INTERIM REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY COMMITTEE—DEBATE

The Senate proceeded to consideration of the eighteenth report of the Standing Senate Committee on Social Affairs, Science and Technology entitled: "Interim Report of the Subcommittee on Post-Secondary Education," tabled in the Senate on April 24, 1997.

Hon. M. Lorne Bonnell: Honourable senators, on April 23, 1996, just over one year ago, I gave notice that I would call to the attention of the Senate the serious state of post-secondary education in Canada. One dozen senators participated in that inquiry before it was referred to the Standing Senate Committee on Social Affairs, Science and Technology.

Since August of 1996, when the Subcommittee on Post-secondary Education was formed to carry out the Senate's order of reference, the senators on the subcommittee have been receiving their own kind of education. We have listened, we have studied, we have discussed and we have debated. However, we have only started to learn. We have only started to learn just how important post-secondary education is to the future of Canada.

Throughout our months of testimony and study, I have learned one lesson above all others — voiced by almost every witness was the need to maintain a strong federal presence in higher education. Whether it is in the form of transfer payments, funding research and development, student financial assistance, or pressing international issues, the federal government has a coordinating and cooperating role to play if we as a nation are to face the demands of the 21st century.

• (1400)

I wish to take these few minutes to thank those in the higher education community who supported the work of our subcommittee throughout the past nine months. Without their willingness to participate, the subcommittee would have fallen quite short of its goal.

Most of all, I wish to acknowledge the students — not only the student representatives who appeared before the subcommittee but also the students who have written letters of support or who have phoned to thank the Senate for taking a leadership role in Canadian post-secondary education. Honourable senators, the Subcommittee on Post-Secondary Education had the pleasure of meeting with and hearing from the leaders of tomorrow. Know this, honourable senators: We are in good hands all across the country! Students have spoken with passion about their future and about the future of our country. They speak for their peers, for their younger brothers and sisters, for their nieces and nephews, and for their own children.

Honourable senators, they speak for our families, our children and our grandchildren who are looking to attend a college or a university.

Their passion, honourable senators, has convinced your subcommittee that its work must continue and that the impending dissolution should only delay, not end, our inquiry. As a subcommittee, we are unanimous in the need for a renewed mandate in the Thirty-sixth Parliament. For that, honourable senators, we will be seeking the support of this chamber. That is my hope, as found in the pages of the interim report that we presented to the Senate, to Parliament and to Canadians, namely, a long-term vision for post-secondary education. Canada's future depends upon it.

**THE HONOURABLE DORIS M. ANDERSON
THE HONOURABLE JOSEPH P. LANDRY
THE HONOURABLE GUY CHARBONNEAU, P.C.**

TRIBUTES ON RETIREMENT

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, as the worst kept secret going around now will probably become reality on Sunday, it means that the next time we are together, it will be in the absence of three of our colleagues who will be retiring in June and July. I wish to tell the two who are here today, Senator Anderson and Senator Landry, that it has been a privilege to sit with them, even though we are on opposite sides. In the short time they have been here, they applied their skills, energy and intelligence to the operations of this place. It is greatly unfortunate that we cannot benefit from their capabilities longer than we have, but at least we had them for the short time that we did.

Senator Charbonneau will also be leaving us. I have special feelings about that because he has been a personal friend for many years. I will not say any more except that we will miss him just as much, and we are terribly sorry to see the three of them leave.

Hon. Joyce Fairbairn (Leader of the Government): Honourable senators, in the spirit of what Senator Lynch-Staunton called "the worst kept secret in town" or, as I would call it, "a state of interesting uncertainty," I join with him in bidding farewell to our colleagues. We will do so certainly at greater length and in the proper manner of farewells from this place on another occasion.

It has been truly a pleasure for those of us on our side to serve with Senator Doris Anderson and Senator Joe Landry. They have brought to our deliberations a very special sense of their own experiences in life which, in both cases, have been extraordinary. They have brought an essence of their region to our caucus. I thank them for that and I wish them good health. We look forward to seeing them again when we can offer a more fulsome thank you and farewell.

To Senator Charbonneau, who all of us know has had great health difficulties in the last few years, we extend our warmest wishes for his continuing resilience and participation in the interests of his province and in the interests of his country. He held a position of importance in this chamber and we wish him well.

[*Translation*]

Hon. Marcel Prud'homme: Honourable senators, since for many weeks it has been obvious that an election will be called, I asked the authorities on both sides how we could pay tribute to three of our colleagues who will leave the Senate while we are away. I was given to understand that when we come back, although our three colleagues will have already left, we will be able to pay tribute to them in the appropriate manner. I am delighted that Senator Fairbairn just confirmed this.

[*English*]

As I said earlier, I would have liked to have paid homage to the three of them — even the two senators who have not been here very long. I have wanted to do this for weeks but I understood that we would probably not proceed in this manner. I am thankful to Senator Lynch-Staunton and others who saw fit to address our dear colleagues. We are not neglecting you. We have been made to understand that we will express our good wishes in a very appropriate way when the Senate returns. Otherwise, I would have broken every rule and I would have spoken at length in tribute to these three fine senators.

I did not know Senator Anderson personally. However, I saw her every day, and she always had a quiet, charming smile. It was always a pleasure for me to say "Bonjour madame. Au revoir madame." I will only say "Au revoir" to you now since we will be meeting later.

[*Translation*]

I say goodbye to Senator Landry, who has been an outstanding addition to this place, and I say this from the bottom of my heart. He introduced me to a side of New Brunswick with which I was not familiar. You are extraordinary hosts. I discovered that part of my people are in your midst and to me, that is very important.

And now my old friend Senator Charbonneau, whom I have known since my student days. I hope he will take the time to come back and see us this fall, when we will wish him the very best in a more appropriate manner. Meanwhile, I want to say to his wife Yolande, and I know her well, to take good care of him, the way she always does. Senator Charbonneau, please come back in September, October or November, when Parliament reconvenes and we will have an opportunity to pay special tribute to a man who has had a brilliant military career. In this country, we often forget that some people have been active outside politics as well. At that time I intend to pay tribute to his great career as a member of the military, a businessman and a politician.

[English]

BUSINESS OF THE SENATE

SENATE STAFF—TRIBUTE

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, I should like to take this occasion to extend to our pages, the interpreters, and all the other persons who support the Senate in its operation, our heartfelt appreciation. The pages come from across the country and are chosen through a selection process.

• (1410)

We have had a particularly fine group of pages in this present Parliament, and we thank them for their courtesy and their assistance in so many different ways.

On behalf of my colleagues on this side, for those who are leaving, we wish them God speed; for those who are remaining, we look forward to seeing them in the next Parliament.

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, I join with the Acting Deputy Leader of the Opposition in extending to the pages, indeed the people at the Table, to all the people who serve the Senate, our thanks and gratitude for their courtesy, diligence, faithfulness and loyalty.

I also wish to say how saddened I am that we are losing people of such quality as Senator Landry and Senator Anderson. I am sure they will visit with us frequently.

As well, I extend my very best wishes to Senator Charbonneau. I hope we will see him back here as well in good health.

Having said all that, honourable senators, I believe there is an agreement that all other items on the Order Paper stand and that the sitting be suspended to the call of the Chair for Royal Assent at 3:30 p.m. We will reassemble in this chamber at approximately 3:25 p.m.

[Translation]

ROYAL ASSENT

NOTICE

The Hon. the Speaker informed the Senate that the following communication had been received:

RIDEAU HALL

25 April 1997

Sir,

I have the honour to inform you that the Honourable John Charles Major, Puisne Judge of the Supreme Court of

Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 25th day of April, 1997, at 3:30 p.m., for the purpose of giving Royal Assent to certain bills.

Yours sincerely,

Judith A. Larocque
Secretary to the Governor General

The Honourable
The Speaker of the Senate
Ottawa

[English]

The Hon. the Speaker: Honourable senators, before I leave the Chair, some concern has been expressed regarding the honourable senators who will be leaving us between now and the next time we meet.

I wish to inform the Senate that I spoke to Senator Charbonneau just last week. There will be the usual reception in the Speaker's chambers for departing senators when we return. Of course, I must give honourable senators a caution in this regard — I may not be in this chair when we return. However, I am sure that whoever follows me will follow the same procedure.

I will take this opportunity, then, as I may no longer be in this post the next time we meet, to thank all honourable senators for their cooperation and their understanding.

[Translation]

Honourable senators, I trust that you will pardon any errors I may have committed, and I thank you for the atmosphere of understanding we have maintained. I hope to see you when we get back, although I may be seated elsewhere. Thank you all. The Senate will resume its deliberations at approximately 3:25 p.m.

The Senate adjourned during pleasure.

ROYAL ASSENT

The Honourable John Charles Major, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, having come and being seated at the foot of the Throne, and the House of Commons having been summoned, and being come with their Deputy Speaker, the Honourable the Deputy Governor General was pleased to give the Royal Assent to the following bills:

An Act to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances (*Bill C-29, Chapter 11, 1997*)

An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act and the Income Tax Act (*Bill C-5, Chapter 12, 1997*)

An Act to regulate the manufacture, sale, labelling and promotion of tobacco products, to make consequential amendments to another Act and to repeal certain Acts (*Bill C-71, Chapter 13, 1997*)

An Act to implement the Canada-Chile Free Trade Agreement and related agreements (*Bill C-81, Chapter 14, 1997*)

An Act to amend certain laws relating to financial institutions (*Bill C-82, Chapter 15, 1997*)

An Act to amend the Criminal Code (child prostitution, child sex tourism, criminal harassment and female genital mutilation) (*Bill C-27, Chapter 16, 1997*)

An Act to amend the Criminal Code (high risk offenders), the Corrections and Conditional Release Act, the Criminal Records Act, the Prisons and Reformatories Act and the Department of the Solicitor General Act (*Bill C-55, Chapter 17, 1997*)

An Act to amend the Criminal Code and certain other Acts (*Bill C-17, Chapter 18, 1997*)

An Act concerning an order under the International Development (Financial Institutions) Assistance Act (*Bill C-77, Chapter 19, 1997*)

An Act to establish programs for the marketing of agricultural products, to repeal the Agricultural Products Board Act, the Agricultural Products Cooperative Marketing Act, the Advance Payments for Crops Act and the Prairie Grain Advance Payments Act and to make consequential amendments to other Acts (*Bill C-34, Chapter 20, 1997*)

An Act to provide for mediation between insolvent farmers and their creditors, to amend the Agriculture and Agri-Food Administrative Monetary Penalties Act and to repeal the Farm Debt Review Act (*Bill C-38, Chapter 21, 1997*)

An Act to amend the Citizenship Act and the Immigration Act (*Bill C-84, Chapter 22, 1997*)

An Act to amend the Criminal Code (criminal organizations) and to amend other Acts in consequence (*Bill C-95, Chapter 23, 1997*)

An Act to amend the Copyright Act (*Bill C-32, Chapter 24, 1997*)

An Act to amend the Income Tax, the Income Tax Application Rules and another Act related to the Income Tax Act (*Bill C-92, Chapter 25, 1997*)

An Act to implement certain provisions of the budget tabled in Parliament on February 18, 1997 (*Bill C-93, Chapter 26, 1997*)

An Act to implement an agreement between Canada and the Russian Federation, a convention between Canada and the Republic of South Africa, an agreement between Canada and the United Republic of Tanzania, an agreement between Canada and the Republic of India and a convention between Canada and Ukraine, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income (*Bill C-37, Chapter 27, 1997*)

An Act respecting the York Factory First Nation and the settlement of matters arising from an agreement relating to the flooding of land (*Bill C-39, Chapter 28, 1997*)

An Act respecting the Nelson House First Nation and the settlement of matters arising from an agreement relating to the flooding of land (*Bill C-40, Chapter 29, 1997*)

An Act to amend the Criminal Code (production of records in sexual offence proceedings) (*Bill C-46, Chapter 30, 1997*)

An Act respecting the establishment and award of a Canadian Peacekeeping Service Medal for Canadians who have served with an international peacekeeping mission (*Bill C-300, Chapter 31, 1997*)

An Act to amend an Act to incorporate the Bishop of the Arctic of the Church of England in Canada (*Bill S-15*)

The House of Commons withdrew.

The Honourable the Deputy Governor General was pleased to retire.

• (1550)

The sitting of the Senate was resumed.

[English]

ADJOURNMENT

Hon. B. Alasdair Graham (Deputy Leader of the Government): Honourable senators, I move that the Senate do now adjourn.

The Hon. the Speaker: Honourable senators, it was moved by the Honourable Senator Graham, seconded by the Honourable Senator Anderson, that the Senate do now adjourn.

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

Hon. Senators: Agreed.

The Senate adjourned until Monday, April 28, 1997, at 2:00 p.m.

The Thirty-fifth Parliament was dissolved by Proclamation of His Excellency the Governor General on Sunday, April 27, 1997.

**THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(2nd Session, 35th Parliament)
Friday, April 25, 1997**

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-2	An Act to amend the Judges Act	96/03/19	96/03/20	Legal & Constitutional Affairs	96/03/21	none	96/03/26	96/03/28	2/96
C-3	An Act to amend the Canada Labour Code (nuclear undertakings) and to make a related amendment to another Act	96/03/27	96/03/28	Social Affairs, Science & Technology	96/05/01	none	96/05/08 referred back to Committee 96/05/16	95/05/29	12/96
C-4	An Act to amend the Standards Council of Canada Act	96/06/18	96/06/20	Banking, Trade & Commerce	96/09/24	none	96/09/25	96/10/22	24/96
C-5	An Act to amend the Bankruptcy and Insolvency Act, the Companies' Creditors Arrangement Act and the Income Tax Act	96/10/24	96/10/31	Banking, Trade & Commerce	97/02/04	eleven	97/02/13	97/04/25	12/97
C-6	An Act to amend the Yukon Quartz Mining Act and the Yukon Placer Mining Act	96/10/21	96/10/23	Aboriginal Peoples	96/11/05	none	96/11/06	96/11/28	27/96
C-7	An Act to establish the Department of Public Works and to amend and repeal certain Acts	96/03/27	96/03/28	National Finance	96/05/14	none	96/06/12	96/06/20	16/96
C-8	An Act respecting the control of certain drugs, their precursors and other substances and to amend certain other Acts and repeal the Narcotic Control Act in consequence thereof	96/03/19	96/03/21	Legal & Constitutional Affairs	96/06/13	fifteen	96/06/19	96/06/20	19/96
C-9	An Act respecting the Law Commission of Canada	96/03/28	96/04/23	Legal & Constitutional Affairs	96/05/09	none	96/05/14	96/05/29	9/96
C-10	An Act to provide borrowing authority for the fiscal year beginning on April 1, 1996	96/03/26	96/03/27	National Finance	96/03/28	none	96/03/28	96/03/28	3/96
C-11	An Act to establish the Department of Human Resources Development and to amend and repeal certain related Acts	96/04/24	96/04/30	Social Affairs, Science & Technology	96/05/15	none	96/05/16	96/05/29	11/96
C-12	An Act respecting employment insurance in Canada	96/05/14	96/05/30	Social Affairs Science & Technology	96/06/13	none	96/06/20	96/06/20	23/96

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-13	An Act to provide for the establishment and operation of a program to enable certain persons to receive protection in relation to certain inquiries, investigations or prosecutions	96/04/23	96/04/30	Legal & Constitutional Affairs	96/05/28	one	96/05/30	96/06/20	15/96
C-14	An Act to continue the National Transportation Agency as the Canadian Transportation Agency, to consolidate and revise the National Transportation Act, 1987 and the Railway Act and to amend or repeal other Acts as a consequence	96/03/27	96/03/28	Transport & Communications	96/05/08	none	96/05/16	96/05/29	10/96
C-15	An Act to amend, enact and repeal certain laws relating to financial institutions	96/04/24	96/04/30	Banking, Trade & Commerce	96/05/01	none	96/05/02	96/05/29	6/96
C-16	An Act to amend the Contraventions Act and to make consequential amendments to other Acts	96/04/23	96/04/25	Legal & Constitutional Affairs	96/05/02	none	96/05/08	96/05/29	7/96
C-17	An Act to amend the Criminal Code and certain other Acts	97/04/15	97/04/16	Legal & Constitutional Affairs	97/04/23	none	97/04/24	97/04/25	18/97
C-18	An Act to establish the Department of Health and to amend and repeal certain Acts	96/04/24	96/04/30	Social Affairs, Science & Technology	96/05/08	none	96/05/09	96/05/29	8/96
C-19	An Act to implement the Agreement on Internal Trade	96/05/14	96/05/30	Banking, Trade & Commerce	96/06/11	none	96/06/12	96/06/20	17/96
C-20	An Act respecting the commercialization of civil air navigation services	96/06/05	96/06/10	Transport & Communications	96/06/19	one	96/06/19	96/06/20	20/96
C-21	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1996	96/03/21	96/03/26	—	—	—	96/03/27	96/03/28	4/96
C-22	An Act granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1997	96/03/21	96/03/26	—	—	—	96/03/27	96/03/28	5/96
C-23	An Act to establish the Canadian Nuclear Safety Commission and to make consequential amendments to other Acts	97/02/19	97/03/05	Energy, the Environment and Natural Resources	97/03/13	none	97/03/18	97/03/20	9/97
C-26	An Act respecting the oceans of Canada	96/10/21	96/10/23	Fisheries	96/12/03	none	96/12/04	96/12/18	31/96
C-27	An Act to amend the Criminal Code (child prostitution, child sex tourism, criminal harassment and female genital mutilation)	97/04/15	97/04/16	Legal & Constitutional Affairs	97/04/17	none	97/04/21	97/04/25	16/97
C-28	An Act respecting certain agreements concerning the redevelopment and operation of Terminals 1 and 2 at Lester B. Pearson International Airport	96/04/23	96/05/30	Legal & Constitutional Affairs	96/06/10 defeated 96/06/19	seven	defeated 96/06/19		
C-29	An Act to regulate interprovincial trade in and the importation for commercial purposes of certain manganese-based substances	96/12/03	96/12/13	96/12/17 Energy, the Environment and Natural Resources	97/03/04	none	97/04/09	97/04/25	11/97
C-31	An Act to implement certain provisions of the budget tabled in Parliament on March 6, 1996	96/05/28	96/05/30	National Finance	96/06/13	none	96/06/18	96/06/20	18/96
C-32	An Act to amend the Copyright Act	97/03/20	97/04/10	Transport & Communications	97/04/21	none	97/04/24	97/04/25	24/97
C-33	An Act to amend the Canadian Human Rights Act	96/05/14	96/05/16	Legal & Constitutional Affairs	96/05/28	none	96/06/05	96/06/20	14/96

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-34	An Act to establish programs for the marketing of agricultural products, to repeal the Agricultural Products Board Act, the Agricultural Products Cooperative Marketing Act, the Advance Payments for Crops Act and the Prairie Grain Advance Payments Act and to make consequential amendments to other Acts	97/04/17	97/04/22	Agriculture & Forestry	97/04/23	none	97/04/24	97/04/25	20/97
C-35	An Act to amend the Canada Labour Code (minimum wage)	96/10/31	96/11/07	Social Affairs, Science & Technology	96/12/04	none	96/12/05	96/12/18	32/96
C-36	An Act to amend the Income Tax Act, the Excise Act, the Excise Tax Act, the Office of the Superintendent of Financial Institutions Act, the Old Age Security Act and the Canada Shipping Act	96/06/18	96/06/19	Banking, Trade & Commerce	96/06/20	none	96/06/20	96/06/20	21/96
C-37	An Act to implement an agreement between Canada and the Russian Federation, a convention between Canada and the Republic of South Africa, an agreement between Canada and the United Republic of Tanzania, an agreement between Canada and the Republic of India and a convention between Canada and Ukraine, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	97/04/22	97/04/24	Banking, Trade & Commerce	97/04/25	none	97/04/25	97/04/25	27/97
C-38	An Act to provide for mediation between insolvent farmers and their creditors, to amend the Agriculture and Agri-Food Administrative Monetary Penalties Act and to repeal the Farm Debt Review Act	97/04/17	97/04/21	Agriculture & Forestry	97/04/23	none	97/04/24	97/04/25	21/97
C-39	An Act respecting the York Factory First Nation and the settlement of matters arising from an agreement relating to the flooding of land	97/04/22	97/04/24	Aboriginal Peoples	97/04/25	none	97/04/25	97/04/25	28/97
C-40	An Act respecting the Nelson House First Nation and the settlement of matters arising from an agreement relating to the flooding of land	97/04/22	97/04/24	Aboriginal Peoples	97/04/25	none	97/04/25	97/04/25	29/97
C-41	An Act to amend the Divorce Act, the Family Orders and Agreements Enforcement Assistance Act, the Garnishment, Attachment and Pension Diversion Act and the Canada Shipping Act	96/11/25	96/11/28	Social Affairs, Science & Technology	97/02/12	two	97/02/13	97/02/19	1/97
C-42	An Act to amend the Judges Act and to make consequential amendments to another Act	96/06/18	96/10/02	Legal & Constitutional Affairs	96/10/21	none	96/11/07 (2 amend.)	96/11/28	30/96
C-44	An Act for making the system of Canadian ports competitive, efficient and commercially oriented, providing for the establishing of port authorities and the divesting of certain harbours and ports, for the commercialization of the St. Lawrence Seaway and ferry services and other matters related to maritime trade and transport and amending the Pilotage Act and amending and repealing other Acts as a consequence	97/04/16	97/04/22	Transport & Communications	97/04/24	none			
C-45	An Act to amend the Criminal Code (judicial review of parole ineligibility) and another Act	96/10/03	96/10/22	Legal & Constitutional Affairs	96/12/05	none	96/12/18	96/12/18	34/96

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-46	An Act to amend the Criminal Code (production of records in sexual offence proceedings)	97/04/17	97/04/22	Legal & Constitutional Affairs	97/04/24	none	97/04/25	97/04/25	30/97
C-48	An Act to amend the Federal Court Act, the Judges Act and the Tax Court of Canada Act	96/06/18	96/06/20	—	—	—	96/06/20	96/06/20	22/96
C-53	An Act to amend the Prisons and Reformatories Act	97/02/05	97/02/11	Legal & Constitutional Affairs	97/02/13	none	97/02/17	97/02/19	2/97
C-54	An Act to amend the Foreign Extraterritorial Measures Act	96/10/21	96/10/30	Foreign Affairs	96/11/06	none	96/11/07	96/11/28	28/96
C-55	An Act to amend the Criminal Code (high risk offenders), the Corrections and Conditional Release Act, the Criminal Records Act, the Prisons and Reformatories Act and the Department of the Solicitor General Act	97/04/16	97/04/17	Legal & Constitutional Affairs	97/04/22	none	97/04/23	97/04/25	17/97
C-56	An Act for granting Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1997	96/09/24	96/09/26	—	—	—	96/10/01	96/10/22	25/96
C-57	Act to amend the Bell Canada Act	97/02/04	97/02/12	Transport & Communications	97/02/17	none	97/02/18	97/02/19	3/97
C-60	An Act to establish the Canadian Food Inspection Agency and to repeal and amend other Acts as a consequence	97/02/13	97/02/18	Agriculture & Forestry	97/03/05	none	97/03/06	97/03/20	6/97
C-61	An Act to implement the Canada—Israel Free Trade Agreement	96/11/07	96/11/28	Foreign Affairs	96/12/11	none	96/12/12	96/12/18	33/96
C-63	An Act to amend the Canada Elections Act, the Parliament of Canada Act and the Referendum Act	96/11/27	96/12/05	Legal & Constitutional Affairs	96/12/12	none	96/12/18	96/12/18	35/96
C-66	An Act to amend the Canada Labour Code (Part I) and the Corporations and Labour Unions Returns Act and to make consequential amendments to other Acts	97/04/10	97/04/15	Social Affairs, Science & Technology	97/04/25	none	—	—	—
C-68	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1997	96/11/25	96/11/27	—	—	—	96/11/28	96/11/28	29/96
C-70	An Act to amend the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the Income Tax Act, the Debt Servicing and Reduction Account Act and related Acts	97/02/12	97/02/20	Banking, Trade & Commerce	97/03/11	one	97/03/13	97/03/20	10/97
C-71	An Act to regulate the manufacture, sale, labelling and promotion of tobacco products, to make consequential amendments to another Act and to repeal certain Acts	97/03/10	97/03/13	Legal & Constitutional Affairs	97/04/15	none	97/04/16	97/04/25	13/97
C-77	An Act concerning an order under the International Development (Financial Institutions) Assistance Act	97/04/17	97/04/22	Foreign Affairs	97/04/23	none	97/04/24	97/04/25	19/97
C-81	An Act to implement the Canada—Chile Free Trade Agreement and related agreements	97/03/20	97/04/10	Foreign Affairs	97/04/16	none	97/04/17	97/04/25	14/97

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-82	An Act to amend certain laws relating to financial institutions	97/04/15	97/04/16	Banking, Trade & Commerce	97/04/17	none	97/04/21	97/04/25	15/97
C-84	An Act to amend the Citizenship Act and the Immigration Act	97/04/17	97/04/21	Social Affairs, Science & Technology	97/04/23	none	97/04/24	97/04/25	22/97
C-87	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1997	97/03/13	97/03/13	--	--	--	97/03/13	97/03/20	7/97
C-88	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1998	97/03/13	97/03/13	--	--	--	97/03/13	97/03/20	8/97
C-92	An Act to amend the Income Tax Act, the Income Tax Application Rules and another Act related to the Income Tax Act	97/04/21	97/04/23	Banking, Trade & Commerce	97/04/24	none	97/04/25	97/04/25	25/97
C-93	An Act to implement certain provisions of the budget tabled in Parliament on February 18, 1997	97/04/22	97/04/24	Banking, Trade & Commerce	97/04/25	none	97/04/25	97/04/25	26/97
C-95	An Act to amend the Criminal Code (criminal organizations) and to amend other Acts in consequence	97/04/21	97/04/23	Legal & Constitutional Affairs	97/04/24	none	97/04/24	97/04/25	23/97

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-202	An Act respecting a National Organ Donor Week in Canada	96/12/13	96/12/18	Social Affairs, Science & Technology	97/02/04	none	97/02/06	97/02/19	4/97
C-205	An Act to amend the Criminal Code and the Copyright Act (profit from authorship respecting a crime)	97/04/15	97/04/22	Legal & Constitutional Affairs					
C-216	An Act to amend the Broadcasting Act (broadcasting policy)	97/04/15	96/12/03	Transport & Communications	97/04/10	one	97/04/16		
C-243	An Act to amend the Canada Elections Act (reimbursement of election expenses)	96/05/16	96/05/28	Legal & Constitutional Affairs	96/09/26	none	96/10/01	96/10/22	26/96
C-270	An Act to amend the Financial Administration Act (session of Parliament)	96/12/03	96/12/11	National Finance	97/02/13	none	97/02/17	97/02/19	5/97
C-275	An Act to establish the Canadian Association of Former Parliamentarians	96/04/30	96/05/14	Legal & Constitutional Affairs	96/05/16	three	96/05/16	95/05/29	13/96
C-300	An Act respecting the establishment and award of a Canadian Peacekeeping Service Medal for Canadians who have served with an international peacekeeping mission	97/03/20	97/04/08	Social Affairs, Science & Technology	97/04/22	none	97/04/23	97/04/25	31/97
C-347	An Act to change the names of certain electoral districts	96/11/25	96/11/27	Legal & Constitutional Affairs	96/12/12	three	96/12/12	96/12/18	36/96

SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-2	An Act to amend the Canadian Human Rights Act (Sexual orientation) (Sen. Kinsella)	96/02/28	96/03/26	Legal & Constitutional Affairs	96/04/23	none	96/04/24		
S-3	An Act to amend the Criminal Code (plea bargaining) (Sen. Cools)	96/02/28	96/05/02	Legal & Constitutional Affairs	96/11/07	Rec.			
S-4	An Act to amend the Criminal Code (abuse of process) (Sen. Cools)	96/02/28	96/10/28	Legal & Constitutional Affairs					
S-5	An Act to restrict the manufacture, sale, importation and labelling of tobacco products (Sen. Haidasz, P.C.)	96/03/19	96/03/21	Social Affairs, Science & Technology					
S-6	An Act to amend the Criminal Code (period of ineligibility for parole) (Sen. Cools)	96/03/26		Dropped from Order Paper re: Rule 27(3)	96/11/07				
S-9	An Act providing for self-government by the first nations of Canada (Sen. Tkachuk)	96/06/13		Dropped from Order Paper re: Rule 27(3)	96/11/06				
S-10	An Act to amend the Criminal Code (criminal organization) (Sen. Roberge)	96/06/18	96/12/10	Legal & Constitutional Affairs	97/03/13	Rec.			
S-11	An Act to amend the Excise Tax Act (Sen. Di Nino)	96/06/20	97/02/19	Social Affairs, Science & Technology					
S-12	An Act providing for self-government by the first nations of Canada (Sen. Tkachuk)	96/11/25	97/02/18	Aboriginal Peoples					
S-13	An Act to amend the Criminal Code (protection of health care providers) (Sen. Carstairs)	96/11/27							
S-14	An Act to amend the Criminal Code and the Department of Health Act (security of the child) (Sen. Carstairs)	96/12/12							
S-16	An Act concerning one Karla Homolka (Sen. Cools)	97/04/16							

PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-7	An Act to dissolve the Nipissing and James Bay Railway Company (Sen. Kelleher, P.C.)	96/05/02	96/05/08	Transport & Communications	96/05/15	none	96/05/16	96/10/22	38/96
S-8	An Act respecting Queen's University at Kingston (Sen. Murray, P.C.)	96/06/06	96/06/10	Legal & Constitutional Affairs	96/06/13	none	96/06/13	96/06/20	37/96
S-15	An Act to amend An Act to incorporate the Bishop of the Arctic of the Church of England in Canada (Sen. Meighen)	97/02/13	97/02/18	Legal & Constitutional Affairs	97/03/13	none	97/03/18	97/04/25	--

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