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Thursday, June 11, 1998

THE HONOURABLE GILDAS L. MOLGAT
SPEAKER

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THE SENATE

Thursday, June 11, 1998

The Senate met at 2:00 p.m., the Speaker in the Chair.

Prayers.

SENATORS' STATEMENTS

QUESTION OF PRIVILEGE

Hon. Anne C. Cools: Honourable senators, pursuant to rule 43(7) of the *Rules of the Senate of Canada,* I rise to give oral notice that I shall raise a question of privilege later this afternoon. Earlier today, pursuant to rule 43(3), I gave written notice to the Clerk of Senate.

I shall ask the Honourable Speaker of the Senate to rule on the facts that I shall briefly outline and to make a determination as to whether or not there is a *prima facie* case of breach of privilege. If so, I will be prepared to move the motion.

THE RIGHT HONOURABLE M. BRIAN MULRONEY, Q.C.

FIFTEENTH ANNIVERSARY OF ELECTION AS LEADER OF PROGRESSIVE CONSERVATIVE PARTY

Hon. Marjory LeBreton: Honourable senators, 15 years ago today, in a hot, steamy Civic Centre here in Ottawa, Brian Mulroney was chosen leader of the Progressive Conservative Party of Canada.

As my colleague Senator Cohen aptly pointed out to me yesterday, the events of 15 years ago today have had a direct impact on 39 of us in this place who are here because we were appointed by Brian Mulroney.

In previous statements, I have put on the record the achievements of the government of Brian Mulroney, including dispelling the myth that his government left the biggest deficit which, of course, is not true. His government inherited the biggest deficit in the history of Canada in 1984.

If not interfered with, history will judge properly the achievements of the Mulroney government on the environment, human rights, moving Canada into the global economy, restructuring the tax system and, yes, even the laudable efforts to bring constitutional peace to our country.

However, this statement is not about the achievements of Brian Mulroney but, rather, about a side of him about which many of us on both sides of this chamber have personal knowledge. I refer to his generosity of spirit. Some 15 years ago today, I stood on that hot convention floor, having not taken sides in the leadership race because of my role as one of the three convention coordinators. I actually found myself disagreeing with one of Brian Mulroney's first statements. When he stood victorious, having just been rebuked by Erik Nielsen, Mr. Mulroney reached out, saying something to the effect, "Well, Erik, I may not have been your first choice, but you are mine as House Leader of the Progressive Conservative Party." I thought to myself, "Oh no." I did not see why we had to continue his high profile in the party. In any event, it was a signal to all of us that similar actions would be the hallmark of how Mr. Mulroney intended to conduct himself.

I cite this as an example of how Brian Mulroney reached out and worked extremely hard to bring Progressive Conservatives and Canadians together. Two majority governments were his and our reward. The fact that he was betrayed by some of those to whom he reached out in no way takes away from his efforts or his good intentions. For every betrayal, there have been hundreds of successes. He led his government through some interesting and often difficult times. He and his family faced a lot of personal adversity. By extension, his colleagues were constantly under siege as well.

Who can forget the demonstrations against deficit reduction measures, free trade and the GST? Sometimes these demonstrations turned ugly. Through all of this he maintained his dignity, his good sense of humour and, most of all, his determination and commitment to the course he had set. The fact that he maintained the loyalty and support of his caucus is a real testament to his style of leadership.

Under Brian Mulroney, we saw no strangling of protestors, no pepper spraying of demonstrators, and no investigations of the media who were simply doing their job and reporting on what was told to them by the people who had access to cabinet discussions. We saw no personal attacks on his predecessor and no political witch-hunts.

Good wishes to our former prime minister, a kind and good man, a loving father whose children are the best statement to all as to the character and strength of both Brian and Mila Mulroney, and a credit to them both. He is a loyal and supportive friend, a courageous and visionary leader, a successful lawyer and businessman now back in private life and a proud Canadian. To Brian Mulroney I say, we celebrate your leadership and your achievements.

HEALTH

HIGH RATE OF SMOKING IN PRINCE EDWARD ISLAND

Hon. Catherine S. Callbeck: Honourable senators, I rise today to speak on smoking and its impact on my home province. It is threatening our most precious resource, our youth, in ever increasing numbers. I am saddened to say it is one area where Prince Edward Island leads the country. It is a problem that has solutions and one which I believe the Island can and should play a strong leadership role in resolving.

It is particularly important to me that I speak out on this issue, given the alarming statistics associated with the use of tobacco in my home province. Health Canada points out in a survey on smoking in Canada that Prince Edward Island has a 32-per-cent rate of daily smokers; higher than any other province and a long way from the lowest rate, in Newfoundland, of 18 per cent.

During the period 1983 to 1995, deaths caused by smoking-related cancers doubled for women, primarily due to lung cancer. For men over the same period, deaths caused by smoking-related cancers increased by 11 per cent. According to a study by the Prince Edward Island Department of Health and Social Services, approximately 33 per cent of students smoke overall. The rate increases from 26 per cent in grade 7 to 55 per cent in grade 12.

Honourable senators, we took the first important step yesterday, with the passage of a bill to provide for the Canadian Anti-smoking Youth Foundation. I believe that the Island is the perfect spot for a provincial pilot project, and it would serve as an ideal site for the new national headquarters for the foundation. We have the highest rate of daily smokers of any province in Canada, therefore, the greatest challenge. We also have integrated structures necessary to demonstrate how communities, municipalities, provinces and the private sector can all work together to make this program a success. We have the volunteers and the dedicated professionals needed for this initiative.

I should like to thank Senator Kenny and Senator Nolin for their foresight and diligence in this important matter. I know that this legislation, if passed in the other House, will reap benefits for all Islanders and, indeed, all Canadians.

THE SENATE

SALUTE TO YOUNG STAFF

Hon. Philippe Deane Gigantès: Honourable senators, I should like to speak about the wonderful young people with whom I have had the pleasure of working in my office, mainly ex-patriots. If ever one of your secretaries leave you, replace her with two pages, who will split the salary and split the work and never will anything fall between the cracks.

Christine Deering was not a page but a young researcher. She taught me how to be a nice chairman of a committee, which I was not. Karen McMillan supported me through difficult personal times. Jennifer Joseph, once an employee of the Senate, who was studying for a master's degree and, with five languages, is now working in an important government post. Dominique Hyde came to work for me when she was 17 and could organize a tour of a whole task force all on her own. Now, at 25, she is head of food projects for the FAO, the Food and Agriculture Organization, for francophone West Africa. Trina Boyd was one of our pages. Many of you will remember this wonderful blond giant, who made everyone laugh and made life for a senator very easy.

Natalia Nuño. Catherine V-LaFlamme, at only 4 feet 10, she won a competition and she had the honesty to tell me she was a separatist. I asked her if she would be loyal; she said, "Yes, she would," and she was. Sophie Galarneau is now in the Prime Minister's press office. Natalie Slawinski is finishing her studies in Russian at St. Petersburg. Christine Lenovvel was our chief page and a wonderful friend.

Now, with Elisabeth Sharp and Catherine Larrivée, I swear to you, I do not need to look at a piece of paper that is not essential. I need not worry about correspondence. It is marvelous to have them, the cream of the next generation, and it is a pleasure to go to the office each day. Hire them.

ROUTINE PROCEEDINGS

INFORMATION COMMISSIONER

NOTICE OF MOTION ON APPOINTMENT

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I give notice that on Monday next, June 15, 1998, I will move:

> That in accordance with section 54 of the Access to Information Act, Chapter A-1, RSC (1985), the Senate approve the appointment of the Honourable John M. Reid. P.C., as Information Commissioner.

[*Translation*]

INTERNATIONAL ASSEMBLY OF FRENCH-SPEAKING PARLIAMENTARIANS

MEETINGS AT QUEBEC CITY— REPORTS OF CANADIAN SECTION TABLED

Hon. Marie-P. Poulin: Honourable senators, pursuant to rule 23(6), I have the honour to table in this house, in both official languages, the report by the Canadian section of the International Assembly of French-Speaking Parliamentarians as well as the financial report of the forum on the information highway and the parliamentary francophonie, held on April 20, 1998 in Quebec City.

Honourable senators, pursuant to rule 23(6), I have the honour to table in this house, in both official languages, the report by the Canadian section and the financial report to the education, communications and cultural affairs commission of the International Assembly of French-Speaking Parliamentarians, held in Quebec City on April 21 and 22, 1998.

[*English*]

TRANSPORTATION SAFETY AND SECURITY

ESTABLISHMENT OF SPECIAL SENATE COMMITTEE—NOTICE OF MOTION

Hon. J. Michael Forrestall: Honourable senators, I give notice that on Monday next, June 15, 1998, I will move:

That a special committee of the Senate be appointed to examine and report upon the state of transportation safety and security in Canada and to complete a comparative review of technical issues and legal and regulatory structures with a view to ensuring that transportation safety and security in Canada are of such high quality as to meet the needs of Canada and Canadians in the twenty-first century;

That the committee be composed of seven Senators, three of whom shall constitute a quorum;

That the committee be empowered to send for persons, papers and records, to examine witnesses, to report from time to time and to print such papers and evidence from day to day as may be ordered by the committee;

That the papers and evidence received by the Subcommittee on Transportation Safety of the Standing Senate Committee on Transport and Communications taken on the subject and the work accomplished during the Second Session of the Thirty-fifth Parliament and the First Session of the Thirty-sixth Parliament be referred to the committee;

That the committee be empowered to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its study;

That the committee be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings;

That the committee be empowered to adjourn from place to place within and outside Canada;

That the committee present its final report no later than March 31, 1999; and

That, notwithstanding usual practices, if the Senate is not sitting when the final report of the committee is completed, the committee shall deposit its report with the Clerk of the Senate, and said report shall thereupon be deemed to have been tabled in this chamber.

ENVIRONMENT

REPORTS ON SUSTAINABLE DEVELOPMENT—NOTICE OF INQUIRY

Hon. Mira Spivak: Honourable senators, I give notice that on Monday, June 15, 1998, I will draw the attention of the Senate to the report of the Commissioner on the Environment and Sustainable Development to the House of Commons, 1998 and to the report of the Standing Committee on Environment and Sustainable Development entitled "Enforcing Canada's Pollution Laws: the Public Interest Must Come First."

QUESTION PERIOD

FOREIGN AFFAIRS

SUPPORT OF POSITION TAKEN BY NATO ON SITUATION IN KOSOVO, YUGOSLAVIA—GOVERNMENT POSITION

Hon. J. Michael Forrestall: Honourable senators, I wish to ask a question of the Leader of the Government in the Senate. Is the leader able to tell us if the Canadian government will commit Canadian military forces to a NATO show of force this weekend in Albania and Macedonia to demonstrate NATO's resolve with regard to Serbia's ethnic cleansing of Kosovo?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I would need to inquire specifically. I have heard some discussions in that respect, but I will attempt to find an answer as early as possible. If I can do so before we adjourn today, I shall so inform Senator Forrestall.

Senator Forrestall: Honourable senators, my question has to do with a question I have raised from time to time in recent years as to the value of a debate prior to sending Canadian troops into war situations. Therefore, I appreciate all the more the leader's response.

NATIONAL DEFENCE

TRAINING AND DEPLOYMENT OF RESERVES—INADEQUACY OF FOOD ALLOWANCE—GOVERNMENT POSITION

Hon. J. Michael Forrestall: Can the Leader of the Government explain to me why reservists, many of whom will be called upon should Canada expand its military role in that part of the world, going through training must pay for food over and above what the government considers an acceptable level of food rations — for example, an athlete who might eat more than the average individual?

Why, by the way, have we not heard yet about having to outfit our troops in used clothing from shops around Montreal, or does the leader have an answer to that yet?

Hon. B. Alasdair Graham (Leader of the Government): That is a matter which I have discussed with the Minister of National Defence. It is a matter of concern to me, as it is a matter of concern to him. I know that the whole question is under review, and I will bring more information to my honourable friend as soon as it is available.

ACCUSATIONS OF MISTREATMENT AND ABUSE BY MEMBERS OF ARMED FORCES—GOVERNMENT POSITION

Hon. Consiglio Di Nino: Honourable senators, all of us last night were subjected to a very heart-wrenching moment when we witnessed a young lady by the name of Ann Margaret Dickey pouring out her heart about some horrible accusations of rape and torture, demeaning of character to a degree that one would never believe could happen in this country. Ms Dickey has accused members of the armed forces of raping and beating her. That heart-wrenching experience affected me to such a degree that I thought a question should be asked today, at least for clarification.

Ms Dickey claims that she made repeated appeals, according to *The Gazette*, to Defence Ministers Doug Young, David Collenette, and Art Eggleton. I was also informed personally this morning that she may have also made an appeal to her Member of Parliament, the Solicitor General, Andy Scott.

Could the Leader of the Government in the Senate please find out for us if her claim of having made appeals to four cabinet ministers is correct?

Hon. B. Alasdair Graham (Leader of the Government): Honourable senators, I would be happy to determine whether it was to four cabinet ministers. However, I think that is immaterial to, as my honourable friend indicated, the horrific circumstances under which this took place. It is a shame and it is repugnant. I know that the matter is under investigation by those responsible in our armed forces, and I will attempt to bring forward a full report as soon as possible.

Senator Di Nino: Honourable senators, if the allegations of this young lady are true, and if in effect she did go to any and all of these ministers, and if, as we have been told, they told her they could do nothing about it, will the Leader of the Government relay to those ministers our strong message that they should resign?

Senator Graham: Honourable senators, I should hope we would wait for the full evidence to be presented. My honourable friend will understand that the Minister of National Defence is paying special attention to matters of this kind, as are the Chief of the Defence Staff and all senior members of the armed forces. From the lowest rank to the highest rank, it is a matter of priority amongst the members of the armed forces to bring a halt to situations of this kind.

I know that all honourable senators in this chamber take great pride in the work of the armed forces of our country and would wish them well and encourage them to cooperate with one another in bringing this matter to a full and final resolution.

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, I have a response to a question raised in the Senate on May 12, 1998, by the Honourable Senator J. Michael Forrestall regarding the requirement for reserves to relinquish medical benefits on retirement from the military, reported lack of funds for training of reserves, limitation on duration of training and cancellation of yearly exercise.

NATIONAL DEFENCE

REQUIREMENT FOR RESERVES TO RELINQUISH MEDICAL BENEFITS ON RETIREMENT FROM MILITARY—REPORTED LACK OF FUNDS FOR TRAINING OF RESERVES—LIMITATION ON DURATION OF TRAINING AND CANCELLATION OF YEARLY EXERCISE—GOVERNMENT POSITION

(Response to question raised by Hon. J. Michael Forrestall on May 12, 1998)

Members of the Regular Force who retire from the Canadian Forces do not automatically qualify for coverage under the Public Service Health Care Plan (formerly known as the Group Surgical Medical Insurance Plan). That is, these members, upon retirement, must elect to initiate coverage for themselves under the Public Service Health Care Plan, and must elect to continue this coverage for their dependents. Establishing insurance plans through the PSHCP is part of the procedures involved when preparing for release from the Canadian Forces.

Health care coverage for members of the Primary Reserve is offered when no other coverage is available to the member. The majority of Primary Reservists have supplementary health insurance through other employment and therefore, it is only a small number of reservists who, while serving, have coverage through their Canadian Forces employment under the Public Service Health Care Plan. Given this small number, optional coverage after release has not been offered to members of the Reserve.

To the Department's knowledge, there were no meetings on this particular subject in Kingston during the time period in question. There was, however, a meeting in Gagetown that discussed rationalization of some training, including engineer national reserve courses. While there will be some reductions this year in the number of courses conducted, there will be national reserve courses held in Gagetown up to Qualification Level 6 (formerly Trade Qualification 6), and in some cases QL7.

Currently, militia members in the Land Forces Atlantic Area are funded for 65 days of training. This is broken down into 32 days for local training at the unit level and 33 training days at the national and area level. With respect to collective training above the unit level, the preference of late has been for brigade-level exercises, which are considered more cost-effective than previous venues for collective training (such as area-level summer concentration training events). Brigade-level training will be conducted this year in accordance with the Atlantic Area's established training priorities. There has been no change to the 32 days allotted for unit level training.

ANSWER TO ORDER PAPER QUESTION TABLED

ENERGY—DEPARTMENT OF INDIAN AFFAIRS AND NORTHERN DEVELOPMENT—CONFORMITY WITH ALTERNATIVE FUELS ACT

Hon. Sharon Carstairs (Deputy Leader of the Government) tabled the answer to Question No. 96 on the Order Paper — by Senator Kenny.

BUSINESS OF THE SENATE

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, could the Deputy Leader of the Government describe for us the house business over the next few days, the next week in particular, as a number of senators on both sides are trying to make contingency plans. For example, could she give us an indication of what we might expect to be on the Order Paper? Does it look like the legislation that is currently on the Order Paper is basically the menu of government business that we can be expected to be called upon to deal with?

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, a number of bills will be coming from the House of Commons. However, the Senate will deal with those bills in a rational and reasonable way, with no effort from this side to push forward any bill that is not in committee at the present time, with the exception of Bill C-29 which has been at second reading for a number of days. Any bill presented to us today or on Monday will follow its logical progression through this chamber with no prompting to speed it up from this side.

• (1430)

I will now give you some idea of the sitting times for the chamber. We will not be sitting tomorrow, as I indicated yesterday. We will be sitting on Monday night at 7:30 p.m. and we will be sitting every day next week, including Friday, in the hope that, perhaps, we can terminate our business at that time.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, could the deputy leader or even the leader assure us that a vote can be taken on a motion which stands, and has stood, in my name since May 7, dealing with compensation to certain victims of tainted blood and blood products? Could we have that vote before we break for the summer?

Senator Carstairs: Honourable senators, that particular motion is still being debated. There are a number of senators on this side who still wish to address it. I can give no confirmation at this time that that motion will come to a vote by next week.

Senator Lynch-Staunton: I hope that those senators will be heard today and Monday because we will certainly use the rules to ensure that a vote is taken before we break for the summer, whenever that may be.

[*Translation*]

ORDERS OF THE DAY

CANADA SHIPPING ACT

BILL TO AMEND—THIRD READING

Hon. Léonce Mercier moved the third reading of Bill C-15, to amend the Canada Shipping Act and to make consequential amendments to other Acts.

Motion agreed to and bill read third time and passed.

[*English*]

MACKENZIE VALLEY RESOURCE MANAGEMENT BILL

THIRD READING—DEBATE SUSPENDED

Hon. Jean B. Forest moved the third reading of Bill C-6, to provide for an integrated system of land and water management in the Mackenzie Valley, to establish certain boards for that purpose and to make consequential amendments to other Acts.

She said: Honourable senators, I rise today as sponsor of this bill to address you on third reading of Bill C-6, the Mackenzie Valley Resource Management Bill, a bill that will have a positive impact upon the North and one that has also caused great debate. I urge honourable senators to support this bill, as it represents good public policy and puts in place in the Mackenzie Valley a resource management regime that is integrated, efficient and flexible enough to meet future land-claim and self-government agreements.

Honourable senators, Bill C-6 will achieve a number of important goals. It will, for the first time, allow aboriginal people a clear decision-making role in resource management in all lands of the Mackenzie Valley. It will fulfil outstanding commitment the Government of Canada under the Gwich'in and Sahtu land claim agreements. It will ensure the protection of the Mackenzie Valley ecosystem through the establishment of an integrated

regime to account for the single system of the Mackenzie Valley. It will provide a stable environment for economic growth, the creation of jobs and income for northerners, and it will contribute to good government in the north.

Over the past five years, many individuals and organizations have worked together to develop this complex and technical bill. This bill is the product of many years of consultations throughout the north. Over 20 meetings were held with affected groups in the Mackenzie Valley to review the draft bill. Over 35 different drafts of the bill were completed, taking into account the comments of various parties. There have been community tours to explain this bill, and First Nations have been funded to review the bill. It is through the collective dialogue of those involved, and their patience and perseverance, that this long-awaited bill has now come before this chamber.

I should like to acknowledge the efforts of the leaders of the Sahtu Dene and Métis and the Gwich'in First Nation. These individuals have not only demonstrated leadership on behalf of their own people in negotiating this regime, but also a willingness to accommodate the needs of others. This ability to compromise has been a hallmark of relations between aboriginal and non-aboriginal people in the north for many years.

The governments of the Northwest Territories must also be commended for negotiating a strong but flexible resource co-management regime. The resource industries have also participated in the development of Bill C-6. They have supported a regime that is fair and effective and does not result in a patchwork of systems that would lead to confusion and frustration.

As we consider Bill C-6 at third reading, I should like to elaborate on these points. This legislation will fulfil a constitutional obligation of Canada. The land claims settlement agreements of both the Gwich'in First Nation and the Sahtu Dene and Métis provide for the establishment of resource co-management regimes that will give the aboriginal people a voice in decision-making processes that affect the land, water and natural resources of the Mackenzie Valley.

Members of the Senate may be interested to note that co-management in the Mackenzie Valley has its roots in the efforts of the early and mid-1980s which resulted in the Dene-Métis agreement of 1990. Unfortunately, the agreement failed to be ratified because of concern over the extinguishment provisions.

Co-management continued as the key feature of the Sahtu and Gwich'in land claim agreements that were signed in 1992 and 1993 by the previous Conservative government. These agreements also called for co-management through a valley-wide environmental impact review board. Bill C-6 is consistent with the intent of those two land claim agreements and their subsequent pieces of implementing legislation in 1992 and 1994 which were supported by both Conservative and Liberal members of Parliament.

The Mackenzie Valley is one of the great rivers of the world, the third-largest watershed in North America. It is a single ecosystem that is extremely important to the Canadian environment. In such an ecosystem, decisions that are made in the south can and will have an impact on the environment further north. People living in one region of the valley can be affected by decisions that are made in another area of the valley. The proposed legislation recognizes that the Mackenzie Valley is a complex and sensitive ecosystem that needs protection. For this reason, it extends resource co-management across the entire valley.

The alternative to a valley-wide approach is to have separate regimes for each geographic region in the valley. Virtually everyone agrees that this would be a flawed solution, both from a management perspective and in terms of protecting the environment.

Honourable senators, restricting the application of the bill to the Gwich'in and Sahtu only would not account for the single ecosystem of the valley. It would create co-management in the north and retain DIAND and the Northwest Territories Water Board as decision-makers in the south. There are no provisions in the bill to permit these two systems to function together in cases where projects may have valley-wide impacts. Moreover, honourable senators, restricting the application of this bill would require the reopening of the Gwich'in and Sahtu land claim agreements. An integrated system that gives people a decision-making role throughout the valley, not just in their settlement areas, represents good public policy and, I submit, good common sense.

• (1400)

The Standing Senate Committee on Aboriginal Peoples did hear concerns expressed by witnesses that the bill will affect the land claim negotiations that are still ongoing. As a member of this committee, I know that members are concerned that there are unresolved land claims in the north. Members of the committee certainly hope that these claims will be resolved in the near future, and I know that this government is actively working toward negotiating such agreements.

I believe that in this bill there is flexibility to accommodate future land claim agreements. Clause 8(2) mandates the minister to review the provisions of this bill in consultation with First Nations in the course of any land claim or self-government negotiations. The implementation legislation of future agreements will be able to amend this legislation to effect any required changes.

Moreover, senators, clause 5(2) of the bill ensures that in no way does this bill abrogate or derogate from existing aboriginal or treaty rights that are affirmed in section 35 of the Constitution Act, 1982.

Finally, many provisions throughout the bill mandate consultations with all First Nations in the Mackenzie Valley. It is also important to notice that those First Nations which have not signed a land claim agreement are not excluded from participation in this regime. The minister has written to First Nations requesting their nominations of people to participate in this co-management regime. All First Nations have the opportunity to participate in this regime, and there is flexibility to account for the results of future land claims settlements.

Under Bill C-6, aboriginal people will participate in decision-making across the entire valley, not just in settlement areas. There is no question that the new regime will give aboriginal people better representation and participation in decision-making processes than they have today. Non-aboriginal people, moreover, will sit side by side with First Nations and Métis representatives on the valley-wide boards. All northerners will have the opportunity to participate in public hearings and consultations on resource management issues.

Honourable senators, this is resource co-management in the truest sense of the word. It will protect the Mackenzie Valley ecosystem, support economic growth and diversification and provide a solid building block for the continued evolution of public government in the north.

Honourable senators, Bill C-6 is a difficult and complex bill. It is one that draws out strong emotions and has brought about spirited debate over sensitive issues. However, having listened and carefully considered the evidence given by both the proponents of the bill and those who voiced their concerns, the majority of the members of the committee are convinced that Bill C-6 will provide a state-of-the-art integrated co-management regime for the Mackenzie Valley.

For the many reasons that I have outlined, I would urge honourable senators to join me in supporting Bill C-6 at third reading.

Hon. A. Raynell Andreychuk: Honourable senators, I, too, want to speak to Bill C-6. At the outset, I wish to state that there is nothing in the co-management concept and principle with which I disagree. In fact, co-management of the entire Mackenzie Valley is desirable. It has been well thought out and is a principle worthy of our support.

In fact, the Dene-Métis agreement in the early 1990s included that concept. It was part of the framework with which all parties, including the federal government, other governments and all, in my opinion, Métis and First Nations leaders, agreed.

The issue in Bill C-6 is not the credibility nor the viability, or the necessity of co-managing these land and water resources. I do not believe that any committee members nor witnesses disagreed with that concept. It is good environmental policy, it is good land use policy and it is good public policy. That is not the issue in Bill C-6.

It is important to look at the history which led to Bill C-6. In the late 1980s, the federal government attempted to set a framework for negotiations with aboriginal peoples in the Mackenzie Valley which took into account all groups and all issues. A tentative agreement was reached but, as Senator Forest has rightly pointed out, that agreement was not ratified. Consequently, the government and the aboriginal leaders were forced to go back to the drawing board.

The government at that time did not abandon its framework agreement principles, nor did many of the aboriginal groups, but land claims negotiations became a priority and a necessity for many of these groups. The Gwich'in Tribal Council and the Sahtu groups were able to come to a land claim settlement. We in this Senate chamber passed those pieces of legislation in 1992 and again in 1994. Those agreements called for a time-frame of two years. Within two years, the land use and the water management were to be settled for the Sahtu and the Gwich'in Tribal Councils.

In fact, that two-year limit was not met, and we are precisely at the four-year limit as this bill is coming to us. The spirit of the Gwich'in and Sahtu agreements was maintained, but the letter of those agreements was not honoured due to the fact that the time limits were missed.

Again, Bill C-6 does not present a time issue for the Gwich'in and Sahtu because they indicated that they are very satisfied with the agreement as is. What is strongly in dispute, in my opinion, is the fact that when the Gwich'in and Sahtu signed, there was no land use or water management process in force. There was simply a principle. As a result of their agreements, an agreement on land use and water cooperation was included for the entire area. That principle covers lands that are now in the disputed areas.

• (1450)

When the Sahtu and Gwich'in signed their agreements, they had every opportunity to debate every issue respecting their land and the consequential acts flowing therefrom. We heard at the committee that, as a result of the Sahtu and Gwich'in agreements and as the result of Bill C-6, others will not have the same opportunity to negotiate their land claims unfettered in the way that the Gwich'in and Sahtu were able to negotiate. We heard from the South Slave Métis Tribal Council, North Slave Métis Alliance, the Dog Rib Treaty 11 Council, the Dene Nation, the Deh Cho First Nations and the Akaitcho Territory Tribal Council. All of these groups pleaded that Bill C-6 not be put into effect. They were very respectful and mindful that there was an agreement with the Gwich'in and Sahtu. They did not object to the government proceeding on their portion. They also fully understood that a global agreement on management in the Mackenzie Valley is desirable. However, when asked to take that into consideration, they could not put that principle higher than their right to negotiate in the land claims.

In fact, in the House of Commons, Mr. Keddy, Member of Parliament for the South Shore, introduced what I would call "comfort clauses" to ensure that their inherent rights were not in any way abrogated or fettered. It appeared that those clauses were not sufficient for these groups that came forward, because they felt that this bill would be applied to them. In fact, one group felt that Bill C-6 was already being applied in their negotiations. While there was conflicting evidence on this point — and, while I do not put much weight on the fact that the government had started negotiations and perhaps referred to Bill C-6 — nonetheless, they were ill at ease with that situation.

What happened in the committee was of great concern to me. Groups came come before us to testify — some appear in person, occasionally at great personal inconvenience, and some assist us using teleconferencing technology. They put forward their position with great integrity and they consciously and carefully made sure that their positions did not inhibit the position of the Sahtu and Gwich'in. In fact, the Gwich'in and Sahtu indicated that they wanted their agreements to come into force and that four years was long enough to wait.

While they also agreed that global management of the Mackenzie Valley was important, they told us that what was really needed was co-management within their area. However, what was important in my assessment of the situation, is that they did not ask for global management at all costs.

Our committee had a responsibility to hear and consider the concerns of those groups who so forcefully, and with integrity, indicated that this bill would hamper their negotiations on land claims. This is a very sensitive issue to aboriginal people and to those of us who live in the areas where the concentrations of aboriginal land claims are located.

We were also aware of the fact that the minister, who fully understood these dilemmas, was anxious to see passage of this bill. The committee requested the minister to attend the committee to give her point of view. What happened after that, in my opinion, was most unfortunate. Whether the minister was unable, unwilling, or did not have the time to come, is not clearly known. The fact is that the minister did not appear before the committee.

To the credit of various members of the committee on the government side, they initiated discussions with the minister and with the department and they brought that evidence before us. While I acknowledge their right to meet with the minister — in fact, I would encourage them to meet with the minister to try to resolve differences of opinion — the fact is that these members came back to the committee to tell us, second hand, the minister's opinion. In my opinion, that was not the way to go.

Senator Forest placed on the record her comments concerning the minister's lack of ease in appearing before the committee. Later we heard from our chairman, and we received a letter addressed to the chairman, which contained some of the undertakings that the minister would make. The undertakings that the minister was to make appeared to be as a direct result of conversations with senators on the government side. However, their concerns were not wholly our concerns. Some of us did not have an opportunity to clarify matters of concern and to seek some other undertakings.

The committee was left with this situation: All the aboriginal groups testified before us and clearly stated their position with integrity; but the minister did not put her position before us. We were told that clause 8 would be a comfort and, therefore, the minister, in good faith, could continue to negotiate the land claims and that they would not be prejudiced by passage of Bill C-6. However, a careful reading of clause 8 of Bill C-6 shows that the federal minister "shall" — and, I use that word advisedly — consult the First Nations with respect to an amendment to the act.

There is nothing to say that the minister shall consult at the conclusion of the land claims. Again, it is at the discretion of the minister to come forward and to accommodate all other groups in respect of their land claims. She must consult only if there is an amendment. That puts them in a detrimental position.

Subclause (2) of clause 8 states:

> The federal Minister shall, in the course of any negotiations with a first nation relating to self-government, review the pertinent provisions of this Act in consultation with that first nation.

Honourable senators, I must disagree with Senator Forest who says that that includes land claims. Inherent self-government may or may not involve land claims and land disputes. Consequently, if they only settle land claims, there is no obligation on the minister to consult with them on the consequences of a land claim settlement. I find little comfort in that subclause as, I believe, did the aboriginal groups who appeared before our committee.

Honourable senators, on June 9, 1998, Senator Pitfield, with great eloquence, said that the Senate was designed to be a forum to work out differences. On page 1705 of Hansard, he went on to say:

> This institution, this chamber in which we are privileged to sit, was designed to provide an element of pacification, a broader view, a meeting-place for ideas, a counting house for their aspirations.

Honourable senators, as a member of the Aboriginal Affairs Committee, I was asked to pass a bill solely based on second-hand conversations held with the minister. For whatever reasons, the minister did not appear before the committee. I have respected the minister and I have watched closely as she has conducted her affairs with the aboriginal community. Quite frankly, I was shocked that she would not come to assist our committee. That refusal did not seem to be in line with her openness, her eagerness and her frankness in dealing with aboriginal issues.

We were told that, by appearing before our committee, she might jeopardize some of the land claims. Surely, we were not there to negotiate land claims. We were there to find a way out of the impasse between groups who feel that they are being prejudiced and the minister who wanted a comprehensive co-management scheme. Therefore, I was forced to choose between a good environmental concept and the need, the right and the responsibility to respect the aboriginal peoples.

We in this chamber have a trust obligation to aboriginal peoples. I do not take that trust lightly. Had the minister attended our meeting, perhaps we could have found a way — either with an undertaking or without one — to negotiate a way out of this conundrum. However, we were not afforded that respect or that right.

In light of that, if I were to agree with passage of this bill, I would be siding with the minister, a minister whose second- and third-hand comments I must take into account. I would be in the position of having to reject the first-hand opinions and requests that were put on the table by the aboriginal groups. To this day, they have not said that they are in agreement with this bill, and there is nothing in the Gwich'in or Sahtu agreement that says there should be a global co-management. It simply states "on their areas."

• (1500)

If this bill does not go through, it means that the two systems are not well meshed together.

Honourable senators, that situation has existed now for four years. If we could put up with it for four years, we can continue to do so without unduly jeopardizing the rights of aboriginal peoples. To vote for this bill would be to say, "You all came here, but it does not matter what you say. We will accept what we heard second hand from the minister."

The final witness — the compromise witness — was A departmental official. He agreed that the principle of co-management was there. Everyone has agreed to that. No one is disputing it. He did agree that the Sahtu and Gwich'in have had agreements that were not bound by a certain scheme of co-management, and that all other groups now will have to be bound by the co-management scheme in place. In my opinion, it is detrimental not to level the playing field for all these groups and thus put them in the same position as the Sahtu and Gwich'in. I do not think that is good public policy. I do not think this will serve us well.

For over 100 years we have said to aboriginal people, "Trust us." If we pass Bill C-6 I do not believe that we will have broken the cyclical paternalism in our dealings with them.

I am not certain that I would have supported these groups had the minister come forward and made her compelling case, which apparently she has, but we do not know about it. However, I will not take sides against aboriginal peoples if I have not been able to weigh both sides fairly and adequately. I think that is a disservice to the Senate, but more particularly to the people of Canada, who must start negotiating adequately and fairly with aboriginal peoples.

Honourable senators, regrettably, I do not support this legislation. If we had heard from the minister, perhaps we would have been able to find a common ground. I would appeal to the government not to put the Senate, nor Senate committees, nor individual senators, in this position again. It is not good government, good management, and it does not speak well for a cooperative spirit in our negotiations with aboriginals. Regrettably, I cannot vote in favour of this bill.

Hon. Gerry St. Germain: Honourable senators, I rise today to take part in the third reading debate on Bill C-6. This bill, as has been pointed out, establishes many administrative boards or tribunals that deal with land use planning and water use, and, in particular, a board entitled the Mackenzie Valley Environment Impact Review Board. This board will cover a vast area of land known as the Mackenzie Valley in the Northwest Territories, a place that I have visited and spent some time as a senator and as a member of Parliament.

Having spoken at second reading and participated actively in the meetings of the Standing Senate Committee on Aboriginal Peoples when it dealt with this bill, I had hoped to stand here today, like Senator Andreychuk, to congratulate the government on changes brought forward by this bill and through comprehensive hearings. Unfortunately, the government did not listen. It did not listen to the witnesses. In fact, it was much worse than not listening; the government simply ignored the committee process.

The issues in dispute in this bill are remarkably simple, and they have been put forward in a succinct way by Senator Andreychuk. Only two of the eight aboriginal groups in the land area covered by this bill have settled land claims with the federal government. These land claims agreements call for the establishment of land use planning and water control boards for the lands which are subject to the land claims settlement. For reasons which I still do not know or have been unable to discover, the government decided to establish the boards as required by the land claims agreements, but went further and established land use planning, water and environmental boards which cover the entire Mackenzie River Valley within their jurisdiction. This naturally upset those living in this expanded area, and in many cases they were not even consulted about the context of Bill C-6 before it was brought forward.

The concern of the South Slave Métis Tribal Council, the North Slave Métis Alliance, the Dog Rib Treaty 11 Council, the Dene Nation, the Deh Cho First Nations, and Akaitcho Territory Tribal Council is that the enactment of this bill will prejudice their land claim negotiations process, and it could affect their aboriginal title. They want the dignity of being able to negotiate the controls on land and water use individually, not have them imposed by Ottawa.

Honourable senators, I asked each of these groups explicitly if this legislation would impair their ability to negotiate their land claims settlements, and, unequivocally, each and every group said "Yes it would."

The aboriginal groups appearing before us either opposed the enactment of this bill or, as in the case of the Sahtu and the Gwich'in people who have settled their claims, they said it was not necessary to have boards covering the whole Mackenzie Valley to satisfy their agreements.

Having heard all of this, we asked the Minister of Indian and Northern Affairs to appear before the Aboriginal Peoples Committee to discover, first, why the bill was drafted as it was, and, second, to discover if indeed some compromise was possible to satisfy the aboriginal peoples who object to the bill.

The response from the minister was simply: "Sorry folks, I'm too busy, but I will send you a letter," she said, "explaining my views. I will meet privately with Liberal members of the committee. But, no, I'm too busy to appear to speak to my legislation."

Honourable senators, as Senator Andreychuk and other senators have pointed out, we have a responsibility of trust to the aboriginal peoples. This is not a partisan activity. When a minister starts meeting with Liberals in secret or in private, failing to take in the entire group of senators who sit on these committees, it drives the issue in a partisan direction, which it should not. This committee should operate with the sole purpose of maintaining our trust and responsibility to our aboriginal peoples.

I think the Prime Minister had better take another look at the work distribution in cabinet because, to their credit, this is not the position taken by other ministers.

Senators will recall the Minister of Finance — and who, I ask, is busier than the Minister of Finance? — spending an entire afternoon here in Committee of the Whole on the CPP legislation just before Christmas. Here we have a busy man, but yet he had time to appear before the Committee of the Whole. The Minister of Transport — and who would be travelling more than the Minister of Transport? — appeared three times in last two months before the Standing Senate Committee on Transport and Communications. The Minister of Labour is scheduled to appear before the Standing Senate Committee on Social Affairs, Science and Technology next Wednesday on the labour bill.

Honourable senators, what is wrong, I ask, with the Minister of Indian and Northern Affairs? Why the clandestine meetings to cook up the letter, to which Senator Andreychuk referred, glossing over the real issues? It is my understanding that we saw this sort of thing take place in relation to the Transport Committee, with Senator Bryden and the Minister of Transport hatching a letter on the marine bill, and now we are seeing it again in relation to the Aboriginal Peoples Committee. Again, I am referring to a letter drafted in secret.

Honourable senators, I believe this is an affront to the parliamentary process and an affront to the aboriginal peoples of Canada. From a practical point of view, it puts the Chairman of the Aboriginal Peoples Committee in an impossible position. Senator Watt is an excellent senator, and operates in an open and non-partisan way as far as is possible within the forum in which we live. Here he is defending the indefensible.

First we are told that the minister is too busy. When we agreed to reschedule, the Chair told us that her appearance would prejudice the ongoing land claims negotiations. I believe that that is absolute nonsense.

I listened carefully to the witnesses who were brought forward. These were sincere, honest people. They had travelled a long way, in certain cases, to give evidence. To have someone like the minister just ignore this whole effort is mind-boggling.

• (1510)

It is the tradition in this place, as it is in the other place, that a minister appears if requested to justify and speak to the legislation of the Crown. Honourable senators, I have been a minister. I have had to do this. I know that it is often cumbersome because your schedule engages you right across this country. I can tell you here and now that if you are not prepared to defend your legislation, you should not bring it forward.

Honourable senators, this is a serious matter, especially if this committee undertakes the mammoth study on aboriginal self-government. We have been directed to form such a committee by the Royal Commission. I believe that this could be one of the most important studies regarding the aboriginal peoples ever undertaken in this country. If the minister ignores the study as she has ignored the other works of the committee, is there any point in proceeding?

I have worked with this minister when I was on the Banking Committee. She is an excellent minister. I find it shocking that a minister of her competence would allow her staff, or whoever is directing her, to ignore a request to appear and defend her own legislation.

Honourable senators, in order to satisfy the aboriginal peoples who object to this bill, all it would take is to delay the coming into force of Parts 4 and 5 of this bill. I made that request by way of a recommended amendment at the committee stage. Unfortunately, honourable senators, that will not happen. Like Senator Andreychuk, I would have voted for this proposed legislation.

Senator Forest is a sincere senator who does excellent work. She works extremely hard. I respect her integrity, sincerity and the effort that she puts forward. Indeed, all members of this committee are genuine people. To have something like this managed in the way it has been by the government undermines the spirit of parliamentary democracy. We have a responsibility to the aboriginal peoples. How much have we done to them in the past?

I listened to the presentations and pleas made to us. Aboriginal peoples have experienced many hardships which we have imposed on them, from residential schools to reserves. When I looked at the aboriginal witnesses, it was with respect. However, the members of the Department of Indian Affairs and Northern Development who appeared before us, those five little palefaces, are again saying to our aboriginal peoples: "No, you are wrong. We know what is best for you." The Government of Canada has operated in this fashion time and time again. When will we learn? Why can we not give aboriginal peoples the respect that they are due?

Senator Forest, unfortunately, I cannot support the bill. It is not because it is bad legislation; it is because we were asked explicitly to exclude aboriginal peoples until their land claims were settled. I am sure that they would have accepted this bill once they had their settlement.

Hon. Consiglio Di Nino: Would Senator St. Germain take a question?

Senator St. Germain: Yes.

Senator Di Nino: Do I understand correctly that the minister was asked to appear before the committee and refused?

Senator St. Germain: Honourable senators, it is my understanding that the minister was asked to appear. I did not make the request, but she was requested to appear, and it was brought to our attention that she was too busy to appear before the committee at that time. We on this side suggested that we defer, and the other senators who were present, Senator Austin and others, wanted to proceed with the legislation. As a result of that, and in the spirit of not getting into a partisan battle, I backed off rather than filibuster in committee. I do not want to drag this committee down to a partisan level of anger where we would not be able to complete our work, especially as a result of the study that we have pending. That is my understanding of what took place.

Senator Di Nino: I further understood from what you said that the minister had a private or secret meeting with Liberal members of the committee; is that correct?

Senator St. Germain: My understanding was that she did have a meeting. Whether it was clandestine or secret, we were not invited, at least I was not. My understanding is that the members from this side were not part of this arrangement. I am not sure how secret it was, but I know a meeting took place. We were excluded. I am affronted by that because a letter evolved out of the meeting, and we were given that letter just as the committee was proceeding to clause-by-clause examination of the bill.

Senator Di Nino: It seems to me that this is another example of the level of disrespect at which the House of Commons holds this institution, at a time when there is a great deal of debate about the value of this institution and when our contribution to the public policy process in the country is being questioned.

Do you not think that this minister is adding to a perception that is being created about this institution and the work we do? Notwithstanding that, I think you are on absolutely the right track in your position in support of the aboriginal communities of this country. Having said that, is the minister's non-appearance not a slap in the face for this institution as well?

Senator St. Germain: Honourable senators, I like Minister Stewart. She is an excellent minister. I believe that whoever is giving her advice is giving her bad advice. And having been a minister of the Crown, I know that much of your work is directed by individuals.

Honourable senators, I believe it is the responsibility of a minister of the Crown to attend Senate committees when requested in order to defend any or all of their legislation. As a result of that, if a minister chooses not to come, that can be misconstrued. I do not wish to stand here and say that the intent was to be offensive towards this place. I put the minister's decision down to bad advice and a lack of judgment on the part of whoever is around her.

The Hon. the Speaker: I regret to inform honourable senators that the 15-minute period for their speech and questions has expired.

Senator Di Nino: I have one last question, if it is permissible.

The Hon. the Speaker: Is leave granted?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: Leave is not granted.

Did you wish to speak, Senator Watt?

Hon. Charlie Watt: I would like to speak to this bill.

The Hon. the Speaker: There is a motion before the house. It is moved by the Honourable Senator Di Nino that further debate be adjourned to the next sitting of the Senate. Is it your pleasure, honourable senators, to adopt the motion?

Some Hon. Senators: Agreed.

Some Hon. Senators: No.

The Hon. the Speaker: Those in favour of the motion, please say "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: Those opposed to the motion will please say "nay."

Some Hon. Senators: Nay.

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

And two honourable senators having risen.

The Hon. the Speaker: Before we call in the senators, could the whips advise me as to the length of the bell? Honourable senators, I require some advice from the whips as to the length of the bell, or else the bells will ring for 60 minutes, according to the rules.

Hon. Mabel M. DeWare: I agree to half an hour.

The Hon. the Speaker: Honourable senators, could I please have order so that I can hear the whips?

Senator DeWare: I agree to half an hour, but the other whip is not here.

Hon. Sharon Carstairs (Deputy Leader of the Government): I will agree to a half-hour bell, if it is acceptable to the other side that I speak for our whip.

The Hon. the Speaker: Is there agreement for a half-hour bell?

Hon. Senators: Agreed.

The Hon. the Speaker: The bells will ring until 3:50 p.m., and the vote will take place at that time. The Deputy Leader can speak for the whip.

Call in the senators.

• (1550)

The Hon. the Speaker: Honourable senators, it was moved by the Honourable Senator Forest, seconded by the Honourable Senator Fitzpatrick, that the bill be read a third time now. It was further moved by the Honourable Senator Di Nino, seconded by the Honourable Senator DeWare, that the debate be adjourned until the next sitting of the Senate.

Motion negatived on the following division:

YEAS
THE HONOURABLE SENATORS

Andreychuk	Gustafson
Atkins	Johnson
Beaudoin	Kinsella
Berntson	Lavoie-Roux
Bolduc	LeBreton
Buchanan	Lynch-Staunton
Cochrane	Nolin
Cohen	Phillips
Comeau	Rivest
DeWare	Rossiter
Di Nino	Simard
Eyton	Spivak
Forrestall	St. Germain
Grimard	Stratton—28

NAYS
THE HONOURABLE SENATORS

Adams	Lawson
Austin	Losier-Cool
Bacon	Maheu
Callbeck	Mercier
Carstairs	Milne
Chalifoux	Moore
Cook	Pépin
Cools	Pearson
Corbin	Perrault
Fairbairn	Poulin
Ferretti Barth	Prud'homme
Fitzpatrick	Robichaud
Forest	(*L'Acadie-Acadia)*
Gigantès	Robichaud
Grafstein	(*Saint-Louis-de-Kent*)
Graham	Rompkey
Hébert	Stewart
Johnstone	Stollery
Joyal	Taylor
Kenny	Watt—38

ABSTENTIONS
THE HONOURABLE SENATORS

Nil

Order suspended.

JUDGES ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-37, to amend the Judges Act and to make consequential amendments to other Acts.

Bill read first time.

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

On motion of Senator Carstairs, bill placed on the Orders of the Day for second reading on Tuesday next, June 16, 1998.

NATIONAL DEFENCE ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-25, to amend the National Defence Act and to make consequential amendments to other Acts.

Bill read first time.

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

On motion of Senator Carstairs, bill placed on the Orders of the Day for second reading on Tuesday next, June 16, 1998.

MI'KMAQ EDUCATION BILL

FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-30, respecting the powers of the Mi'kmaq of Nova Scotia in relation to education.

Bill read first time.

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

On motion of Senator Carstairs, bill placed on the Orders of the Day for second reading on Tuesday next, June 16, 1998.

[*Translation*]

CANADIAN WHEAT BOARD

BILL TO AMEND—MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons to acquaint the Senate that they had agreed without amendment to the amendments made by the Senate to Bill C-4, an Act to amend the Canadian Wheat Board Act and to make consequential amendments to other acts.

[*English*]

MACKENZIE VALLEY RESOURCE MANAGEMENT BILL

THIRD READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Forest, seconded by the Honourable Senator Fitzpatrick, for the third reading of Bill C-6, to provide for an integrated system of land and water management in the Mackenzie Valley, to establish certain boards for that purpose and to make consequential amendments to other Acts.

Hon. Noël A. Kinsella (Acting Deputy Leader of the Opposition): Honourable senators, I rise on a point of order. Rule 67 of the *Rules of the Senate* of Canada provides as follows:

> After a standing vote has been requested, pursuant to rule 65(3), on a motion which is debatable in accordance with rule 62(1), either whip may request that the standing vote be deferred as provided...

When Senator DeWare, the whip for this side, rose to determine the time to which we could defer the vote which was just held, and when it would take place, there was no whip to our knowledge on the government benches, but we were not sure of that. The Deputy Leader of the Government rose to say that she would stand in for the whip, and His Honour concurred in that procedure. That procedure is not contemplated in the rules.

Part of our confusion was caused by a communiqué, dated June 11, from the office of the Prime Minister which has been circulating.

[*Translation*]

The press release informs us that, today, Prime Minister Jean Chrétien appointed Senator Léonce Mercier to the position of Senate whip.

We are all in agreement with this excellent choice. On our side, we wish to express our best wishes to our colleague Senator Mercier.

[*English*]

The note does not indicate the effectiveness of it. It goes on to state that the Prime Minister expresses his profound gratitude to Senator Hébert, who had occupied that position.

As the applause from all corners of the chamber indicates, we, too, express our gratitude to Senator Hébert.

However, the point has been made, it is the whips who make the determination pursuant to the rules, and we wish to place that on the record.

• (1600)

Hon. Sharon Carstairs (Deputy Leader of the Government): Honourable senators, may I just say a few words on this particular situation? Rule 67 is clear in that it allows either whip to make a request. I was simply concurring with Senator DeWare. She had agreed to half an hour, and I concurred with her with regard to the half hour.

In terms of the whip of this side, the press release is somewhat unclear. We are seeking at this moment a new press release. The appointment of Léonce Mercier, whom we welcome very much as our new whip, will take effect only upon the resignation of our beloved whip Senator Hébert.

The Hon. the Speaker: Do any other honourable senators wish to speak on the point of order raised by the Honourable Senator Kinsella?

Senator Forrestall: How long is when?

The Hon. the Speaker: If no other honourable senators wish to speak to the point of order, I will simply say that Senator Kinsella is absolutely correct. The rule is clear: Only the whips can act in that regard. However, if there had been no agreement to 30 minutes, I would have been forced to let the bell ring for 60 minutes. Honourable senators have gained 30 minutes in the situation.

Debate can now continue on the third reading of Bill C-6.

Hon. Charlie Watt: Honourable senators, I finally have an opportunity to speak to this bill!

Honourable senators, on behalf of the minister, we did meet with her, although we did not have much time. She was busy. She has her duties to perform. Unfortunately, we could not get any more time with her. There was no intention on the part of the minister to ignore the request of the committee. The fact is that she was busy on that day. She had other commitments and could not attend. She probably was also thinking that since some aboriginal senators were dealing with it, the matter was in good hands.

The previous speakers have outlined their disagreement with the way this particular bill has been handled, and I appreciate that I am probably putting it mildly. There are only so many of us here. We must count on you for future work. Remember that, honourable senators.

I should like to emphasize that the problem did not originate at the committee level. It originated when five different organizations were negotiating with the Government of Canada for their own interests as well as a unified interest. The framework that was negotiated at that time has never been altered or changed. For that reason, I can clearly say that people who are no longer direct participants were participants in arriving at the framework agreement in 1990.

I also fully realize, as one of the persons from the outside involved in negotiating with the government, that unless you have a clear understanding of the mechanics when you are negotiating, you tend to mix the two together. I feel Senators Andreychuk and St. Germain are mixing two things. There was one set of negotiations dealing with two elements. One deals with the comprehensive claims with regard to water and land, in the sense of, for example, how I will benefit from this particular, and the other deals with the rights that I already have.

As you know, sections 25 and 35 of the Constitution Act, 1982 protect aboriginal peoples and state that their rights cannot be altered in any shape or form. That applies and holds regardless of new laws and legislation passed. That still covers us overall.

However, there is no doubt in my mind there will be some impact from this agreement. Two friends from Yellowknife came to visit me on April 2. We had a good discussion. We talked about what possible impact it could have. We also talked about what it would mean if we interrupt this process now, rather than looking at it positively and carrying on. What would happen if we put the machinery back on the road again? At the end of the day, we have to make a decision. The machinery is rolling. Let us take advantage of that fact and get involved in the process.

Much of that is reflected in the letter from the minister. The minister is open. To my knowledge, she is not a close-minded person.

Senator Berntson: She is one of the bright lights!

Senator Watt: Yes, I think you are right, senator.

She has encouraged many aboriginal people. I have been following her work quite closely, and I admire the way she handles the aboriginal issues across the country. At times, she has problems when civil servants become involved and move things in different directions. They interfere, and that is a factor at times.

On April 9, 1990, we arrived at the framework. An agreement was not ratified at the time. I believe, as senators have stated, that the three groups opted out of the negotiations because they did not want to be involved in pushing this legislation forward. They disagreed with the extinguishment.

Last night, I was trying to imagine what I would do if I sat on the board of that umbrella organization. As a person who has claims that have not been fully addressed, what would I do? How would I conduct myself as a member of the board, knowing that I still have an interest and have approved so far the interests in regard to mining, hydro, or whatever. I would look at matters positively. At least I have first-hand information as to what is happening. It would trigger the negotiations and the involvement of aboriginal people. They may even choose to take legal action if their rights are not addressed to the full extent. If they feel that they have grievances with the way in which matters are being handled, they have the right to go to court. That right has not been taken away by this legislation.

• (1610)

I then began to wonder whether they may not benefit to the same extent as the two groups that already have a settlement. They might not get exactly the same numbers of people to sit as representatives on the board, but they will have representation. The minister has also stated that the government will be prepared to make an adjustment, if necessary.

I have heard from senators on the other side about how good this bill is. I have also heard people who disagree with it. Honourable senators, this is good public policy. The main concern that we must have is whether those three aboriginal groups who have not had their claims settled are being dealt with fairly. I think they are.

I cannot give a 100-per-cent guarantee that there will be no problems down the road, but I think, when issues arise, they can be dealt with through negotiations. I think it would have been improper for us to make an attempt to negotiate at the committee level. That is not the forum to negotiate, and that is not our role as senators. It is the role of the department to negotiate. Had we insisted on the appearance of the minister, she probably would have felt that she was being forced to open up certain areas that were better left to negotiations. I feel that this is a part of the reason — although she did not say it — that she did not appear before the committee.

As a second-hand messenger, I can deliver those messages. Whether it is a second-hand message or not, what is the difference? The fact is that I am a parliamentarian and I have the same footing and standing as other honourable senators. I believe I can safely assume that honourable senators do not think my status is any lower than theirs.

Hon. Consiglio Di Nino: Honourable senators, would Senator Watt entertain a question?

Senator Watt: Yes, of course.

Senator Di Nino: During his remarks, he said, "We met with the minister." For my information, who are the "we"?

Senator Watt: Three of us met with the minister: Senators Chalifoux and Forest and myself. We met with her for a very short time — I am not sure whether it was even 10 minutes — because she had another engagement. We had very little time.

Senator Di Nino: Was any consideration given to asking every member of the committee to meet with the minister in order to avoid having this cloud hanging over the issue? Obviously, there is some disagreement, but I believe all of us support the bill in spirit. Perhaps consideration should have been given to convening a committee of the whole so that all of us would have been enlightened by the minister's responses to our questions.

Senator Watt: Only the minister can answer that question. I cannot speak for her.

On motion of Senator Kinsella, debate adjourned.

TRANSPORT

LERNER REPORT ON CANCELLATION OF PEARSON AIRPORT AGREEMENTS—INQUIRY—DEBATE CONTINUED

On the Order:

> Resuming debate on the inquiry of the Honourable Senator LeBreton calling the attention of the Senate to the Report entitled: *Cancelling the Pearson Airport Agreements*, by Stephen D. Lerner.—(*Honourable Senator Di Nino*).

Hon. Consiglio Di Nino: Honourable senators, I rise today to continue discussion of the motion put forward by my colleague Senator LeBreton on May 5 last, calling the attention of the Senate to a study of the ill-advised cancellation of the Pearson Airport Agreements by the present government.

This cancellation, and the events surrounding it, form, without a doubt, the most disgraceful event in our recent political history, if not one of the most disgraceful incidents in our entire history — but more on that in a moment.

For those of you less familiar with the issue, I would invite you to cast your minds back a number of years to the late 1980s, more particularly to the state of the Pearson International Airport in Toronto. In his testimony before the special Senate committee which was struck to look into the cancellation of the development of Pearson airport, Mr. Glen Shortliffe, at that time the Deputy Minister of Transport and later Clerk of the Privy Council, characterized the airport as a mess, a disgrace and a slum. Those are strong words, but they justly and accurately describe the state of Pearson at that time.

It was precisely in reaction to this that the previous government decided to do something. It began a process, the ultimate goal of which was to renew and redevelop Pearson to enable it to face the demands being placed on it as Canada's most important airport then and into the foreseeable future.

That process led to a deal being signed with private developers, a deal that was maligned, distorted and misrepresented by Liberal candidates during the election of 1993 in their effort to capture votes. When the Liberals came to office, the new Prime Minister called on an old friend of his, Mr. Robert Nixon, to write a quick-and-dirty report for which he was paid handsomely, both monetarily and in the form of a job as chair of Atomic Energy of Canada.

Not surprisingly, Mr. Nixon recommended that the Pearson agreements be cancelled, and the Prime Minister hastily obliged.

This led to an orgy of self-righteous justification, each one more ludicrous and bizarre than the one before, which the combined media were only too happy to swallow and amplify. One argument the government was particularly fond of was to the effect that the Pearson agreements were somehow cooked up

at the last moment in the heat of an election by the former government and a clutch of lobbyists. This, as the Pearson committee showed so clearly, was not the case. In fact, it was far from the case. In reality, the Pearson redevelopment had been in the works for over four years.

Let us look at the facts as related by Mr. Lerner in his case-study of this whole tawdry affair.

In the late 1980s, as Mr. Shortliffe testified, Pearson airport was in a lamentable condition. In August of 1989 the federal government announced its decision to develop the Pearson airport to its maximum capacity and to renovate Terminals 1 and 2 on a priority basis. That same year the government began receiving unsolicited proposals for private sector firms to redevelop Pearson.

In January 1990, Transport Canada published a document which spoke of the economic penalties which Southern Ontario would endure if Pearson was not renovated. In response to the government's desire to move forward, the same department then generated a formal request for proposals setting out the criteria for evaluating proposals to redevelop Pearson.

In January 1992, the former regional director of airports in Atlantic Canada for Transport Canada was selected to head an independent evaluation committee to begin putting the process into motion.

In March 1992, the request for proposals was released. On August 28, 1992, the evaluation committee submitted its recommendation to Transport Canada.

On December 9, 1992, the Minister of Transport announced that one firm, Paxport, had submitted the best overall acceptable proposal.

In January of 1993, after concerns were expressed about the ability of Paxport to finance its proposal, a consulting firm was engaged to assess the facts.

On February 1, 1993, Paxport and another company controlled by Mr. Charles Bronfman announced they had formed a venture partnership to redevelop Pearson.

On August 17, 1993, the same accounting firm I just mentioned gave a favourable assessment of the financial viability of the Paxport-Bronfman proposal. Treasury Board approval was then obtained and forwarded to cabinet.

On August 27, 1993, cabinet authorized the Minister of Transport to enter into the final lease and development agreements.

On August 30, 1993, the Minister of Transport publicly announced that an agreement had been reached to redevelop Pearson. The closing date for the agreement was set for October 17, 1993.

On September 9, 1993, a federal election was called for October 25, 1993. On October 7, the final documents were signed at which time the deal was closed.

Those, honourable senators, are the facts. A policy to redevelop Pearson International Airport, the most important airport in this country, was begun in August 1989 and achieved or completed in October of 1993. There were over four years of discussion, evaluation, analysis and bargaining — hardly the stuff of a last-minute deal.

The Liberals were not interested in this. What interested them was rumour, innuendo, fabrication and distortion. Therefore, they played fast and loose with the facts. During the 1993 election, the Liberals told voters that the Pearson redevelopment was a last-minute affair. Led by Mr. Chrétien, they indiscriminately slandered the reputations of hundreds of hard-working, honest Canadians — a fact for which they have never had the common decency to apologize.

I invite all honourable senators unfamiliar with the scandalous details of this government's mismanagement of this file to read Mr. Lerner's excellent article. I invite them to contemplate a case of political demagoguery, arrogance and abuse of power such as, thankfully, has rarely been seen in this country.

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

[*Translation*]

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

TWENTY-FIRST REPORT OF COMMITTEE ADOPTED

Leave having been granted to revert to No. 3 under Reports of Committees:

The Senate proceeded to consideration of the twenty-first report of the Standing Committee on Internal Economy, Budgets and Administration (*supplementary budget—Aboriginal Peoples Committee*), presented in the Senate on June 10, 1998.

Hon. Pierre Claude Nolin: Honourable senators, I move the adoption of this report.

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

Some hon. members: Agreed.

Motion agreed to and report adopted.

ROYAL ASSENT

NOTICE

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

RIDEAU HALL

June 11, 1998

Mr. Speaker:

I have the honour to inform you that the Honourable Charles Gonthier, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 11th day of June, 1998, at 5:15 p.m. for the purpose of giving Royal Assent to certain Bills.

Yours sincerely,

Anthony P. Smyth
Deputy Secretary, Policy, Program and Protocol

The Honourable
The Speaker of the Senate
Ottawa

[*English*]

HEALTH

COMMISSION OF INQUIRY ON THE BLOOD SYSTEM IN CANADA—COMPLIANCE WITH RECOMMENDATIONS—DEBATE CONTINUED

Leave having been given to revert to Order No. 67:

Resuming debate on the motion of the Honourable Senator Lynch-Staunton, seconded by the Honourable Senator DeWare:

That the Senate endorses and supports the findings and recommendations of the Commission of Inquiry on the Blood System in Canada;

That the Senate for humanitarian reasons urges the Government of Canada and the Governments of the Provinces and of the Territories to comply with these findings and recommendations; and

That a copy of this motion be forwarded to each federal, provincial and territorial Minister of Health,

And on the motion in amendment of the Honourable Senator DeWare, seconded by the Honourable Senator Kinsella, that the motion be not now adopted, but that it be amended in paragraph two by removing and replacing the words "to comply with these findings and recommendations" with the following:

"to not exclude in determining compensation any person who has contracted Hepatitis C from blood components or blood products.",

And on the motion in amendment of the Honourable Senator Berntson, seconded by the Honourable Senator DeWare, that the motion be not now adopted, but that it be further amended in paragraph one by removing the words "the findings and recommendations" and replacing them with "Recommendation 1"; and adding after the words "in Canada," "and recognises the role of the Government of Canada in contributing to its implementation."—(*Honourable Senator Gigantès*).

Hon. Philippe Deane Gigantès: Honourable senators, I do not believe that members on either side of this chamber would enjoy creating any further problems for our unfortunate fellow citizens who contracted hepatitis C through the blood system.

Both sides would like to do what is fair and what is decent. Both sides know that this matter, unfortunately, is complicated by the fact of overlapping federal and provincial responsibilities. Members opposite were expressing only yesterday and in days before their concern about respect for provincial responsibilities by the federal government in education which is a serious matter. I will not address that issue although I could comment on why negotiations have broken down between the federal government and Quebec on this issue. It was the Quebec government that caused the break in the negotiations.

Turning to the issue of hepatitis C, the Minister of Health tried his best. The question is whether the federal government should compensate all victims of hepatitis C — a question which has been widely debated for more than two months, in fact, since the announcement on March 27. On that day, the federal government, together with the provincial and territorial governments, announced an offer of financial assistance to people suffering from hepatitis C who became infected with the disease as a result of a blood transfusion between 1986 and 1990.

• (1630)

When Senator Lynch-Staunton was reading from the Krever report yesterday, he read aloud the word "suffering." Mr. Justice Krever emphasized the word "suffering," as well as the need for the provinces who administered the system to find a no-fault solution. We do not want a solution that prolongs the anxiety of those infected by pointing fingers and trying to determine who is at fault and who is not.

This question been debated across Canada and in the Canadian media. It has been wrestled with for nearly six months by the federal, provincial and territorial governments.

Honourable senators, this is a very difficult and complex question. Answers have not come easily. By an accident of history, we are, on both sides of this aisle, a chamber of the centre. To the right of you are tunnel vision people who call themselves the Reform Party. People with tunnel vision are those who think there are perfect solutions. Perfection for one in a democracy, is tyranny for another. That is why democracies are run by people like us; people near the centre. It is people like us who find the necessary compromises to solve difficult problems of this kind.

A decision was made by responsible governments of all political stripes across Canada — not the Reform, not Mr. Manning, who thinks that by exacerbating bad feelings he might some day become Prime Minister. I hope never to see that day. The decision made by governments of all political stripes was to offer financial assistance to those people infected between 1986 and 1990. It was a principled decision. Let us review some of the facts.

The main principle was that, between those dates, something could have been done. A test was available. It was not an experimental test. It certainly was not a cure for cancer as was discovered on a Greek island many years ago — water from a well which did nothing, but my dear, departed mother believed in it. Something could have been done between those years because that test was accepted by everyone and it could have prevented hepatitis C being transmitted through the blood system.

In 1986, the U.S. implemented the surrogate test for hepatitis C in blood; not before. Before there were possible tests, but not ones that had been thoroughly attested to as valid. Canada did not follow suit. I do not think that those who decided not to follow suit did so out of a desire to have anyone contract hepatitis C.

By 1989, Canada regulated the blood system, but it was not until 1990, when a specific test for hepatitis C was introduced in this country, that Canada instituted testing in this area. That was later than in the U.S., but again, I do not think anyone in the provincial governments or the federal Department of Health was doing this out of any evil intent or to save money. They were doing it because they wanted to be sure that the test they were going to use was valid and was accepted as the proper test.

Plaintiffs in three class-action suits in three provinces against the government and the Red Cross focused their claims on the period from 1986 to 1990. It is in an effort to settle these class-action suits that the federal, provincial and territorial governments have offered financial assistance.

This brings us to the question of other individuals who have been infected with hepatitis C through the blood system, either before 1986 — as is my case — or post-1990. What should be done to assist these people? Should the government do something to help them? It is certainly true that they suffer from the same disease as those who were infected during the so-called "window" period of 1986 to 1990. However, there are different principles involved in this instance, principles we cannot disregard. We must look at the facts.

You are probably aware that a working group of federal, provincial and territorial officials met in Edmonton recently to continue discussions on the issue of assistance for those infected before 1986 and after 1990. Even after the tests, people were infected.

The working group also met with representatives of the groups affected, such as the Hepatitis C Society of Canada and the Canadian Hemophilia Society, in an effort to reach some understanding of their concerns. The problem of reaching an understanding of their concerns is exacerbated by the cacophony from those who would like to swallow the Conservative Party, namely, — the Reform Party which will use any issue at all in order to trouble the community.

The meeting in Edmonton was a fact-finding mission with the objective of providing a progress report to deputy ministers of health who will be meeting soon again on this issue.

[*Translation*]

The federal government repeats that it is still determined to contribute generously to compensation for those filing suits for the period between 1986 and 1990. It will not shirk its responsibility.

Health insurance plans, like health care, come under provincial jurisdiction, as members opposite frequently point out.

The provinces are responsible for the provision of services to those infected with hepatitis C. That is a fact. On March 27, the minister pointed out that the provinces and territories were providing, among other things, medical and hospital services, home care, drugs and social assistance for hepatitis C victims infected before 1986 or after 1990.

We are not living in the United States, where people have no recourse. We have a health system. Are some drugs too expensive for these individuals? That can be dealt with. But would giving me $50,000 because I have hepatitis C — which is not causing me any problems — be a good thing? It would perhaps help pay for trips, but would it not be better to take that $50,000 and use it for people who really have symptoms and who are suffering?

In 1998-99, the federal government will pay a total of $26 million under the Canada Health and Social Transfer, including $12.5 billion for overall funding. The transfer allows the provinces to allocate funds according to their priorities. They should not be forced, say members opposite, and I agree. The provinces determine the present and future health care needs of their residents according to their own priorities.

[*English*]

The provision of services for hepatitis C sufferers — and, the word "sufferers" is important; Krever emphasized it in his first recommendation — is one of the concerns of the affected groups. It excludes me. I am not suffering. I have hepatitis C in my blood but I am not suffering. This issue, among others, has been part of the ongoing discussions as to how to address the question of assistance for all those who have contracted hepatitis C from blood, as I did when I was operated on in 1977.

Honourable senators, we are all aware of the difficulties and the emotional content of this issue. It is not funny. I may not have symptoms but, I ask myself: What will happen if I do start having symptoms? There are others who do not have the family support that I have and for whom it must be a terrible prospect.

We are all aware of the difficulties and emotions this issue raises in the other place, especially when members are faced with a group such as the Reform Party which will exploit anything in the basest possible manner, regardless of the suffering of the people involved, in order to score points.

Let us wish the ministers of health from the federal, provincial and territorial governments well in their ongoing efforts to reach a decision in this difficult matter. If possible, in this chamber, which is a chamber of the centre, let us protect them from the maniac idiocy of the Reform Party in the other place.

On motion of Senator Carstairs, debate adjourned.

[*Translation*]

INTERNATIONAL FRANCOPHONIE DAY

INQUIRY—DEBATE CONCLUDED

On the Order:

> Resuming the debate on the inquiry of the Honourable Senator Gauthier calling the attention of the Senate to the Journée internationale de la francophonie, on Friday, March 20, 1998.—(*Honourable Senator Corbin*).

Hon. Eymard G. Corbin: Honourable senators, the time allocated to debate the inquiry of Senator Jean-Robert Gauthier is almost expired, since this is the 14th day of its adjournment.

I had adjourned the debate, following the comments of the Honourable Senator Murray, simply to raise the issue in the context of the Official Languages Act and the related programs. Senator Murray had clearly defined the parameters of his speech.

If there is one federal-provincial program related to the Official Languages Act that has an enormous impact on people's attitudes and greatly helps to strengthen national unity from coast to coast, as the phrase goes, it is French immersion. This program allows English-speaking students to learn French rather intensively and to get a good portion of their academic training in that language. Some subjects are taught entirely in French over several years. The end result is that these students become bilingual Canadians who can function fairly well in both languages. A number of pages in the Senate were enrolled in such French immersion courses. As you know, they manage quite well in French. We are proud of them. I intend to get back to this program in the fall, because I feel it is a very important initiative and we should talk more about it.

The purpose of my remarks today is to celebrate French as a language of expression, as my colleague Jean-Robert Gauthier wished to do. As a point of departure, I would like to remind senators of the motto of the Ordre de la Francophonie et du dialogue des cultures, the Pléiade. This motto is the contribution of the President of Senegal, Léopold Sédar Senghor. It can be translated as follows:

> The words of the French language spread their countless rays like the stars of the Pleiades.

This motto appears on the certificate presented to members of the Ordre de la Pléiade. I am a member, as is the Speaker of the Senate. I was awarded the rank of commander, having been president of the Canadian branch for several years and international vice-president of the International Association of French-Speaking Parliamentarians, as it was then called. Today, as we know, the name has been changed to the International Assembly of French-Speaking Parliamentarians.

Few know the origin of this motto. As I was the fortunate recipient in 1976 of the poems of Léopold Sédar Senghor, a gift presented to me during a visit by Senegalese parliamentarians to Canada, I thought I would remind senators of the context from which he took these words, which have become the motto of the Ordre de la Pléiade. It was from a postface to poems entitled *Éthiopiques* which he published in 1956. Senghor entitled this postface *Comme les Lamantins vont boire à la source*.

"Lamantin" means "manatee." Senghor began the postface to *Éthiopiques* as follows, and I quote:

> This is not a postface. My remarks are not directed at the reader. The main goal is still to please, as Molière said three centuries ago. I am writing these lines at the suggestion of certain critics of my friends. In response to their questions and in response to the criticisms of a few others, who demand that Negro poets writing in French feel "French," when they are not accusing them of imitating the great national poets. One such individual criticizes me for imitating Saint-John Perse, although I had not read him before writing *Chants d'ombre* and *Hosties noires*. Another criticizes Césaire...

— the great poet from Martinique, also a Negro —

> ...for tiring him with his drum-like rhythms, as if the zebra could decide not to be striped. The truth is that we are manatees, which, according to African mythology, go to drink at the spring, as in the days of old, when they were quadrupeds — or men. Manatees are mammals like whales.

I am no longer too sure whether this is a myth or natural history.

I will spare you the comment that follows and go right to the heart of the passage by Senghor on his use of French. I quote:

> They will ask: "Why have you been writing in French since then?" I reply: "Because we are a cultural mix, because, while, we feel in black, we write in French, since it is universal, since our message is also for the French in France and for other men...

Today we would also say women, of course.

> ...because French is the language of kindness and honesty." Who said it was the grey and atonal language of engineers and diplomats? I said that too, of course, for the purposes of my thesis. I hope I may be forgiven.

Because I know its resources for having tasted, chewed and taught it. It is the language of the gods. Listen to Corneille, Lautréamont, Rimbaud, Péguy and Claudel. Listen to the great Hugo. French is a great organ playing with all its stops and the subtlest flash of summer lightening. It is a solo or a concert of flutes, oboes, trumpets, tom-toms and canons, even. And French has even given us the abstract words — so rare in our mother tongues — where tears become precious gems. Our own words naturally cast glows of strength and blood; French words shine with a thousand lights, like diamonds. Flares lighting the night.

The Hon. the Speaker: If no senator wishes to rise, this motion shall be considered debated.

[*English*]

QUESTION OF PRIVILEGE

The Hon. the Speaker: Honourable senators, under rule 43(8), I will call on the Honourable Senator Cools concerning the question of privilege of which she gave notice earlier today.

Hon. Anne C. Cools: Honourable senators, I rise on a question of privilege. In accordance with the rules, I gave the required notice to the Clerk of the Senate today. I will begin by making reference to the actions in question.

First, I should like to call senators' attention to a press release dated June 10, 1998, headed "MPs Launch Petition Campaign to Abolish Senate." The article states:

> Ottawa — Roger Gallaway, MP for Sarnia—Lambton, and Lorne Nystrom, MP for Qu'Appelle, join with other MPs to initiate a national petition campaign for the abolition of Senate.
>
> Press Conference:
>
> Thursday, June 11, 1998
>
> 12:00 PM — MPs Launch Petition for Abolition of the Senate.
>
> Where: National Press Gallery Theatre
> 150 Wellington Street
> Ottawa, Ontario

I should also like to share with senators the headline in *The Ottawa Citizen* on June 11, entitled "MPs Take Senate Debate to People."

I should like to refer to the petition which states:

> That the Senate of Canada is an undemocratic institution composed of non-elected members who are unaccountable to the people; and
>
> That the Senate costs taxpayers some $50 million per year; and
>
> That the Senate is redundant given the roles played by the Supreme Court and the Provinces in protecting minority rights and providing regional representation; and
>
> That the Senate undermines the role of MPs in the House of Commons; and
>
> That there is a need to modernize our parliamentary institutions;
>
> Therefore, your petitioners call upon Parliament to undertake measures aimed at the abolition of the Senate.

There is then room for signatures and addresses.

[*Translation*]

Hon. Lucie Pépin: Would it be possible to have those documents tabled and added to the presentation of Senator Cools?

[*English*]

The Hon. the Speaker: There is a request that Senator Cools table those documents.

Senator Cools: I would be happy to do that.

The Hon. the Speaker: Honourable senators, is it agreed that the documents shall be tabled?

Hon. Senators: Agreed.

Senator Cools: Honourable senators, I would ask that they also be appended to today's record.

Honourable senators, one of the petitions states "to call upon Parliament." My understanding of the proper phrasing of petitions is that they must be directed to the particular house in question — that is, either to the Senate or to the House of Commons. We are into an interesting frolic here.

I should like to direct our minds in the context of two quotations. One of them is in the *Debates of the Senate* of March 19, 1877, where the Honourable Senator Sir Alexander Campbell said:

> Members of this House are, of course, interested with all other classes of Her Majesty's subject in the preservation of the Constitution, but it would seem to be particularly the duty of the Senate to be prompt to notice any attempt at an infringement aimed at its own rights as an integral part of the Legislature.

I should also like to place on the record a quotation from one of the Fathers of Confederation, George Brown, a Liberal, which has been repeated in this chamber many times.

• (1700)

This is a quote from the Confederation Debates in the Legislative Assembly of Wednesday, February 8, 1865. George Brown was talking about the Constitution, and he said as follows:

> The desire was to render the Upper House a thoroughly independent body — one that would be in the best position to canvass dispassionately the measures of this House, and stand up for the public interests in opposition to hasty or partisan legislation. It was contended that there is no fear of a deadlock. We were reminded how the system of appointing for life had worked in past years, since responsible Government was introduced; we were told that the complaint was not then, that the Upper Chamber was too obstructive a body — not that it had sought to restrain the popular will, but that it had too faithfully reflected the popular will.

In terms of the track record of this Senate chamber, for the last many years in representing the public on so many issues, whether UI or the GST, we have been faithful in reflecting the will of the population of Canada. I merely wanted to place those quotations on the record.

I sincerely believe that it is time for honourable senators to confront these persistent, pernicious and reckless attacks on the Senate of Canada. Parliament is the forum where the sovereignty and independence of a people is preserved. Parliament is the place where the nation's representatives, both elected and appointed, are charged with the nation's peace, order and good government. Section 91 of the British North America Act, 1867, reads:

> It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons, to make Laws for the Peace, Order and good Government of Canada...

The Parliament of Canada owes its constitutional existence to the British North America Act, 1867, which evolved constitutionally for the purpose of bringing together certain provinces of British North America in the interests of those citizens of British North America. After successive generations of colonial rule, and after much consultation and popular debate, the manner and form of governance was created, styled and termed the Parliament of Canada.

Mindful of the history and experience of these provinces, and mindful of the relative roles of colonial legislatures, the Confederation Agreement — the British North America Act, 1867, as adopted in England — had been drafted most skillfully and willfully to distinguish between the provinces of Canada and the nation of Canada, then called the Dominion, and to distinguish very carefully and clearly between the legislatures of the provinces and the Parliament of the nation. The BNA Act, 1867, is careful to delineate the difference between a Parliament and a legislature, and in particular, the Parliament of Canada and the legislative assemblies of the provinces.

The British North America Act, 1867, was and is still an exceptionally well-drafted and well-drawn statute. I have told honourable senators in this chamber on many occasions that every single word of that act was exhaustively examined and studied by the United Kingdom's Parliament most exceptional and accomplished draftsman, Lord Thring. Further, every single word was attentive to the wishes of our Fathers of Confederation and was also attentive to the constitutional developments and the historical developments in the interested British North American provinces at the time. Section 17 of the BNA Act, 1867, clearly states:

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

I repeat, one Parliament, only one Parliament. The one Parliament of Canada was thus established as a two-chambered creature, the Senate and the House of Commons. Therefore, honourable senators, Parliament is an inseparable and indivisible institution.

The Senate and the Commons are inseparable and indivisible, coordinate constituent parts of Parliament and of the Constitution. Further, this precise term "one" of the "one Parliament" is repeated in the powers of Parliament farther along in the Constitution, the BNA Act. It is so repeated in section 102, which speaks to the issue of the collection of federal revenues and taxes, and their appropriation for the public good and the Public Service of Canada. Section 102 states:

> All Duties and Revenues over which the respective Legislatures of Canada, Nova Scotia and New Brunswick before and at the Union had and have Power of Appropriation, except such Portions thereof as are by this Act reserved for the respective Legislatures of the Provinces, or are raised by them in accordance with the special Powers conferred on them by this Act, shall form One Consolidated Revenue Fund...

Honourable senators, I throw that out to you because Parliament and fiscal management — the administration of dollars and the raising of dollars — is a critical issue. We must all of us remember that the Consolidated Revenue Fund at the time marked a major advancement in the development of Parliament. Careful study of the British North America Act, 1867, reveals this persistent oneness and this persistent sense of the sovereignty of this one Parliament.

Honourable senators, the Fathers of Confederation and their supporters in the United Kingdom not only intended that constitutions, as statutory constitutional agreements, should be resistant to change, but, further, the Fathers of Confederation used to say that this Senate, as they constituted it, would last as long as the country Canada, our nation, would last. I repeat. They used to say that the Senate's life span is the life span of our country, Canada.

Abolition of the Senate is akin to the abolition of Canada. The Parliament of Canada, this two-chambered creature, this bicameral creature of its accompanying politics of 1867, is a free institution. *Beauchesne's Rules & Forms of the House of Canada*, 3rd Edition, states in its introduction at page XX:

> When the Lords and Commons of the United Kingdom passed the British North America Act they must have had in mind that their own Parliament was the prototype of a Parliament. To them it meant one thing in particular: a free institution whose legislative authority extends over all matters susceptible of State control and administration.

The point I am making, honourable senators, is that the unicameral system is repugnant to the history, convention, background, culture and Constitution of Canada.

Honourable senators, the pretender proposition to abolish the Senate of Canada is simultaneously a proposition to abolish the Parliament of Canada and the population's rights therein. That proposition itself is an assault on the people of Canada and on their rights to representative institutions. Further, this proposition is a curious mischief because it seeks to enlist our citizens themselves to relinquish — no, to extinguish — the citizens' own rights to their own one sovereign Parliament and to their own one sovereign representative institution, which is composed of the Senate and the House of Commons. It is a denial, an abolition of the people's right to the British North America Act's entitlement of a Parliament constituted by representation by population and representation by region. It is a denial to the people of Canada. It is to deny the citizens of Canada the high functions of a sovereign, bicameral institution of which the Senate is a part.

This pretender proposition is hostile to our parliamentary responsible government and is as hostile to the interests of the citizens of Canada as it is hostile to the oath that all of us as members of Parliament take when we enter these chambers. Further, it is a hostile interference with the Constitution of the Senate, the work and functions of the Senate, and even the constitutional independence of the Senate.

The Hon. the Speaker: Honourable Senator Cools, I regret to have to interrupt you, but we have reached the time for Royal Assent. The judge is waiting in my chambers.

Senator Cools: I am almost finished.

The Hon. the Speaker: I will yield, then.

Senator Cools: This proposition is masked, a masquerade. We should unmask it and reveal the hollowness of it. It is an ignoble proposition. Its inherent hypocrisy make it manifest, as will its inherent deception. It is a mischievous assault on the Senate intended to intimidate and embarrass us in this chamber, on the Hill, in our communities, and to diminish our work, our review of legislation, and to paralyze and destroy us. This is a bald assault. The Senate has been traduced. The Senate must assert itself and roundly condemn the capricious undermining of itself and its high parliamentary functions.

[*Translation*]

Senator Pépin: Honourable senators, I move that the debate be adjourned until the next sitting.

The Hon. the Speaker: I am sorry but it is a question of privilege which cannot be adjourned. If no other senator wishes to rise, I will take this matter under advisement.

[*English*]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to introduce some guests in the gallery from the constituency of Honourable Senator Adams, members of the Pauktuutit Inuit Tapirisat and other Inuit organizations in the city.

Welcome to the Senate.

Hon. Senators: Hear, hear!

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, pursuant to rule 135(4), the sitting is suspended until 5:15 p.m.

The Senate adjourned during pleasure.

[*Translation*]

ROYAL ASSENT

The Right Honourable Charles Gonthier, 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 Right Honourable the Deputy Governor General was pleased to give the Royal Assent to the following bills:

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 (*Bill C-9, Chapter 10, 1998*)

An Act to amend the Royal Canadian Mounted Police Superannuation Act (*Bill C-12, Chapter 11, 1998*)

An Act to amend the Pension Benefits Standards Act, 1985 and the Office of the Superintendent of Financial Institutions Act (*Bill S-3, Chapter 12, 1998*)

An Act respecting depository bills and depository notes and to amend the Financial Administration Act (*Bill S-9, Chapter 13, 1998*)

An Act respecting Canada Lands Surveyors (*Bill C-31, Chapter 14, 1998*)

An Act to amend the Nunavut Act and the Constitution Act, 1867 (*Bill C-39, Chapter 15, 1998*)

An Act to amend the Canada Shipping Act and to make consequential amendments to other Acts (*Bill C-15, Chapter 16, 1998*)

An Act to amend the Canadian Wheat Board Act and to make consequential amendments to other Acts (*Bill C-4, Chapter 17, 1998*)

An Act to amend the Canada Elections Act (*Bill C-411, Chapter 18, 1998*).

The House of Commons withdrew.

The Honourable the Deputy Governor General was pleased to retire.

[*English*]

• (1730)

The sitting of the Senate was resumed.

PARLIAMENT OF CANADA ACT
MEMBER OF PARLIAMENT
RETIRING ALLOWANCES ACT
SALARIES ACT

BILL TO AMEND—FIRST READING

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons with Bill C-47, to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowances Act, and the Salaries Act.

Bill read first time.

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

On motion of Senator Carstairs, bill placed on the Orders of the Day for second reading on Monday next, June 15, 1998.

ADJOURNMENT

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

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

That when the Senate adjourns today it do stand adjourned until Monday next, June 15, 1998 at 7:30 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Monday, June 15, 1998, at 7:30 p.m.

THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(1st Session, 36th Parliament)
Thursday, June 11, 1998

GOVERNMENT BILLS
(SENATE)

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-2	An Act to amend the Canadian Transportation Accident Investigation and Safety Board Act and to make a consequential amendment to another Act (Sen. Graham)	97/09/30	97/10/21	Transport and Communications	98/04/02	four	98/05/27		
S-3	An Act to amend the Pension Benefits Standards Act, 1985 and the Office of the Superintendent of Financial Institutions Act (Sen. Graham)	97/09/30	97/10/21	Banking, Trade and Commerce	97/11/05	seven	97/11/20	98/06/11	12/98
S-4	An Act to amend the Canada Shipping Act (maritime liability) (Sen. Graham)	97/10/08	97/10/22	Transport and Communications	97/12/12	three	97/12/16	98/05/12	06/98
S-5	An Act to amend the Canada Evidence Act and the Criminal Code in respect of persons with disabilities, to amend the Canadian Human Rights Act in respect of persons with disabilities and other matters and to make consequential amendments to other Acts (Sen. Graham)	97/10/09	97/10/29	Legal and Constitutional Affairs	97/12/04	one	97/12/11 Senate agreed to Commons amendments 98/05/06	98/05/12	09/98
S-9	An Act respecting depository bills and depository notes and to amend the Financial Administration Act (Sen. Graham)	97/12/03	97/12/12	Banking, Trade and Commerce	98/02/24	one	98/03/19	98/06/11	13/98
S-16	An Act to implement an agreement between Canada and the Socialist Republic of Vietnam, an agreement between Canada and the Republic of Croatia and a convention between Canada and the Republic of Chile, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	98/05/05	98/05/12	Foreign Affairs	98/05/28	none	98/06/02		

GOVERNMENT BILLS
(HOUSE OF COMMONS)

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-2	An Act to establish the Canada Pension Plan Investment Board and to amend the Canada Pension Plan and the Old Age Security Act and to make consequential amendments to other Acts	97/12/04	97/12/16	Committee of the whole 97/12/17	97/12/17	none	97/12/18	97/12/18	40/97
C-4	An Act to amend the Canadian Wheat Board Act and to make consequential amendments to other Acts	98/02/18	98/02/26	Agriculture and Forestry	98/05/14	five	98/05/14	98/06/11	17/98
C-5	An Act respecting cooperatives	97/12/09	97/12/16	Banking, Trade and Commerce	98/02/24	none	98/02/25	98/03/31	01/98

C-6	An Act to provide for an integrated system of land and water management in the Mackenzie Valley, to establish certain boards for that purpose and to make consequential amendments to other Acts	98/03/18	98/03/26	Aboriginal Peoples	98/06/09	none			
C-7	An Act to establish the Saguenay-St.Lawrence Marine Park and to make a consequential amendment to another Act	97/11/25	97/12/02	Energy, Environment and Natural Resources	97/12/09	none	97/12/10	97/12/10	37/97
C-8	An Act respecting an accord between the Governments of Canada and the Yukon Territory relating to the administration and control of and legislative jurisdiction in respect of oil and gas	98/03/17	98/03/25	Aboriginal Peoples	98/03/31	none	98/04/01	98/05/12	05/98
C-9	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	97/12/09	98/03/26	Transport and Communications	98/05/13	none	98/05/28	98/06/11	10/98
C-10	An Act to implement a convention between Canada and Sweden, a convention between Canada and the Republic of Lithuania, a convention between Canada and the Republic of Kazakhstan, a convention between Canada and the Republic of Iceland and a convention between Canada and the Kingdom of Denmark for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income and to amend the Canada-Netherlands Income Tax Convention Act, 1986 and the Canada-United States Tax Convention Act, 1984	97/12/02	97/12/08	Banking, Trade and Commerce	97/12/09	none	97/12/10	97/12/10	38/97
C-11	An Act respecting the imposition of duties of customs and other charges, to give effect to the International Convention on the Harmonized Commodity Description and Coding System, to provide relief against the imposition of certain duties of customs or other charges, to provide for other related matters and to amend or repeal certain Acts in consequence thereof.	97/11/19	97/11/27	Banking, Trade and Commerce	97/12/04	none	97/12/08	97/12/08	36/97
C-12	An Act to amend the Royal Canadian Mounted Police Superannuation Act	98/04/28	98/04/30	Social Affairs, Science & Technology	98/06/04	none	98/06/08	98/06/11	11/98
C-13	An Act to amend the Parliament of Canada Act	97/10/30	97/11/05	Legal and Constitutional Affairs	97/11/06	none	97/11/18	97/11/27	32/97
C-15	An Act to amend the Canada Shipping Act and to make consequential amendments to other Acts	98/05/05	98/06/03	Transport and Communications	98/06/10	none	98/06/11	98/06/11	16/98
C-16	An Act to amend the Criminal Code and the Interpretation Act (powers to arrest and enter dwelings)	97/11/18	97/12/11	Legal and Constitutional Affairs	97/12/16	none	97/12/17	97/12/18	39/97
C-17	An Act to amend the Telecommunications Act and the Teleglobe Canada Reorganization and Divestiture Act	97/12/09	98/02/24	Transport and Communications	98/03/25	none	98/04/29	98/05/12	08/98

C-18	An Act to amend the Customs Act and the Criminal Code	98/02/10	98/02/18	Legal and Constitutional Affairs	98/04/02	none	98/04/28	98/05/12	07/98
C-19	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	98/05/26	98/06/08	Social Affairs, Science & Technology					
C-21	An Act to amend the Small Business Loans Act	98/03/19	98/03/25	Banking, Trade and Commerce	98/03/26	none	98/03/31	98/03/31	04/98
C-22	An Act to Implement the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction	97/11/25	97/11/26	Foreign Affairs	97/11/27	none	97/11/27	97/11/27	33/97
C-23	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	97/11/26	97/12/04	—	—	—	97/12/08	97/12/08	35/97
C-24	An Act to provide for the resumption and continuation of postal services	97/12/02	97/12/03	Committee of the whole	97/12/03	none	97/12/03	97/12/03	34/97
C-25	An Act to amend the National Defence Act and to make consequential amendments to other Acts	98/06/11							
C-26	An Act to amend the Canada Grain Act and the Agriculture and Agri-Food Administrative Monetary Penalties Act and to repeal the Grain Futures Act	98/06/08							
C-28	An Act to amend the Income Tax Act, the Income Tax Application Rules, the Bankruptcy and Insolvency Act, the Canada Pension Plan, the Children's Special Allowances Act, the Companies' Creditors Arrangement Act, the Cultural Property Export and Import Act, the Customs Act, the Customs Tariff, the Employment Insurance Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the Income Tax Conventions Interpretation Act, the Old Age Security Act, the Tax Court of Canada Act, the Tax Rebate Discounting Act, the Unemployment Insurance Act, the Western Grain Transition Payments Act and certain Acts related to the Income Tax Act	98/04/28	98/05/12	Banking, Trade and Commerce	98/06/04	none			
C-29	An Act to establish the Parks Canada Agency and to amend other Acts as a consequence	98/06/03							
C-30	An Act respecting the powers of the Mi'kmaq of Nova Scotia in relation to education	98/06/11							
C-31	An Act respecting Canada Lands Surveyors	98/05/07	98/05/26	Energy, the Environment and Natural Resources	98/06/09	none	98/06/10	98/06/11	14/98
C-33	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	98/03/18	98/03/25	—	—	—	98/03/26	98/03/31	02/98
C-34	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1999	98/03/18	98/03/26	—	—	—	98/03/31	98/03/31	03/98

C-36	An Act to implement certain provisions of the budget tabled in Parliament on February 24, 1998	98/05/28	98/06/08	National Finance					
C-37	An Act to amend the Judges Act and to make consequential amendments to other Acts	98/06/11							
C-39	An Act to amend the Nunavut Act and the Constitution Act, 1867	98/06/03	98/06/08	Aboriginal Peoples	98/06/09	none	98/06/10	98/06/11	15/98
C-45	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1999	98/06/10							
C-46	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 1999	98/06/10							
C-47	An Act to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowances Act and the Salaries Act	98/06/11							

COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-220	An Act to amend the Criminal Code and the Copyright Act. (profit from authorship respecting a crime) (Sen. Lewis)	97/10/02	97/10/22	Legal and Constitutional Affairs	98/06/10 adopted	recommend Bill not proceed			
C-410	An Act to change the name of certain electoral districts	98/05/28	98/06/04	Legal and Constitutional Affairs	98/06/08	two	98/06/09		
C-411	An Act to amend the Canada Elections Act	98/05/28	98/06/04	Legal and Constitutional Affairs	98/06/08	none	98/06/09	98/06/11	18/98

SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-6	An Act to establish a National Historic Park to commemorate the “Persons Case” (Sen. Kenny)	97/11/05	97/11/25	Energy, the Environment and Natural Resources					
S-7	An Act to amend the Criminal Code to probihit coercion in medical procedures that offend a person’s religion or belief that human life is inviolable (Sen. Haidasz, P.C.)	97/11/19	97/12/02	Legal and Constitutional Affairs					
S-8	An Act to amend the Tobacco Act (content regulation) (Sen. Haidasz, P.C.)	97/11/26	97/12/17	Social Affairs, Science & Technology	98/04/30	two			
S-10	An Act to amend the Excise Tax Act (Sen. Di Nino)	97/12/03	98/03/19	Social Affairs, Science & Technology	98/06/03	none			
S-11	An Act to amend the Canadian Human Rights Act in order to add social condition as a prohibited ground of discrimination (Sen. Cohen)	97/12/10	98/03/17	Legal and Constitutional Affairs	98/06/04	one	98/06/09		
S-12	An Act to amend the Criminal Code (abuse of process) (Sen. Cools)	98/02/10	98/05/06	Legal and Constitutional Affairs					
S-13	An Act to incorporate and to establish an industry levy to provide for the Canadian Anti-Smoking Youth Foundation (Sen. Kenny)	98/02/26	98/04/02	Social Affairs, Science & Technology	98/05/14	seven	98/06/10		
S-14	An Act providing for self-government by the first nations of Canada (Sen. Tkachuk)	98/03/25	98/03/31	Aboriginal Peoples					
S-15	An Act respecting the declaration of royal assent by the Governor General in the Queen’s name to bills passed by the Houses of Parliament (Sen. Lynch-Staunton)	98/04/02	98/06/09	Legal and Constitutional Affairs					
S-17	An Act to amend the Criminal Code respecting criminal harassment and other related matters (Sen. Oliver)	98/05/12	98/06/02	Legal and Constitutional Affairs					

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