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**Thursday, June 15, 2000**

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THE HONOURABLE GILDAS L. MOLGAT  
SPEAKER

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## THE SENATE

Thursday, June 15, 2000

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

Prayers.

### VISITOR IN THE GALLERY

**The Hon. the Speaker:** Honourable senators, before we start, I direct your attention to a distinguished visitor in the gallery. He is Jean Malaurie, the founder of the Centre d'études arctiques of the Centre français national de recherches scientifiques.

[*English*]

Professor Malaurie is an author and a publisher. He is here as a guest of our colleague the Honourable Senator Charlie Watt.

[*Translation*]

On behalf of all honourable senators, I welcome you to the Senate and hope your visit to Canada is an interesting one.

[*English*]

Before I call for tributes to our colleague the Honourable Senator Grimard, I should like to note that Madam Grimard and their son, Marc, are in the gallery on this occasion.

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

[*Translation*]

### THE HONOURABLE NORMAND GRIMARD, Q.C.

#### TRIBUTES ON RETIREMENT

**Hon. John Lynch-Staunton (Leader of the Opposition):** Honourable senators, in September 1990, Prime Minister Mulroney, in the face of an unprecedented obstruction — unprecedented in both its ferocity and its doggedness — by the Senate majority of the day of a government bill, decided to invoke section 26 of the Constitution and appointed eight senators in order to break the impasse.

Never have senators been welcomed with such criticism, ridicule, indeed offence. In all of the Senate's history, this period was surely the most shameful, with civility giving over to offensiveness, and courtesy to rudeness.

•(1410)

Today, these eight senators, each in their own way, are recognized as having contributed jointly and severally to the work of the Senate in a way that brings honour to this house.

I recall this time because, today, we mark the departure of the first of the eight, who, tomorrow, becomes the victim of the mandatory retirement provision of the law. Senator Grimard took a few hard punches in his first weeks with us, but those who had fun at his expense quickly learned that their target was stalwart and a match for anyone.

[*English*]

I am sure that I am not the only one here who remembers vividly Senator Grimard's forceful intervention during the GST debate aimed at the then leader of the opposition who, for one of the few times in his career, retreated into stunned silence.

Senator Grimard has brought to the Senate a vast experience in law and in politics, which he has put to good use, in particular on the Standing Joint Committee of the Senate and the House of Commons for the Scrutiny of Regulations and on the Standing Committee on Privileges, Standing Rules and Orders. His wide knowledge and intellect have allowed him to write on a variety of topics, such as Senate reform, Crown corporations, the Canadian family, Canadian identity and professional sports. His talents even extend to the movies, as he was reported to be featured in a short documentary entitled *The Senate at Sunset*, which, unfortunately, is only available for private viewing.

Seldom has a senator enjoyed the friendship and even affection of colleagues on all sides, both here and in the other place, as has Senator Normand Grimard. His generosity and warmth are among the many traits that we will all miss. His knowledge of gastronomy has made many of us more appreciative of fine food and manufacturers of anti-cholesterol drugs more profitable.

Senator Grimard's willingness to travel to far away places at a moment's notice was a credit to the Senate. He will be missed as much by future official delegations and host countries as by five-star restaurants around the world. As a matter of fact, I understand that more than one embassy will have their flag at half-mast tomorrow.

[*Translation*]

Although it is with much regret that we say goodbye to our esteemed colleague, we take solace in the knowledge that our friendship will stand the passage of time.

I cannot conclude without saluting and thanking Normand's wife, Dolly, who is in the gallery with one of their three children, their son, Marc. Dolly always provided exceptional support to Senator Grimard in his public life, to the point that she, too, deserves to be called honourable.

[English]

Normand, may you enjoy many years of retirement from this place. You have certainly earned them.

**Hon. Dan Hays (Deputy Leader of the Government):** Honourable senators, my friend Senator Normand Grimard, as Senator Lynch-Staunton observed, came to this place at a time of, shall I say, creative tension. He came, and as we now fondly know them, as one of the GST senators. Senator Grimard has done a great deal, immediately after that time and since, to contribute to a sense of normalcy and camaraderie in this place.

[Translation]

When he came to the Senate, Senator Grimard left behind him a brilliant career in law, in Quebec. He was appointed Queen's Counsel in 1959 and he built an enviable reputation through his work in mining law at the Chambre de commerce du Québec and in the business world in general. Senator Grimard has done a lot of travelling, and is a philanthropist and a man of great culture. This is what I will remember most about him.

[English]

The time I have spent with Senator Grimard, without fail, has been memorable and enjoyable. His "joie de vivre," knowledge of food and wine, general good spirits and diplomacy have always been welcome additions to our efforts to represent Canada.

Senator Grimard has the advantage of being married to the vivacious and always interesting Dolly. Together, they form a couple who make great partners in life. I am sure that all of us who know them are grateful for the experience of knowing them and having the opportunity to share that experience with them.

Senator Grimard made the most of being well travelled and well read, as has been observed by Senator Lynch-Staunton. He extended that by frequently contributing articles to the local Quebec newspapers so that his constituents knew what he was up to and would benefit from his insights into a variety of matters, including Senate reform. He deserves our congratulations for writing the book *L'indispensable Sénat: défense d'une institution mal aimée*. He has also contributed to our understanding and furtherance of our pluralism through issues involving multiculturalism, employment and foreign affairs.

Honourable senators, Senator Grimard represents the best of the Senate. He is, I believe, an ideal senator. His pleasant demeanour, good sense of humour and non-partisan nature have made him not only well liked but effective and persuasive in pursuit of the public good. Senator Grimard is a senator's senator and he stands for what we are at our best when the camaraderie of this place extends to all corners of the chamber.

I will miss you, Senator Grimard. All the best to Dolly and yourself in a long and happy retirement. Do not forget the good life that you so ably represent.

[ Senator Lynch-Staunton ]

[Translation]

**Hon. Lowell Murray:** Honourable senators, I just want to say a few words to express my respect and admiration for our friend Senator Grimard. As former leader of the government in the Senate, I have many reasons to remember with gratitude his dedication and his loyalty. Normand Grimard arrived in the Senate in 1990, at the age of 65, at an age when many of his Bar colleagues think about retiring from professional life.

However, far from considering his appointment to the Senate as a sinecure, Senator Grimard embraced parliamentary life with energy and enthusiasm. For 10 years, all his energy, intellectual gifts, experience and talents were at the service of Parliament and his country, Canada.

Thanks to Senator Grimard's participation, the debates in the Senate and in several important Senate committees benefited in terms of clarity, depth and quality. Senator Grimard deserves respect and, as Senator Hays just mentioned, he is a friend to us all, and we are all grateful for this.

[English]

Progressive Conservative senators in particular are honoured to have had him as a colleague. He has done the Senate and Parliament proud. He has always sought to serve and defend the national interest of Canada. Senator Grimard well deserves our gratitude and respect. We extend our very best wishes on his retirement from this place to him and to his family.

[Translation]

•(1420)

**Hon. Gérald-A. Beaudoin:** Honourable senators, Senator Normand Grimard had carved out a career in law in Quebec before he came to the Senate 10 years ago. He earned recognition as an excellent legal practitioner by the Quebec Bar Association. A pragmatist, characterized by his good judgment, he rapidly developed a good client base and was extremely influential in his community.

A man with a great interest in politics, he was appointed to the Senate by Prime Minister Brian Mulroney in September 1990. He has made a remarkable contribution to the Standing Joint Committee of the Senate and the House of Commons for Scrutiny of Regulations. This committee does some very difficult and very essential work — for which it is not given enough credit. I congratulate Senator Grimard, for he and Senator Lewis, who retired last November, were pillars of that committee.

I would also like to point out that he is the author of *L'indispensable Sénat: défense d'une institution mal aimée*, which merits our attention. In it, he tells not only of his career, but also of certain events that have taken place in the Senate, such as the business of the eight so-called "Divisional Senators," of which he was one, and the famous GST debate.

In his book, Senator Grimard staunchly defends the Senate and proposes a Triple V reform: in French “viable, vraisemblable, valorisante.” The key principles of such a reform to make the Senate “viable, plausible and motivating” are the following: a Senate equal by region; a Senate appointed fifty-fifty by Ottawa and the provinces; a Senate with 130 senators, of whom 65 would be Ottawa appointments, and with a 10-year mandate.

Our colleague has left his mark on the Senate and we are extremely grateful to him for it. I wish Senator Grimard, his charming wife Dolly, and his family, a long life together, good health and many happy days.

**Hon. Jean-Claude Rivest:** Honourable senators, I should like to join with the rest of the Senate in honouring our friend Normand Grimard.

Of course, his contribution to the business of the Senate must be addressed, but it is also important to remind honourable senators that Senator Grimard comes from Abitibi, an area of Quebec that does not always attract the attention its population deserves, from either the Quebec National Assembly or the federal government and the federal Parliament.

As Senator Grimard is now obliged to leave public life, it must be pointed out that the needs of his fellow citizens in the Abitibi region remain as pressing as ever and that, with his retirement, they are losing a spokesman emeritus.

Senator Grimard has tried to convince me of the merits of one of his great political mentors, former Quebec premier, the Honourable Maurice Duplessis. He has worked hard to convince me, a member of the Liberal Party of Quebec, of the merits of this premier. As he reaches the age of retirement, he will recognize it, Senator Grimard has still not quite succeeded in convincing me. I cannot say he succeeded, because by so doing I could put an end to my long friendship with Senator Bacon, who has very definite opinions on Maurice Duplessis.

You will no doubt have an opportunity to come back and visit us. Perhaps you will be able to continue your efforts to convince me. Like all honourable senators, I would be very happy to welcome you here, because we all appreciate your kindness, your devotion and your friendship with each and every member of this house.

Honourable Senator Grimard, I wish you and your family a happy retirement and I look forward to seeing you again.

**Hon. Roch Bolduc:** Honourable senators, I met Senator Grimard 55 years ago. It was during the Second World War, and we were boarding at the Trois-Rivières seminary, which was the classical college of the Saint-Maurice region.

Normand was a few years ahead of me, and as one always has a certain admiration for those older, I was impressed by his eloquence, because he was the best speaker in the college. I recall his flamboyant speeches in the language of the classics taken directly from Bossuet. Like all young people of the 1940s, we were very impressed by politicians who could move people.

Henri Bourassa, naturally, set the standard, but Adéland Godbout and Maurice Duplessis were excellent speakers as well. The latter noticed young Grimard and became a sort of protector. Senator Grimard's very successful law career was built on the strength of his own abilities — not that this prevented him from indulging his passion for baseball and hockey. He was close to the players and trainers of the Canadiens and the Expos. His homes are veritable museums of Montreal's sports jet set.

For 10 years in the Senate, in a somewhat obscure but very important role, Senator Grimard kept a watchful eye on federal regulations, ensuring that the administrative machinery stayed within the legislative boundaries assigned to it by Parliament. This is a very important job when it comes to guarding the public interest and ensuring the freedom of citizens.

Thank you, Normand, for this major public service, and enjoy golfing with Dolly in the years to come.

[English]

**Hon. Jack Austin:** Honourable senators, the involuntary retirement from the Senate that Senator Grimard is about to experience also brings about his retirement as Deputy Chairman of the Standing Committee on Privileges, Standing Rules and Orders.

I have had an association with Senator Grimard in that capacity now for several months, and I want to acknowledge his steady judgment, patience and grand advice to me on the handling of its many interesting issues.

Senator Grimard, you will be missed.

**Hon. Joyce Fairbairn:** Honourable senators, I, too, wish to add my voice to the tributes to Senator Grimard this afternoon as, sadly, we say farewell.

One thing that has struck me over the years — and Senator Hays mentioned this — is Senator Grimard's spirit of goodwill and friendship, which has extended to every part of this chamber. Certainly, it extended to me, for which I am most grateful.

Honourable senators, Senator Grimard and I share a passion for baseball. Together, we, along with Senator Murray and former senator Davey, have joined in many moments of cheering for the Blue Jays, and I know he is a tremendous fan of the Expos.

I spent a week of our spring break in Jupiter, Florida, at the spring training camp of the Montreal Expos, and I had the pleasure of spending the afternoon with our much-revered, early-Expos pitcher, Claude Raymond, who is now a broadcaster. I gave him my card. I do not think he was particularly impressed with my presence there, but he said, “I have a friend in the Senate, and I wonder if you have the good fortune to know him.” Of course, he was speaking of Senator Grimard. I brought back his best regards.

•(1430)

Certainly Senator Grimard has been a senator's senator. He is a gentleman who has made a strong and devoted contribution to this chamber, particularly as a representative of his province and his country.

I wish him and his lovely spouse many happy years together. Do not forget us.

**Hon. Leonard J. Gustafson:** Honourable senators, Senator Grimard made an impression on me when I came to this place seven years ago. As some of you know, although I have never before raised it in the Senate, I come from the little town of Macon in a farming district of Saskatchewan. To illustrate what kind of Canadian Senator Grimard is, although he is a lawyer from Montreal, he has always been concerned about farmers. In fact, he once phoned me because he wanted to help the Canadian Wheat Board sell some wheat to a certain country. We made the presentation, but I am not sure whether the wheat was ever sold.

I tell you that story simply to illustrate that Senator Grimard is a Canadian, a Quebecer, and a lawyer who represents the camaraderie in this place that I have come to enjoy.

I extend best wishes to Senator Grimard and to his wife for a very happy retirement.

[Translation]

**Hon. Serge Joyal:** Honourable senators, I wish to join with my colleagues in paying tribute to the Honourable Senator Grimard as he leaves us today, and remind him that, when he first entered this house, he did so in a context of extremely partisan debate.

Today he is leaving, several years later, with the dignity of a man who has provided this institution with the essential qualities it must offer the Canadian public: courtesy, respect for differences of opinion, and the ability to express all the points of view that make up the Canadian mosaic. Senator Grimard, you have always behaved like a gentleman, one who knows how to listen to the opposing view. You have always had very strong political beliefs and you have expressed them in earlier writings. However, your opinions have never prevented you from wanting to understand the other person's view. When you leave this place, I hope you will not mind my reminding you that we have friendly ties with the members of your family and I hope that they will continue for a long while yet. All the best in your future endeavours, Senator Grimard.

[English]

**Hon. J. Michael Forrestall:** Honourable senators, as one of the remaining five from Senator Grimard's era, I wish to join in the fitting and warm tributes that have been extended to him and to his family.

I wish to reassure Senator Grimard about something from our past. When Senator Frith sat where Senator Lynch-Staunton now

[ Senator Fairbairn ]

sits, day in and day out during the GST debate, he hammered us unremittingly, resorting from time to time to what I thought at the time were some pretty underhanded methods of attack.

He singled me out and suggested to the chamber that I was not qualified to sit here. I took some umbrage at that. He was basing that on the hope that I did not, in fact, own our family home. As we all know, in order to be qualified to sit here, certain property ownership is required.

Senator Frith went so far at one point as to suggest that, were he able to dislodge me, it would enable a legitimate argument to be put forward about the other seven senators who had been appointed. The act stipulated eight. Therefore, if I were gone, the other seven would have to go.

That disturbed Senator Grimard as well. I can understand why, because it upset me a little, too. I want to take this occasion to apologize to him. Truly, Senator Grimard, you had nothing to worry about. Had I bothered to reveal my limited wealth to other than the officer of this esteemed chamber, you would have known that I indeed owned the qualifying property. I believe that 12 acres on Halifax Harbour more than qualifies me for appointment to this place.

I wish to share one other thought. Although it comes to me second hand, I believe it to be absolutely true. Senator Grimard quite recently said to Brian Mulroney, "These have been the finest 10 years of my life."

Good luck to you and Dolly, and to your family. Enjoy that beautiful property in Florida. Good health to you all.

[Translation]

**Hon. Marcel Prud'homme:** Honourable senators, I did not wish to prepare notes, but that would have been wiser. Since first coming to the Senate, I have always tried to meet with new senators in order to get to know them better. Among the first I got to know was Senator Normand Grimard. A friendship, I think, sprang up immediately. Why? Because, for me, Senator Grimard was someone who was genuine. What does genuine mean? It means "Normand Grimard."

Without prejudice to all the other senators I have known, there was one a bit like him, and that was Senator Landry, from New Brunswick, who was another "genuine" senator. I say genuine because of their spontaneous friendship and their manner. When we have known Senator Grimard, and his wife, Dolly — and have had, in addition, the honour of being invited over — we can only be marked for a long time.

•(1440)

We all know that Senator Grimard was always prepared to accommodate those who asked a favour of him. You cannot imagine the number of people on Parliament Hill, particularly in the Senate, who had legal problems at one time or another. It costs money to see a lawyer. These people would ask Senator Grimard if he would give them some legal advice.

I could see him on the Hill explaining with much emphasis, with his hands, the problems that confronted these people and the way to solve them. I can assure you that, at the end of the day, these people did not receive a lawyer's bill. A smile was all that was required.

This is the type of attitude that is lacking in the Senate, this warmth that we could develop for one another. I look at the two new senators and I tell myself that we should try to get to know each other. We all lead different lives, but we do not make much of an effort to get to know each other.

Senator Grimard, who is a man of remarkable integrity, readily agreed to be the secretary-treasurer of the Canada-Russia association, which is thriving thanks to him. Not a single expenditure has been authorized in the close to two years that the association has been in existence, and the funds are intact. He is the trustee of these funds, while I am just the humble president of the association, until a new one can be found to satisfy the majority. I thank him for having taken on the task. One of his friends will probably succeed him; perhaps Senator Buchanan will take over the responsibility of administering the association's funds.

Senator Grimard was also very successful in ensuring the survival of the Canada-Cuba association. I created that association, but Senator Hébert was its first president. Guess who pulled off that coup? Senator Grimard. Senator Hébert was convinced that Senator Prud'homme would never accept him. I can still see this intelligent lawyer walk across the floor of the chamber and offer the position to Senator Hébert, who was looking at me while I was gesturing to tell him yes, this is really happening, we want you as our president. These are the roles that Senator Grimard enjoyed playing.

He was also an extraordinary travelling companion. He is a man of great classical culture, something which, unfortunately, is becoming more and more rare. He has flawless legal insight, and he was totally dedicated to the parliamentary committees on which he sat. He was lucky not to be an independent senator like me.

[English]

That is the difference between Senator Grimard and some other senators. Some beg to be on committees but do not make their presence as known as they should. I will not name names, of course.

[Translation]

When he accepted responsibility, he acquitted himself of it with talent, dash and doggedness. I am not going to say I will miss him, because I plan to continue our friendship just as if he were still here. The parliamentary committees will miss him, as will his whip, for he was — and this is a risky thing for an independent senator to say, but it is important in politics — totally loyal to his party and its ideas.

I respect loyalty in a person. Like everyone who has known him well, I want him, his wife and family to know that he will be

missed. Even though he has plenty of friends in his own party, I want him to know that the door of Marcel Prud'homme in the Senate is always open to him at any time when he comes to visit us here in Ottawa. Any little thing I can do for him in return for all that he has done for us, I would be more than pleased to do. I am going to merely say "au revoir," and I do not dare look at him to say it, because I know what an emotional fellow he is. This is a hard day for him. Senator Grimard, au revoir, with all our love. We must not be shy about saying it. Senator Grimard and his wife are as dear to me as the Senate, even though sometimes the Senate does not reciprocate.

Senator Grimard, my very best wishes, and let me remind you that you are always welcome in the Senate. There will be so many people offering you their offices that I wonder if you will ever have the time to come to mine.

**Hon. Normand Grimard:** Honourable senators, first, it is my duty to express my most sincere thanks to the Right Honourable Brian Mulroney, who appointed me to the Senate in 1990. As others have already said, I was at that time running a legal firm in northwestern Quebec, a region known as Abitibi-Témiscamingue and Rouyn-Noranda.

The premier of Quebec of the day, the Honourable Maurice Duplessis, had encouraged me to go there, and he even paid my way there, saying that that region was the future of Quebec because of its forestry and mining developments.

Prime Minister Mulroney crowned my legal career by calling me to the Senate. A few days after my appointment, on October 8, 1990 to be exact, I wrote to thank him. My letter ended as follows: "Dolly joins with me in expressing our deep appreciation of this honour. Please give our warmest regards to your wife." I do not remember the rest, but I signed it "Normand Grimard, now your senator."

Every time I ran across Mr. Mulroney, and we know he had a phenomenal memory, he would say "And how is 'my' senator today?" Well, Mr. Mulroney, your senator is fine, but sad at leaving the Senate of Canada, where you gave him the opportunity and the privilege of representing his fellow citizens of Quebec.

•(1450)

Thank you for all you have done for me. At this point as well, I would like to tell my wife, Dolly, how much I admire her. She is the woman of strength in the Gospel, a woman with extraordinary intuition. There have been times I have not followed her advice and, to my great regret, I must say publicly that I have made mistakes.

Dolly is a woman with a hand of iron in a velvet glove. However, Dolly, my life will change starting tomorrow. As you know, during my years as a lawyer in Rouyn-Noranda and the entire region and here in the Senate, I was not at home a lot. I was not there for lunch, and many times not for dinner either. But, starting tomorrow... I do not need to go any further, everyone understands. I have a favour to ask, before everyone here: Could there be less iron in your hand and a lot more velvet in your glove?

In my 10 years here, I have known three Speakers of the Senate. The first was the late Guy Charbonneau, a dear and close friend I had known for 20 years prior to my arrival here. Guy was a real pillar in my passage in the Senate, and I am greatly in his debt. Our birthdays were only a few days apart, and very often we celebrated together. My memories of Guy are only the best and in the warmest of terms.

I believe the Right Honourable Mr. Chrétien did well in appointing his two successors. The first was the former governor general, who was Senator LeBlanc at the time, and the second is the current Speaker, Senator Molgat.

In 1993, there was some discord in the Senate between the various caucuses, but the two Speakers, and especially you, Senator Molgat, brought a return of peace, harmony and courtesy to the Senate. Today, with party lines respected, it is a pleasure to be in the Senate, which is one reason I am doubly sad. I wonder if, had I left in 1993, it would have been so hard. Your Honour, you know we are close to you and your wife, Allison. In a number of circumstances, you have given me expressions of your friendship and please believe that I am truly grateful.

I should like to say a few words about my two leaders. The first was Senator Lowell Murray, who was my leader when we were in power. I shall admit that it was during those years, from 1990 to 1993, that I was perhaps happiest in the Senate, and I think that it was during this period that I made my best contribution. The only thing you ever refused me, Senator Murray, was a shower in my office. However, you will recall that I got around you by paying the cost of its construction myself. That is perhaps the only disagreement we had, but I found a way to foil you.

There is also my present leader, with whom we experience the adversities of opposition, Senator John Lynch-Staunton, with whom I have spent some truly good times. I want to express my deep respect and friendship for him, as well as my admiration for the way he leads our caucus.

Now, honourable senators on both sides of the house, I leave without enemies, I believe. I leave with the satisfaction of a job accomplished, of having respected you all. You know, I am an only child, a solitary person, and I am very very unsociable. Perhaps around a table I feel more at ease but, as my wife knows, I am very unsociable. I may, therefore, inadvertently have put some of you off. If I have done so, please know that it was not deliberate and that I am sorry, but I do not think that I have been unfair to any of you.

I am leaving friends, which is perhaps why I am sad. There are clerks I have known, Mr. Barnhart and especially his successor, Paul Bélisle. Here again, I have to say he is a friend of the family. How many times have he and his wife, Danièle, and Dolly and I got together, here in Ottawa, in Montreal, or even in Florida to socialize? Paul, thank you for your friendship. You realize, Paul, that there are those who are jealous.

I see Mr. O'Brien at the Clerk's Table. Gary, you will remember how I started out in the Standing Committee on Privileges, Standing Rules and Orders with you, and you guided

[ Senator Grimard ]

me well — we amended the *Rules of the Senate* after all. I want you to know that I will have the fondest of memories of you as well.

I wish to thank my immediate employees: Mrs. Tremblay, Mr. Dion, and all the others as well, especially the drivers of the shuttle between the Victoria Building and the Centre Block.

•(1500)

As you know, my office was located in the Victoria Building. I did some calculations and found that I made over 1,000 trips. Of course, I socialized more with these drivers because I saw them often. I also want to thank the messengers, the pages, the security guards, the finance department, the human resources department and all the others.

No one mentions the parliamentary restaurant and its chef, Judson Simpson, its *maîtres d'hôtel* and its staff, who were good friends of mine. My menu is still well known. If you want to dine well, just go to the restaurant and say "I want to eat exactly the same menu that Senator Grimard had." You may want to add "And I also want the same wine," which, incidentally, is no longer on the list. The result of all this is that I must have gained some 20 pounds during those 10 years. Over the next two or three years, I shall try to summon the courage to shed this extra weight by playing golf, which is my favourite sport.

[English]

My dear friends, what have I done here during those 10 years? First, I was a member for 10 years and joint chairman for three years of the famous Scrutiny of Regulations Committee. It is more like a punishment when a senator is assigned to that committee. I should be given a medal for my service to that committee!

**Senator Nolin:** Four more years!

**Senator Grimard:** I also worked hard in other committees, such as Privileges, Standing Rules and Orders.

In 1993, in collaboration with Senator Robertson and Senator Doyle, we amended at least 50 to 55 rules of the Senate. Our amendments were not too bad because, after seven years, they are still in force. However, there is a question about the 15-minute time limit for speeches. I like what Senator Mahovlich said two or three months ago: "Quantity does not mean quality." I agree with him.

**Senator Mahovlich:** Less is more!

**Senator Grimard:** If honourable senators decide to extend the period for speeches by another 5 or 10 minutes, the same situation will exist. However, honourable senators, you can do what you want because I am retiring at 11 o'clock, 59 minutes and 59 seconds tonight.

As Senator Beaudoin mentioned, I wrote a book. My book was entitled *L'indispensable Sénat: défense d'une institution mal aimée*. In that book, I defended the Senate, and I am happy to have done so.



I have also written many essays. I want to give you a few titles: in 1995, "The Family in Canada"; 1996, "Canada Amid the Turmoil of the Labour Market in the 1990s"; 1997, "Media Coverage of Elections and the Constitutional Debate"; 1998, "Professional Sports in Canada," and I think that was my best essay. I also wrote one in 1999 entitled "Canadian Identity, or the American Influence on Daily Life in Canada."

I wrote many articles for newspapers such as the *Gazette*, *Le Droit*, *Le Devoir*, *La Presse*, and many articles for the *Canadian Parliamentary Review*. The last article was written a couple of months ago. It was entitled "Bilingualism in the National Capital Region."

Honourable senators, bilingualism on the Hill has been good for me. When I came to the Senate in 1990, I could not write a decent letter in English. I could not speak in English without having a text in front of me. First, I asked my assistant to give me only the English version of every text that I received. I read more than 85 books during those 10 years, and at least 75 to 80 per cent were in English. Even my earphones in the Senate or in committee were always tuned to the floor language. As honourable senators know, 80 per cent of our business is conducted in English. That means that I was always listening to English when that language was being spoken.

I can now write good letters. My wife, who is perfectly bilingual, says my English is almost perfect. As you can see, I can speak without a text.

In January of this year, I was invited to Palm Beach to be a guest speaker at a meeting of a society called the Round Table. They have two meetings per month during the winter season. I spoke for 40 minutes and answered questions for 20 minutes with no text, just a few notes. This is why I say that bilingualism on the Hill has been good for me.

Honourable senators, it is now time for the grand finale.

[*Translation*]

Everyone asks me what I will do in my retirement. For the time being, I do not intend to continue to practise my profession. For the past 30 years, I played over 100 golf games per year, except two years ago, when I was sick. To use Dolly's expression, if God keeps me in good health and alive, I intend to continue practising my shots and try to play over 150 games, while reminiscing about the 10 wonderful years I spent with you in the Senate of Canada. Canada: my country and my love.

[*English*]

•(1510)

**The Hon. the Speaker:** Honourable senators, I realize this is not quite in order, but might I be permitted to ask a question of the Honourable Senator Grimard?

**Hon. Senators:** Agreed.

[*Translation*]

**The Hon. the Speaker:** Honourable Senator Grimard, you said that if we want to dine well, we just have to go to the parliamentary restaurant and order Senator Grimard's menu. You added that if we want to drink well, we should order Senator Grimard's wine. Are we to conclude that Senator Grimard will foot the bill?

**Senator Grimard:** To ask the question is to answer it.

## ROUTINE PROCEEDINGS

### CANADA TRANSPORTATION ACT COMPETITION ACT COMPETITION TRIBUNAL ACT AIR CANADA PUBLIC PARTICIPATION ACT

REPORT OF COMMITTEE

**Hon. Lise Bacon**, Chair of the Standing Senate Committee on Transport and Communications, presented the following report:

Thursday, June 15, 2000

The Standing Senate Committee on Transport and Communications has the honour to present its

#### FIFTH REPORT

Your Committee, to which was referred Bill C-26, An Act to amend the Canada Transportation Act, the Competition Act, the Competition Tribunal Act and the Air Canada Public Participation Act and to amend another Act in consequence has, in obedience to the Order of Reference of Tuesday, May 30, 2000, examined the said Bill and now reports the same without amendment, but with observations which are appended to this report.

Respectfully submitted,

LISE BACON  
*Chair*

(*For text of documents, see appendix to the Journals of the Senate, p. 722.*)

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

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

[English]

Thursday, June 15, 2000

**PROCEEDS OF CRIME  
(MONEY LAUNDERING) BILL**

REPORT OF COMMITTEE

**Hon. E. Leo Kolber**, Chair of the Standing Senate Committee on Banking, Trade and Commerce, presented the following report:

Thursday, June 15, 2000

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

SIXTH REPORT

Your Committee, to which was referred the Bill C-22, An Act to facilitate combatting the laundering of proceeds of crime, to establish the Financial Transactions and Reports Analysis Centre of Canada and to amend and repeal certain Acts in consequence, has examined the said Bill in obedience to its Order of Reference dated Thursday, May 18, 2000, and now reports the same without amendment, but with a letter and observations, which are appended to this report.

Respectfully submitted,

E. LEO KOLBER  
*Chairman*

(For text of documents, see today's Journals of the Senate, Appendix, p. 724.)

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

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

[Translation]

**BUDGET IMPLEMENTATION BILL, 2000**

REPORT OF COMMITTEE

**Hon. Lowell Murray**, Chairman of the Standing Senate Committee on National Finance, presented the following report:

The Standing Senate Committee on National Finance has the honour to present its

SEVENTH REPORT

Your Committee, to which was referred Bill C-32, An Act to implement certain provisions of the budget tabled in Parliament on February 28, 2000 has, in obedience to the Order of Reference of June 13, 2000, examined the said Bill and now reports the same without amendment.

Respectfully submitted,

LOWELL MURRAY  
*Chairman*

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

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

[English]

**WESTERN CANADA TELEPHONE COMPANY**

FIRST READING

**Hon. Dan Hays (Deputy Leader of the Government)** presented Bill S-26, to repeal An Act to incorporate the Western Canada Telephone Company.

Bill read first time.

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

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

**CANADA TRANSPORTATION 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-34, to amend the Canada Transportation Act.

Bill read first time.

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

On motion of Senator Wiebe, bill placed on the Orders of the Day for second reading on Monday next, June 19, 2000.

[Translation]

**PARLIAMENT OF CANADA ACT  
MEMBERS OF PARLIAMENT RETIRING  
ALLOWANCES 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 Parliament of Canada Act and the Members of Parliament Retiring Allowances Act.

Bill read first time.

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

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

[English]

**HUMAN RIGHT TO PRIVACY BILL**

FIRST READING

**Hon. Sheila Finestone** presented Bill S-27, to guarantee the human right to privacy.

Bill read first time.

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

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

**PRIVILEGES, STANDING ORDERS AND RULES**

NOTICE OF MOTION TO AUTHORIZE COMMITTEE  
TO MEET DURING SITTING OF THE SENATE

**Hon. Jack Austin:** Honourable senators, I give notice that on Monday, June 19, 2000, I will move:

That the Standing Committee on Privileges, Standing Rules and Orders have power to sit from 6:00 p.m. on Tuesday, June 20, 2000, even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

**QUESTION PERIOD**

**TRANSPORT**

CANCELLATION OF CANADIAN TRANSPORTATION AGENCY  
HEARINGS ON PORT OF HALIFAX  
LEASE DISPUTE WITH HALTERM LIMITED

**Hon. J. Michael Forrestall:** Honourable senators, I have one or two questions that arise out of a series of advertisements which most likely appeared in all of Canada's large daily national newspapers today. It has to do with Halterm. As the minister knows, the ads that are running ask serious questions of the present government. Might I ask if the minister agreed with the decision that cancelled the Canadian Transportation Agency's hearing into the Halterm lease?

•(1520)

**Hon. J. Bernard Boudreau (Leader of the Government):** Honourable senators, the honourable senator will know that, as a member of cabinet, I naturally support all of the decisions of government when they are made. The discussions that may have occurred up to the decision itself, of course, remain confidential within cabinet, and I am not at liberty to reveal either what my views were or what other views were. The decision was a government decision and, as a member of government, I support it.

**Senator Forrestall:** I wonder if the minister has seen the article in today's *Chronicle-Herald* that suggests quite strongly that, if the fees substantially increase to users at the Port of Halifax, then shipping lines like Maersk and Zim could leave. Their spokesman was quoted as saying:

But money speaks, and as things get more expensive in Halifax, somebody certainly has to go back and review Halifax and see whether it is worthwhile.

Has the minister received any correspondence from national or international shipping firms about the current situation? If so, could he give consideration to tabling that correspondence?

**Senator Boudreau:** Honourable senators, I hesitate in my response simply because I did have discussions directly with the major users of the port. As a matter of fact, I invited them to come to my office to talk about the port itself and about a number of the issues that the honourable senator raises. If there was correspondence, it was something very routine, such as confirming that they would come to see me on a certain date. I do not recall anything specifically.

However, we did meet, we had discussions, and they were quite firm in their view that the operation of a port such as Halifax is very price-sensitive, and that any significant increases in operating costs to them put the business of the port potentially at risk to some degree. I do not think they were indicating that that was the case as they spoke to me, but they did want to raise the concern. I had a good meeting with them. Certainly, it was an education for me. I am sure that the Halifax Port Authority and others who are involved with the management of the port are very aware of that matter.

**Senator Forrestall:** Honourable senators, the Port of Halifax generates 7,000 jobs, directly and indirectly. Every container equals three man-hours. Halterm alone, in business for some 30 years, unloaded 165,000 containers last year. If you do the simple arithmetic, you will see we are looking at a substantial number of man-hours, with the attendant economic impact.

What will the minister do to resolve this potentially disastrous dispute? Will the government give consideration to freezing port fees, now slated to increase by some 700 per cent, or face the consequences?

**Senator Boudreau:** Honourable senators, the Government of Canada will continue to take a strong interest in the commercial activity at the Port of Halifax. I know I certainly will. I do not get the impression from the people to whom I have spoken, nor from the meetings I have had with the major port users, that there is any immediate crisis. However, as the honourable senator points out, these ports are price-sensitive and it is something of which we must be conscious.

I hope that the issues that have now arisen between the Halifax Port Authority and Halterm, who have provided major employment to that area for a considerable number of years, can be resolved to everyone's satisfaction and that the development of the port will continue. The Port of Halifax has a bright future in front of it, and we will continue to be interested in its development and the challenges that face it.

**Senator Forrestall:** Honourable senators, Halterm has just finished purchasing two Post-Panamax cranes from China at a cost of some \$20 million. They did that with the full belief that the port authority itself would pick up the cost of rail upgrade, at about \$1 million, as well as the electrical and other upgrades required to support these new Post-Panamax cranes, another \$2.5 million, bringing the total to \$23.5 million. On top of those costs, a 700 per cent increase in rent could be fairly disastrous. I wish the government would give consideration to asking someone to arbitrate in this matter, to step in and bring some order to this chaos, because the potential loss to the Port of Halifax, the city of Halifax and the economy of Nova Scotia is significant.

**Senator Boudreau:** Honourable senators, I certainly appreciate the honourable senator's interest in this important subject. I do not treat his suggestion lightly. I will take that suggestion forward to the minister responsible and, hopefully, the parties as well. Resolution of this matter as quickly as possible will be in the best interests of all the port users and the people of the province. I give the honourable senator that undertaking and, hopefully, the matter can be resolved.

## UNITED NATIONS

### CANADA'S PARTICIPATION IN REMOVAL OF ANTIPERSONNEL MINES FROM KOSOVO

**Hon. Douglas Roche:** Honourable senators, I have a question for the Leader of the Government.

There has been some publicity alleging that Canada has been deficient in its duty to participate in getting antipersonnel mines out of Kosovo. Has the minister looked into this? Can he clarify whether there is any factual basis for these stories? Can he inform us whether the United Nations has actually made any formal statement in this respect, as distinct from certain officials perhaps giving viewpoints? Does the UN have a position or a statement with respect to Canada's participation in the de-mining of Kosovo?

**Hon. J. Bernard Boudreau (Leader of the Government):** Honourable senators, I am not certain whether or not such a statement exists from the UN, but I can make those inquiries.

The honourable senator will know that Canada was one of the first nations to respond rapidly to the emergency need for mine clearing in Kosovo. I believe there has been some suggestion that those operations may have ground to a halt and are not to be continued, and I am happy to have this opportunity to indicate to the honourable senator that, on the information I have received from the minister and his department, there is no such halt. In fact, another de-mining project team will be fielded within a matter of a couple of weeks. They will be active within two weeks. Apparently, there was completion of one phase of the project, and then a period of evaluation, but that was not to indicate that we were abandoning the activity. That activity will resume in its next phase, I am advised, within a couple of weeks.

•(1530)

## DELAYED ANSWERS TO ORAL QUESTIONS

**Hon. Dan Hays (Deputy Leader of the Government):** Honourable senators, I have a response to a question raised in the Senate on May 18, 2000, by Senator Forrestall regarding the replacement of Sea King helicopters, procurement process; a response to questions raised in the Senate on June 1 and 7, 2000, by Senator Stratton regarding the future of CFB Shilo; a response to a question raised in the Senate on June 1, 2000, by Senator Forrestall regarding the replacement of Sea King helicopters; a response to a question raised in the Senate on June 6, 2000, by Senator Bolduc regarding flow of specialized workers to the United States, incentives to remain in Canada; a response to questions raised in the Senate on June 14, 2000, by Senator Kinsella regarding the deportation of a citizen of China, execution for criminal acts upon return, request for information on hearing, and regarding deportation of citizenship applicants facing capital punishment.

## NATIONAL DEFENCE

### REPLACEMENT OF SEA KING HELICOPTERS— OPENNESS OF PROCUREMENT PROCESS

*(Response to question raised by Hon. J. Michael Forrestall on May 18, 2000)*

As the Minister of National Defence has stated several times, the Maritime Helicopter Project is his number one equipment priority and the aerospace industry is fully aware that the Government is developing an appropriate procurement strategy to replace the Sea Kings.

The Government will ensure that the new helicopter meets the Canadian Forces' operational requirements. A Statement of Requirements is the basis of any major equipment project, and the Maritime Helicopter Project is no different. However, a number of issues must be carefully examined and other Government departments have to be consulted to ensure that the procurement strategy will lead to the right equipment and the best value for Canadians. The Government will make an announcement when all the issues have been addressed.

### FUTURE OF CFB SHILO

*(Response to questions raised by Hon. Terry Stratton on June 1 and 7, 2000)*

Following the announcement of Germany's intention to cease training at CFB Shilo at the end of 2000, the Department undertook the development of a business-case analysis for the future of Land Forces in Manitoba. The business-case analysis provided a comparison of various options based on four key factors: operational effectiveness, cost, impact on Quality of Life of both civilian and military workforce and their families, and regional economic impact. The first phase of the analysis was released in mid-April.

Between mid-April to mid-May, departmental officials consulted with various stakeholders and refined the information on facilities and infrastructures found in the business-case analysis.

Based on these refinements, departmental officials are now finalizing the presentation of options for the Minister's consideration.

### REPLACEMENT OF SEA KING HELICOPTERS

*(Response to question raised by Hon. J. Michael Forrestall on June 1, 2000)*

The Government will ensure that the new maritime helicopter meets the Canadian Forces' operational requirements. A Statement of Requirements is the basis of

any major equipment project, and the Maritime Helicopter Project is no different. However, a number of issues must be carefully examined and other Government departments have to be consulted to ensure that the procurement strategy will lead to the right equipment and the best value for Canadians.

## CITIZENSHIP AND IMMIGRATION

### FLOW OF SPECIALIZED WORKERS TO THE UNITED STATES—INCENTIVES TO REMAIN IN CANADA

*(Response to question raised by Hon. Roch Bolduc on June 6, 2000)*

Though no measure for fiscal expenditure-type incentive packages, provided to immigrants to entice them to come or to stay in Canada, exists, CIC has numerous programs to encourage qualified workers to come and stay in Canada, such as :

#### 1) Facilitated Processing for Information Technology Workers

In response to the need of employers to fill critical shortages in the software industry, Citizenship and Immigration Canada (CIC) collaborated with Human Resources Development Canada (HRDC), Industry Canada and the Software Human Resource Council (SHRC) on the development of a pilot project to streamline the entry of those workers whose skills are in high demand in the software industry and whose entry into the Canadian labour market would have no negative impact on Canadian job seekers and workers. Under the pilot project, the job-specific validation was replaced by a national validation letter, which states, among other things, that certain software positions cannot be filled by Canadian citizens or permanent residents. The national validation letter removed the delay associated with the job-specific validation process. The seven specific job descriptions can be found on the CIC Internet Site.

#### 2) Spousal Pilot

A national pilot project for the spouses of temporary foreign workers was launched on October 15, 1998. Under this pilot project, the spouses of workers coming to Canada for jobs in certain high skill occupations in key high growth sectors of the economy are able to obtain employment authorizations without having their job offer subjected to any labour market testing by HRDC.

The pilot is open to the spouses of foreign workers in the two highly skilled occupational categories described in the National Occupational Classification System and who hold employment authorizations valid for at least six months.

### 3) Reduction in processing delays

With additional permanent funds allocated for the Department, the International Region was able to deploy an addition 3.6 persons dedicated to immigrant processing in the summer of 1999 and an additional 19 new positions will be deployed this summer (2000).

We are also continuing to work to streamline decision-making which will speed up processing.

With regard to the question concerning employment authorizations for Americans coming to Canada and Canadians going to the U.S., we can provide the following information.

Canadian employment authorizations signed from 1997 to June 12, 2000 to persons from the United States in 'skilled' occupations are as follows:

1997:	22, 776
1998:	29, 331
1999:	29, 462
2000:	13, 080

It is not part of CIC's mandate to monitor Canadians seeking employment in the United States; this information would best be obtained from American officials.

DEPORTATION OF CITIZEN OF CHINA—EXECUTION FOR CRIMINAL ACTS UPON RETURN—REQUEST FOR INFORMATION ON HEARINGS—DEPORTATION OF CITIZENSHIP APPLICANTS FACING CAPITAL PUNISHMENT—GOVERNMENT POLICY

*(Response to questions raised by Hon. Noël A. Kinsella on June 14, 2000)*

The Chinese national in question received full due process, including a risk review based on all information available at the time.

To date, the sentence has not been carried out, and in fact has been appealed.

The Government of Canada and the Minister of Citizenship and Immigration are concerned about this matter, and accordingly, we have expressed Canada's concerns to the Chinese government.

Canada's refugee determination system is recognized as one of the fairest systems in the world. However, Canada will not, as a general policy, refuse to deport persons to countries that have capital punishment. Canada will not become a safe haven for serious criminals, terrorists, violators of human rights and war criminals.

Privacy legislation does not authorize Citizenship and Immigration Canada nor the Immigration and Refugee Board, an arm's length independent agency of the federal

government, to release the contents of individuals' files without their consent.

*[Translation]*

## ORDERS OF THE DAY

### NATIONAL DEFENCE ACT

MESSAGE FROM COMMONS

**The Hon. the Speaker** *pro tempore* informed the Senate that a message had been received from the House of Commons returning Bill S-18, to amend the National Defence Act (non-deployment of persons under the age of eighteen years to theatres of hostilities), and acquainting the Senate that they had passed the bill without amendment.

*[English]*

### CANADA LABOUR CODE

BILL TO AMEND—SECOND READING

**Hon. John C. Bryden** moved the second reading of Bill C-12, to amend the Canada Labour Code (Part II) in respect of occupational health and safety, to make technical amendments to the Canada Labour Code (Part I) and to make consequential amendments to other Acts.

He said: Honourable senators, today we begin the second reading of Bill C-12, an act to amend Part II of the Canada Labour Code and, as such, confirm that the Government of Canada is committed to safety in the workplace and to ensuring that Canadians live in healthy and safe communities.

This legislation also demonstrates our trust in the ability of federal employers and employees to recognize and solve their own health and safety problems together. This bill makes important amendments to Part II of the Canada Labour Code and is good social and economic policy because a safe workplace, combined with sound labour management relations and employee involvement in decision-making, makes good sense.

Approximately 10 per cent of the Canadian workforce is governed by the Canada Labour Code, and Part II of the code sets out a legislative framework governing occupational health and safety issues for employees who are within the federal jurisdiction.

Employees and employers covered under this legislation include the federal public service and certain Crown corporations such as Canada Post. Industries in the private sector include uranium mining and grain handling, as well as industries which are international or interprovincial in scope, such as road, rail, and air transportation; shipping; pipelines; long shoring; telecommunications and banking.

Part II of the code establishes three basic employee rights regarding health and safety in the workplace and defines the duties of both employers and employees. They are the right to know about hazards in the workplace and ways of dealing with them, the right to participate in health and safety matters, and the right to refuse dangerous work.

The legislation also sets out the processes and procedures to be followed in exercising those basic rights. For example, the role of health and safety committees is described, along with the procedures to expeditiously determine whether a danger exists when a refusal to work arises.

The amendments before you were formulated to ensure that Part II continues to protect workers, to align federal legislation with the occupational health and safety legislation in other jurisdictions, and to modernize Part II's approach to occupational health and safety regulations.

Honourable senators, there are five main elements to the bill. The first permits parties to identify and solve problems on their own. Local health and safety committees will be mandated to conduct regular workplace inspections and the committee will be given increased powers in dealing with complaints.

Second, a management and an employee member of the committee will have the power to investigate any unresolved complaints. If a violation of the code is found, they will ask the employer to give a written undertaking to resolve the complaint. If an immediate danger is found, they will terminate the activity. Only if they cannot agree on a solution will a government health and safety officer be asked to intervene.

Third, the bill calls for the creation of a health and safety policy committee at the corporate level. Such a committee will be required for enterprises with 300 or more employees. This committee will address a range of issues, such as injury and prevention initiatives. Approximately 85 per cent of the federally regulated workforce will be covered by this aspect of the bill.

Fourth, the bill provides additional protection for pregnant and nursing employees. If a woman has reason to believe that an activity or condition such as exposure to a chemical will adversely affect her or her foetus, or her child if she is breastfeeding, she will be able to withdraw from that work until she has an opportunity to consult her doctor. At present, the employee has to continue working until she obtains a medical certificate.

Fifth, there is the ability to make regulations to which every employer, in consultation with the health and safety committee at both the workplace and the corporate levels, will be required to develop, establish, and monitor a prevention program. The size of the workplace and the nature of the hazards will be key considerations in the design of the prevention program.

As you can see, honourable senators, these changes represent the Government of Canada's commitment to occupational health and safety and its confidence in the willingness and ability of labour and management to solve their problems together. This

bill addresses not only the human side of the equation but also the economic side.

Each year, approximately 36 workers in the federal jurisdiction die on the job, and another 60,000 suffer occupational injuries and illnesses. That is one million lost work days annually, costing over \$350 million in lost wages, medical aid, rehabilitation, and disability pension payments.

Honourable senators, in Canada, more days of work are lost each year because of injuries than are lost to strikes and lockouts. These statistics paint a sober picture, but one that can be brightened if all of us — governments, employers, unions, workers, and safety and health professionals — work together to solve the problem. That is why I hope that all senators will join me in supporting Bill C-12.

If nothing has changed since yesterday, it will be possible, with the cooperation of the other side, to expedite the movement of this bill to committee. That is a credit to us because there was a bit of a hold up on it at the beginning. If we can get it to committee for detailed study, that would be much appreciated by the people who worked so hard to get it this far and those who will be affected by the legislation.

**Hon. Mabel M. DeWare:** Honourable senators, I am pleased to have the opportunity to speak on behalf of my colleagues on this side of the chamber at the second reading of Bill C-12 which amends Part II of the Canada Labour Code.

First, I should like to point out that we support the general intent, aims, and principles of this bill, which require employers and employees to work together to ensure a healthy and safe working environment. In keeping with this purpose, the bill sets forth a series of new rights, responsibilities, and duties, including the right of employees to refuse to perform dangerous work, and provides mechanisms that will enable problems to be resolved locally.

Part II of the Canada Labour Code, which governs occupational health and safety standards in workplaces under federal jurisdiction, has not been substantially amended since 1985. In the 15 years since then, there have been many changes affecting the workplace. It is clear that the law must be brought up to date. An overhaul of Part II is long overdue.

We are also very supportive of the fact that Bill C-12 was the product of extensive and lengthy consultations among the federal government, federally regulated employers, and labour. We respect the consultation process which resulted in this legislation and we are impressed by the spirit of compromise and mutual interest which defined the discussions and negotiations. Bill C-12 represents a concerted effort to modernize federal health and safety legislation.

•(1540)

That being said, however, we did have a number of concerns with the bill as introduced in the other place. We still have several issues with the bill in its current form, and we hope that these will be considered carefully both in the chamber and by the Senate committee.

Concerns were raised in the other place that some provisions of Bill C-12 did not faithfully reflect items which were agreed upon by all parties in the tripartite consultations. Most witnesses who testified before the Commons committee seemed willing to give the bill's drafters the benefit of the doubt. However, such apparent oversights could undermine the generally accepted view that the government undertook this exercise in good faith.

In any event, the witnesses indicated that they wanted the bill to become law as quickly as possible. Employer groups and employee associations fear that any delays could result in the legislation not going anywhere for a very long time. An election could be called, and Bill C-12 would die on the Order Paper. They would have to kick-start the process all over again, and they are certainly not prepared to wait another three years for action.

As honourable senators will recall, the government introduced a bill amending Part II of the Canadian Labour Code back in April, 1997. It, too, was based on tripartite consultations that had taken place in the preceding years. Unfortunately, however, the legislation died on the Order Paper soon after its introduction when the 1997 federal election was called.

It is interesting to note that the substance of the then Bill C-97 was virtually the same as the legislation that is now before us. A comparative reading of the two bills reveals that there are some refinements in Bill C-12, to be sure, as well as many relatively minor word changes. However, the key provisions of the current bill which our colleague Senator Bryden has outlined for us, and for which there is broad support, were already part and parcel of Bill C-97. This is further reflected in the fact that the summaries of both bills are identical in every respect.

However, it took the government over two years before it got around to bringing back what is essentially the same piece of legislation. Bill C-12 has sat on the Order Paper for almost eight months since it was finally introduced in the other place on October 28 of last year. We are somehow expected to agree that the government's delays in amending occupational health and safety standards should now constitute an emergency on the part of the Senate.

Those of us on this side of the chamber are questioning why the government is, all of a sudden, in a hurry to have Bill C-12 become law — such an hurry, in fact, that after we gave first reading to an incorrect version sent to us by the other place, the government was willing to disregard established rules of the Senate in order to expedite consideration of the correct one. We were told that suspending the application of those rules was justifiable on the grounds that passage of Bill C-12 is a matter of great urgency. One might be tempted to speculate that another election is imminent.

The points that I just raised are ancillary to the task to which this chamber must now apply itself, which is to study the bill on its merits. However, I felt it was important that they be noted in the public record. I will now turn my attention for a moment to the substance of Bill C-12.

Honourable senators, in pointing out some of the areas of concern with the legislation, I should first like to review the amendments that were made to the bill in the other place. While some of those amendments address problems that we identified in the bill, they did not respond to all of the concerns. I should also like to take this opportunity to commend the Commons committee for taking its responsibility seriously and not simply rubber-stamping the government's legislative proposals in this instance.

The government, however, may have felt that the committee took its job too seriously, which probably explains why it took the rather unusual step of promptly seeking to reverse one of the amendments made by the committee.

That amendment involved the definition of "danger" proposed in the bill. That definition was the object of some debate in the other place, and deep-seated concerns were raised by witnesses who testified before the Commons committee. As a result, Bill C-12 was amended in committee to extend explicit protection against workplace dangers to pregnant women, their unborn babies and to nursing mothers. However, as soon as the bill was reported, the government moved to undo this amendment, with the eventual support of a majority of members in the other place, although, as honourable senators will recall, this was not reflected in the version of the bill that was originally sent to this chamber.

We must take the government at its word that it is anxious to protect the health and safety of pregnant and nursing employees, and, indeed, other parts of this bill do contain certain special considerations for them. However, given the reversal of a committee amendment that had wide support, we feel that this matter could benefit from further study by the committee. In addition, concerns were raised about the adequacy of those special considerations.

The bill's definition of "health" was problematic for a number of witnesses, mainly because it specifically excluded the effects of workplace stress and work-related factors and the psychological well-being of federally regulated employees of the public service. The committee in the other place amended the bill by removing the definition of "health" entirely. However, the testimony indicates that there was some support for retaining it in an amended form, and this might warrant further exploration.

Another amendment resulted in the deletion of an item that would have required employees to take medical examinations and tests. It was removed in response to a concern raised primarily by employee associations, but also supported by witnesses from employer groups. The reason given was that such tests should not be mandatory, as mandatory tests are illegal under the federal human rights law. However, there were also calls for the deletion of another provision that authorizes the minister to undertake medical surveillance and examination programs with respect to occupational health and safety. We look forward with interest to further study on this matter as well.



Finally, the other place made an amendment regarding disciplinary action. This amendment addressed a concern raised by several witnesses, among them the Canadian Labour Congress and federally regulated employers. They noted that this was a misinterpretation of an item on which consensus had been obtained in the tripartite consultations, and they recommended that it be changed to reflect the original wording of the agreement. The committee reworded it as recommended, so it is our hope that that concern, at least, has been adequately addressed.

I should now like to discuss a few issues that were not the object of amendments in the other place. Concerns were repeatedly raised about the procedure that Bill C-12 establishes for appeals of decisions made by health and safety officers. Many witnesses expressed dissatisfaction with the one-stage system set forth in the bill, which provides that a decision made by the appeals officer is final and cannot be reviewed. They called for a two-tier appeal system, with the second tier being the Canada Industrial Relations Board, in order to ensure due process. The Public Service Alliance of Canada noted that employers and workers had originally agreed that there should be a two-tier appeal system for any case, including discipline cases and appeals of the directives of health and safety officers. We hope that the Senate committee will revisit this aspect of the bill.

There was concern as well about the adequacy of Bill C-12 to deal with workplace violence. Witnesses told the committee in the other place that a consensus had been reached in the tripartite consultations to include a regulation on a workplace violence prevention program. However, the bill does not explicitly state the requirements for the development of such a program.

Another area where questions remain is Bill C-12's introduction of the concept of ergonomics to occupational health and safety standards. It requires employers to ensure that machinery, equipment and tools meet ergonomic standards. However, those standards are not defined in the bill, and there is no indication that regulations or guidelines are forthcoming, so this provision could end up being toothless.

Ergonomics involves fitting the job to the physical limitations of the workers in order to prevent work-related, musculo-skeletal disorders such as back injuries and carpal tunnel syndrome. These can be caused by repetitive motions, force, awkward postures or overexertion of certain muscles. They are common and preventable, not to mention very expensive in terms of time and cost. Although ergonomics is a relatively new concept, models for the effective implementation of related standards do exist. For example, in November, 1999, the United States Labour Department unveiled a wide-ranging proposal in this area. The mention of ergonomics in Bill C-12, however, is so vague as to be virtually meaningless. We therefore question how effective this new provision will be.

The Public Service Alliance, among others, pointed out that workers on Parliament Hill are not subject to Part II of the Canadian Labour Code and are thus left unprotected by health and safety law. Witnesses noted that Part III of the 1986 Parliamentary Employment and Staff Relations Act contains provisions that would extend to employees of the Senate, House of Commons, Library of Parliament and workers for members of Parliament the same occupational health and safety rights and conditions as other workers in the federal jurisdiction. However, only Part I of the act has thus far been proclaimed. Witnesses called for Part III of the act to be proclaimed into force and for related amendments to be made to Part II of the Canadian Labour Code.

•(1550)

Another concern involved the fact that with Bill C-12, which also makes technical amendments to Part I of the Canada Labour Code, the government missed a golden opportunity to correct the many instances of gender-specific language still contained in that part. This matter was raised most forcibly by our colleague Senator Kinsella during the Senate's review of Bill C-19 in the last Parliament. I expect he will also speak more fully to this important issue.

Honourable senators, it looks like this is a pretty long list of concerns, but, then again, Bill C-12 is a very substantial bill. I wish to make it clear that none of these concerns impact on the overall thrust of this important legislation or detract from our support of the bill as a whole. However, we in this chamber have a duty to thoroughly study all concerns that have been brought to our attention, and I hope that these issues will be given the consideration they deserve when Bill C-12 goes to committee.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, I wish to add a few comments. Following on the speech of the mover, Senator Bryden, and that of Senator DeWare, I am quite cognizant of the fact that in Senator Bryden we have one of the leading labour lawyers in our country, who has forgotten more about labour law than I would ever learn in my lifetime; and in Senator DeWare, we have a former minister of Labour. We are quite fortunate in this chamber to have this expertise addressing this particular bill.

The other day, honourable senators, when we had the technical, procedural difficulty around the manner in which this bill arrived from the other place, some of you may recall that I rose and asked whether we would be able to examine the second parchment. I did go and examine the second parchment, as did some of my colleagues in this place. I simply wish to put on the record something that I found to be rather extraordinary about the parchment. As honourable senators know, we received a message from the House of Commons and the parchment signed by the Clerk of the House of Commons attesting that Bill C-12 was adopted by the House of Commons and that the House was now seeking the concurrence of the Senate. It was dated — listen to this — May 31.

As honourable senators recall, a few days later, we gave first reading to what we thought was the bill. It is not until around June 3 or June 5 when we apprehended that there was a problem with the bill. We then received this second message that contains a bill with the word "Reprint" on the front page. The parchment, however, against which the reprinted bill is attached, signed by the Clerk of the House of Commons, is dated not June 6 or June 7 when it happened, but, believe it or not, backdated to May 31. All of us know that if we were dealing with a civil instrument and we had backdated it, we may be on dangerous ground.

I simply place those comments on the record and will not proceed further. Senator Hays and I have consulted with His Honour about this poor piece of business. Hopefully, it will be resolved through the usual channels.

Let me turn now, honourable senators, to the matter alluded to by Senator DeWare, which I wish to underscore vis-à-vis the labour bill.

As Senator DeWare indicated, when we last had a labour bill here that opened up the Canada Labour Code, it was studied by our Social Affairs Committee. On June 18, 1998, the Standing Senate Committee on Social Affairs, Science and Technology presented its eleventh report. In that report, our committee spoke to the issue of the problem we had apprehended of the gender-specific language that is all throughout the Canada Labour Code. In its report to this chamber, the committee said:

Your Committee was pleased with the statement made to it by the Minister of Labour on the issue of gender neutrality. Clearly, the Minister supports the view of committee members on the absolute need for gender neutrality in legislation, and we encourage the Minister to give immediate and constant attention to this matter.

The Minister of Labour himself appeared before the committee. I draw your attention to Issue No. 16 of the evidence before the Social Affairs Committee on June 17, 1998. We drew the minister's attention to the Canada Labour Code being replete with gender-specific language. Since the labour code is an instrument of education for workers across Canada, as well as being the standard of fair employment practices, it has an educational function. Although all our laws should be gender neutral, this law in particular, because of its educational import, should be non-sexist in its language.

I will now quote from the Minister of Labour, who said:

Senator Kinsella has raised an interesting point concerning the language of the bill, suggesting that its wording is not gender-neutral. He has a point if he means to say that parts of the Canada Labour Code not being amended contain gender-specific terms, but such is not the case with Bill C-19. Non-sexist language has been used in the bill...

[ Senator Kinsella ]

The minister accepts that there was sexist language throughout the labour code.

He continues:

I understand that the policy of the Justice Department is that all bills amending current legislation or establishing new laws must be gender-neutral, but it is not their policy to draft specific stand-alone legislation whose sole purpose is to remove gender-specific terms.

This is the critical part. This is the commitment that was given by the Minister of Labour to our committee.

The minister continued:

I want to pursue this matter and am actively exploring with my colleagues ways to accommodate these concerns without reopening discussions on the substance of Part I of the code. I expect to introduce amendments to Part II of the code later this year, which could present an opportunity to address this issue....

Senator Kinsella: I want to thank the minister for his recognition of the problem of gender-neutrality in the language in which we draft legislation.

The minister then said that when the code is opened up again for amendment, he would undertake to ensure that the gender-specific language of the Canada Labour Code would be amended.

Honourable senators, we are at that point now. We had the commitment of the government to amend the code. When this bill goes to committee — and I believe it will go to the Social Affairs Committee, which has a corporate memory of this matter as it was the committee that looked at the bill before — we have all the amendments prepared to make those technical changes to the Canada Labour Code. The work has been concluded and the Senate could make a real contribution if our committee would attend to the amendments that we will bring to the committee to do the job that needs to be done.

With that, honourable senators, I conclude my remarks on second reading.

•(1600)

**The Hon. the Speaker *pro tempore*:** It was moved by the Honourable Senator Bryden, seconded by Honourable Senator Chalifoux, that this bill be read the second time.

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

**Hon. Senators:** Agreed.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Hays, bill referred to the Standing Senate Committee on Social Affairs, Science and Technology.

**CAPE BRETON DEVELOPMENT CORPORATION  
DIVESTITURE AUTHORIZATION  
AND DISSOLUTION BILL**

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Boudreau, P.C., seconded by the Honourable Senator Graham, P.C., for the second reading of Bill C-11, to authorize the divestiture of the assets of, and to dissolve, the Cape Breton Development Corporation, to amend the Cape Breton Development Corporation Act and to make consequential amendments to other Acts.

**Hon. Lowell Murray:** Honourable senators, I have always said that I do not really need a huge audience. I am quite satisfied so long as there is one shorthand stenographer left so that I can get on the record. Nevertheless, I do appreciate the courtesy of the sponsor of the bill, the Honourable Leader of the Government, for remaining in the chamber for this debate and I also thank his predecessor, Senator Graham. That courtesy is not always granted by ministers in the House of Commons, where ministers often feel that parliamentary debate is a matter fit only for parliamentary secretaries and backbenchers. They race out of the House of Commons when they have made their initial speeches on their own legislation. However, I do appreciate the courtesy and I will not keep honourable senators very long.

I am, as senators know, an Ontario senator with roots in Cape Breton and considerable concern for the people there and, I believe, some familiarity with the situation there. It appears that we have begun to write the final chapter in the 33-year history of Cape Breton Development Corporation. My purpose in rising at this time is to make a plea. It is a plea to honourable senators, from whatever part of Canada they may come, to the Senate and to the Parliament of Canada that we reaffirm, indeed, that we insist on our authority, our commitment and our responsibility as the Parliament of Canada for the Cape Breton Development Corporation and for the economic and social fate of Cape Breton and Cape Bretoners and that we not hand it off and abandon it as this bill would have us do.

The purpose of this bill is to hand off to the federal cabinet and to the board of directors of Devco, which is the creature and the agent of the cabinet, complete authority to divest the assets of Cape Breton Development Corporation and to dissolve the corporation as they see fit. I believe that is an abdication of a responsibility which a previous Parliament accepted 33 years ago.

As honourable senators know, the people of Canada, through Parliament and the government, have a sizeable financial investment in Devco. I speak here not just of the annual subsidies that have gone to support the corporation for the past three decades. I speak also of certain assets with which we are familiar. There is the Prince coal mine, which, as Senator Buchanan reminded us the other day, has perhaps 10 or 15 years of useful life left. There is also the undeveloped Donkin coal mine into which the federal government put \$80 million some years back before they sealed the tunnels. Surely the terms and conditions of the disposition of these assets ought to require the approval of Parliament. Otherwise, what becomes of ministerial accountability? What is Parliament for?

However, in addition to the considerable financial commitment and involvement of the people of Canada in Cape Breton, there is an unprecedented — and I know how overworked is the word “unprecedented” — political commitment to Cape Breton and to the people of Cape Breton. There is an economic and social involvement, a commitment to the people there, which was taken on by Parliament when Lester Pearson was the Prime Minister, Allan J. MacEachen was Nova Scotia’s man in the federal cabinet, Jean-Luc Pepin was the federal Minister of Mines, and Robert Stanfield was the Premier of Nova Scotia. Together, these people and their governments agreed on a new approach, quite a noble approach, if you like, to the economic and social problems of the coal mining towns.

Call it an experiment, if you like. Call it a 33-year experiment. Call it an experiment that perhaps has not worked out as well as everyone would have liked, although it is altogether too easy to disparage, as the central Canadian media is so fond of doing, the very real contribution that this federal Crown corporation has made over the decades to the economic and social life of Cape Breton and of its people.

Some may say that it was too costly, but if they that, they should be prepared to answer a fair question, and the fair question is: Too costly compared to what? To Mirabel? To the scientific tax credit, a few years back, where almost \$1 billion dollars was blown overnight?

Where I live now, Atomic Energy of Canada Limited is an important presence in the Upper Ottawa Valley. I asked a question the other day about its possible privatization. The Leader of the Government was not able to confirm that there are plans to privatize it, but privatization seems to be under consideration.

I have no comment to make about AECL at this time, but I simply want to remind senators that over the 30 years of the existence of Devco, the annual subsidy to AECL from the federal Parliament in the late 1960s and into the mid-1970s started in the range of \$50 million to \$60 million. For the past 20 years at least, it has been between \$100 million and \$200 million per year. The subsidies that have gone to the Cape Breton Development Corporation over that period have been quite small in comparison. I make that point and leave it for the consideration of honourable senators.

Another point that we should not forget is that the federal treasury was subsidizing the Cape Breton coal mines well before Devco was created. It was subsidizing the Cape Breton coal mines when those coal mines were under private ownership. I think honourable senators will find that, allowing for inflation and so on, the federal subsidies that went to the private owners in those days were no less than the annual subsidies that have been going in recent years from the federal Parliament to that Crown corporation.

Since 1967, I think that successive federal parliaments and governments have been true to the spirit and the letter of the Devco legislation. They have dealt honourably and, yes, I will say, generously with the people of Cape Breton. If the time has come, as it apparently has in the view of the government, for the federal government “to exit” the coal-mining business in Cape Breton — that is the phrase in the explanation that goes with the bill — surely we will not allow it to happen simply by a remit to the federal cabinet and to the directors of Devco. Surely, Parliament should reserve to itself the right to pronounce on what is done here.

•(1610)

Last summer, the Supreme Court of Canada used the concept “honour of the Crown” in its judgment in the *Marshall* fisheries case. They were talking about the honour of the Crown engaged, as it is, in the treaties that our political ancestors signed with the aboriginal peoples. I believe that the honour of the Crown is engaged in Cape Breton and in those communities as a result of what Parliament did 33 years ago. I do not think that the honour of the Crown can be maintained, upheld or preserved if Parliament walks away and simply hands over authority to the Governor in Council to do with these assets and with this Crown corporation as it pleases.

Honourable senators, the policy is to reprivatize the coal fields in Cape Breton. Some of the advocates of this bill speak as if private ownership of the coalfields of Cape Breton was something new. As we know, coal has been mined in Cape Breton since 1685, under the regime of Louis XIV. The first commercial operations were instituted in 1720. For a good part of the first half of the 20th century, the Dominion Steel and Coal Corporation turned a nice dollar and made a profit on operating the coal mines of Cape Breton. The corporation received subsidies from the federal government in later years to help it do so. When Dominion Steel ceased to make a profit, it walked away without a thought for the economic and social consequences in those communities.

In addition, an environmental legacy was left behind that those of us who know the area are aware is one of the worst in Canada. This legacy amounts to 100 abandoned pits that are now in the hands of the federal Crown to clean up. I think we can confidently predict that before that mess is cleaned up, the cost to the Canadian taxpayer will be one-quarter of a billion dollars. I have seen the analysis done by the federal Department of Natural

Resources, and I have seen the analysis done by the John T. Boyd Company. It is an understatement to say that there are 100 abandoned pits and it will cost \$167 million, or whatever. I think we can confidently expect it will cost one-quarter of a billion dollars to clean it up by the time we are finished.

Honourable senators, is it any wonder that Cape Bretoners are fearful? Is it any wonder that they want to see the not-so-fine print? They want to know the terms and conditions of the disposition of this company. Do they not have a right to expect that their Parliament, which took on this obligation 33 years ago, will at least see it through to the end and that we will reserve to ourselves the final approval of what is done?

I say with great respect, honourable senators, that the present government must redeem itself with regard to Devco and that they have not always been completely up front, either with Parliament or with Cape Bretoners, about their plans. I do know, as we all know, that it has been part of the agenda of the federal Department of Finance — and it did not start with this government, not at all — to have the federal government “exit” the Cape Breton coal mines. Governments come and governments go, but the Department of Finance goes on — a culture unto itself and, it appears, a law unto itself.

Part of the strategy on the part of the government and of Devco had been to pretend that there was a future for the Phalen coal mine and to pretend that there was a future for the Phalen coal mine in the face of all kinds of evidence to the contrary. Three times a special Senate committee heard evidence to the effect that with all the geological and other problems at the Phalen coal mine, its future was a dubious proposition. Three times a Senate committee recommended that there be an assessment of the future of the existing mines — in June of 1996, in April of 1997 and in December of 1997. Three times we asked for a study, not to open the Donkin mine, but to do a study of the economic feasibility of Donkin. Three times we were stonewalled — no pun intended — by ministers and bureaucrats in Ottawa, and by their compliant surrogates in Cape Breton.

Honourable senators, the government had to pretend that there was a future for the Phalen coal mine because once they admitted the contrary, the subject of a possible new mine at Donkin came up. I will not go into the history of the 1997 election campaign, but that is the last thing the Department of Finance or the government wanted to hear. They put it off until such time as it became perfectly obvious that Phalen was finished after the government had already announced they would close the shop and privatize the corporation anyway.

The Senate will understand why Cape Breton needs reassurance. The Senate will understand, I hope, why Parliament should decide not just whether the Devco assets will be divested, but how and under what conditions.

The Leader of the Government in the Senate spoke on June 13 in opening debate on this bill.

**The Hon. the Speaker:** Honourable Senator Murray, your speaking time has expired. Are you requesting leave to continue?

**Senator Murray:** Yes, for a very few minutes, honourable senators. I am coming to the end of my remarks.

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

**Hon. Senators:** Agreed.

**Senator Murray:** Honourable senators, the Leader of the Government insisted that this bill does not mean that coal mining will cease in Cape Breton. He said:

It will have a future, and approximately 500 people will have employment in a new and reinvigorated coal industry.

That is really the issue here. How does the minister know? How can he be sure? What assurances does the honourable leader have? What assurances can he or the government give to Parliament and to the people of Cape Breton in this respect? Who is in the loop in these negotiations? I believe it began with the 60 companies that were asked to take an interest in this matter. They whittled it down over the months. Negotiations are going forward with one company. Who was in the loop? There is Nesbitt Burns, of course, agents of the government; federal ministers and officials, one assumes; the board of Devco, one assumes; and Nova Scotia Power. One of the vice-presidents of Nova Scotia Power testified at the House of Commons committee and indicated that Nova Scotia Power had discussions with a putative purchaser. I suppose that is understandable given that an important part of all this is the Nova Scotia Power contract, but he took refuge in confidentiality when pressed for details.

When Mr. Shannon, the Chairman of the Board of Devco, was asked what was the major asset of Devco, he said it was the Prince mine. Some people — I think Senator Buchanan is among them — think that the major asset may well be the Nova Scotia Power contract, which still has 18 years to run. Senators will understand the concern on the street, which was alluded to by Senator Buchanan, that a United States company, which is perhaps not greatly in the business of coal mining but is a coal broker, will buy the assets at a fire-sale price and then proceed to import coal from Colombia, the United States or wherever to supply Nova Scotia Power. There go the 500 jobs to which Senator Boudreau referred.

Honourable senators, timing is everything, and the convergence of time supports my position that Parliament should take a look at and have the final say on what is being done.

•(1620)

When Mr. Goodale spoke at third reading on June 6 in the House of Commons, he said that Devco is now at the stage of evaluating and clarifying one of the proposals with a view to finalizing the broad terms and conditions of a potential sales agreement, perhaps as early as later this month.

That was June 6, today is June 15. Our friend, Senator Boudreau, the Leader of the Government in the Senate, on June 13, said:

The privatization process is now approaching its final stage, and any final agreement of purchase and sale must be approved by Devco's board of directors and the federal government. However, without the authority contained in Bill C-11, there can be no sale.

To which I say, "Just so."

I presume this bill will be referred to committee. This is the opportunity for the government to bring forward the details of the deal that is being negotiated, so that we may see what assurances there are in respect of coal mining in Cape Breton, and whether coal mining will continue in Cape Breton, and whether these 500 jobs and this reinvigorated industry to which the Leader of the Government referred are a reality or just a pious hope. Bring these issues to the committee, and we will examine and pronounce on them.

I tell you, honourable senators, in all seriousness, we should not pass this bill until we have had the opportunity to pronounce on the disposition of the assets and the disposition of the Cape Breton Development Corporation. We should not pass this bill until we are entirely satisfied that those terms and conditions are fair and just to the people of Cape Breton, and that the honour of the Crown has been upheld.

**Hon. Nicholas W. Taylor:** Would Senator Murray permit a question?

**Senator Murray:** Certainly.

**Senator Taylor:** I gather it is Senator Murray's argument that we should not confirm the final sale until the agreement of purchase and sale is brought back to Parliament to be approved. Does he think that is a practical way of proceeding?

**Senator Murray:** Honourable senators, at a minimum, Parliament should be completely cognizant of the terms and conditions.

With great respect to my honourable friend, the argument of practicality and convenience is one that is always put forward to justify short-circuiting the rights of a parliamentary democracy. I do not accept it for one moment.

**Senator Taylor:** It seems we are approaching something not dissimilar to the proposed transport legislation where we are introducing an ombudsman to ensure that competition is encouraged and that the public is not exploited.

After years of being in business I know — I am sure Senator Murray will agree with me — that it is difficult to reach an agreement that cannot be averted on some level.

Has Senator Murray given any thought to the appointment of an ombudsman who would oversee the operation to ensure that coal is not brought in or substituted for that coal outlined in the contract, and to ensure that people are not unjustly laid off? Would Senator Murray consider such an appointment?

**Senator Murray:** One could try to amend the legislation in some way, I suppose, along those lines.

I have not examined the legislation to which my friend refers. I have my own views about the commercial passenger air traffic in this country. In a nutshell, they are that we must not have, nor must we permit, an unregulated monopoly. Whether that bill is satisfactory or not is something I would want to review at another time.

It is perhaps the more practical solution, at least at the beginning, not to try to anticipate every eventuality by amending Bill C-11, but rather consider what is proposed by way of the terms and conditions of sale.

I would be the first to acknowledge that there is such a thing as commercial confidentiality. I have no problem with that. However, I do say that Parliament and the people must know what is being done and what assurances there are to back up the statements that our friends, the Leader of the Government here, and Mr. Goodale in the other place, have made with regard to the continuation of this so-called “reinvigorated” industry in Cape Breton in the future. That is the issue upon which we must satisfy ourselves. We cannot anticipate every eventuality that may occur years down the road. At the least, reasonable people can examine a closed contract, post agreement, and come to their own conclusion as to whether it is fair, just and honourable.

Before I came to the chamber today, I reviewed the legislation to privatize Air Canada and CN. It is true that in those cases Parliament did delegate to the minister a significant amount of authority. However, in those instances, we were dealing with companies that were a going concern. No threat was felt by anybody that the railways or Air Canada would cease operations. The provisions that were made were for a public share offering, as my colleagues know.

Even in those cases, we hummed and hawed about having legislation with conditions. Parliament went so far in the case of Air Canada to spell out in the bill that they had to continue maintenance operations in Winnipeg, Mississauga and Montreal. We stipulated that the Official Languages Act would continue to apply. We also stipulated how much individual and foreign ownership would be allowed, and so forth. It was quite detailed legislation, and that was in the case of a company that was a going concern.

Devco is still the major employer and the major economic activity for a number of communities in Cape Breton. I do not wish to make more of the point than I made. It is simply vital that Parliament not just hand off to the Governor in Council the right to dispose of it.

[ Senator Taylor ]

We had better take our responsibility on this matter and carefully consider the proposal and make our best judgment as to whether what is proposed is in the interests of the Crown and, most of all, in the interests of those communities which have depended so long on this federal Crown corporation.

**Senator Taylor:** Senator Murray’s thoughts are most interesting, as always.

I am a mining engineer in Alberta, one of the last to graduate with Alberta Coal. I am older than the honourable senator, and I remember at one time, in Alberta, coal mining employed more people than even Cape Breton. In fact, in the 1950s, we imported coal miners to work in our coal mines. However, although we have more coal than Cape Breton, the quality is not as good.

Perhaps Cape Breton is at the same point Alberta was at in the 1950s. The oil and gas industry there is just starting to take off. Geologically speaking, I believe I can assure the honourable senator that Cape Breton probably has reserves closely equivalent to or equivalent to those of Alberta. It will just take time to get them underway. If you go into this idea of keeping an industry alive — and it is an energy industry, although later on it might be a metallic industry and it may be an ideal place to sequester carbon — would you not be looking at something which would allow the transition to take place to a free market economy rather than trying to perpetuate this situation in the future?

•(1630)

Do not get me wrong, honourable senators. Coal may very well be valuable in the future. I am saying that as of now the oil and gas industry is looming on the horizon, just as in Alberta in the 1950s. It more than made up for the number of jobs we lost in coal mining. There was room for everyone, their children and their relatives. People even phoned Cape Breton to get their relatives to come out to work in the oil and gas industry at that time. Obviously, Nova Scotia is on the brink of breaking through into a whole new employment field.

Since the honourable senator is a member of the free market party, does he not think that the system should allow people to adjust rather than being encapsulated into an old industry?

**Senator Murray:** Honourable senators, I hope and believe that my honourable friend’s optimism about the future economy in that area as a result of oil and gas discoveries is well founded. I also gratuitously express the hope and belief that governments, notably governments in those provinces, and in particular that of Nova Scotia, will be sensible and long-headed in the way in which they treat that resource.

What my honourable friend is suggesting is exactly what appears to be proposed in this bill. First, there will be a transition from a subsidized federal Crown corporation to a privatized entity. As the Leader of the Government has reminded us, we will have a coal industry that will be smaller, that will not be government owned but that will be, as he said, reinvigorated and employ 500 people. Thus, what is proposed is a transition.

My position is that we, the Parliament of Canada, are about to authorize, it would appear, the Governor in Council to divest itself of an asset that we have had for 33 years. I want to be sure that Senator Buchanan is not right that it is going as a fire sale. I want to be sure, as do the people of Cape Breton, that what is happening here is not some kind of smokescreen, some kind of elaborate procedure to conceal the fact that the buyer is not interested in continuing to mine coal in Cape Breton but only to get hold of a pretty lucrative contract with Nova Scotia Power which they will supply by importing coal from the United States, Colombia or wherever.

Sure, I belong to a party that believes in the free market. I believe in the market. However, the market has its limitations, as my friend knows. The sooner we realize that the market is amoral and agnostic as to human social values, as it should be, since its business is to produce goods and services at a profit, the sooner we will accept the role of government, which is peace, order and good government. I am with the Robert Stanfields of this world, who believe that the "order" in peace, order and good government strongly implies a social order in which there is some effort made to see that there is equality of opportunity and some redistribution of the wealth of the nation. That, however, honourable senators, is another story.

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

**Hon. Senators:** Agreed.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE.

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

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

## CITIZENSHIP OF CANADA BILL

SECOND READING—DEBATE ADJOURNED

On the Order:

Resuming debate on the motion of the Honourable Senator Finestone, P.C., seconded by the Honourable Senator Gauthier, for the second reading of Bill C-16, respecting Canadian citizenship.

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, Bill C-16 is entitled, "An Act respecting Canadian citizenship." However, if you read the bill, the pith and substance of it suggests that it would be more correctly entitled "the Canadian naturalization act." The bill is about citizenship acquisition and the technical matters relative thereto; it is not about the richness of Canadian citizenship. Thus, why are we

calling it the Citizenship Act?

Second, in my view, the government has missed an excellent opportunity to introduce a real Canadian citizenship act which, at the launch of the 21st century, would have spoken to the vitality of Canadian citizenship, the citizenship that is shared by 31 million Canadians.

Third, on May 6, 1993, our own Standing Senate Committee on Social Affairs, Science and Technology presented to the Senate a report entitled "Canadian Citizenship: Sharing the Responsibility." In this report, our own committee observed that, in many ways, Canadian citizenship is a treasure to discover. In its study, the committee unearthed a multitude of elements that undergird a modern conception of Canadian citizenship, a conception of our citizenship in the world of the 21st century.

The forward to our report reads as follows:

We viewed this inquiry as an opportunity to ask some fundamental questions and to think of ways in which Canada's *Citizenship Act* could be amended to strengthen Canadian citizenship, and enhance its value for our country, ourselves and our children.

Honourable senators, it is a pity indeed that the officials who drafted Bill C-16 failed the government by basing this legislative proposal on the sterile naturalization approach to citizenship, the orientation of the past. Rather they could have submitted to government a model that would speak to the Canadian citizenship shared by all Canadians who are focused on active citizenship in the world of the third millennium. What a pity indeed, given that the bureaucrats had only to turn to a Senate study for the required inspiration.

On page 13 and 14 of the report, we read that the current Citizenship Act came into force in 1977. It was intended to clear away some of the anachronisms of the 1947 statute which, as honourable senators realize, was the first Canadian Citizenship Act in Canada. The 1977 act removed the British preference and those provisions that discriminated on the basis of gender.

Plural citizenship was also accepted under the new changes; and citizenship was no longer to be considered a privilege to be granted to those qualified but, rather, a right which could be exercised by anyone with the requisite qualifications.

The committee's report also states:

However, as a Committee, we are convinced that it is time for the Government to enact a new *Citizenship Act*, one that clearly reflects contemporary realities.

The Act should recognize the pluralist nature of contemporary Canada as well as reaffirm the fact that we are an officially bilingual nation. In addition, it is important that the Act provide both a clear statement of citizenship rights and responsibilities. A new Citizenship Act must be one with which all Canadians, including our aboriginal peoples can enthusiastically identify.

•(1640)

We therefore recommended — and this was a recommendation adopted by this house:

That Parliament enact a new Citizenship Act....That the Act reflect the pluralist, officially bilingual and multicultural nature of Canadian society and that it provide a clear statement of citizenship rights and responsibilities.

Honourable senators, we were not listened to, once again, so here we are in the year 2000, but I think it is still quite appropriate that we ask the following questions. Why should we have a Citizenship Act that would provide a clear statement on the rights and responsibilities, not of new Canadians, but a Citizenship Act that speaks to every one of the 31 million Canadians? What are we doing bringing in, under the guise of a Citizenship Act, an act that speaks to naturalization, an act, quite frankly, with which the vast majority of Canadians cannot identify?

In answer to that question, I am reminded of the testimony of the Canadian Citizenship Federation before our committee a few years ago. They stated:

It is with some anxiety that we see our symbols being dubiously used. In some areas of the country, young people assume that the national anthem is something sung at hockey games or at the Olympics when a Canadian athlete wins a medal. The flag is draped carelessly and limply on tops of buildings or shoved into a corner at official functions or behind a screen. We are not proud to be Canadians. We lack the cutting edge. We do not offer excitement or challenge and we fail to make being a Canadian citizen a fervent choice.

Honourable senators, I think you would agree that there is much truth in that statement of our witnesses. As Canadians, we do take for granted our way of life. We tend not to appreciate the many rights and responsibilities we are privileged to have.

One of our most important civic rights and responsibilities as Canadian citizens is the right and responsibility to vote. As mentioned — and it is worth underscoring this afternoon — the right to vote is one of the few rights that is limited or specific to Canadian citizens in our constitutional Charter of Rights and Freedoms. Through the vote, for example, citizens exercise a direct input in the shaping of our government. It is a democratic right of citizens to participate in shaping not only the nature of government but also government policy. However, with this right comes the responsibility to be informed and aware of the issues

facing our country. We all have a role to play in providing a framework for these responsibilities to be met, through education and promotion. To this end, I had expected that the Government of Canada would have given priority to introducing into Parliament a new Canadian Citizenship Act that would have laid out the rights and responsibilities that speak to the 31 million of us living in this great land.

A new Citizenship Act surely ought to be speaking to all Canadians, whether we are young or old, whether we have acquired our citizenship through naturalization or through birth. Such an act surely will serve to codify our shared values and visions.

The preamble of a new Canadian Citizenship Act should be the statutory locus of the ideals and values brought forward by Canadians during the past few years. There should be a preamble of this kind in a contemporary Canadian Citizenship Act, one wherein we could set out the values that Canadians have said they cherish most: the equality of women and men; a commitment to full participation in our country by all citizens without discrimination; the recognition of the historical rights of the aboriginal peoples within Canada; the importance of the bilingual nature of our country; and the contribution of peoples from many cultures and lands in building the nation that we cherish today. Most of all, we should have a preamble in our Citizenship Act in which we can entrench the quintessential Canadian balance between the personal freedom we all enjoy and the personal and collective responsibility we require of one another. Not every Canadian will find all the same things to cherish in this land, and we will have different symbols, poetry and prose that inspire us. This is not only acceptable for the purposes of a new act, but, indeed, it is one of the values most central to it — the diversity of thought and the diversity of cultures and visions that collaborate in order to form this great experiment known as Canada.

Citizenship, then, is the vehicle by which diverse ideas and viewpoints may be brought forward by every Canadian, to build upon and to learn from the ideas and viewpoints of others. The role of citizenship is to ensure that every citizen may contribute to and feel a part of the synthesis of our national discourse. That synthesis is what ultimately becomes our nation.

[*Translation*]

Honourable senators, attempting to define the essential nature of Canadian citizenship has become a sort of national pastime. The proximity of the United States and our symbiotic relationship with this world power help to explain why Canadians are trying to differentiate themselves from their American neighbours.

If this exercise stimulates discussion and reflection, it would be pointless to look for an ideal. Certainly, we must identify closely with our country, but this identification can be from different perspectives and connotations in the case of the values we hold dearest. Perhaps this is the essence of Canadian citizenship.

[ Senator Kinsella ]



The rights conferred by citizenship are more apparent than the responsibilities it imposes. According to what many witnesses have said, it is at our own risk that we perpetuate an unbalanced view of citizenship, one that focusses more on rights than on responsibilities. The civil, political and social rights inherent in citizenship must be offset by a responsibility that involves a contribution to the community. Citizenship presupposes a commitment in an area beyond personal interest.

Canada's history, honourable senators, its regional contacts and its cultural composition have promoted the development of a civic virtue that tolerates diversity and varying degrees of attachment, while allowing us to recognize the reciprocal benefits of our independence.

[English]

Canadian democracy is contingent upon an aware and educated citizenry. The principal need of modern democracy is that all citizens have the skills and information to make sound choices. People are not born with an instinctive knowledge of civics, but, rather, government policies and institutions must give citizens the skills and knowledge necessary for civic participation. Without this, populist cries ring hollow and phrases like "participatory democracy" remain more suited to theory than to practice.

•(1650)

Today in Canada, citizenship education, regrettably, is a sorely neglected area. Political education is taught in a passive sense, focusing more on memorization of facts and structure than on participation in the political system. There has been little innovation or attention given to civics programs in our schools across Canada since the mid-1960s, and there is no national focus.

Education, as we know, is a multi-billion-dollar-a-year investment for Canadians. Surely, given the financial commitment to the educational system, it is not too much to ask that we play a role in preparing students to be full and active participants in the democracy Canadians treasure so much.

Our Senate committee studied Canadian citizenship, a study which was completely ignored by the drafters in the bureaucracy as they put together this naturalization bill. Our committee underscored a number of ways by which we can improve the standard of citizenship education in this country. We can develop new modules for multicultural education which, by incorporating content about cultural groups and their perspectives into the curriculum, can help students appreciate more fully our pluralistic society and can incorporate group participation and interaction into our curricula. We can develop programs based on developing critical thinking skills instead of on rote memorization. In short, we should ask that a program be devised which empowers our future citizens to feel that they can make a difference in our society.

In our Senate study on citizenship we examined other successful programs in citizenship education in other parts of the

world, such as the "civitas" model in the United States which serves as a curriculum framework for schools in that country.

Honourable senators, the true goal of citizenship education is not only to increase the rates of civic participation, but also to nurture confident, reflective, and responsible participation. We all know too well the pervasive cynicism about democratic input that exists in this country. Now is the time to invest in the future of our democracy by showing our youth the potential in hopeful public commitment and to inspire them to join in the quest for the public good as active citizens.

In conclusion, regrettably, Bill C-16 does not speak to any of these citizenship issues which affects 31 million Canadians. The machinery of government, as presently structured, wherein the responsibility for Canadian citizenship is coupled with responsibility for immigration, has clearly shaped or skewed the thinking that underlies this bill. It is focused toward the issue of citizenship acquisition or naturalization and does not address the need for a Canadian citizenship act with which every Canadian could identify.

**Hon. Sheila Finestone:** Honourable senators, I wish to ask a question of Senator Kinsella. I listened with great interest to his very clever observations on citizenship in Canada. I believe that citizenship acquisition is an integral part of a citizenship act and that a preamble could be an important asset to this bill.

I believe that that which you call "naturalization" is an important part of citizenship acquisition. If a proper preamble were included, would the honourable senator find this bill more acceptable?

**Senator Kinsella:** I thank the honourable senator for the question. The answer is, yes.

**The Hon. the Speaker pro tempore:** I regret to interrupt the Honourable Senator Kinsella, but his allotted time has expired.

Is the honourable senator requesting permission to continue?

**Hon. Dan Hays (Deputy Leader of the Government):** I suggest that we give leave for Senator Kinsella to respond to questions for another 10 minutes.

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

**Hon. Senators:** Agreed.

**Senator Kinsella:** The answer to Senator Finestone's question is yes. Indeed, I believe that this is an opportunity for the Senate to do the fine work that it can, in the committee that will be examining this bill.

One part of the bill does give the citizenship commissioner a certain educational responsibility, although I believe that it refers to "new" citizens.

There are many technical problems with the bill particularly as it relates to naturalization to which other senators have alluded. We all understand how things work in this town. Certain people in the Department of Citizenship and Immigration drafted a bill and gave it to the minister. You must understand that the citizenship branch is part of the Department of Citizenship and Immigration. It was not always so. When our colleague the Honourable Senator Joyal was the Secretary of State, the citizenship branch was in the Department of the Secretary of State. When that was the case, that ministry also dealt with issues of citizen participation, issues of multi-culturalism, and issues of volunteerism.

In other words, the corporate philosophy of the Department of Secretary of State was the participation of the total population of Canada. The citizenship branch had a registration unit, located in Sydney, Nova Scotia, where all applications for Canadian citizenship were processed. That was a unit within a department that spoke, in its corporate philosophy, to all Canadians.

The Campbell administration reorganized the machinery of government. It broke up the Department of Secretary of State and put the citizenship branch with immigration. That is why it no longer speaks to all Canadians. Most Canadians are not new Canadians, but rather Canadians by birth. The corporate philosophy in the Department of Citizenship and Immigration is focused on the issue of immigration rather than promoting good citizenship of the entire citizenry. No one is doing that. That is how we probably ended up in this situation.

•(1700)

Perhaps the committee would want to delve into this, honourable senators. Why is it that, in this particular bill, there seems to be this focus on citizenship revocation? Is it that officials in the Department of Justice, who are dealing with issues like war crimes or issues of people acquiring Canadian citizenship who are under investigation for allegations of war crimes in the past, wanted to have an easy way to revoke citizenship? Where did that dynamic come into play? Again, none of it seems to have been based upon a view of Canadian citizenship that involves the vast majority of Canadians. That is its weakness. It is a weakness — and perhaps one of the challenges in our country today — that we do not have an easily articulated public statement that a preamble to a Canadian citizenship act might very well provide.

I apologize for my long-winded answer, but it gave me an opportunity to express concern and wonder out loud as to how this all came about. I am not criticizing government, but I do have questions about those who serve governments.

**Senator Finestone:** I think the goal the honourable senator alludes to is a good one. One must remember that the educational aspect of citizenship is also a provincial responsibility, and we must bear that in mind in the way that we approach it. Perhaps

[ Senator Kinsella ]

the educational channels of television may be a good tool in that regard.

I would remind the honourable senator that the proposed section 31(7)(b) is quite specific in its definition of the various roles of the new citizenship commissioners. It states “to promote active citizenship in the community.” It does not say that it is to promote active citizenship only towards new Canadians. That is one of the five or six responsibilities that the new citizenship commissioner will have.

I thank the honourable senator for his most interesting observations. They certainly will require careful consideration. I hope that some of the creative ideas that Senator Kinsella has put forward will be brought to fruition in a medium other than either this place or the Citizenship Act.

**Hon. A. Raynell Andreychuk:** May I ask a question of the honourable senator? Senator Kinsella quite eloquently stated that the weakness in the bill is that it does not speak to all citizens. I share that point of view. Since the bill does not do that, and since it seems to reduce the number of safeguards for those people who become citizens from “offshore,” if I can call it that, the bar for the test for revocation has been left where it is, at a low level or standard.

Does the honourable senator believe, therefore, that if the bill is not amended that it will drive the wedge even farther between those who were born here and those who come here than does the existing law?

**Senator Kinsella:** The short answer to that question is yes, I do believe that it will create two categories of citizenship, which is intrinsically evil, in my view. I am also concerned with the “citizenship by probation,” almost, to which this bill, if passed, would lead.

There is also, honourable senators, the matter of the oath that is being proposed in the bill. Mr. John Bryden, Member of Parliament in the other place, spoke eloquently about his concern with that clause of the bill. I would simply commend honourable senators to read what Mr. Bryden had to say. This is one of those situations where one of the bureaucrats came up with something that looked good. The House of Commons had an opportunity to examine this issue for a long period of time in committee when it was dealing with Bill C-63. It has now spent some time on Bill C-16.

It is extremely important for our committee to get to the bottom of this. I believe that we can make some very important amendments. We hear horror stories about due process and human rights. However, I am anxious to encourage colleagues to focus on amending this bill so that it will be a contemporary Canadian citizenship act that speaks to all of us, one that and situates Canada in the world community of the 21st century.

On motion of Senator Kinsella, for Senator Di Nino, debate adjourned.

## COMPETITION ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Finestone, P.C., seconded by the Honourable Senator Gauthier, for the second reading of Bill C-276, to amend the Competition Act (negative option marketing).—(*Honourable Senator Andreychuk*).

**Hon. Noël A. Kinsella (Deputy Leader of the Opposition):** Honourable senators, when I first arrived here in the Senate 10 years ago, one of our distinguished, now retired, senators, Heath Macquarrie, came to me because I had the audacity to stand up twice one afternoon to speak. If I were to speak now, that would be the third time today — and on a Thursday afternoon. Therefore, I will not speak to this bill today but I will do so next week.

**Hon. Sheila Finestone:** Honourable senators, perhaps we could complete this expeditiously before six o'clock, and move the bill on to committee.

**Hon. Dan Hays (Deputy Leader of the Government):** Honourable senators, other than Senator Kinsella, I know of no other senator who wishes to speak to this bill. It is now a few minutes before six o'clock. As I look down the Order Paper, perhaps out of consideration for Senator Finestone, we should hear Senator Kinsella. I do not know whether his speech will be long, but knowing him as I do, his excellent interventions always prompt questions. However, that is the risk that we will have to take.

**Senator Kinsella:** Thank you, honourable senators. I will give you the abridged version.

I do not like it when I get a bill in the mail that tells me that I owe a cable company a certain amount of money for something I did not order. That is the pith and substance, as I understand it, of Bill C-276. Rather than search to be an architect of words around that basic principle, I would just say: "I do not like that." Thus, I do like the principle of this bill, and I support the principle of the bill.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Finestone, bill referred to the Standing Senate Committee on Banking, Trade and Commerce.

[*Translation*]

•(1710)

## DEVELOPMENTS RESPECTING EUTHANASIA AND ASSISTED SUICIDE

REPORT OF SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY  
COMMITTEE—MOTION IN AMENDMENT—  
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Carstairs, seconded by the Honourable Senator Mercier, for the adoption of the seventh report of the Standing Committee on Social Affairs, Science and Technology entitled: "Quality End-of-Life Care: The Right of Every Canadian," tabled in the Senate on June 6, 2000;

And on the motion in amendment of the Honourable Senator Corbin, seconded by the Honourable Senator Ferretti Barth, that the motion be amended by adding the following words:

“;and

That the Senate request the Government to provide a comprehensive response to the unanimous recommendations contained in this Report within six months of the adoption of this motion.

**Hon. Lucie Pépin:** Honourable senators, allow me to take a few minutes of your time to express my support for the report on palliative care tabled in this chamber last week.

As you know, palliative care — which does not include only care provided to terminally ill cancer patients, but all types of care provided to any terminally ill patient — is at the core of the subcommittee's work on the updating of the report "Of Life and Death." This is so true that our committee's report deals primarily with the issue of end-of-life care, including palliative care.

During its work, our subcommittee found that palliative care is sorely lacking in Canada. Moreover, not only is palliative care lacking, but where it exists it is unevenly spread across Canada, with the result that it is difficult for people living in rural or remote areas to have access to such care. The subcommittee feels that these are major problems, since each Canadian is entitled, at the end of his or her life, to care that is provided with competence, compassion and respect. Palliative care must become an integral part of our health system and not only be available, through chance or privilege, to a limited number of people. It is the federal government's responsibility to act as a leader in this area.

As a nurse by profession, I am particularly interested in the issue of palliative care. Nurses are the central players in the delivery of care. Naturally, they do not act alone. In the best of all possible worlds, they work together with doctors and other health professionals, social workers, and pastoral care workers, to name just a few, and they do so as part of an ongoing and integrated process. Note that I say “in the best of all possible worlds” because the subcommittee noted that, right now, the situation is far from ideal. In fact, next to no progress has been made on most of the unanimous recommendations in the 1995 report, or what progress there is has been unsatisfactory. One conclusion of our report which, by the way, I urge you to examine, is that there is no political will to give palliative care the place it deserves in our health care system. To echo the words of our subcommittee’s Chair, the Honourable Sharon Carstairs: “The dead cannot vote.”

I wish, honourable senators, to illustrate my remarks using a few examples from the report tabled five years ago. The report recommended an integrated approach to palliative care. Five years later, not only is there still no national palliative care strategy but, in all the restructuring of the health care system, no province has made palliative care a priority. That is why the subcommittee feels it is important for the federal government to take a leadership role in this area, a role that will, however, have to manage the feat of striking a balance with provincial health care jurisdictions.

Another recommendation was that the training of health professionals be improved in all aspects of palliative care. Five years later, a number of witnesses from whom we heard in the first phase of our work said that they found it regrettable that the training of future doctors, nurses and other health professionals remains largely incomplete. In fact, with respect to doctors, witnesses said that either they had received no palliative care training during their years at school, or this training was limited to a few hours which, in either case, is inadequate.

Honourable senators, we must insist that tomorrow’s physicians, nurses and others who will be dealing with terminal patients receive proper training in palliative care.

Another point is that all health professionals need more training, and better training, in pain management. Here again, five years after the report was tabled, many witnesses told us that, for the most part, the training in pain management still left much to be desired. Others suggested that many physicians were hesitant to administer treatment or medication that was intended to alleviate suffering but was liable to hasten death because of the impreciseness of the Criminal Code in this area.

I will not go on. These are enough examples to demonstrate that palliative care does not receive all of the attention it deserves in Canada.

Today, this may be merely regrettable, but tomorrow it might be dramatic. Honourable senators are not unaware of the demographic trends that characterize Canada. The aging of the population creates a heavier demand on palliative care. The

incidence of certain diseases, such as Parkinson’s, AIDS, cancer, not to mention other terrible conditions such as amyotrophic lateral sclerosis, commonly known as Lou Gehrig’s disease, is generating pressure on the health system in favour of the development of palliative care. Still relating to demographic trends, the diversification of Canadian society means that palliative care will need to be adapted to fit people’s belief systems.

As things are, palliative care is in the background of Canada’s health system. As the subcommittee discovered, there is certainly a connection between this situation and the fact that it is difficult to plead a case for life-sustaining care, which is essentially aimed at pain relief, when the medical and social culture is focused on cure. In other words, palliative care may pose a threat to people because it forces us to rethink our concept of medicine: that it is not only focused on life, but also on making our departure from life a more comfortable process.

In fact, it is only at this level that palliative care forces us to think about our health care system in Canada. This is perhaps the best area for governance. Governance is a multi-faceted approach to managing that seeks to establish a link between civil society and the political system in orienting the collective future. Governance implies a network of exchanges between the civil, community and political, a network that operates on the logic of dialogue, consensus and collective construct. In the context of health care, governance implies that governments work with health care professionals — doctors, nurses, pharmacists — other stakeholders, for example, social workers and volunteers and, most important, with the public in order to get the health care system to truly respond to their needs. Governance implies the desire to work together, mutual openness, dialogue and listening, all elements of end-of-life situations.

In a text to be published by the Royal Society of Canada, Monique Bégin argues in favour of the approach of governance in health care in Canada. However, there are some obstacles to this, including the lack of integration in Canada’s health care system — so much so that Ms Bégin speaks of 13 health care systems in Canada — relations between the federal government and the provinces and territories and, most important, the public’s exclusion from health care decision-making.

Honourable senators, we should keep in mind the spirit of such a proposal to establish a network of palliative care that would be accessible to all Canadians, regardless of their place of residence, age, wealth, disease or religion. Governance is a strategy that can help us preserve and renew a value which has so far been a trademark of our health system, namely, universality.

I will conclude with a paradox. We can now communicate very rapidly with people at the other end of the world, but it seems that we are increasingly less able to communicate with our close ones, to alleviate the pain of those who are about to leave us, to develop with them a relationship that is based on deep compassion. This sad paradox should spur us, as a society, to review our priorities.

[English]

•(1720)

**Hon. Sharon Carstairs:** Honourable senators, I thank Senator P  pin for her remarks today. I also thank Senators DeWare, Corbin, Roche and Beaudoin for their earlier comments.

I assure the Senate that I believe Senator Corbin's motion in amendment, which urges the government to report back to us in six months on our report, is an excellent motion and one worthy of all our support.

Honourable senators, the response to this report has been tremendous, and if you have seen a little less of me these days in the chamber, it is because I have been handling a great number of media calls, talk shows and Canadian e-mails, letters and phone calls. Every single event in which I have participated or communication that I have received has been positive.

Honourable senators, this idea touches a deep resonance within the Canadian people and indeed in the media. I can only hope and pray it finds the same kind of resonance with governments across this country. I urge each and every one of you to support this motion.

On motion of Senator Maheu, debate adjourned.

## FOREIGN AFFAIRS

EMERGING DEVELOPMENTS IN RUSSIA AND UKRAINE—  
BUDGET REPORT OF COMMITTEE ON STUDY ADOPTED

The Senate proceeded to consideration of the ninth report of the Standing Senate Committee on Foreign Affairs (power to hire staff and to travel) presented in the Senate on June 13, 2000.—(*Honourable Senator Stollery*).

**Hon. Peter A. Stollery** moved the adoption of the report.

Motion agreed to and report adopted.

## AGRICULTURE AND FORESTRY

PRESENT AND FUTURE STATE OF FORESTRY—  
BUDGET REPORT OF COMMITTEE ON STUDY ADOPTED

The Senate proceeded to consideration of the second report of the Standing Senate Committee on Agriculture and Forestry (power to hire staff and to travel) presented in the Senate on June 13, 2000.—(*Honourable Senator Fitzpatrick*).

**Hon. Ross Fitzpatrick** moved the adoption of the report.

Motion agreed to and report adopted.

## ONTARIO

REGIONAL RESTRUCTURING LEGISLATION—  
REFUSAL TO DECLARE OTTAWA OFFICIALLY BILINGUAL—  
INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Poulin calling the attention of the Senate to the decision of the Ontario Government not to adopt a recommendation to declare the proposed restructured City of Ottawa a bilingual region.—(*Honourable Senator Carstairs*).

**Hon. Sharon Carstairs:** Honourable senators, it is my honour today to rise to speak to this inquiry. I must say that it is extremely difficult if not impossible for me to understand the decision of the Ontario government not to declare Ottawa, Canada's national capital, a bilingual area.

When one examines the role of Ontario in Canada's history, I am struck by the contributions of many Progressive Conservative leaders in that province — men like Bill Davis, who accepted with dignity and warmth the special responsibility of a premier representing a province with the largest population in the country. Bill Davis understood he had a special role to play on the national stage, and he played it in a manner that protected the less well-off provinces and the minorities, both linguistic and religious, in our special country.

Regrettably, his legacy and the lessons his legacy taught have not been learned or, perhaps, they are misunderstood by the present premier and his government. Had they learned these lessons, I am in doubt that they would have shown the generosity of earlier premiers and have recognized the bilingual nature, character and history of this, our capital city.

As a former history teacher who spent much of my teaching experience in Western Canada, I know that the concept of Canada as a bilingual country is not always an easy sell. Yet my students, after studying our history and the settlement patterns of our peoples, understood, albeit some of them grudgingly, that Canada entered into a partnership of French and English peoples in 1867. That partnership resulted in the bilingual nature of our national government. In 1968, formal recognition of official bilingualism corrected many wrongs suffered by linguistic minorities in this country.

It has never been our finest hours in Canada when we have been forced by the Supreme Court of Canada to be generous to our linguistic minorities. However, we seem to have failed to learn the lessons of past mistakes when we yet again make another.

The Ontario government, because it did not wish, I assume, to take some political heat in making this decision, refused to make a decision, preferring instead to pass it on to the transition team implementing the unification process in this city. They, too, have passed the buck and say it should be a decision of the new city council. The transition group has recommended that services, where required, be available in both official languages.

Honourable senators, in my view, that is simply not good enough. This is our capital city. In the capital city of a country which is officially bilingual, it is surely inconceivable that both languages will not exist in equality with one another.

Where is the generosity of a Richard Hatfield, who made New Brunswick a bilingual province? Why has his legacy somehow been forgotten?

It saddens me, as a property taxpayer of this city, one who is principally a unilingual Canadian, that we have so far failed to do the right thing, the Canadian thing. Our capital city should be a bilingual city.

On motion of Senator Kinsella, debate adjourned.

## SUDAN

### INQUIRY

On the Order:

Resuming debate on the inquiry of the Honourable Senator Wilson calling the attention of the Senate to the situation in the Sudan.—(*Honourable Senator Andreychuk*).

**Hon. A. Raynell Andreychuk:** Honourable senators, I note the late hour. I do not intend to give a full speech on the issue of Sudan, but I do want to commend Senator Wilson for the work she has done on behalf of the Government of Canada and the people of Canada in attempting to work to encourage the peace process in Sudan. I commend her personally and encourage her to circulate to all members of the Senate a copy of the speech she gave on May 11, 2000, to the Canadian Institute of International Affairs. In that speech, she succinctly laid out the problems of Sudan and how the world community has failed the people of Sudan. She commented on the issues that have been long standing, about their heritage of some colonial disasters, and their failed effort to build a nation state.

We are now in a situation where countless people are losing their lives in Sudan.

•(1730)

I would highlight two points. The first is that Talisman Oil has been the subject of much debate in the newspapers for, first, being in Sudan, and second, in the words of Amnesty International, being part of the process that encourages the government not to clearly deal adequately with the human rights issues and the other issues facing Sudan as a country.

[ Senator Carstairs ]

One of the fundamental difficulties in Sudan for the Canadian government is the fact that the Canadian government has not a constant, coherent policy that deals with issues like those in Sudan.

On the one hand, we have Minister Axworthy, who has been very vocal and outstanding in his support of concepts of human rights and human security and, on the other hand, we talk trade. Trade is all, to this day, although I do hear from some quarters that we do not talk quite as loudly as we did in 1993.

It would serve the people of Sudan, our foreign policy, and the Canadian position if the Canadian government had a consistent foreign policy that defines what they mean by trade and what they mean by human rights. These cannot be separated by having the Minister for International Trade speak with one voice and the Minister of Foreign Affairs speak with another.

To that extent, I believe that Talisman must answer for its own actions, and I am certain that Talisman would have received an update from the Government of Canada as to its position. Many European countries, and others, are working in the oil industry in Sudan. I do not believe that they would have received a clear signal from Canada that it would not serve their interests in the long run, nor Canada's, to be there.

In fact, when Minister Axworthy said that he was going to take immediate action against Talisman and then did not take action in the early months, that left everyone confused. That gave the government of Sudan and the rebel forces in the south room to manoeuvre, room to know that the international community, including Canada, were not always speaking with one voice.

I again urge the Canadian government to reconsider how they marry ministers' comments and statements, and to have a cohesive policy on such issues.

At this moment, due to the fact that oil production contributes 22 per cent of the state's revenues and is expected to increase in the coming year, it is important that the Government of Canada redouble its efforts to ensure that there is some political will brought to the process of the peace negotiation.

Senator Wilson, in the IGAD process, cannot do it alone. She cannot bring the full force of Canada's will to the table. Countries such as Canada, Britain, India, Italy, New Zealand and Pakistan, who have been and continue to be in the oil industry, must come together to rationalize how their companies working in Sudan should continue to operate and what rules they must obey if they continue to operate, but at the same time, bringing combined political will to warn Sudan and the southern region that they cannot continue to use and abuse their citizens.

I do not have time at this moment to go over the horrific position that citizens of the country have found themselves in. Millions have died. Millions have been put into slavery of one form or another. This cannot continue unnoticed.

This is one of those issues that grabs the attention of the press for a while and then it is put aside, but the plight of the people in Sudan has not changed. Therefore, if we are serious about our commitments and serious about human security, we must continue to do better than we have done in the past.

I commend the government for installing the new officer into the office in Khartoum. He will scrutinize Sudan. I know him personally, and I know that he will put his best efforts toward monitoring the situation and that he will give good advice to Canada.

It will serve all of us if we can work with the Canadian company, Talisman, to set the standards that they must live by and standards that we, as a Canadian Parliament, as a Canadian government, and as the Canadian people, wish to be governed by, and that we marry the two so that, in the future, companies will not go into areas and have mixed or confused ideas of what is expected of them.

I hope that my urging here will be taken to the government and that it will be taken seriously and again look at our foreign policy, to ensure that we do not separate trade and human rights, but have a coherent and consistent policy so that when companies approach the Canadian government, they will know that they perhaps should not enter into a certain situation. Although it may be feasible for them from a profit point of view, it will not be in their long-term best interests to be doing business. That a business opportunity will increase or accelerate human rights abuses should be made clear to them.

The international community continues to condemn the oil production in the south, of which Talisman is part. They continue to state that the oil development is exacerbating the problem and that civilians are being jeopardized by the actions of the oil companies. The Canadian government must continue to look into these concerns and to speak out strongly and take action where necessary.

I do not believe it is sufficient to have put an office in Khartoum and to continue to have Senator Wilson put her best efforts into the IGAD process. We need something more. We should not wait until the situation erupts again.

I had the privilege of representing Canada in Nairobi and have been in this war-torn area. These areas are exploited by the leaders when they see opportunities for profit. We must not give them opportunities to turn away from peace.

I hope that the Canadian government will do better in the future. There is an opportunity now in Sudan to do better. I trust that they will take up the pieces of the Sudan problem and exercise political will at cabinet level and make every effort to encourage the peace talks to reach fruition. In my opinion, they are stalled at this moment.

That completes the comments that I wanted to put on the record. I do not intend to speak further on this issue.

**The Hon. the Speaker *pro tempore*:** Honourable senators, if no other senator wishes to speak, this inquiry is considered debated.

#### ADJOURNMENT

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

**Hon. Dan Hays (Deputy Leader of the Government),** with leave of the Senate and notwithstanding rule 58(1)(h) moved:

That when the Senate adjourns today, it do stand adjourned until Monday, June 19, 2000, at 8 p.m.

Motion agreed to.

The Senate adjourned until Monday, June 19, 2000, at 8 p.m.

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**THE SENATE OF CANADA  
PROGRESS OF LEGISLATION  
(2nd Session, 36th Parliament)  
Thursday, June 15, 2000**

**GOVERNMENT BILLS  
(SENATE)**

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-3	An Act to implement an agreement, conventions and protocols between Canada and Kyrgyzstan, Lebanon, Algeria, Bulgaria, Portugal, Uzbekistan, Jordan, Japan and Luxembourg for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income	99/11/02	99/11/24	Banking, Trade and Commerce	99/12/07	0	99/12/16		
S-10	An Act to amend the National Defence Act, the DNA Identification Act and the Criminal Code	99/11/04	99/11/18	Legal and Constitutional Affairs	99/12/16	2	00/02/09		
S-17	An Act respecting marine liability, and to validate certain by-laws and regulations	00/03/02	00/04/04	Transport and Communications	00/05/09	2	00/05/17		
S-18	An Act to amend the National Defence Act (non-deployment of persons under the age of eighteen years to theatres of hostilities)	00/03/21	00/04/04	Foreign Affairs	00/05/04	0	00/05/16		
S-19	An Act to amend the Canada Business Corporations Act and the Canada Cooperatives Act and to amend other Acts in consequence	00/03/21	00/04/06	Banking, Trade and Commerce					
S-22	A First Act to harmonize federal law with the civil law of the Province of Quebec and to amend certain Acts in order to ensure that each language version takes into account the common law and the civil law	00/05/11	00/05/18	Legal and Constitutional Affairs					
S-25	An Act to amend the Defence Production Act	00/06/14							
S-26	An Act to repeal An Act to incorporate the Western Canada Telephone Company	00/06/15							

**GOVERNMENT BILLS  
(HOUSE OF COMMONS)**

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-2	An Act respecting the election of members to the House of Commons, repealing other Acts relating to elections and making consequential amendments to other Acts	00/02/29	00/03/28	Legal and Constitutional Affairs	00/04/13	0	00/05/31	00/05/31	9/00

C-4	An Act to implement the Agreement among the Government of Canada, Governments of Member States of the European Space Agency, the Government of Japan, the Government of the Russian Federation, and the Government of the United States of America concerning Cooperation on the Civil International Space Station and to make related amendments to other Acts	99/11/23	99/12/01	Foreign Affairs	99/12/09	0	99/12/14	99/12/16	35/99
C-5	An Act to establish the Canadian Tourism Commission	00/06/14							
C-6	An Act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act	99/11/02	99/12/06	Subject matter 99/11/24	99/12/06		99/12/09	00/04/13	5/00
C-7	An Act to amend the Criminal Records Act and to amend another Act in consequence	99/11/02	99/11/17	Legal and Constitutional Affairs	99/11/30	4	99/12/08	00/03/30	1/00
C-9	An Act to give effect to the Nisga'a Final Agreement	99/12/14	00/02/10	Aboriginal Peoples	00/03/29	0	00/04/13	00/04/13	7/00
C-10	An Act to amend the Municipal Grants Act	00/03/28	00/04/10	National Finance	00/05/04	0	00/05/09	00/05/31	8/00
C-11	An Act to authorize the divestiture of the assets of, and to dissolve, the Cape Breton Development Corporation, to amend the Cape Breton Development Corporation Act and to make consequential amendments to other Acts	00/06/08	00/06/15	Energy, the Environment and Natural Resources					
C-12	An Act to amend the Canada Labour Code (Part II) in respect of occupational health and safety, to make technical amendments to the Canada Labour Code (Part I) and to make consequential amendments to other Acts	00/06/01 (withdrawn 00/06/13)	00/06/15	Social Affairs, Science and Technology					
C-13	An Act to establish the Canadian Institutes of Health Research, to repeal the Medical Research Council Act and to make consequential amendments to other Acts	00/03/30	00/04/04	Social Affairs, Science and Technology	00/04/06	0	00/04/10	00/04/13	6/00
C-16	An Act respecting Canadian citizenship	00/05/31							
C-19	An Act respecting genocide, crimes against humanity and war crimes and to implement the Rome Statute of the International Criminal Court, and to make consequential amendments to other Acts	00/06/14							
C-20	An Act to give effect to the requirement for clarity as set out in the opinion of the Supreme Court of Canada in the Quebec Secession Reference	00/03/21	00/05/18	Special Committee of the Senate on Bill C-20					
C-21	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2000	99/12/14	99/12/15	-	-	-	99/12/16	99/12/16	36/99

C-22	An Act to facilitate combatting the laundering of proceeds of crime, to establish the Financial Transactions and Reports Analysis Centre of Canada and to amend and repeal certain Acts in consequence	00/05/09 (withdrawn 00/05/11)	00/05/17	Legal and Constitutional Affairs (withdrawn 00/05/18)	00/06/15	0
C-23	An Act to modernize the Statutes of Canada in relation to benefits and obligations	00/05/11 (reintro- duced)	00/05/09	Banking, Trade and Commerce (00/05/18)	00/06/08	0
C-24	An Act to amend the Excise Tax Act, a related Act, the Bankruptcy and Insolvency Act, the Budget Implementation Act, 1997, the Budget Implementation Act, 1998, the Budget Implementation Act, 1999, the Canada Pension Plan, the Companies' Creditors Arrangement Act, the Cultural Property Export and Import Act, the Customs Act, the Customs Tariff, the Employment Insurance Act, the Excise Act, the Income Tax Act, the Tax Court of Canada Act and the Unemployment Insurance Act	00/04/12	00/06/14	Legal and Constitutional Affairs	00/06/14	
C-25	An Act to amend the Income Tax Act, the Excise Tax Act and the Budget Implementation Act, 1999	00/06/08	00/06/14	Banking, Trade and Commerce		
C-26	An Act to amend the Canada Transportation Act, the Competition Act, the Competition Tribunal Act and the Air Canada Public Participation Act and to amend another Act in consequence	00/05/16	00/05/30	Transport and Communications	00/06/15	0
C-27	An Act respecting the national parks of Canada	00/06/14				
C-29	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2000	00/03/23	00/03/28	-	00/03/29	00/03/30 3/00
C-30	An Act for granting to Her Majesty certain sums of money for the public service of Canada for the financial year ending March 31, 2001	00/03/23	00/03/28	-	00/03/29	00/03/30 4/00
C-32	An Act to implement certain provisions of the budget tabled in Parliament on February 28, 2000	00/06/07	00/06/13	National Finance	00/06/15	0
C-34	An Act to amend the Canada Transportation Act	00/06/15				
C-37	An Act to amend the Parliament of Canada Act and the Members of Parliament Retiring Allowances Act	00/06/15				

## COMMONS PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
C-202	An Act to amend the Criminal Code (flight)	00/02/08	00/02/22	Legal and Constitutional Affairs	00/03/02	0	00/03/21	00/03/30	2/00
C-247	An Act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences)	99/11/02	00/05/18	Legal and Constitutional Affairs					
C-276	An Act to amend the Competition Act (negative option marketing)	00/05/18	00/06/15	Banking, Trade and Commerce					
C-445	An Act to change the name of the electoral district of Rimouski—Mitis	00/05/09	00/06/13	Legal and Constitutional Affairs					
C-473	An Act to change the names of certain electoral districts	00/04/10	00/06/13	Legal and Constitutional Affairs					

## SENATE PUBLIC BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
S-2	An Act to facilitate the making of legitimate medical decisions regarding life-sustaining treatments and the controlling of pain (Sen. Carstairs)	99/10/13	00/02/23	Legal and Constitutional Affairs					
S-4	An Act to provide for judicial preauthorization of requests to be made to a foreign or international authority or organization for a search or seizure outside Canada (Sen. Nolin) <i>(Dropped from Order Paper pursuant to Rule 27(3) 00/05/11)</i>	99/11/02							
S-5	An Act to amend the Parliament of Canada Act (Parliamentary Poet Laureate) (Sen. Grafstein)	99/11/02	00/02/22	Social Affairs, Science and Technology					
S-6	An Act to amend the Criminal Code respecting criminal harassment and other related matters (Sen. Oliver)	99/11/02	99/11/03	Legal and Constitutional Affairs					
S-7	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)	99/11/02	00/02/22	Privileges, Standing Rules and Orders					
S-8	An Act to amend the Immigration Act (Sen. Ghitter) <i>(Dropped from Order Paper pursuant to Rule 27(3) 00/05/04)</i>	99/11/02							
S-9	An Act to amend the Criminal Code (abuse of process) (Sen. Cools)	99/11/03	00/05/04	Legal and Constitutional Affairs					

S-11	An Act to amend the Criminal Code to prohibit coercion in medical procedures that offend a person's religion or belief that human life is inviolable (Sen. Perrault, P.C.) <i>(Dropped from Order Paper pursuant to Rule 27(3) 00/02/08)</i> <i>(Restored to Order Paper 00/02/23)</i>	99/11/04					
S-12	An Act to amend the Divorce Act (child of marriage) (Sen. Cools)	99/11/18					
S-13	An Act to assist in the prevention of wrongdoing in the Public Service by establishing a framework for education on ethical practices in the workplace, for dealing with allegations of wrongdoing and for protecting whistleblowers (Sen. Kinsella)	99/12/02	00/02/22	National Finance			
S-15	An Act to amend the Statistics Act and the National Archives of Canada Act (census records) (Sen. Milne)	99/12/16					
S-16	An Act respecting Sir John A. Macdonald Day (Sen. Girmard)	00/02/22					
S-20	An Act to enable and assist the Canadian tobacco industry in attaining its objective of preventing the use of tobacco products by young persons in Canada (Sen. Kenny)	00/04/05	00/05/09	Energy, the Environment and Natural Resources			
S-21	An Act to protect heritage lighthouses (Sen. Forrestall)	00/04/12	00/06/01	Fisheries			
S-23	An Act respecting Sir Wilfrid Laurier Day (Sen. Lynch-Staunton)	00/06/06					
S-24	An Act to amend the Broadcasting Act (Sen. Finestone, P.C.)	00/06/13					
S-27	An Act to guarantee the human right to privacy (Sen. Finestone, P.C.)	00/06/15					

PRIVATE BILLS

No.	Title	1st	2nd	Committee	Report	Amend.	3rd	R.A.	Chap.
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