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Tuesday, June 5, 2001

**THE HONOURABLE DAN HAYS
SPEAKER**

This issue contains the latest listing of Senators, Officers of the Senate, the Ministry, and Senators serving on Standing, Special and Joint Committees.

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THE SENATE

Tuesday, June 5, 2001

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

Prayers.

[Translation]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw to your attention the presence in the gallery of a parliamentary delegation from Kenya. The delegation is led by the Honourable Peter Oloo Aringo, Member of the National Assembly and Deputy Speaker. They are accompanied by the Clerk and Deputy Clerk of the National Assembly. These parliamentarians are here to examine internal economy issues.

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

Hon. Senators: Hear, hear!

[English]

SENATORS' STATEMENTS

THE HONOURABLE DAN HAYS AND KATHY CAMPBELL

CONGRATULATIONS ON MARRIAGE

Hon. Joyce Fairbairn: Honourable senators, I trust I will not be ruled out of order today as I draw your attention to a very happy event of great interest to us all that took place in Calgary last Saturday — the marriage of our Speaker, Senator Hays, and Kathy Campbell, who has been associated with this institution even longer than her spouse and myself.

Although Kathy has three real sisters, I also regard her as an honorary one and will be forever grateful for her support and guidance as an adviser in recent years, as she also was to Senator Olson, Senator Hays, Senator Graham and Senator Boudreau.

As for Senator Hays, our friendship goes back a very long time to university years, and we entered this chamber together on the same day in 1984. His wonderful parents, the late Senator Harry Hays and Muriel Hays, are undoubtedly here in spirit today enjoying the moment.

As we all know, honourable senators, the role of our Speaker goes far beyond this chamber, and Senator Hays and Kathy Hays are a formidable team that will represent the Senate and all of us with dignity, grace and great spirit.

This is truly an occasion of celebration. I know that the senators on each side of the chamber wish you both good health and great happiness as you build a new life together.

Hon. Senators: Hear, hear!

PALLIATIVE CARE

Hon. Sharon Carstairs (Leader of the Government):

Honourable senators, a year ago tomorrow, the Subcommittee to Update "Of Life and Death" tabled its final report in the Senate, which included 14 recommendations aimed at the federal government. The main recommendation in "Quality End-of-Life Care: The Right of Every Canadian" was for the federal government to take a leadership role in developing a national end-of-life strategy in collaboration with the provinces and non-governmental stakeholders.

Two and a half months ago, Prime Minister Chrétien asked me to take on the role of Minister with Special Responsibility for Palliative Care. I welcomed this opportunity to work with the Minister of Health, the Honourable Allan Rock, to ensure that the need for quality end-of-life care is given the dedicated focus it deserves and requires if we are to move forward to ensure that all Canadians will receive quality care at the end of their lives.

Earlier today, on the eve of the anniversary of the subcommittee's report, I met with representatives of the Canadian Palliative Care Association and the Coalition for Quality End-of-Life Care. The coalition, which is comprised of over 20 organizations led by the Canadian Palliative Care Association, has delivered Health Canada a blueprint for addressing the Senate's recommendations for ensuring quality care. I am sure all honourable senators will join with me in commending the CPCA and the coalition for their contributions toward initiating the development of a strategy and plan of action.

Minister Rock and I announced this morning the creation within Health Canada of a secretariat for palliative care, along with the departmental resources devoted to activities related to end-of-life care. The secretariat will be the focal point for federal work on end-of-life care and will work collaboratively across federal departments and agencies with the provinces and territories and with national organizations.

In addition to coordinating and advancing work related to end-of-life care throughout Health Canada, the secretariat will work horizontally with other federal departments and agencies on improvements to labour and income security frameworks. It will work with the Canadian Institutes of Health Research, the Canadian Institute for Health Information and the palliative care research community to further elaborate and support a palliative care research agenda. It will collaborate with provincial and territorial governments and with stakeholder organizations to facilitate such initiatives as the development and dissemination of guidelines in palliative care, training and education measures for professionals and volunteers, and the raising of public awareness.

Honourable senators, we plan to work collaboratively with the provinces and territories in their ongoing efforts to ensure quality health care services, particularly in the areas of home care and pharmaceuticals.

Across this country, in every province and territory, dedicated people and organizations are developing new ideas and initiatives to improve the care they deliver to dying individuals. Much is being done; but so much remains to be done, and we are eager to get on with it.

• (1410)

Canadians everywhere are looking forward to the day when they will be able to face the final days of their lives or those of their loved ones confident in the knowledge that they will receive quality care that meets their physical, emotional, spiritual and social needs and care that supports families and friends in their caregiving.

CHINA

TWELFTH ANNIVERSARY OF TIANANMEN SQUARE MASSACRE

Hon. Consiglio Di Nino: Honourable senators, yesterday was the twelfth anniversary of the one of the world's worst acts of barbarism — the massacre at Tiananmen Square. On June 4, 1989, Chinese authorities callously and brutally killed and maimed thousands of their fellow citizens for daring to support the idea of democracy. For 12 years, these same people have denied the events of that night. This has become what *The Globe and Mail* has rightly called "China's big lie." By refusing to acknowledge what happened at Tiananmen Square, China denies those thousands of victims the right to rest in peace. They have become non-persons in their own land, denied and disavowed by their own government.

Honourable senators, the Canadian government's approach to both this issue and the larger one of China's well-recorded and ongoing human rights abuses has been invisible. It claims to be doing its best through something called "bilateral human rights dialogue with China." However, the Canadian NGO Rights & Democracy, as well as Amnesty International, to name two such organizations, have both told the Canadian authorities that this so-called dialogue is not working and that, in effect, the human rights situation in China is deteriorating.

So the "big lie" continues. The Chinese refuse to admit to the murder of their own people. They harass, imprison, deport and oppress their critics, not to mention what they have done and continue to do in the case of Tibet and, more recently, the Falun Gong. All of this goes on while our government, with its emasculated foreign policy, watches and acquiesces.

[Translation]

EVOLUTION OF ROLE OF WOMEN IN ARMED FORCES

Hon. Lucie Pépin: Honourable senators, on May 10, I had the privilege of attending the launching of the book *À la hauteur du*

[Senator Carstairs]

défi. This beautiful anthology, whose English title is *Equal to the Challenge*, focuses on an important phase in the evolution of women within the Canadian Forces.

As we know, the presence of women in the Canadian Forces is the result of a long process that goes back over 100 years. From the first contingent of military nurses during the Northwest Rebellion, in 1885, to the numerous peacekeeping missions, and not forgetting the two world wars, Canadian servicewomen gradually found their place in an environment that had traditionally been a man's world.

This book relates the experiences of about 50 different women during World War II. It is a story of courage, bravery, challenge, suffering and learning. Replete with personal anecdotes, this work pays a well-deserved tribute to the thousands of service women and civilians who contributed to Canada's participation in the war effort, only to be forgotten afterward.

This book allows us to appreciate the remarkable contribution of these thousands of women. They made their mark within the Armed Forces or in factories or farm work. Their contributions were what allowed various sectors of the Canadian economy to continue operating. By the war's end in 1945, there were close to 750,000 women working in the Canadian war effort and another 760,000 in agriculture.

There could never be too much attention focused on Canadian women's participation in the war effort during World War II. Their presence at that time did much to alter the common stereotype that women's work was confined to domestic duties.

Honourable senators, I must express my fullest gratitude to the women who agreed to share their experiences with us in this work. This is a first, and through it we realize that there are also women war veterans who deserve recognition at the November 11 ceremonies each year.

Nowadays, women can enlist in any and all occupational groups and any corps of the Canadian Forces, with the exception of the Roman Catholic chaplaincy. At present, they constitute over 12 per cent of the military, and a number of them are involved at the decision-making level, as deputy ministers or senior officers. Who knows, perhaps it will not be long until we see a woman Chief of Defence Staff.

[English]

THE LATE MARGARET ROMPKEY

TRIBUTE

Hon. Joan Cook: Honourable senators, yesterday, June 4, friends of Margaret Rompkey, together with her sons, Dr. Ron and Senator Bill, Bill's wife, Carolyn, and his children, Peter and Hilary, and son-in-law, Joel, gathered at the Anglican Cathedral in St. John's to give thanks for and to celebrate Margaret's life of 87 years. Mrs. Rompkey passed away quietly on Friday of last week.

Honourable senators, Margaret Lillian Edith Fudge was born at Balena, a whaling station on Newfoundland's south coast, moving later with her family to McCallum and then to Belleoram where she met and married William Rompkey. In 1938, the family moved to St. John's.

In paying tribute to his mother yesterday, Senator Rompkey said it best, that his mother was a hospitable woman, sharing their home with outport families and friends, and that their lives revolved around two buildings, namely Bishop Field College and the Anglican Cathedral. Margaret was an accomplished pianist and delighted in sharing that gift, especially in those latter years with her friends at Bishop Meadon Manor. Simply put, he said, "My mother was a woman of faith."

Margaret Rompkey was a woman of quiet strength and purpose. After the death of her husband some years ago, she returned to work at Memorial University Library until her retirement.

My memory of her is that of a very gracious and gentle woman, proud of the achievements of her family and blessed with a wide circle of friends. That was evident yesterday in a cathedral filled to capacity. Margaret Lillian Edith Rompkey was the very essence of what it is to be a lady. May she rest in peace.

DAY OF MEMORY FOR RAOUL WALLENBERG

Hon. Lois M. Wilson: Honourable senators, today, over noon hour, a gathering was held here on Parliament Hill to celebrate the announcement of Raoul Wallenberg Day on every succeeding January 17 in Canada. As senators may know, he was a Swedish diplomat who, in World War II, rescued thousands of Jews who otherwise would have been murdered during the Holocaust.

A number of the survivors who owe their lives to this courageous man were present today. Wallenberg is the only person who has been declared an honorary citizen of Canada for his splendid work on human rights. The people who had been instrumental over the years in bringing about this significant event today were also honoured: Minister of Canadian Heritage Sheila Copps, MPs Irwin Cotler and Clifford Lincoln, Senator Sheila Finestone and Dr. Vera Parnes, President of Canadian Friends of Raoul Wallenberg. Plans are being formulated to include the history of this extraordinary man's life in school curricula across the country.

Honourable senators, I was proud to be present at such a moving, historic event. I was thrilled that our colleagues have seen their hopes fulfilled and their faithful efforts realized.

Hon. Sheila Finestone: Honourable senators, today I had the distinct privilege and pleasure to assist at the launching of a day of memory for Raoul Wallenberg, as my colleague Senator Wilson just outlined. This is a heartening moment for me and for

Reverend de Corneille, who initially brought this issue to the other place in 1985. The justice of this outstanding token of remembrance found expression through the understanding of Minister Sheila Copps.

Minister of Canadian Heritage Sheila Copps, along with Dr. Vera Parnes, who was the motivating force behind this undertaking, Clifford Lincoln and Irwin Cotler were present for the announcement and declaration that January 17 of each year will be known as Raoul Wallenberg Day.

Honourable senators, is there anything greater one can do than to save the life of another? Perhaps one thing greater than saving a life is saving several lives. Raoul Wallenberg saved thousands of lives. At great risk to his own life, he snatched approximately 100,000 Hungarian Jews from the waiting jaws of death during the Second World War, at times almost literally.

Leaving behind a prosperous business career in Stockholm, Mr. Wallenberg accepted an assignment as First Secretary of the Swedish Diplomatic Mission in Budapest in 1944. He took it upon himself to do everything in his power to rescue the remaining Jews in Hungary. He founded safe homes to house those in danger. He delivered special passports of protection to 10,000 people in order to guarantee their security. When Hungarian Jews were being transported to Auschwitz, this compassionate and courageous man, who could have just been interested in saving himself, climbed onto those trains and passed out official documents.

• (1420)

He then demanded that all passengers with Swedish papers be permitted to debark and return with him to Budapest. When all those left in the Budapest Jewish ghetto were about to be massacred, Raoul Wallenberg convinced the general in charge to call off the attack.

On January 17, 1945, Wallenberg was arrested — for what we do not know — and taken prisoner by Soviet authorities. Of his subsequent fate we have only rumours. It could not have been kind.

[Translation]

Honourable senators, Raoul Wallenberg is a hero, and this is why Canada made him an honorary citizen in 1985, its only honorary citizen.

A number of other countries in the world recognize him and have also made him an honorary citizen. UNESCO also recognized him in connection with the year 2000, which was proclaimed International Year for the Culture of Peace, and praised him eloquently as the greatest defender of human rights of all times.

[English]

Canada has been in the avant-garde, naming this man honorary citizen in 1985 and today naming Raoul Wallenberg Day every January 17, at which time the children of this land will be given information and learn about a great man of courage, about human rights, and about how one man stood up for those kinds of rights. He became a champion and did so without a single act of aggression.

[Translation]

ROUTINE PROCEEDINGS

BROADCASTING ACT

BILL TO AMEND—REPORT OF COMMITTEE

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

Tuesday, June 5, 2001

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

FOURTH REPORT

Your Committee, to which was referred Bill S-7, An Act to amend the Broadcasting Act, has, in obedience to the Order of Reference of Wednesday, February 7, 2001, 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 observations, see today's Journals of the Senate, p. 631.)

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

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

ADJOURNMENT

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

[Senator Finestone]

That when the Senate adjourns today, it do stand adjourned until tomorrow, Wednesday, June 6, 2001, at 1:30 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

[English]

CANADA-CHINA LEGISLATIVE ASSOCIATION

THIRD BILATERAL MEETING, MARCH 2001—
REPORT OF CANADIAN DELEGATION TABLED

Hon. Jack Austin: Honourable senators, I have the honour to table, in both official languages, the fifth report of the Canada-China Legislative Association regarding the third bilateral meeting held in China in March 2001.

[Translation]

CANADIAN NATO PARLIAMENTARY ASSOCIATION

MEETING OF STANDING COMMITTEE AND SECRETARIES OF
NATIONAL DELEGATIONS, MARCH 30-APRIL 1, 2001—
REPORT OF CANADIAN DELEGATION TABLED

Hon. Pierre Claude Nolin: Honourable senators, I have the honour to table the third report of the Canadian NATO Parliamentary Association. This is the report by the official delegation, which represented Canada at the meeting of the Standing Committee and the Secretaries of National Delegations of the North Atlantic Assembly (NATO Parliamentarians) held in Rome, Italy, on March 30 and April 1, 2001.

[English]

NATIONAL FINANCE

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

Hon. Lowell Murray: Honourable senators, I give notice that on Wednesday next, June 6, 2001, I will move:

That the Standing Senate Committee on National Finance have power to sit Thursday, June 7, 2001 at 3:30 p.m., even though the Senate may then be sitting, and that rule 95(4) be suspended in relation thereto.

AFGHANISTAN

DECREE REQUIRING NON-MUSLIMS TO WEAR SPECIAL IDENTIFICATION—NOTICE OF INQUIRY

Hon. Sheila Finestone: Honourable senators, I give notice that on Thursday next, June 7, 2001, I will call the attention of the Senate to the Islamic Emirate of Afghanistan's May 22 decree that would force non-Muslims in that country to wear special identification on their clothing. I believe it is important that this distinguished chamber not remain silent on this question but go on record expressing our collective displeasure with that nation's flirtation with policies that set the stage for events that proved horrific in recent human history. Let us learn from our mistakes. Let us not repeat them.

QUESTION PERIOD

THE SENATE

ANNOUNCEMENT OF MEETING OF COMMITTEE OF THE WHOLE ON MARITIME HELICOPTER PROJECT

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I realize that this is irregular, but I want to answer a question that I took under advisement when we last met.

I met with the leadership on the other side yesterday, and it was mutually agreed that a meeting of the Committee of the Whole to examine the Maritime Helicopter Project will be held soon after our return in September, the exact date to be worked out in consultation with the other side.

Hon. John Lynch-Staunton (Leader of the Opposition): Honourable senators, I should like to give an answer to the leader. Thank you.

NATIONAL DEFENCE

ANNUAL REPORT OF OFFICE OF THE OMBUDSMAN

Hon. Norman K. Atkins: Honourable senators, my question is directed to the Leader of the Government in the Senate and concerns the annual report of the Ombudsman for the Department of National Defence and the Canadian Forces. First, I congratulate the government for extending Mr. André Marin's term of office for five more years. Having said that, this report raises certain questions about the cooperation his office receives from DND. He indicates in his report the continued need for the Chief of Defence Staff and the deputy minister to support the functions of the ombudsman. Could the leader tell the Senate what specific measures the government is taking to impress upon

DND and the Canadian Forces members the need for support and cooperation with the office of the ombudsman?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the honourable senator asks a question of great importance to the public as a whole and I believe also to the military. Clearly, the government strongly supports the office of the ombudsman and is convinced that the present occupant is well worthy of having his reappointment announced because he has begun to build an atmosphere of trust and confidence.

• (1430)

Having said that, the government is looking carefully at the ombudsman's annual report, particularly the concerns he has raised and the recommendations he has made with respect to his ongoing responsibilities.

Senator Atkins: Honourable senators, what steps does the Leader think the government would be taking to amend the National Defence Act so that the directives that outline the office of the ombudsman are actually turned into regulations under the act to give the ombudsman clout? It is indicated now that while he can investigate a number of the inquiries and complaints, he does not have the authority really to enforce or come to any conclusions that would be supported by the establishment in the military.

Senator Carstairs: Honourable senators, the senator asks what amendments will be made to the Defence Act. Clearly, we will know in due time if there are to be any amendments. However, in his report the ombudsman indicated that most cases are being handled satisfactorily and that he would like to have an even better relationship with the military. I think that takes time to develop. That is why I am delighted he has been reappointed so he can build on the accomplishments he has achieved to date.

THE SENATE

MEETING OF COMMITTEE OF THE WHOLE ON MARITIME HELICOPTER PROJECT

Hon. J. Michael Forrestall: Honourable senators, I have a supplementary question to that posed by the Leader of the Opposition in the Senate. I join him in expressing appreciation for the quick reaction to his suggestion about bringing some suitable witnesses before us.

Would the minister entertain some suggestions as to individuals from the military that we might hear from?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I would think that would be a logical follow-up to the announcement that there would be a Committee of the Whole and the subsequent deliberations as to when that day is to take place. A suitable witness list will also be determined.

NATIONAL DEFENCE

REPLACEMENT OF SEA KING HELICOPTERS—RISK ANALYSIS PRIOR TO SPLITTING PROCUREMENT PROCESS

Hon. J. Michael Forrestall: Honourable senators, assuming that that generous offer does not preclude questions that arise from the concerns some of us have about the selection of an adequate vehicle to replace the Sea King through a fair and open competition, might I ask the following question: On April 24, the Leader of the Government will recall tabling a written response to a question raised in this chamber by myself on March 29. The written response states that a thorough risk analysis of the Maritime Helicopter Project was in fact completed. Last week, we saw the document of contingency costs, which included an additional \$180 million due to the lost economies of scale of a two-competition approach, and \$220 million for the risk, for a total of \$400 million. The written response, tabled April 24, also states that the government's goal is to get the Maritime helicopter at the lowest possible cost to the taxpayers.

How does the minister explain this contradiction between her written response to my question tabled in the Senate and the government's own contingency costs document?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I will make it clear to all honourable senators that they are not my written responses. The responses members receive to the questions they ask come from the departments. They do not come from me. I clearly receive them and then I make sure that the deputy leader brings them before this chamber, but I certainly do not author them.

Honourable senators, I do not see that there is any inconsistency with the answer that Senator Forrestall received to his March question on April 24. The government is still desirous of getting the best equipment at the best possible cost.

Senator Forrestall: Honourable senators, it is now easily demonstrated that the costs of this delay and the costs of the government changing its plans have risen to somewhere slightly in excess of \$1 billion, not the \$400 million we were talking about 10 days ago. It is quite clear that the cost is over \$1 billion, a figure that I cited at the time of the cancellation of the program.

I know the Leader of the Government does not write these responses. I know that she gives them and, believe me, there have been days in this chamber when I wish she could have emulated her predecessor, and his predecessor and many other leaders of the government, and said, "Hell of a good question. Damned if I know the answer. I will see if I can get one for you." That might have relieved some of the stress on the part of those of us who are concerned about the lives of men and women who must serve in this somewhat aged equipment.

Against that background, will the Leader of the Government tell us — and if she cannot that is understandable, but if she

could find out that would be appreciated — when she was told that a risk analysis had in fact been completed by the government on the split procurement and the associated contingency costs?

Senator Carstairs: Honourable senators, the honourable senator has made some statements and then asked a very specific question. As to his very specific question, I will try to find out the answer for him.

As to why I answer questions the way I do, I should like the honourable senator to know that we have, as of this week, replied to 95 questions via delayed answers since we began this process in late January. A great number of written responses have been going across the floor in this chamber on a regular basis.

As to whether it can be easily demonstrated that the increased price has gone up by \$1 billion, I do not think it can be as easily demonstrated as the honourable senator seems to think.

Senator Forrestall: Want to bet?

REPLACEMENT OF SEA KING HELICOPTERS—SEA STATE OPERATION AND DITCHING REQUIREMENTS

Hon. Terry Stratton: Honourable senators, I, too, would like to thank the minister for arranging the discussion that we shall have. That is very much appreciated from this side. I should like to add fodder to the cannon, as it were, because I am sure she will not be able to answer some of my questions. They are somewhat technical and neither she nor I are helicopter experts.

The August statement of requirement plans for the new helicopter refers to operating in sea state conditions of up to six. I must ask what "sea state conditions of up to six" means. I believe ten is a hurricane and nine is a storm. It specifies that a helicopter can operate in sea state conditions of six, but specifies ditching only up to a sea state of three. I did not know what a sea state of three was, and when I asked I found out it is when there are whitecaps. A helicopter can operate in sea state conditions of six, but it cannot be ditched in sea state conditions of six because it will go down right away. One can only be ditched up to a sea state of three.

I am not expecting an immediate response, but I should like the Leader of the Government to obtain the answer. Why is it that these helicopters can operate at a sea state of six and can only be ditched in a sea state of three?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, I thank the honourable senator for his outline of the definitions of sea state six and sea state three. He has now acquired more knowledge than I have. I will attempt to get the answer as quickly as possible for the honourable senator.

Senator Stratton: Honourable senators, as well as asking that question about sea states, we need to know why that minimum is so low.

• (1440)

If you are able to operate at a sea state of six, why can you not ditch at a sea state of six? I would be hopeful that you would reach that conclusion.

Senator Carstairs: Honourable senators, I spent a couple of hours watching a vigorous storm on Lake Winnipeg a few weeks ago where there were sea caps. The lake is not even a sea of extremely high levels. My impression would have to be that, clearly, one would not want to ditch because one might lose the equipment and, more important, the lives of the individuals onboard that helicopter. I am certain that there is a much more professional explanation, and I will attempt to obtain that for the honourable senator.

THE ENVIRONMENT

UNITED STATES—PRESIDENT'S ENERGY PLAN—RESPECT AND ENFORCEMENT OF CLEAN AIR TREATY

Hon. Mira Spivak: Honourable senators, the clean air treaty signed in December 2000 requires power plants and other industrial sources to cut their nitrogen oxide emissions by 50 per cent to 70 per cent by 2004. The treaty does not address issues about increasing the number of power plants.

President Bush's energy plan calls for the creation of 1,300 new power plants and would grant waivers over environmental standards to states that run older power plants at peak capacity. Bush's energy plan would render the clean air treaty, signed by both of our countries in December 2000, ineffective.

Does the Leader of the Government in the Senate know how the government proposes to ensure that the requirements of the clean air treaty are respected and enforced?

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the honourable senator knows that the clean air treaty has been signed by both governments. One hopes, of course, that the intent and, in fact, the sections of that treaty will be mutually respected. Obviously, it is of concern when the President of the United States indicates that he seems to be acting at variance. I say "seems to be acting at variance" because we have not done the analysis to date that would indicate whether that is the case.

However, I can assure the honourable senator that in ongoing discussions with the United States, led by Minister of the Environment David Anderson, that Minister Anderson will be conscious of the questions that the honourable senator has raised today.

ALTERNATIVE FUEL PLANS—TAX RELIEF INITIATIVES

Hon. Mira Spivak: Honourable senators, one of the good things about President Bush's recent energy plan is that it calls for tax relief to consumers who purchase energy-efficient vehicles and who purchase solar panels for their homes. As

senators may recall, the Clean Air Coalition, which includes industrialists, oil companies and environmentalists, asked for a certain tax credit to provide some relief.

Honourable senators, does the government have plans to implement similar incentives to encourage energy conservation in Canada? I am aware of some announcements about energy conservation, but I am not certain how they will apply. I would appreciate obtaining that information from the honourable senator.

Hon. Sharon Carstairs (Leader of the Government): The honourable senator raises a question that I know is of interest particularly to Senator Kenny, who, of course, introduced a private member's bill concerning alternative fuels. It was one of the few bills that managed to move through both Houses. The government has been actively encouraging the use of more environmentally responsible vehicles. Thus, its plans are well underway.

As to whether there will be specific tax relief initiatives, we will have to wait for future budgets.

AGRICULTURE AND AGRI-FOOD

DOWNTURN IN GRAINS AND OILSEED SECTORS—EFFECT OF INPUT COSTS

Hon. Leonard J. Gustafson: Honourable senators, I, as a visitor, attended a meeting this morning of the House of Commons Standing Committee on Agriculture and Agri-Food. In attendance were three provincial Ministers of Agriculture from Alberta, Saskatchewan and Manitoba, who testified to the House of Commons committee, along with their opposition leaders in the same field.

In many ways, there was not much new information on grains and oilseeds and the problems that exist in that sector. However, one comment was emphasized by all three ministers: This is now a serious national, Canadian problem, not just a serious problem for the provinces.

Honourable senators, will there be an industry in grains and oilseeds on a level playing field? All the ministers said the same thing: We can compete, but there is not a level playing field. We now face a global economy with respect to agriculture. Will the government seriously examine this national issue? Our agricultural industry must be protected for all Canadians.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, the honourable senator asks, of course, a question that is critical for all Canadians, particularly for those who live on the Prairies. There is no question that the grain and oilseed industry is in serious difficulty. I repeat the honourable senator's statement, which is not due to their inability to grow the grains and not due to their lack of understanding of international pressures. They have the appropriate knowledge and expertise. They are able to compete. Unfortunately, they are currently caught in a difficult situation.

Honourable senators, announcements were made last week by the government concerning its commitment to rural communities. I make note of the transfers that have occurred in respect of the grain roads in Saskatchewan, Manitoba and Alberta. The three provinces received announcements recently of new monies that would help to ensure the protection of the infrastructure of rural communities.

In addition, I should like to answer a question the honourable senator asked the other day: Why have the cheques not been received with respect to the \$500 million in farm aid to the provinces? Those cheques have been written to the provinces, at their request, and they have received those cheques. It is now up to the provinces to ensure that the farmers receive the money, which is now in the hands of the provincial treasurers.

In response to the honourable senator's questions about whether we need to do more and whether we need to recognize this as a serious national problem, the answer is that, absolutely, we need to do more.

Senator Gustafson: When talking to some Manitoba farmers today, I learned that some of them received the cheques yesterday. The cheques ranged from a minimum of \$3,500 to a maximum of \$7,500. When a farmer's income is only \$7,000 for a family to live on, including off-farm income, that is not much money. However, this money certainly helps and we are thankful for it.

The three ministers raised the question of input costs. Regardless of how much money the government may put in the farmers' hands, they still must face fertilizer prices that have been on the increase, the cost of natural gas that has risen as much as 100 per cent and fuel costs that are up about 35 per cent.

Honourable senators, there is a clear indication that the big oil companies are not suffering too much. They are expressing the fact that they are reaping profits that they did not reap before. As long as a farmer's earnings end up in input costs, there is no solution.

However, the government must bring solutions forward with regard to these input costs. Most of the farmers I talk to would be pleased if they could recuperate the money that they spent on input costs this year. Will the government examine the specifics, such as fuel costs, and possibly some new regulations? We do not like the word "regulations," but they may be necessary. Will the government examine those areas?

• (1450)

Senator Carstairs: Honourable senators, that is an interesting suggestion, which I will certainly relay. Since I was not there, I must ask if the question was actually put to the Ministers of Agriculture of the three Prairie provinces, all of which receive richer royalties from their natural gas than the federal

[Senator Carstairs]

government and, if so, if they are prepared to give back some of those royalties to the farmers.

INTEREST-FREE GOVERNMENT LOAN TO PURCHASE SEED, FERTILIZER AND SPRAYING MATERIAL

Hon. Jim Tunney: Honourable senators, my concern is equal to that of any farmer in any of the Prairie provinces, even though I am an eastern farmer-producer who does not have the same real concerns as those in the West.

I have a particular concern and it is this precisely: The government has decided in its wisdom to advance \$50,000 per farmer for the purchase of seed, fertilizer and spray material as an interest-free loan. My concern is that that interest-free loan must be repaid by December of 2001. When the crop revenue will not cover the input costs, where will the farmer find the funds to repay that loan?

An alternative, in my estimation, might be to not put the crop in the ground, and the farmer would be better off. It is a horrible situation. Farmers are living off their equity. The Farm Debt Review Board will be busier than ever before.

I would ask the minister, in her discussions with cabinet, to relate some of the concerns that emanate from this body.

Hon. Sharon Carstairs (Leader of the Government): Honourable senators, Senator Tunney has put some very interesting information before the chamber this afternoon. I assure him that I will take that information to the Minister of Agriculture and my other cabinet colleagues.

[Translation]

DELAYED ANSWERS TO ORAL QUESTIONS

Hon. Fernand Robichaud (Deputy Leader of the Government): Honourable senators, I have the honour to table in this chamber the delayed answers to three questions: the questions of Senator ForreSTALL of May 8 and 15, 2001, and the question of Senator Kinsella of May 9, 2001, concerning the replacement of the Sea King helicopters.

NATIONAL DEFENCE

REPLACEMENT OF SEA KING HELICOPTERS—SPLITTING OF PROCUREMENT PROCESS

(Response to question raised by Hon. J. Michael ForreSTALL on May 8, 2001)

The Government's Maritime Helicopter procurement strategy was not designed to favour any particular competitor. It is based on a fair, open and transparent competitive process.

The company that wins the mission systems/systems integrator contract will be responsible for the delivery of the Maritime Helicopter to the Government of Canada. This means the mission system integrator is in effect the prime contractor for the final helicopter.

REPLACEMENT OF SEA KING HELICOPTERS—
ORDER TO PROCEED WITH PROJECT

(Response to question raised by Hon. J. Michael Forrestall on May 15, 2001)

The company that wins the mission systems/systems integrator contract will be responsible for the delivery of the Maritime Helicopter to the Government of Canada. This means the mission system integrator is in effect the prime contractor for the final helicopter.

HELICOPTER ACQUISITION PROJECTS—
RETENTION OF LEGAL COUNSEL

(Response to question raised by Hon. Noël A. Kinsella on May 9, 2001)

The Maritime Helicopter Project and the Search and Rescue Helicopter Project are two separate procurements. There were legal issues that arose in the Search and Rescue Project that were unique to that project that have not arisen in the Maritime Helicopter Project.

RESPONSE TO ORDER PAPER QUESTION TABLED

SOLICITOR GENERAL—DIFFERENCE IN
WORKING CONDITIONS BETWEEN CORRECTIONAL
OFFICERS AND RCMP

Hon. Fernand Robichaud (Deputy Leader of the Government) tabled the answer to Question No. 11 on the *Order Paper*—by Senator Lynch-Staunton.

[English]

ORDERS OF THE DAY

KANESATAKE INTERIM LAND BASE GOVERNANCE BILL

MESSAGE FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-24, to implement an agreement between the Mohawks of Kanesatake and Her Majesty in right of Canada respecting governance of certain lands by the Mohawks of Kanesatake and

to amend an Act in consequence, and acquainting the Senate that they have passed this bill without amendment.

CONFERENCE OF MENNONITES IN CANADA

PRIVATE BILL TO AMEND ACT OF INCORPORATION—MESSAGE
FROM COMMONS

The Hon. the Speaker informed the Senate that a message had been received from the House of Commons returning Bill S-25, to amend the Act of incorporation of the Conference of Mennonites in Canada, and acquainting the Senate that they have passed this bill without amendment.

[Translation]

FINANCIAL CONSUMER AGENCY OF CANADA BILL

THIRD READING—DEBATE ADJOURNED

Hon. Céline Hervieux-Payette moved the third reading of Bill C-8, to establish the Financial Consumer Agency of Canada, and to amend certain acts in relation to financial institutions.

She said: Honourable senators, since we have been working on this bill for some years, I wish to take this opportunity to give an overview.

I would call the attention of honourable senators to the four fundamental principles that underpin the legislation and guided the government's decision making on the specific measures in this bill.

The first is that financial institutions must have the flexibility to adapt to the changing marketplace and to compete and thrive, both at home and abroad.

Upholding this principle is necessary if the financial sector is to maintain its contribution to economic growth and job creation in a sector employing more than 50,000 people.

To this end, the bill provides additional flexibility for banks and insurance companies to organize themselves under a new holding company option that would be available to them, thus permitting them to explore opportunities to improve efficiency.

Similarly, the limits on widely held ownership of financial institutions are being raised from 10 per cent to 20 per cent for voting shares, and to 30 per cent for non-voting shares. This will permit the exchange of considerable shares required for the conclusion of strategic alliances and joint ventures.

The bill substantially expands permitted investments financial institutions can make through the holding company and the parent subsidiary structures.

The financial institutions will thus be able to choose the structure they prefer to best suit their strategic policies. The new framework of this bill provides as well for a transparent process for examining proposed amalgamations of major banks.

The second principle guiding the bill stresses the importance of competition, since competition is necessary to allow consumers and businesses alike to benefit from a wide range of choice at the best possible price.

With this objective in mind, the minimum amount of capital required to start a bank is being lowered to \$5 million from \$10 million in order to encourage bank start-ups.

The bill also proposes a new three-tiered ownership regime that is size based and allows for the first time on a permanent basis single ownership of small banks with equity of less than \$1 billion.

Banks with equity of \$1 billion to \$5 billion will also have the choice of being widely held, provided at least 35 per cent of shares are widely distributed among the public.

These measures should encourage new companies to enter the banking sector and lead to the emergence of small local institutions aimed at serving a given community.

Furthermore, commercial enterprises would also be allowed to establish new banks. This may be potentially attractive to retail companies that already have a network of stores or outlets.

Finally, large banks with more than \$5 billion in equity would continue to be widely held, and the prohibition against a single shareholder or a group of shareholders exercising control over a major financial institution would continue, more particularly through the establishment of specific standards in this regard.

This bill also includes measures to strengthen credit unions. These community financial institutions play an important role in all the provinces. They are often the only financial institution in a town or village. However, credit unions outside Quebec must face a number of challenges. They cannot serve their members in the other provinces and they feel that there is a lot of duplication in their support activities, a situation which increases their costs. Moreover, it is very difficult for them to coordinate and implement national joint services such as issuing credit union credit cards.

The bill includes measures that should allow credit unions to restructure so as to reduce the structural fragmentation and increase their efficiency so that they can be stronger, more competitive and better placed to face the competition from other financial service providers across the land.

From now on, the Canadian payments system will be accessible to life insurance companies, securities dealers and money market mutual funds.

Broadening the range of participants in the payments system will foster competition, because these firms will be able to offer services akin to chequing accounts, thus helping better serve Canadians.

[Senator Hervieux-Payette]

• (1500)

Moreover, we will implement measures to align access rules for foreign banks in Canada with those governing domestic banks so as to provide greater flexibility to foreign banks that wish to settle in Canada. Foreign banks that provide financial services in Canada will be allowed to have the same types of investment as Canadian banks, including the possibility of having more than one bank. The regulatory authorization system was streamlined for foreign banks, along with the amendments made for Canadian banks. These measures seek a simple objective, which is to foster a sound involvement on the part of foreign banks in Canada and to promote competition in our financial services sector.

Together, these measures will promote greater competition in the financial services sector and Canadians will thus benefit from the best possible offer on the part of suppliers of financial services.

However, increased competition is not enough to ensure a fair balance between clients and financial institutions. This is the idea behind the bill's third guiding principle: consumers, regardless of their income, and regardless of whether they live in an urban or rural setting, and businesses, whether they are large or small, must receive satisfactory service of the highest standard.

To that end, this bill gives access to bank accounts. It allows us to specify in regulation what are reasonable identification requirements for an individual to open a bank account. The bill also provides regulation-making authority regarding the provision of a low cost account, and it requires banks to follow a fair and reasonable process if they decide to close a branch.

Memoranda of understanding have been signed with every bank regarding the provision of low-cost accounts so that Canadians may have access to a bank account at a reasonable cost.

There is also provision for two new organizations to represent and defend the interests of consumers in the financial sector.

The federal government is already devoting resources to the protection of consumers in the financial services sector, but these resources are dispersed among various departments and agencies.

It will thus be possible to merge and consolidate these resources into a new federal body, the Financial Consumer Agency of Canada.

This new agency will be able to uphold the consumer protection provisions of financial institution statutes, monitor institutions' compliance with their pledges to self-regulate, and provide consumer information and promote consumer education about financial services. I wish to add, in this connection, that a task force known as the joint forum has been set up by the minister responsible, and these representatives will be working together to establish a system which will benefit consumers.

The government will work with financial institutions to launch the new Canadian financial services ombudsman.

This office will provide an independent, objective and impartial third party responsible for reviewing complaints from consumers and small business owners who believe that their financial institution has treated them unfairly and who have not been able to resolve this problem directly with the management of the institution in question.

It is important to point out that the new ombudsman will be independent of the sector and will be only for institutions under federal jurisdiction. For example, the caisses populaires in Quebec will not be able to have access to the services of this new ombudsman, without a specific agreement.

The banks will be required to join this new office, but the trust companies and life insurance companies under provincial jurisdiction but covered by federal regulations will be subject to a system of third-party dispute settlement, and we invite them to opt for this new ombudsman for this purpose.

The government also proposes a number of measures aimed at fostering the adoption of good business practices. This includes enhanced transparency and improved communication of information on financial services so that customers have a better idea of what is going on.

Financial institutions with equity in excess of \$1 billion have to produce annual statements describing their contribution to Canadian society and to the economy in general.

Given the heavy competition to attract customers who are the Canadian consumer will be far better served under the provisions of this bill. Since government measures always come with a cost, this leads to the fourth principle, which constitutes the last underpinning principle of this bill.

The industry's security and integrity will always remain a priority. Any opportunity to lighten the regulatory burden should be seized where possible.

Moreover, in our discussions with the minister in connection with the three categories of bank, an effort will be made by the department to ensure that regulations are appropriate to the category of bank.

Canada's regulatory system is already in large part up to date. In reality, a number of improvements were made in 1997. There are certain aspects of the system, however, that need improvement or fine-tuning, and this is what the bill has done.

First, the mechanism for authorizing a large number of operations requiring the superintendent's approval will be simplified. The superintendent will have 30 days following receipt of an application for approval to express his concerns, request additional information or call for a report. Otherwise, the operation is automatically authorized after 30 days.

Second, management of the payments system will be changed. The bill changes the mandate and structure of the public administration of the Canadian Payments Association so the public will be more involved in decision-making.

Third, prudential safeguards for the financial system will have to be consistent with the new reality of stronger competition which we are trying to bring about. The bill also enhances the powers of the Superintendent of Financial Institutions to deal with firms that do not meet the regulatory requirements, and it bolsters the superintendent power to intervene in the affairs of a financial institution that is heading for trouble. Since we will have three levels of sales, I think this measure will help head off problems in the future.

Honourable senators, the measures embodied in the bill we are debating today uphold and advance all four of the guiding principles by forming a complete, balanced and fair legislative package.

This is why it is time to put this policy framework in place, to give effect to the spirit of this long process, studies and consultation so that our financial institutions may take advantage of these opportunities to the benefit of the sector and Canadian consumers.

Finally, it is important to look to the future and see passage of the bill not as the ultimate goal but as another step in the evolution of the policy framework of the financial services sector in Canada.

In fact, the comments made by the Standing Senate Committee on Banking, Trade and Commerce will provide fodder for the next round of consideration. Likewise, the avenues of action proposed by the various witnesses at the committee hearings will provide a starting point for the next review.

The sunset clause included in the legislation governing financial institutions requires a review of the legislation to be conducted every five years. This mechanism guarantees that the framework in which financial institutions operate continues to be dynamic, current and relevant. However, there is every reason to believe that the speed of the changes in the global environment of the financial services sector will lead us to review these issues much sooner, well before the deadline prescribed by the act.

Honourable senators, Canada's financial sector enjoys an excellent reputation and the framework of this bill will allow institutions that are governed by it to be successful here as they are abroad, for the well-being of all Canadians.

I will conclude by thanking all those who contributed to this policy, including the members who sat and produced the MacKay report, the stakeholders who appeared before the committees, the colleagues who sat on the various parliamentary committees and the experts from the Department of Finance.

On motion of Senator Tkachuk, debate adjourned.

[English]

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

REQUEST FOR AUTHORITY FOR COMMITTEE TO MEET
WHILE THE SENATE IS SITTING DENIED

Hon. Nicholas W. Taylor: Honourable senators, with leave of the Senate and notwithstanding rule 58(1)(a), I move:

That the Standing Senate Committee on Energy, the Environment and Natural Resources have power to sit at 5:30 p.m. today, Tuesday, June 5, for the purpose of hearing the Minister of Natural Resources in its study of Bill C-3, to amend the Eldorado Nuclear Limited Reorganization and Divestiture Act and the Petro-Canada Public Participation Act, even though the Senate may be sitting, and that rule 95(4) be suspended in relation thereto.

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

Hon. David Tkachuk: No.

• (1510)

YOUTH CRIMINAL JUSTICE BILL

SECOND READING—DEBATE ADJOURNED

Hon. Landon Pearson moved the second reading of Bill C-7, in respect of criminal justice for young persons and to amend and repeal other Acts.

She said: Honourable senators, before us today, at long last, is the proposed new youth criminal justice act, Bill C-7. Let me begin second reading debate by confirming our shared responsibility as a civilized and humane society to respect the rights of young people, address their needs, be sensitive to the developmental challenges that confront them, and provide guidance and support as they grow into adulthood. This responsibility to all our young people frames the proposed youth criminal justice act and is described explicitly in its preamble.

The preamble calls on communities, families, parents and others directly concerned with the development of young people

[Senator Hervieux-Payette]

to focus on preventing youth crime by addressing its underlying causes. Young people at risk of committing crimes require adult help and direction, and government should do everything it can to ensure that both are available. In recognition that Canada is a party to the United Nations Convention on the Rights of the Child, the preamble also signals that young persons have rights and freedoms, including those stated in the Canadian Charter of Rights and Freedoms and the Canadian Bill of Rights.

However, the reality is that not all protection and prevention measures work. Therefore, Bill C-7 recognizes that, for those young people who commit offences, Canadian society should have a youth criminal justice system which commands respect, takes into account the interests of victims, fosters responsibility in young people in trouble with the law, and ensures accountability through meaningful consequences that promote effective rehabilitation and reintegration.

While I have not studied the text of Bill C-7 in depth, a number of conversations about it have convinced me that, properly implemented, the proposed youth criminal justice act will provide Canadians with a youth criminal justice system able to achieve these objectives and ensure a fair and effective system that will reduce the number of youth going into the formal justice system. It will reduce overreliance on incarceration in this country and increase reintegration measures for those returning to the community after a period in custody. These are desirable outcomes that I believe all senators will support.

A number of people, however, have argued that the existing Young Offenders Act is adequate and that the legislation does not need reform because the problems encountered stem from inappropriate implementation. Is new youth justice legislation necessary to achieve the outcomes I have listed above? The answer is yes. The truth is that more than 15 years of experience under the Young Offenders Act have shown there are substantial inadequacies in the legislation and the implementation of it.

Let me list some of the problems. First, the Young Offenders Act fails to reflect a coherent youth justice philosophy. Its principles are unclear, even conflicting, and they do not effectively guide decision makers in the youth justice system. Unlike the Young Offenders Act, the proposed youth criminal justice act provides guidance on the priority that should be given to key principles. For example, the new legislation makes clear that the nature of the system's response to an offence should reflect the needs and individual circumstances of a youth while dictating that the needs or social welfare problems of a young person should not result in longer or more severe penalties than what is fair and proportionate to the seriousness of the offence committed.

Other principles of the proposed youth criminal justice act emphasize that, first, the objectives of the youth justice system are to prevent crime, rehabilitate and reintegrate young persons into society, and ensure meaningful consequences for offences committed by young people. Pursuing and achieving these objectives must be recognized as the best way to promote the long-term protection of the public.

Second, the youth justice system must address the fact that young persons have neither the experience nor the maturity of adults. Recognizing this fact implies an emphasis on rehabilitation, reintegration and ways of holding young people accountable that are consistent with their level of maturity.

Third, interventions with young people must be fair and proportionate. They must encourage the repair of harm done and involve parents and others in the young person's rehabilitation and reintegration.

Fourth, interventions must respect gender, ethnic, cultural and linguistic differences in response to the needs of Aboriginal young persons and those of young persons with special requirements.

A second problem with the Young Offenders Act, to the dismay of many observers, is that it has resulted in the highest youth incarceration rate in the Western world, including the United States. The sad reality is young persons in Canada often receive harsher custodial sentences than adults for the same type of offence. Almost 80 per cent of custodial sentences are for non-violent offences. Many non-violent first offenders found guilty of less serious offences such as minor theft are sentenced to custody.

We have to ask ourselves how such a situation has arisen. The high rate of incarceration for less serious young offenders appears to reflect two quite different sentencing approaches in this country. One is a "get tough" philosophy based on the misplaced belief that locking up young persons is the best way to protect society. The other approach is the paternalistic, needs-based treatment philosophy that bases the level of intervention on the perceived needs of the young person rather than the seriousness of the offence. The result has been some young persons have been and are continuing to be incarcerated to address their child welfare problems, even though the offence itself may be relatively minor. This is clearly unfair and an inappropriate use of the criminal law.

The proposed youth criminal justice act is intended to reduce the unacceptably high level of youth incarceration that has occurred under the Young Offenders Act. The preamble to the legislation states clearly that the youth justice system should reserve its most serious interventions for the most serious crimes and reduce its overreliance on incarceration.

In contrast to the Young Offenders Act, the new legislation provides that custody is to be reserved primarily for violent offenders and serious repeat offenders. The Youth Criminal Justice Act recognizes that non-custodial sentences can often provide more meaningful consequences and be more effective in rehabilitating young persons.

A third problem associated with the Young Offenders Act is the overuse of courts for minor cases that can be dealt with better

outside the court. The effect of court consideration of minor cases is delay and an inability of the courts to focus on more serious cases. Experience in Canada and other countries has shown that measures outside the court process can provide effective and timely responses to less serious youth crime. Although the Young Offenders Act permits the use of alternative measures, over 15 years of experience under the Young Offenders Act indicates that the act fails to provide enough legislative direction regarding their use.

The proposed youth criminal justice act is intended to enable the courts to focus on serious youth crime by increasing the use of effective and timely non-court responses to less serious offences. These extrajudicial measures are intended to provide meaningful consequences, such as requiring a young person to repair the harm to the victim. They also enable early intervention with young people and provide opportunities for the broader community to play an important role in developing community-based responses to youth crime.

Some of the provisions in the youth criminal justice bill that encourage the use of extrajudicial measures in less serious cases include a presumption that these measures should be used with first-time, non-violent offenders. The provisions also include specific authority for police and prosecutors to use a range of extrajudicial measures such as informal warnings, police cautions, Crown cautions and referrals to community programs.

[Translation]

The Young Offenders Act resulted in inconsistent and unfair sentences for young people. Sentences imposed under the Young Offenders Act often do not reflect the seriousness of the offence. There are often significant differences between the sentences imposed on young people for similar offences under similar circumstances. As I already indicated, young people regularly get harsher sentences than those imposed on adults for similar offences. In some cases, the sentence imposed on young people based on their needs or social problems is longer or harsher than what would be fair and appropriate given the seriousness of the offence.

• (1520)

The proposed new bill sets out a clear, consistent and coherent code for sentencing. It is intended to reduce disparity and therefore reflects a fundamentally fairer approach.

The new bill therefore provides that the punishment imposed on a young person must not be greater than what would be imposed on an adult in similar circumstances.

Similarly, the youth criminal justice bill provides for fair and proportional responsibility consistent with the dependence of adolescents and their degree of maturity relative to the seriousness of the offence and their level of responsibility.

The Young Offenders Act does not ensure rehabilitation of a youth after his release. One of the shortcomings of the Young Offenders Act is that a youth can be released without supervision and without assistance in reintegrating into the community.

The new legislation contains provisions for helping young people achieve reintegration. The youth criminal justice bill requires that any period of custody be followed by a period of supervision and assistance in the community.

At the time of sentencing, the judge states the portion of time to be served in custody and the portion to be served in the community. If the youth does not respect the conditions of community supervision, he or she could be returned to custody.

[English]

The bill provides that, once a young person enters custody, a youth worker must work along with the young person to develop a reintegration plan. This plan should set out the best programs for the young person and should provide continuity between custody and community living.

An important element in preparing for community reintegration is provided by expanded reintegration leaves. This allows a young person in custody access to community programs and contacts. The bill's emphasis on assisting a young person to successfully make the transition back to the community is based on the belief that all young people can be helped and reintegrated if they are given the proper support, assistance and opportunities.

I should now move to another issue which constitutes what I consider to be the sixth problem with the Young Offenders Act. There has been a great deal of confusion, and consequently a great deal of misplaced controversy, concerning the age at which, under Bill C-7, a young person can receive an adult sentence. Let us examine what happens now. For nearly 100 years, under both the old Juvenile Delinquents Act and the current Young Offenders Act, the law has allowed young persons who are 14 years of age or older to be transferred to adult court under certain circumstances. If the young person is convicted in adult court, the court can impose an adult sentence. Let me assure honourable senators that the proposed youth criminal justice act will not lower the age at which a young person may be subject to an adult sentence.

Under the Young Offenders Act, if a 16- or 17-year old is charged with murder, attempted murder, manslaughter or aggravated sexual assault, it has been presumed that he or she will be transferred to adult court and, if convicted, will receive an adult sentence. The presumption does not mean that there will be an automatic adult sentence. It means that the young person must persuade the court that he or she should remain in the youth court.

[Senator Pearson]

The Senate was very concerned about this presumption when we amended the Young Offenders Act in 1995, shortly after I joined the Standing Senate Committee on Legal and Constitutional Affairs. While there is no change in Bill C-7 with respect to the age at which a young person can receive an adult sentence, the bill does allow for a change in the application of the presumptive offences. The age at which the presumption applies may be 14, or older than 14 and set at 15 or 16, if a province decides to use its authority to set an age under clause 61. This responds to provincial concerns that the presumption of an adult sentence for very serious offences should not apply at age 14. This change provides flexibility for provinces to set the age at 15 or 16.

Other important changes are made in Bill C-7 as well to increase the fairness of the process for determining whether an adult sentence should be applied. Experience has shown that the process under the Young Offenders Act for the transfer of young people to the adult system has resulted in unfairness, complexity and delay. The process violates basic fairness by providing that a young person be transferred to an adult court before being found guilty of the offence.

Under the Young Offenders Act, the young person loses age-appropriate due process protections, including privacy protections, on the basis of an unproven charge. Also, transfer proceedings have lasted as long as two years, which impedes access to a speedy trial. It also has resulted in wide differences among provinces in the number of transfers of young persons to the adult system. For example, in 1998-99, Manitoba led the country with 29 transfers. Quebec was second with 23, which was nearly four times the number in Ontario, which had six transfers, and more than double the number in British Columbia, which had 11 transfers.

The proposed youth criminal justice act contains significant changes that address the unfairness of the current transfer process. The transfer process is eliminated. Instead, the youth court has the authority to impose an adult sentence in certain circumstances. The hearing on the appropriateness of an adult sentence will occur only after a finding of guilt. If a young person receives an adult sentence, it is to be presumed that, if the young person is under 18, he or she will serve the adult sentence in a youth facility. This is more consistent with the UN Convention on the Rights of the Child which is expressly referenced in the preamble to the proposed legislation.

It is of the utmost importance that the process for imposing an adult sentence on a young person be fair, and that the youth justice court take into account the seriousness and circumstances of the offence and the age and maturity of the youth. This is preferable to automatic adult sentences for certain youth, which would only serve to undermine the very meaning of a separate youth justice system.

I will now proceed to the seventh problem with the act.

[Translation]

The Young Offenders Act does not make a clear distinction between serious and less serious violent offences. This is a fundamental issue underlying a good number of the other problems posed by the Young Offenders Act, such as the high rate of incarceration of young people and the too frequent involvement of the courts for less serious offences.

When a youth criminal justice system cannot make a clear distinction between serious and less serious violent offences, it should come as no surprise that the public has less faith in the system.

The youth criminal justice bill consistently makes this important distinction at key points throughout the legislation. It is reflected in the preamble and declaration of principles, the extrajudicial measures, the sentencing principles, the rules on adult sentencing and the provisions regarding release from custody.

Unlike the Young Offenders Act, a basic policy of the new legislation is that serious violent offences are to be treated seriously and less serious offences are to be dealt with through less intrusive yet still meaningful consequences.

[English]

In many cases, these approaches prove more meaningful, for they involve the victim. In dealing directly with the victim, a youth often comes to understand the impact of his or her actions better and to accept responsibility for them and then to undertake to repair the harm he or she has caused.

An eighth and final problem with the Young Offenders Act is the failure of the act to recognize the concerns and interests of victims. The proposed youth criminal justice act takes these concerns into account and clarifies the role of victims in the youth justice process.

Key provisions include the following: the principles of the bill specifically provide that victims are to be treated with courtesy, compassion and respect for their dignity and privacy. They should also be given information about the proceedings and be given an opportunity to participate and be heard. Victims have a right of access to youth court records and may be given access to other records. The victim's role in community-based approaches, such as conferences, is encouraged. If a young person is dealt with by an extrajudicial sanction, the victim of the offence has a right to be informed of how the offence has been dealt with.

I would now like to offer a brief review of the major steps that led to the introduction of Bill C-7. When the most recent amendments to the Young Offenders Act were passed in 1995, the government committed to conduct a comprehensive review of legislation, as well as of the operation of the youth justice system. After a decade of experience with the Young Offenders Act, it was time to step back and assess how the legislation and the system could be improved in ways that took account of Canadians' concerns and reflected their values.

The House of Commons Standing Committee on Justice and Human Rights carried out a thorough review that included holding hearings across Canada. The committee also considered the results of a separate review of the Young Offenders Act and the youth justice system that was completed in 1996 by the federal-provincial-territorial Task Force on Youth Justice. The standing committee's report, "Renewing Youth Justice," issued in 1997, offered a number of valuable recommendations for improving the system. The federal government reviewed the committee's report and released its response, "A Strategy for the Renewal of Youth Justice," in May 1998. The strategy set out the basic themes and policy directions that were taken up in Bill C-3 and are now to be found in Bill C-7. Considerable input from individuals and organizations was also taken into account.

In March 1999, the first version of the Youth Criminal Justice Act was introduced into the House of Commons. Parliament prorogued in June and the youth criminal justice bill was reintroduced as Bill C-3 in October of 1999. The bill proceeded through second reading in the House of Commons, and the Standing Committee on Justice and Human Rights held hearings during which it heard from approximately 100 witnesses. Views were varied. Some were very critical, others constructive, representing the whole spectrum of attitudes and approaches to young people in trouble with the law characteristic of the Canadian public.

Prior to third reading of Bill C-3 in the House of Commons, the federal election was called and the bill died on the Order Paper. It was reintroduced as Bill C-7, strengthened by a number of changes recommended in testimony before the Commons committee studying Bill C-3. Five other amendments were made in committee.

The following changes were made to the preamble and principles. Adjustments were made to provide greater clarity, to reinforce the importance of rehabilitation and to address the needs of youth. Long-term protection of society remains an overarching principle, but the means to obtain that protection received much greater emphasis. The importance of timely intervention is recognized in the principles.

A reference to the needs and level of development of the youth has been added to the principles. The importance of public education has been recognized in the preamble. A section on victims has been strengthened in the preamble. Specific reference to the needs of Aboriginal young people has been included.

Other changes have been made to accommodate some provincial concerns. Quebec and Ontario have continually criticized the Government of Canada's approach to youth crime. One province is claiming Bill C-7 is too harsh and the other is accusing us of being weak-kneed. However, we believe this legislation is not about being tough or weak; it is about getting the balance right. Quebec has even asked to be allowed to continue to apply the Young Offenders Act. In response to political pressures, the youth criminal justice bill now addresses problems in the youth justice system in a manner that offers more flexibility to the provinces so they can implement the legislation to reflect local needs and circumstances.

However, Bill C-7 is founded on federal criminal law and federal criminal procedural power, so there must be only one youth criminal justice law operating in Canada. Fundamental legal principles must be respected. Allowing any province to opt out of federal youth criminal justice legislation would undermine one of the keystones of the Canadian system. Nevertheless, Bill C-7 offers the flexibility that Quebec requires to allow it to maintain its approach to youth justice.

[Translation]

MISCELLANEOUS STATUTE LAW AMENDMENT PROPOSALS

MOTION TO REFER TO COMMITTEE ADOPTED

Hon. Fernand Robichaud (Deputy Leader of the Government) pursuant to notice of May 31, 2001, moved:

That the document entitled "Proposals to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal an Act and certain provisions that have expired, lapsed or otherwise ceased to have effect", tabled in the Senate on May 30, 2001, be referred to the Standing Senate Committee on Legal and Constitutional Affairs.

Motion agreed to.

[English]

FEDERAL NOMINATIONS BILL

SECOND READING—DEBATE CONTINUED—POINT OF ORDER

On the Order:

Resuming debate on the motion of the Honourable Senator Stratton, seconded by the Honourable Senator Cohen, for the second reading of Bill S-20, to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high public positions.—(*Honourable Senator Beaudoin*).

Hon. Serge Joyal: Honourable senators, I have informed Senator Stratton, who is the sponsor of this bill, of my intention today to raise a point of order. I have also informed Senator Beaudoin who was listed on the Order Paper to speak today.

My point of order relates to Bill S-20, to provide for increased transparency and objectivity in the selection of suitable individuals to be named to certain high-profile public positions. I do not want to take part in the debate today on the merits of the substance of the bill, but I want to raise the formal issue of the Royal Consent. In my opinion, that issue has to be determined in order to validly adopt this bill.

If I understand the objective of this bill, it is to provide that, in the future, the positions listed under Schedule, Part 1 of the bill will be the subject of compulsory procedures for any minister of the Crown who proposes the appointment of a person to fill one of those positions. Most of those positions are covered by the Constitution Act. For instance, the lieutenant governor of a province is appointed under section 58 of the Constitution Act. Senators are appointed under section 24 of the Constitution Act. Judges on the second part of the annex are appointed under section 96 of the Constitution Act.

Although the Government of Ontario may believe that punishment alone serves to protect society, research does not support this point of view, nor is it reflective of the approach most Canadians support. The informed view is that real protection is achieved through prevention, meaningful consequences for the range of youth crimes, and rehabilitation and reintegration. These are the premises on which Bill C-7 is constructed.

Honourable senators, let me conclude by saying a few words about the broader strategy of Justice Canada with respect to young people in trouble with the law. We all have to recognize the limits of legislation. Our expectations about what legislation can and cannot accomplish must be reasonable. This is why the youth criminal justice bill is only one part of the government's much broader approach to youth crime and to the renewal of Canada's youth justice system. Increased federal funding, crime prevention efforts, effective programs, innovative approaches, research, partnerships with other sectors such as education, child welfare and mental health, assistance to Aboriginal communities, and appropriate implementation by provinces and territories are all part of the broader strategy for the fair and effective renewal of Canada's youth justice system.

A well-informed and well-trained professional workforce is also essential to the success of youth justice renewal. The federal government is working collaboratively with its youth justice partners in supporting better preparation for those who work in the youth justice system. As it awaits the passage of the youth criminal justice bill, the Department of Justice is developing explanatory materials on the legislation that describe its rationale, goals and operation. The materials are being designed as a resource base for provincial and territorial officials and other professionals who need to train their members. The federal government will support this and other aspects of implementation of the legislation with funding.

Honourable senators, it is now our turn to scrutinize the bill. We should take all the time we need to ensure that a bill that has elicited as much controversy as this one has, particularly in its early form as Bill C-3, can stand up to the challenges it has set itself. I should like to believe that the best values of a society are reflected in its legislation. For the sake of our youth, as well as for the safety of the society in which we all live, we need to get this one right.

On motion of Senator Andreychuk, debate adjourned.

[Senator Pearson]

• (1540)

There is one position that is of a special nature, and that is the position of Governor General. In the case of the Governor General, nothing in the form of a statute provides for the appointment of the candidate. It is still the absolute prerogative of the sovereign to choose and select whomever she or he wants to appoint to act in her or his capacity.

The objective of this bill would fetter the prerogative, either the way we know it in terms of the Governor General in Council appointing one of the other positions listed in the schedule or the prerogative of Her Majesty as it stands now. As I understand the prerogative of Her Majesty in appointing her representative to act on her behalf under the Crown of Canada, Her Majesty can appoint whomever she wishes without giving any reasons or any explanations. She still has an absolute prerogative in terms of statutes.

Again, I am not pronouncing on the merits or substance of the bill. As I read clause 9, the minister of the Crown shall first propose the appointment and then the Senate shall invite the person. It is an obligation. It is not just a possibility; it is not just a discretion.

I am not pronouncing on the merits of this bill, but its real effect is to fetter the prerogative of the Crown, either the Queen acting on her own behalf as the Crown of Canada or a minister of the Crown proposing candidates to the Governor General in Council for appointment.

If we are to validly adopt this legislation — and, again, I am not pronouncing against this bill — I think we should make that point clear. It is a very important element, and I would not like to delay the debate that is to take place and that has already started in our chamber. I defer to Senator Beaudoin who allowed me to raise this point of order. I am not asking the Speaker to delay the debate. That issue could be taken under advisement and the Speaker could inform this chamber, at the proper time, of his decision. We would be taking an important initiative that is of a constitutional nature, because all of these positions are covered by the Constitution of Canada in one way or another.

If we are to proceed constitutionally with this bill, I would be grateful if His Honour could enlighten our debates with his ruling.

Hon. Terry Stratton: Honourable senators, the Honourable Senator Joyal is possibly correct, and I will not argue that. This matter could be discussed in the Standing Senate Committee on Legal and Constitutional Affairs and a determination could be made in that committee.

Senator Molgat ruled in relation to the Royal Assent bill. He stated that as long as the Royal Consent is added to the bill

before it is finally passed in the House of Commons, then we should be okay.

That discussion could take place in committee. The Royal Consent would be required as to the appointment, and we could carry on.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, Senator Joyal raises an interesting question. If I understand him correctly, he has indicated that, rather than looking upon this as a point of order that could impede or indeed cause the suspension of debate on the principle of the bill, we examine this question and have guidance from the Chair.

The point of order having been raised, perhaps it would be better to not ask that there be a ruling from His Honour but rather that notice be taken of the question that has been raised. Should His Honour rule that the point of order is well taken and therefore that the bill is out of order, we could not proceed with the bill. I do not think that was the intent, as I heard Senator Joyal. My first point, then, would be that perhaps we ask of His Honour that he take notice of the question so that he might do some research and that he not consider this a point of order in the ordinary sense that would hold up debate on the principle of the bill.

I think that the authority of the executive is not ultimately impeded by the bill. The executive maintains its authority to make an appointment. My understanding of the bill is that there may be some advice given, and there may be some recommendations as to tests for qualification. The pith and substance of the objection that has been well made and raised by Senator Joyal is whether the bill would impinge upon the authority of the executive, therefore requiring a Royal Consent, because it would interfere with the appointment power. I think the committee will find when it examines Bill S-20 that in actual fact it does not modify the final executive decision of the Crown. Nowhere does it state that the purpose of this bill is to impede the authority of the Crown in exercising its appointment powers but rather to set in place some transparency measures.

Honourable senators, we are dealing with an unusual circumstance. It is like a point of order, but even the senator who raised the matter, as I have understood him — and I would concur with him — suggests that we treat it more by taking note of the concern, such that the progress of the debate on the principle of the bill and the bill's referral to committee, should that occur, not be impeded.

[Translation]

Hon. Gérald-A. Beaudoin: Honourable senators, I deliberately left the position of the Governor General to one side, because there is definitely, as Senator Joyal has said, a question of prerogative involved. I am not prepared today to speak to the point of order in general terms because it is a matter requiring some research.

However, since I have decided not to speak of the Governor General or indeed the monarchy, I am prepared to speak on two other matters, specifically the justices of the Supreme Court and the senior officials of government. I think it possible to take the question raised by Senator Joyal on prerogative under advisement.

Honourable senators, if we want to consider all matters of prerogative simultaneously and adjourn the debate until the Speaker of the Senate provides a ruling, I would willingly accept this decision. I am ready to speak to everything except Royal Prerogative.

• (1550)

[English]

Senator Joyal: I thank Senator Kinsella for his remarks. I share his opinion that the Crown can signify Royal Consent at any point before the vote is taken at third reading. Honourable senators will remember that a year ago, on Bill C-20, we had an unexpected situation. Notice was given to this chamber by a member of the Privy Council, on behalf of the Crown, that Royal Consent was conferred and we finally voted on third reading of Bill C-20.

I have absolutely no reservation about the debate continuing. The bill can be referred to committee where we can hear witnesses. The committee can report and we can proceed to third reading debate in the chamber. When His Honour sees fit, he can inform this chamber of his ruling. The final decision on the question of Royal Consent is in the hands of the Speaker. We can raise that issue in committee, but we must leave the final decision on this in the hands of the proper authority in this chamber.

The Hon. the Speaker: As no other honourable senator wishes to speak, I will take the matter under advisement. Perhaps I should clarify, however, what I am taking under advisement.

Senator Joyal has raised an important question on the requirement for Royal Consent under Bill S-20 specifically as it relates to the appointment of a Governor General, along with other matters that may be relevant. We have the precedent from the last Parliament in the ruling of the Chair and in my position as Speaker, I accept that, according to the authorities, Royal Consent can be given at any time before third reading of a bill. Accordingly, debate on the matter can proceed while I have the matter under consideration.

If I understood correctly, Senator Beaudoin indicated that he may wish to address this point of order later. That would be unusual, although there is precedent for it. I do not believe that discussion on the point of order should continue for very long because, until all comment has been received and the Speaker has indicated that he has heard enough, the matter is open for further comment.

[Senator Beaudoin]

Does Senator Beaudoin wish to comment further at a later date? If he does, I will rule now on when he may do that. I would not want to wait longer than tomorrow for that comment.

Senator Beaudoin: I accept that we can continue with our study of the substance of the bill since, as His Honour has stated, there is precedent for that. I will not come back to the point of order because this precedent solves the problem for the moment.

The Hon. the Speaker: I take it there is no request to return to the point of order. Accordingly, I have heard enough on the point of order and I will take the question under consideration. I rule that it is appropriate, as we have in the past, to continue with the debate, because the issue under consideration is the requirement for Royal Consent, which can be given at a later date.

[Translation]

Senator Beaudoin: Honourable senators, I wish to say a few words on Bill S-20. The purpose of this bill is to increase transparency and objectivity in the selection of suitable individuals to be named to certain high public positions. No one can stand against what is good and right. Bill S-20 generates a definite interest.

It proposes the establishment of a nominations committee of the Privy Council. This committee would develop criteria and procedures for identifying suitable individuals for certain positions.

In this respect, there are two categories. The first one includes the following positions: Governor General, Chief Justice of Canada, Speaker of the Senate, lieutenant-governor of a province, commissioner of a territory, judge of the Supreme Court of Canada and senator. The second category includes the following positions: judge of the Federal Court of Canada and judge of the Superior Court.

Before recommending an appointment, the minister responsible must announce it either by giving notice in both Houses of Parliament or by publication in the *Canada Gazette*.

Finally, a parliamentary hearing would be held to discuss the incumbent's eligibility and qualifications for the position and his views on the responsibilities of the position. In case of an emergency, the hearing could take place before the Committee of the Whole of the Senate. The appointment could also, in certain cases, be made without a parliamentary hearing.

In our democratic system, there is always room for improvement. Thus, for example, we know that a strong, independent and impartial judiciary must be at the foundation of any democracy. Fortunately, this is the case in Canada. Since the Act of Settlement, 1701, which comes to us from the United Kingdom, we have had an independent judicial system. In a recent case, the Supreme Court held up the preamble to our Constitution as the basis for an independent judiciary.

We have been monitoring the constitutionality of our laws since at least 1865, since the Colonial Laws Validity Act. This monitoring is rigorous. We have seen it in the way powers have been shared within the Canadian federation since 1867 and, in the case of the Canadian Charter of Rights and Freedoms, since 1982. The highest court in the land based 450 of its decisions on our Charter of Rights and Freedoms. This is extraordinary! This legislation is undoubtedly one of the cornerstones of our democracy.

As we know, there are two other important branches: the legislative and the executive. The Americans were the first in the modern era to base their constitution on the balance between the three major branches of government.

Our parliamentary system comes to us from the United Kingdom. We know that we have three major branches in Canada but, in many cases, the legislative and executive branches are inter-related. We know that nowadays, if there is a majority government, the prime minister controls both the executive and legislative branches. Still, our rules ensure a certain balance between these two branches.

• (1600)

Bill S-20 intends to go much further. Legislative power must be bolstered. Professor Savoie has pointed this out in his writings. I therefore support having the appointments of certain major servants of the state ratified by the legislative branch. This was mentioned in connection with Supreme Court justices and senior public officials.

The United States' system of selecting its justices of the Supreme Court is well known. The Senate judicial committee must approve the President's Supreme Court nominees.

According to court history, some were not accepted, either wrongly or rightly, but by far the majority were.

There were such cases in the days of Franklin Delano Roosevelt, and again more recently. The American system merits consideration. I recall that Justice La Forest of our Supreme Court suggested such a thing when he left the court.

I am not convinced this is the way to go. It is possible that such a system would politicize the legal system. At this time, I am not in favour of such an approach.

I would, however, suggest that the Prime Minister of Canada consult the Solicitor General of the province concerned, but I would leave the final decision up to the head of the executive.

As for the senior officials, this is another case entirely. In the Beaudoin-Dobbie report, we proposed that the Senate play a role in ratifying appointments for the heads of such federal institutions as the Bank of Canada, the CBC, the National Film

Board, the Canada Council, the CRTC, the National Energy Board and the Canadian Transportation Agency.

This would enhance our democratic values and strengthen the legislative branch of the state. The parliamentary system needs reinforcing in today's world, and not just in Canada. A number of democracies have addressed this issue recently, and were right to do so, in my opinion.

This bill should be thoroughly studied, for example, by the Standing Senate Committee on Legal and Constitutional Affairs.

In recent months, senior officials of government have been heard in Committee of the Whole here in the Senate before their confirmation in their senior positions. I support this approach strongly. We are thus improving the parliamentary system without having to amend the Constitution. This, honourable senators, is an approach worth exploring.

Hon. Roch Bolduc: Honourable senators, my remarks may be off-topic, or very nearly so. I have two concerns. The first, as Senator Beaudoin mentioned, is a certain balance of power, and, second, is the role of the Senate.

In this regard, I am not convinced senators must have a say in the appointment of the Governor General, lieutenant-governors or senators.

As concerns the justices of the Supreme Court, I would support having a say in their appointment. I exclude Senator Joyal's objection. However, as it concerns having a say in the appointment of the other justices, I am not certain, because we would have to consider quite a number of appointments. If a Senate committee decided to examine the appointment of 1,000 justices and had a say in all of these cases, it would be a cumbersome process.

The government, though, has the discretionary power to appoint deputy ministers and the presidents of Crown corporations and administrative tribunals. That amounts to a lot of people. I think the government must be reminded of the importance of appointments to the senior public service and to similar positions, including within administrative tribunals and Crown corporations.

In the case of the Supreme Court, it seems to me we would improve the process if a say were permitted. In interpreting the Charter, the justices of the Supreme Court continually make value judgements, and the values are often contradictory, hence the importance of questioning them in order to have their point of view.

As regards the appointment of deputy ministers, I would not necessarily agree. I will tell you why. In the American system, the departments are created by laws that include statutory powers given to the head of the department. This means that heads of departments in the United States have real powers.

Those like me who are familiar with the history of U.S. administration over the last 50 or 100 years will know that these people do not represent the President. They have an act to administer and they administer it. In fact, each department deals with its own business and the whole administration operates in this fashion.

In Canada, a minister is part of the cabinet and makes decisions. He is generally advised by a competent deputy minister. Therefore, I would not subject deputy ministers to questions relating to the advice that they provide to their minister. Such advice is based on their profile, training, experience, values and everything that is part of one's personality. It is up to the minister to decide and the deputy minister provides advice in confidence.

In the British system, we must leave things at that. I am not saying that I disagree with the British system. However, as long as we live in a British system, we must preserve this degree of confidentiality that allows the deputy minister to freely give his opinion, in private, to his minister.

However, in the case of Crown corporations such as the CBC, it is important that the Senate have a say since it is, in a way, the guardian of the representations made by minorities in the country. The fact that the Senate can examine these candidates will ensure that the government takes great care to see that the person appointed is beyond reproach. This would provide, even before the selection process, a degree of seriousness in the appointment process, something I find reasonable.

I mentioned the CBC because it is made up of two corporations: one in Toronto and one in Montreal. Some things may be done in English in Montreal while others may be done in French in Toronto, but that does not matter. The idea is to have the appointments reviewed by a group that operates at arm's length from the government. This is also important in the context of the possible definition of the Senate's role.

• (1610)

Right now, the Senate does not play such a role, but it is one that would make a lot of sense. We already have important legislative and investigative roles, and we could be involved in the review of appointments. This would be entirely appropriate for people whose experiences are diversified and who represent different cultures and provinces. This would be a good thing for certain Crown corporations, but not for all Crown corporations. Some of them are strictly economic, so that is perhaps not the same thing. I am thinking of the CBC, and there are other Crown corporations that could be interesting. For instance, it would be good to know what the Chief Statistician thinks. He does not only have a technical role. When one decides how the census will be carried out, or how external trade with the United States will be measured, this role is not just a technical role, but it is

[Senator Bolduc]

also more than that. Appointments should be reviewed so that we know who would occupy this position.

The same should hold for administrative tribunals. That is perhaps the most important part. I am thinking of the CRTC for instance, which seems to me to be a very sensitive body — everyone knows this. It grants broadcasting licences. There is something very sensitive in terms of cultures. I think it important that the Senate be able to play such a role with respect to the National Film Board and other cultural institutions.

That is all I will say for now. I know that I am on the periphery of the bill. However, I wish to emphasize two points, one of which is the unchallenged power of the government to make appointments. In the past seven or eight years, Mr. Chrétien must have made between 2,000 and 3,000. This is a huge number. These are senior level positions. It seems to me that this discretion should be tempered by some form of review of certain appointments.

As for the Supreme Court, I am not yet sure, but I am inclined to say yes, primarily because of the Charter. I would add the Federal Court and certain positions in certain Crown corporations or other such agencies. This is important for the Senate, and above all for the Canadian public.

Hon. Marcel Prud'homme: Would Senator Bolduc answer a question?

Senator Bolduc: Certainly.

Senator Prud'homme: Honourable senators, I intend to take part in this debate, but I have a question in mind already. The senator has referred to the selection of candidates for senior levels of public authority. In my opinion, the highest public authority is the Parliament of Canada. Parliament has two chambers, the elected House of Commons and the appointed Senate. Does the honourable senator intend his remarks to include Senate appointments?

Senator Bolduc: I avoided this because it will start up a huge debate. Senator Joyal has written a text in which he says senatorial appointments are a good thing. When I came here in 1988, I shared that opinion. I felt it was a good thing for the government to appoint senators, because it appoints good people. I am here, am I not? However, it has to be admitted that there was a selection process. I am here as a result of the Meech Lake agreement: My appointment was recommended by the Government of Quebec and accepted by the federal government. Honourable senators, you can see that as a former public servant I came to them more or less unsullied.

I do not want to start that debate today because I now believe that Senate seats should be elected, for the good reason that it is difficult for people who are not elected to establish legitimacy. There are plenty of good people here, but the public has misgivings about us, in my opinion, because we are not elected.

However, if we were to be elected, then we would get into party politics and we are better off being appointed than getting into that. The solution ought to be a bit like the French model of indirect appointment through municipal elected representatives. We could be elected by a body of people a bit larger than the MPs' ridings. In my case, for instance, three or four ridings could be involved. That would not be very costly. An election campaign would not be a lengthy process; a person would just go from village to village. This would be possible.

There has to be some distance from the party system, which already drives the House of Commons and which is a huge centralizing factor, especially now that the party leaders are not chosen by caucus but by the party. This approach must be dropped absolutely if we want to have someone offsetting to some degree the power on the other side.

This is why I did not want to address the question of senators. I reserve that for another time when we speak of the role of the Senate and the way senators should be appointed.

On motion of Senator Robichaud, debate adjourned.

[English]

PERSONAL WATERCRAFT BILL

SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Spivak, seconded by the Honourable Senator Meighen, for the second reading of Bill S-26, concerning personal watercraft in navigable waters. —(*Honourable Senator Finnerty*).

Hon. Isobel Finnerty: Honourable senators, I adjourned debate on Bill S-26 because I required time to review it. I now recommend that the bill be referred to committee.

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

Hon. Senators: Agreed.

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

On motion of Senator Kinsella, for Senator Spivak, bill referred to the Standing Senate Committee on Transport and Communications.

STUDY OF PRESENT STATE OF DOMESTIC AND INTERNATIONAL FINANCIAL SYSTEM

BUDGET AND REQUEST FOR AUTHORITY TO ENGAGE SERVICES—REPORT OF BANKING, TRADE AND COMMERCE COMMITTEE ADOPTED

The Senate proceeded to consideration of the fifth report of the Standing Senate Committee on Banking, Trade and Commerce (budget-special study on the present state of the domestic and international financial system) presented in the Senate on May 29, 2001. —(*Honourable Senator Kolber*).

Hon. E. Leo Kolber moved the adoption of the report.

Motion agreed to and report adopted.

PRIVILEGES, STANDING RULES AND ORDERS

BUDGET AND REQUEST FOR AUTHORITY TO TRAVEL—THIRD REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the third report of the Standing Committee on Privileges, Standing Rules and Orders (budget) presented in the Senate on May 17, 2001. —(*Honourable Senator Austin, P. C.*).

Hon. Jack Austin moved the adoption of the report.

Motion agreed to and report adopted.

[Translation]

- (1620)

SITUATION OF OFFICIAL LANGUAGES IN ONTARIO

INQUIRY

On the Order:

Resuming debate on the inquiry by Senator Gauthier, calling the attention of the Senate to current issues involving official languages in Ontario.

Hon. Eymard G. Corbin: Honourable senators, after listening carefully to the words of Senator Gauthier on the current issues involving official languages in Ontario, I thought I might want to add a comment. However, after due reflection and particularly because Senator Gauthier addresses these questions fairly regularly these days, I have decided not to participate in the debate. The Senate would perhaps be prepared to withdraw this inquiry from the Order Paper.

The Hon. the Speaker: If no other honourable senator wishes to speak, this inquiry shall be considered debated.

[English]

VIEWS OF BRITISH COLUMBIANS ON WESTERN ALIENATION

INQUIRY

On the Order:

Resuming debate on the inquiry of the Honourable Senator Carney, P. C., calling the attention of the Senate to the views of some British Columbians on the subject of Western alienation and ways to reduce regional tensions.
—(*Honourable Senator Taylor*).

Hon. Nicholas W. Taylor: Honourable senators, earlier I asked leave for a committee to meet at 5:30, even though the Senate might then be sitting, and I was turned down. It is too bad that Senator Tkachuk is not here, as I was planning to subject him to an hour of listening to me. Rather than walk all the way back to my office and then return for the 5:30 meeting, I shall make this speech which has been boiling up inside of me for the last couple of months.

Most speeches are made here when there is a small audience, particularly on the opposition side, with the hope that our home province newspapers will print them. However, my home province has nothing but Tory newspapers, so I know that it will not be printed there. Therefore, I will subject honourable senators to my speech on Western alienation and comment on Senator Carney's speech. Someone searching the dusty archives in the years ahead might find it.

One hears much about Western alienation. It is common to group everyone who lives in the west together. A westerner is seen to be someone who smokes Marlboros, wears a wide-brimmed hat and goes galloping on a horse across the prairie. That reality, if it did exist, no longer exists. In Calgary, westerners drive Lexus cars and are employed in the high tech industry. In Saskatchewan, westerners have farms large enough that it takes half a day to cross them with a truck, not because the truck is in bad shape, but because the holding is that big from border to border. In British Columbia, westerners range from residual hippies from the 1960s to bright-eyed mining engineers and wine-makers who have made their move. Now that we can export ice wine to Europe, people with orchards in the Okanagan are praying for frost in the fall so they can make ice wine rather be worried about the possibility of an early frost, as they were in the old days, which would ruin their crops.

The west is not monolithic, although at times it has a tendency to vote as if it were. One factor common to Western alienation, if one wants to call it alienation, is the traditional sentiment of hating the tax collector. Whether you read the New Testament or the Old Testament, the tax collector was pretty well at the bottom of the social list in biblical times. In the west, that still applies.

Westerners should remember that Alberta and Ontario are probably the main contributors to the equalization formulas that help to maintain Canada, and rightfully so. Alberta is rich, as is Ontario. There is one big difference: Albertans hate the tax collector because they do not have 24 senators and 100 MPs. They feel rather helpless. Ontarians are able to not only contribute to Confederation, they are in a position to milk the cow first. Ontario is the province with the most power, both in the Senate and in the House of Commons.

At times, powerlessness is felt by westerners. That is particularly true of Canadians living in Alberta and B.C., which provinces make up the majority of the west. Those westerners do not like paying taxes to Ottawa. As a matter of fact, in my years in politics, I have never found the rich side of the city that liked to pay taxes to help maintain the roads, sewers and schools of the poor.

The Puritan ethic is quite strong in the west. If you are poor, it may well be that you or your ancestors sinned. If you are rich, it is because God is smiling on you. If you are kind to your pets, make sure your children do not swear too much, your wife has a nice car to drive, then possibly an oil well will spring up in your backyard to reward you for being good. That attitude is pervasive.

The thought of sending money east for equalization purposes is bothersome. Westerners think that equalization would be facilitated by sending a pair of shoes to everybody, or a ticket so that people can move to Alberta or the west. The idea of sending money eastward for people to stay where they are bothers them. Westerners have convenient memories. That is one of the advantages that I have, reaching the three-quarter of a century mark, and also being born and raised in Alberta, I remember when the Maritimes donated codfish and apples to keep us going in the 1930s.

The trouble is that too many westerners have a short-term view of what is going on. They think that oil will reach \$40 a barrel, that eventually wheat will come back, and that beef will be high priced for a long time. The frustration that westerners express is that they have no input. In our democratic process, we will not quickly solve that problem. Steers, barrels of oil and dollars do not vote. People vote. The solution is to make westerners feel that they are part of the democratic process.

In recent times, westerners have felt even more frustrated because many of them put their money on a horse called the Alliance Party.

• (1630)

The horse not only was slow getting out of the gate but fell on its face before it hit the first quarter pole. Naturally, the westerners who backed that horse, which was going to do great and wonderful things down here, felt a bit frustrated.

Distance, of course, is always a factor, but now, with air flights going back and forth frequently, it is not as difficult as it used to be. Representing Alberta, I still have a three-hour flight coming to Ottawa and a three-and-a-half to four-hour flight back home. Most people do not realize that as the world circulates, west winds are much stronger than east winds. This might even contribute to the notion that we can get down here much faster that we can get back because we are flying with the wind.

I do not have any smart solutions. I make the standard comment that we are not alienated; most westerners have a forefather or relative working in the East or in other parts of Canada. Westerners support the idea of Canada; they support equalization payments. However, they want to have more of a say, somehow or another, in how their money is spent.

One of the ways westerners talk about achieving that goal is through an elected Senate. Westerners make up roughly 25 per cent of the Senate. The Maritimes, which is the other area where oil has sprung up, makes up another 25 per cent. The two areas can argue that together they comprise 50 per cent of the Senate, whereas in the House of Commons the West and the Maritimes are down to less than 40 per cent. We are not suggesting that Ontario, like China, has suddenly put restrictions on expanding its families. Nevertheless, the way Ontario and Quebec are growing, their percentages are widening. We may find Ontario and Quebec with two thirds of the seats in the House of Commons in the not-too-distant future.

Ontario needs us; we need Ontario. Ontario and Quebec need the West; the West needs Ontario and Quebec. Alberta, which I represent and which I represented in the legislature for many years, is quite pleased to have one of best French-as-a-second-language school systems in Canada, and many Albertan families are educated in French. In my own large family, seven out of the nine members are quite bilingual. The other two went south to learn Spanish instead.

The point is that young, aggressive westerners are learning to speak French. Every day I meet people from Quebec who hold good jobs in worldwide corporations that are headquartered in Calgary. They actually have a leg up over the westerner who is not bilingual. This practice will pay big dividends in the future.

As to how people in Alberta, B.C. and Ontario, who pay for Confederation, can feel less overtaxed, I suggest it is out of their hands. I have a feeling that over the next generation the Maritimes will become a contributor to the equalization formula. Let us hope that they do it with as good a grace as the West has done it. Of course, the West has complained and the odd separatist movement has arisen, but I think that once Nova Scotia's or Newfoundland's oil production gets up to half a million barrels a day, we might see a separatist movement in those areas, too. I do not know what it is about oil that makes people decide that they want to separate from everyone else.

Nova Scotia and much of the Maritimes have assets underneath the sea floor that far exceed the area and the size of the country itself, whereas Alberta and Manitoba are restricted only to what is seen on the map. Whether it is manganese, iron ore or other resources, we must realize that Newfoundland and

Nova Scotia go halfway to Bermuda and halfway to Ireland. Marine geology is my occupation. The Maritimes and the North will be fabulously rich over the next generation or two. When they become a plus factor in Confederation, when they put more money in than they take out, we may well no longer see Western alienation. Instead, all we will see is provincial alienation. When provinces feel alienated in a confederation, the confederation may be adjusted. On the other hand, a confederation that is working properly should possibly have alienation. It may be impossible to have 10 provinces all saying, "Canada is a lovely place; aren't we glad we were born here." Like the planetary system, a certain amount of centrifugal force is needed to balance the gravitational force to get a planet in movement.

Honourable senators, I will finish off by saying that, first, Western alienation is not as great as reported in the newspapers. Second, a certain amount of alienation may be necessary for a good federation and for good political debate. Actually, things are not too bad.

The Hon. the Speaker *pro tempore*: If no other senator wishes to speak, honourable senators, this inquiry shall be considered debated.

DEFERRED MAINTENANCE COSTS IN CANADIAN POST-SECONDARY INSTITUTIONS

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Moore calling the attention of the Senate to the emerging issue of deferred maintenance costs in Canada's post-secondary institutions. —(*Honourable Senator Gauthier*).

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

Hon. Serge Joyal: Honourable senators, I should like to thank Senator Kinsella for his interest in the subject raised by our colleague Senator Moore on this important issue. Senator Moore has been calling the attention of the Senate to the emerging issue of deferred maintenance costs in Canada's post-secondary institutions.

[*Translation*]

Senator Moore is drawing our attention to the important matter of maintenance costs in Canada's post-secondary educational institutions.

[*English*]

Honourable senators know that, especially in the last four years, there have been a large number of initiatives stemming from federal and provincial governments in support of post-secondary education in Canada. I should like to remind honourable senators of the recent announcement of the increased money in support of the Centres of Excellence.

• (1640)

senators of the announcement of previous budgets in support only of students.

[Translation]

The study credit doubled the credit for advanced studies over two years. There was the education amount credit on the tax return. This credit is not just for tuition fees, but also for the additional mandatory fees imposed by post-secondary institutions. As well, unused credits can be carried over.

[English]

There has been a whole set of budgetary measures in support of the students themselves, but that is not all. Among the other expenses of the federal government with respect to post-secondary institutions are all the activities and enrichment of the National Research Council. This chamber, especially, has written a page of history. You will remember when senators on both sides united some years ago to defeat a motion that would have joined two national research councils. I will mention all the research councils that answer the needs of universities.

[Translation]

They are the Natural Sciences and Engineering Research Council, the Canadian Institutes for Health Research, the Canada Council, the Health Services Research Foundation, the Canadian Race Relations Foundation, and the Canadian Foundation for Innovation.

[English]

A plethora of initiatives in the last five years stemming from the federal government has established and touched a wide variety of initiatives in the university. However, it does not seem to be enough to answer the needs of innovation.

While we were adjourned last week, a report was published on May 25 that said there is some truth to the notion that Canadians are a somewhat plodding and not creative people. It suggested the traditional Canadian approach to the problem is to establish a new commission to come up with a proposal to stimulate creativity in the universities. One of the recommendations is to oblige Canadian universities to create more interdisciplinary courses and multidisciplinary approaches to research problems. In other words, we are faced with a global world where we have contributed, 20 years ago, to network universities and faculty among Canada, to network researchers, to give students better access to universities and especially post graduate studies. Last week we are faced with a report that calls upon all the groups in the research community in Canada to review together their overall creativity capacity, and it does not seem to be enough. As Senator Moore put forward in his motion, there are maintenance costs that do not appear in any of those programs that do not give to the university structure the whole of its capacity to face the world competition today.

I return to that first point about Centres of Excellence in Canadian universities because it is a program I initiated myself when I was Secretary of State. This program, which has been in existence now for more than 17 years, has produced an immense contribution in strengthening the network of Centres of Excellence in Canadian universities.

Looking into the report, with respect to the number of universities and researchers involved in the Centres of Excellence, in New Brunswick, there are two Centres of Excellence; in Quebec, 13; in British Columbia, 14; in Ontario, seven. That program has more than 5,075 researchers, 98 universities and 563 private sector companies participating in the network. Today, the program represents more than \$77 million of federal money, not counting, of course, the contribution drawn from the private sector. This federal government program is just one in support of higher education. To that program we have to add the Canadian Fund for Innovation that was established in 1997. That program has diverted \$40 million specifically to the universities. It is not a program addressed only to universities; however, \$40 million of its overall budget is made available essentially to universities. I would like to remind you of the objectives of that \$40 million.

[Translation]

The primary objective of the Canadian Foundation for Innovation is, first, to fund activities aimed at the discovery of new knowledge and, second, to develop new knowledge of facts or data, or new applications for existing knowledge.

[English]

This program does not cover only social science or scientific research. It covers the whole spectrum of university activities: social science, natural science, engineering, health, environment, the whole spectrum of modern science. This program is used for the infrastructure of universities. In other words, it is not a program that grants financial support to pay only for the lateral cost of salaries and administration, but it is also used to improve laboratories, buy equipment and get the necessary tools for the modern adaptation of universities to the needs of innovation. The very heading of the program is centred on innovation. That program is complemented by another important program called Les Chaires de recherche dans les universités du Canada. In the government budget of the year 2000, \$900 million has been set aside for the establishment by 2005 of 2,000 chairs of research in universities. Some \$900 million in four years is an enormous amount of money. It is more than that of the Centres of Excellence and the Canadian Funds for Innovation together in a single year. That money coming from the budget has been complemented by additional initiatives from the federal government in support of students. I would remind honourable

[Senator Joyal]

We learned last week that the white paper on research and development the government was to publish this month has been postponed to next April. That white paper was supposed to define the following:

[Translation]

A strategy for research and development, investments in new technologies, worker training and adult education.

[English]

In other words, next fall, both chambers will be called, and, singularly, our chamber, to discuss and debate that white paper that deals specifically with research and development. Honourable senators, at that point in the time, we have to know what the right hand and the left hand are doing in order to have a global picture in terms of the impact of those expenses. They are made available with the best intentions, and they had success in the community from the answers we got from participants. On the other hand, are they enough? Are they well coordinated enough to be able to meet the objectives of strengthening the community and covering, as Senator Moore has said, the emerging cost or issue of maintenance in universities?

• (1650)

We cannot only single out targeted initiatives and not question ourselves about the status of the whole. If we do, we will jeopardize the overall capacity of our researchers to ensure that the system develops in a coherent way.

Of course that is inseparable from the responsibility of the federal government in higher education. We all know that in Quebec in particular this is a very sensitive issue. Every time the federal government makes a proposal, of necessity, it implies federal-provincial discussion and agreement. There is no doubt about that. The objective of the federal and provincial governments, especially as it relates to research and development, and the development of the capacity of universities and their competitiveness, is an objective that is shared on different footings by both levels of government. One government is the deliverer of services, while the other is the provider of the opportunities.

In that context, the inquiry of Senator Moore and his motion which appears elsewhere on the Order Paper deal with important issues, because next fall we will have the opportunity to debate that white paper which is supposed to shape and frame the overall government agenda for the next four or five years. There is no doubt that honourable senators on both sides, based on our respective experiences on this issue, will want to address how to ensure that the whole system is strengthened in a way that we can face world competition to attract and keep the brains of this country. That, too, is inseparable from the brain drain. The brain drain is not essentially a question of dollars, it is a question of the opportunities given to researchers to do research. A researcher who wants to complete a project will first ask himself or herself: What is the quality of the infrastructure that a university

provides? What is the achievement of that university in that domain? What support do colleagues provide to that university? What are the complementary facilities in support of their research? What is the receptivity to the research work?

Senator Moore has raised a most important issue. Our debate will help us better understand all that is involved in the strengthening of the university system in Canada.

I would thank my honourable colleagues for their attention. This is an important issue for every Canadian.

[Translation]

Each Quebecer is concerned, all the more so as the academic network is one of the structuring forces in a society. A high dropout rate, one approaching 48 per cent, for example, poses a huge problem for a society if it wishes to remain competitive.

It is a formidable challenge for a society to attract researchers and develop research potential. Universities are a structuring force in our society because they appeal to humanity's most noble feature, its ability to increase its knowledge, to push back the boundaries of the unknown. This is an extremely noble calling.

As members of the government we are aware of the role we must play in this area. We must play that role while maintaining the essential requirements of this system, what they imply, and scrupulously respecting the jurisdiction of each level of government.

As we know today, the networks rely on synergy. They can no longer evolve separately. Universities across Canada are happy to be able to rely on each other when they share a basic research objective. The success of the Centres of Excellence over the past 17 years is a striking testimony to this cooperation. All the researchers we have met in the various areas of research have told us how happy they are to be able to count on the support of the research community.

This community is not, by definition, compartmentalized. Research and development know no provincial boundaries. Knowledge seeks out knowledge.

Senator Moore's motion gives rise to a reflection, the purpose of which is to raise the level of debate in this regard.

[English]

I am grateful that honourable senators have allowed me to make my contribution this afternoon in order that we may move forward with the debate as proposed by Senator Moore.

Hon. Noël Kinsella (Deputy Leader of the Opposition): Honourable senators, I wish to ask a couple of questions of Senator Joyal. Does the honourable senator think that we should make an important distinction between where, under the funding councils, such as NSERC or the Social Sciences and Humanities Research Council, which fund excellent research —

The Hon. the Speaker *pro tempore*: Honourable Senator Kinsella, I am sorry to interrupt, but Senator Joyal's time has expired. Is the Honourable Senator Joyal asking for additional time to continue his remarks?

Senator Joyal: Yes, Your Honour.

[Translation]

The Hon. the Speaker *pro tempore*: Honourable senators, is leave granted?

Hon. Senators: Agreed.

[English]

Senator Kinsella: Honourable senators, there is an important distinction to be made between funding excellent research through the funding councils, and whatever program we come up with to respond to the issue raised by Senator Moore, which is deferred maintenance of Canadian universities. My hypothesis is that this deferred maintenance, which has been calculated to be in the billions of dollars, reflects not excellence in the management of our universities, but abject failure. They failed to replace roofs when new roofs were needed. Some universities did not put extra acquisitions in their libraries, or did not hire an extra professor when they needed a roof. They were the good managers. Are we to have a program which, effectively, will reward the poor managers and, in a sense, punish the good managers?

The honourable senator has drawn our attention to what the funding councils have done. I agree that they have done good work. However, they have been funding excellence. If we were to have a program to deal with deferred maintenance costs, we would have to be very careful in the drafting of it so that we are not rewarding failed managers. Would the honourable senator comment, please?

Senator Joyal: I thank the Honourable Senator Kinsella for his questions. He is absolutely correct. We cannot think of creating an elitist system that will only reward excellence while at the same time leaving the overall infrastructure in a crumbling state. On the other hand, when the federal government addresses itself to the specific issue of maintaining, on a sound and healthy basis, a system of higher education, or post-secondary education, it must cover many expenses that are not targeted directly by one of the other programs that I have mentioned.

I have pointed out that the Foundation for Canadian Innovation has, as an element of its budget, provisions for infrastructure and equipment. Of course, that addresses itself not only to specific projects but also to the overall infrastructure. There is no doubt, in the context of the white paper to which I have referred, that one of its recommendations is to strengthen the overall capacity of universities, not only the elitist aspects of research and development. I think universities also have a mission of passing on knowledge and of educating. Undergraduate university students in the course of completing

their primary degree are exposed to only limited research. It is only when students are at higher levels of study that research becomes an important and targeted priority. That has to be addressed, too.

• (1700)

The white paper will deal with the capacity of the Canadian economy and the Canadian system to meet the challenges of global competition without attempting to manage the universities *per se*. We should not aim for that. We should share knowledge that the universities, in cooperation with the provinces, will give to the federal government. It is only in that context that we can have a program that will address the defined priorities.

To draw a parallel, I would compare it to the federal-provincial-municipal program on infrastructure that deals with priorities defined by the provinces and administered by the municipalities. We are one-third partners in those initiatives.

It is possible to devise a program that would meet the concerns of the provinces about their jurisdiction in higher education and respect the priorities of the universities while ensuring that the entire country is able to address the issue of the maintenance costs of universities.

Senator Kinsella: I am glad to hear the honourable senator make reference to a different model, namely, the federal-provincial-municipal collaborative process. In the course of his speech, he drew our attention to the chairs of studies program. I wonder whether Senator Joyal would agree that this might not be a very good model to follow in terms of funding, for a variety of reasons. First, in terms of effect, the University of Toronto received around 267 chairs. The University of New Brunswick received 17. The immediate problem with that is that it does not seem to follow the generalized principle of equalization contained in section 36 of our Constitution.

Would the honourable senator not agree that we must take into consideration the availability of private endowment monies in centres such as Toronto? I believe that the endowment fund of the University of Toronto contains over \$1 billion. Universities in some parts of the country have much greater access to private endowment funds. There are many explanations for why the University of Toronto has 267 endowed chairs and the University of New Brunswick has 17. However, I am considering the results. If an infrastructure fund were developed to deal with deferred maintenance based on the same formula as used for chairs, the rich will get richer again. Whatever formula is used, it cannot be the same as that used for chairs of studies.

Is it not true that the chairs of studies were, in part, based upon how many grants the respective universities received under NSERC, the Social Sciences and Humanities Research Council and the Medical Research Council? It was almost a closed shop. When the honourable senator made reference to chairs, was he suggesting that this is the kind of funding mechanism that may be put in place to deal with deferred maintenance?

Senator Joyal: Certainly not, honourable senators. I have before me a list of all the chairs and the projects that have been funded in the various provinces by the Canada Foundation for Innovation and the chairs of studies program.

In Ontario, 434 projects have been funded for a total of \$311 million. That is an enormous amount of money. In New Brunswick, 28 projects have been funded for a total of \$5 million. We can see the inequality, which is not only based on the inequality of population.

In devising a program to specifically address deferred maintenance costs, we must take into account what is spent in various other programs so that the right hand knows what the left hand is doing. I am not suggesting that we should use the same formula as we use for NSERC, the Centres of Excellence, the innovation foundation or the chairs of studies program. All of those programs have something in common.

It will probably be stated that through Canadian social transfers, which we have been debating recently, the federal government already provides provincial governments with the capacity to deal with maintenance costs. However, we all know what has happened in past years. We could have a separate debate on the impact of cutbacks in the last 10 years on the operation of our system. We must address this issue from the perspective of the overall impact of the various programs and the inequities of the system because that is a fundamental principle

of our federation, as Senator Buchanan has said. What was the purpose of entrenching the principle of equalization in 1982? We wanted to ensure that there was equal opportunity in essential services — education, health and social services being some that we had in mind at the time. We must keep that in mind when addressing the inequities currently in the system. This is the fundamental philosophical principle underlying the intervention of the federal government.

Any program that addresses itself to the inequality of the capacity of the provinces must be very sensitive to that reality. I am not suggesting that we deal with the issue by rewarding elitism. Common needs can be answered on common grounds, but we must go beyond that, which the federal government does in various ways. However, we know that common needs are not addressed in the same way in provinces that do not receive equalization payments and those that do and that rely on them to maintain a comparative level. We all know that.

Next fall, honourable senators, when we discuss the principle on which the strength of Canadian society is based, that being the higher education system, that must be taken into account.

On motion of Senator Robichaud, for Senator Gauthier, debate adjourned.

The Senate adjourned until Wednesday, June 6, 2001, at 1:30 p. m.

APPENDIX

Officers of the Senate

The Ministry

Senators

(Listed according to seniority, alphabetically and by provinces)

Committees of the Senate

THE SPEAKER

THE HONOURABLE DANIEL P. HAYS

THE LEADER OF THE GOVERNMENT

THE HONOURABLE SHARON CARSTAIRS, P.C.

THE LEADER OF THE OPPOSITION

THE HONOURABLE JOHN LYNCH-STANTON

OFFICERS OF THE SENATE**CLERK OF THE SENATE AND CLERK OF THE PARLIAMENTS**

PAUL BÉLISLE

DEPUTY CLERK, PRINCIPAL CLERK, LEGISLATIVE SERVICES

GARY O'BRIEN

LAW CLERK AND PARLIAMENTARY COUNSEL

MARK AUDCENT

USHER OF THE BLACK ROD

MARY McLAREN

THE MINISTRY

According to Precedence

(June 5, 2001)

The Right Hon. Jean Chrétien	Prime Minister
The Hon. Herbert Eser Gray	Deputy Prime Minister
The Hon. David M. Collenette	Minister of Transport
The Hon. David Anderson	Minister of the Environment
The Hon. Ralph E. Goodale	Minister of Natural Resources and Minister responsible for the Canadian Wheat Board
The Hon. Brian Tobin	Minister of Industry
The Hon. Sheila Copps	Minister of Canadian Heritage
The Hon. John Manley	Minister of Foreign Affairs
The Hon. Paul Martin	Minister of Finance
The Hon. Arthur C. Eggleton	Minister of National Defence
The Hon. Anne McLellan	Minister of Justice and Attorney General of Canada
The Hon. Allan Rock	Minister of Health
The Hon. Lawrence MacAulay	Solicitor General of Canada
The Hon. Alfonso Gagliano	Minister of Public Works and Government Services
The Hon. Lucienne Robillard	President of the Treasury Board and Minister responsible for Infrastructure
The Hon. Martin Cauchon	Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec)
The Hon. Jane Stewart	Minister of Human Resources Development
The Hon. Stéphane Dion	President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs
The Hon. Pierre Pettigrew	Minister of International Trade
The Hon. Don Boudria	Leader of the Government in the House of Commons
The Hon. Lyle Vanclief	Minister of Agriculture and Agri-Food
The Hon. Herb Dhaliwal	Minister of Fisheries and Oceans
The Hon. Ronald J. Duhamel	Minister of Veterans Affairs and Secretary of State (Western Economic Diversification) (Francophonie)
The Hon. Claudette Bradshaw	Minister of Labour
The Hon. Robert Daniel Nault	Minister of Indian Affairs and Northern Development
The Hon. Maria Minna	Minister for International Cooperation
The Hon. Elinor Caplan	Minister for Citizenship and Immigration
The Hon. Sharon Carstairs	Leader of the Government in the Senate
The Hon. Robert G. Thibault	Minister of State (Atlantic Canada Opportunities Agency)
The Hon. Ethel Blondin-Andrew	Secretary of State (Children and Youth)
The Hon. Hedy Fry	Secretary of State (Multiculturalism) (Status of Women)
The Hon. David Kilgour	Secretary of State (Latin America and Africa)
The Hon. James Scott Peterson	Secretary of State (International Financial Institutions)
The Hon. Andrew Mitchell	Secretary of State (Rural Development) (Federal Economic Development Initiative for Northern Ontario)
The Hon. Gilbert Normand	Secretary of State (Science, Research and Development)
The Hon. Denis Coderre	Secretary of State (Amateur Sport)
The Hon. Rey Pagtakhan	Secretary of State (Asia-Pacific)

SENATORS OF CANADA

ACCORDING TO SENIORITY

(June 5, 2001)

Senator	Designation	Post Office Address
THE HONOURABLE		
Herbert O. Sparrow	Saskatchewan	North Battleford, Sask.
Edward M. Lawson	Vancouver	Vancouver, B.C.
Bernard Alasdair Graham, P.C.	The Highlands	Sydney, N.S.
Jack Austin, P.C.	Vancouver South	Vancouver, B.C.
Willie Adams	Nunavut	Rankin Inlet, Nunavut
Lowell Murray, P.C.	Pakenham	Ottawa, Ont.
C. William Doody	Harbour Main-Bell Island	St. John's, Nfld.
Peter Alan Stollery	Bloor and Yonge	Toronto, Ont.
Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa, Ont.
E. Leo Kolber	Victoria	Westmount, Que.
Michael Kirby	South Shore	Halifax, N.S.
Jerahmiel S. Grafstein	Metro Toronto	Toronto, Ont.
Anne C. Cools	Toronto-Centre-York	Toronto, Ont.
Charlie Watt	Inkerman	Kuujuuaq, Que.
Daniel Phillip Hays, <i>Speaker</i>	Calgary	Calgary, Alta.
Joyce Fairbairn, P.C.	Lethbridge	Lethbridge, Alta.
Colin Kenny	Rideau	Ottawa, Ont.
Pierre De Bané, P.C.	De la Vallière	Montreal, Que.
Eymard Georges Corbin	Grand-Sault	Grand-Sault, N.B.
Brenda Mary Robertson	Riverview	Shediac, N.B.
Jean-Maurice Simard	Edmundston	Edmundston, N.B.
Norman K. Atkins	Markham	Toronto, Ont.
Ethel Cochrane	Newfoundland	Port-au-Port, Nfld.
Eileen Rossiter	Prince Edward Island	Charlottetown, P.E.I.
Mira Spivak	Manitoba	Winnipeg, Man.
Roch Bolduc	Gulf	Sainte-Foy, Que.
Gérald-A. Beaudoin	Rigaud	Hull, Que.
Pat Carney, P.C.	British Columbia	Vancouver, B.C.
Gerald J. Comeau	Nova Scotia	Church Point, N.S.
Consiglio Di Nino	Ontario	Downsview, Ont.
Donald H. Oliver	Nova Scotia	Halifax, N.S.
Noël A. Kinsella	Fredericton-York-Sunbury	Fredericton, N.B.
John Buchanan, P.C.	Nova Scotia	Halifax, N.S.
Mabel Margaret DeWare	Moncton	Moncton, N.B.
John Lynch-Staunton	Grandville	Georgeville, Que.
James Francis Kelleher, P.C.	Ontario	Sault Ste. Marie, Ont.
J. Trevor Eyton	Ontario	Caledon, Ont.
Wilbert Joseph Keon	Ottawa	Ottawa, Ont.
Michael Arthur Meighen	St. Marys	Toronto, Ont.
J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth, N.S.
Janis G. Johnson	Winnipeg-Interlake	Winnipeg, Man.
A. Raynell Andreychuk	Regina	Regina, Sask.
Jean-Claude Rivest	Stadacona	Quebec, Que.
Terrance R. Stratton	Red River	St. Norbert, Man.
Marcel Prud'homme, P.C.	La Salle	Montreal, Que.
Leonard J. Gustafson	Saskatchewan	Macoun, Sask.
Erminie Joy Cohen	New Brunswick	Saint John, N.B.
David Tkachuk	Saskatchewan	Saskatoon, Sask.
W. David Angus	Alma	Montreal, Que.

ACCORDING TO SENIORITY

Senator	Designation	Post Office Address
THE HONOURABLE		
Pierre Claude Nolin	De Salaberry	Quebec, Que.
Marjory LeBreton	Ontario	Manotick, Ont.
Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.
Lise Bacon	De la Durantaye	Laval, Que.
Sharon Carstairs, P.C.	Manitoba	Victoria Beach, Man.
Landon Pearson	Ontario	Ottawa, Ont.
Jean-Robert Gauthier	Ottawa-Vanier	Ottawa, Ontario
John G. Bryden	New Brunswick	Bayfield, N.B.
Rose-Marie Losier-Cool	Tracadie	Bathurst, N.B.
Céline Hervieux-Payette, P.C.	Bedford	Montreal, Que.
William H. Rompkey, P.C.	Labrador	North West River, Labrador, Nfld.
Lorna Milne	Peel County	Brampton, Ont.
Marie-P. Poulin	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.
Shirley Maheu	Rougemont	Saint-Laurent, Que.
Nicholas William Taylor	Sturgeon	Bon Accord, Alta.
Léonce Mercier	Mille Isles	Saint-Élie d'Orford, Que.
Wilfred P. Moore	Stanhope St./Bluenose	Chester, N.S.
Lucie Pépin	Shawinigan	Montreal, Que.
Fernand Robichaud, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.
Catherine S. Callbeck	Prince Edward Island	Central Bedeque, P.E.I.
Marisa Ferretti Barth	Repentigny	Pierrefonds, Que.
Serge Joyal, P.C.	Kennebec	Montreal, Que.
Thelma J. Chalifoux	Alberta	Morinville, Alta.
Joan Cook	Newfoundland	St. John's, Nfld.
Ross Fitzpatrick	Okanagan-Similkameen	Kelowna, B.C.
The Very Reverend Dr. Lois M. Wilson	Toronto	Toronto, Ont.
Francis William Mahovlich	Toronto	Toronto, Ont.
Richard H. Kroft	Manitoba	Winnipeg, Man.
Douglas James Roche	Edmonton	Edmonton, Alta.
Joan Thorne Fraser	De Lorimier	Montreal, Que.
Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue, Que.
Vivienne Poy	Toronto	Toronto, Ont.
Sheila Finestone, P.C.	Montarville	Montreal, Que.
Ione Christensen	Yukon Territory	Whitehorse, Y.T.
George Furey	Newfoundland and Labrador	St. John's, Nfld.
Nick G. Sibbeston	Northwest Territories	Fort Simpson, N.W.T.
Isobel Finnerty	Ontario	Burlington, Ont.
John Wiebe	Saskatchewan	Swift Current, Sask.
Tommy Banks	Alberta	Edmonton, Alta.
Jane Marie Cordy	Nova Scotia	Dartmouth, N.S.
Raymond C. Setlakwe	The Laurentides	Thetford Mines, Que.
Yves Morin	Lauzon	Quebec, Que.
Elizabeth M. Hubley	Prince Edward Island	Kensington, P.E.I.
Jim Tunney	Ontario	Grafton, Ont.

SENATORS OF CANADA

ALPHABETICAL LIST

(June 5, 2001)

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Adams, Willie	Nunavut	Rankin Inlet, Nunavut	Lib
Andreychuk, A. Raynell	Regina	Regina, Sask.	PC
Angus, W. David	Alma	Montreal, Que.	PC
Atkins, Norman K.	Markham	Toronto, Ont.	PC
Austin, Jack, P.C.	Vancouver South	Vancouver, B.C.	Lib
Bacon, Lise	De la Durantaye	Laval, Que.	Lib
Banks, Tommy	Alberta	Edmonton, Alta.	Lib
Beaudoin, Gérald-A.	Rigaud	Hull, Que.	PC
Bolduc, Roch	Gulf	Sainte-Foy, Que.	PC
Bryden, John G.	New Brunswick	Bayfield, N.B.	Lib
Buchanan, John, P.C.	Halifax	Halifax, N.S.	PC
Callbeck, Catherine S.	Prince Edward Island	Central Bedeque, P.E.I.	Lib
Carney, Pat, P.C.	British Columbia	Vancouver, B.C.	PC
Carstairs, Sharon, P.C.	Manitoba	Victoria Beach, Man.	Lib
Chalifoux, Thelma J.	Alberta	Morinville, Alta.	Lib
Christensen, Ione	Yukon Territory	Whitehorse, Y.T.	Lib
Cochrane, Ethel	Newfoundland	Port-au-Port, Nfld.	PC
Cohen, Erminie Joy	New Brunswick	Saint John, N.B.	PC
Comeau, Gerald J.	Nova Scotia	Church Point, N.S.	PC
Cook, Joan	Newfoundland	St. John's, Nfld.	Lib
Cools, Anne C.	Toronto-Centre-York	Toronto, Ont.	Lib
Corbin, Eymard Georges	Grand-Sault	Grand-Sault, N.B.	Lib
Cordy, Jane Marie	Nova Scotia	Dartmouth, N.S.	Lib
De Bané, Pierre, P.C.	De la Vallière	Montreal, Que.	Lib
DeWare, Mabel Margaret	Moncton	Moncton, N.B.	PC
Di Nino, Consiglio	Ontario	Downsview, Ont.	PC
Doody, C. William	Harbour Main-Bell Island	St. John's, Nfld.	PC
Eyton, J. Trevor	Ontario	Caledon, Ont.	PC
Fairbairn, Joyce, P.C.	Lethbridge	Lethbridge, Alta.	Lib
Ferretti Barth, Marisa	Repentigny	Pierrefonds, Que.	Lib
Finestone, Sheila, P.C.	Montarville	Montreal, Que.	Lib
Finnerty, Isobel	Ontario	Burlington, Ont.	Lib
Fitzpatrick, Ross	Okanagan-Similkameen	Kelowna, B.C.	Lib
Forrestall, J. Michael	Dartmouth and the Eastern Shore	Dartmouth, N.S.	PC
Fraser, Joan Thorne	De Lorimier	Montreal, Que.	Lib
Furey, George	Newfoundland and Labrador	St. John's, Nfld.	Lib
Gauthier, Jean-Robert	Ottawa-Vanier	Ottawa, Ont.	Lib
Gill, Aurélien	Wellington	Mashteuiatsh, Pointe-Bleue, Que.	Lib
Grafstein, Jerahmiel S.	Metro Toronto	Toronto, Ont.	Lib
Graham, Bernard Alasdair, P.C.	The Highlands	Sydney, N.S.	Lib
Gustafson Leonard J.	Saskatchewan	Macoun, Sask.	PC
Hays, Daniel Phillip, <i>Speaker</i>	Calgary	Calgary, Alta.	Lib
Hervieux-Payette, Céline, P.C.	Bedford	Montreal, Que.	Lib
Hubley, Elizabeth M.	Prince Edward Island	Kensington, P.E.I.	Lib
Johnson, Janis G.	Winnipeg-Interlake	Winnipeg, Man.	PC
Joyal, Serge, P.C.	Kennebec	Montreal, Que.	Lib
Kelleher, James Francis, P.C.	Ontario	Sault Ste. Marie, Ont.	PC
Kenny, Colin	Rideau	Ottawa, Ont.	Lib
Keon, Wilbert Joseph	Ottawa	Ottawa, Ont.	PC
Kinsella, Noël A.	Fredericton-York-Sunbury	Fredericton, N.B.	PC
Kirby, Michael	South Shore	Halifax, N.S.	Lib

SENATORS OF CANADA

Senator	Designation	Post Office Address	Political Affiliation
THE HONOURABLE			
Kolber, E. Leo	Victoria	Westmount, Que.	Lib
Kroft, Richard H.	Manitoba	Winnipeg, Man.	Lib
Lawson, Edward M.	Vancouver	Vancouver, B.C.	Ind
LeBreton, Marjory	Ontario	Manotick, Ont.	PC
Losier-Cool, Rose-Marie	Tracadie	Bathurst, N.B.	Lib
Lynch-Staunton, John	Grandville	Georgeville, Que.	PC
Maheu, Shirley	Rougemont	Saint-Laurent, Que.	Lib
Mahovlich, Francis William	Toronto	Toronto, Ont.	Lib
Meighen, Michael Arthur	St. Marys	Toronto, Ont.	PC
Mercier, Léonce	Mille Isles	Saint-Élie d'Orford, Que.	Lib
Milne, Lorna	Peel County	Brampton, Ont.	Lib
Moore, Wilfred P.	Stanhope St./Bluenose	Chester, N.S.	Lib
Morin, Yves	Lauzon	Quebec, Que.	Lib
Murray, Lowell P.C.	Pakenham	Ottawa, Ont.	PC
Nolin, Pierre Claude	De Salaberry	Quebec, Que.	PC
Oliver, Donald H.	Nova Scotia	Halifax, N.S.	PC
Pearson, Landon	Ontario	Ottawa, Ontario	Lib
Pépin, Lucie	Shawinigan	Montreal, Que.	Lib
Pitfield, Peter Michael, P.C.	Ottawa-Vanier	Ottawa, Ont.	Ind
Poulin, Marie-P.	Nord de l'Ontario/Northern Ontario	Ottawa, Ont.	Lib
Poy, Vivienne	Toronto	Toronto, Ont.	Lib
Prud'homme, Marcel, P.C.	La Salle	Montreal, Que.	Ind
Rivest, Jean-Claude	Stadacona	Quebec, Que.	PC
Robertson, Brenda Mary	Riverview	Shediac, N.B.	PC
Robichaud, Fernand, P.C.	New Brunswick	Saint-Louis-de-Kent, N.B.	Lib
Roche, Douglas James.	Edmonton	Edmonton, Alta.	Ind
Rompkey, William H., P.C.	Labrador	North West River, Labrador, Nfld.	Lib
Rossiter, Eileen	Prince Edward Island	Charlottetown, P.E.I.	PC
St. Germain, Gerry, P.C.	Langley-Pemberton-Whistler	Maple Ridge, B.C.	CA
Setlakwe, Raymond C.	The Laurentides	Thetford Mines, Que.	Lib
Sibbeston, Nick G.	Northwest Territories	Fort Simpson, N.W.T.	Lib
Simard, Jean-Maurice	Edmundston	Edmundston, N.B.	PC
Sparrow, Herbert O.	Saskatchewan	North Battleford, Sask.	Lib
Spivak, Mira	Manitoba	Winnipeg, Man.	PC
Stollery, Peter Alan	Bloor and Yonge	Toronto, Ont.	Lib
Stratton, Terrance R.	Red River	St. Norbert, Man.	PC
Taylor, Nicholas William	Sturgeon	Bon Accord, Alta.	Lib
Tkachuk, David	Saskatchewan	Saskatoon, Sask.	PC
Tunney, Jim	Ontario	Grafton, Ont.	Lib
Watt, Charlie	Inkerman	Kuujuuaq, Que.	Lib
Wiebe, John	Saskatchewan	Swift Current, Sask.	Lib
Wilson, The Very Reverend Dr. Lois M.	Toronto	Toronto, Ont.	Ind

SENATORS OF CANADA

BY PROVINCE AND TERRITORY

(June 5, 2001)

ONTARIO—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Lowell Murray, P.C.	Pakenham	Ottawa
2 Peter Alan Stollery	Bloor and Yonge	Toronto
3 Peter Michael Pitfield, P.C.	Ottawa-Vanier	Ottawa
4 Jeremiah S. Grafstein	Metro Toronto	Toronto
5 Anne C. Cools	Toronto-Centre-York	Toronto
6 Colin Kenny	Rideau	Ottawa
7 Norman K. Atkins	Markham	Toronto
8 Consiglio Di Nino	Ontario	Downsview
9 James Francis Kelleher, P.C.	Ontario	Sault Ste. Marie
10 John Trevor Eyton	Ontario	Caledon
11 Wilbert Joseph Keon	Ottawa	Ottawa
12 Michael Arthur Meighen	St. Marys	Toronto
13 Marjory LeBreton	Ontario	Manotick
14 Landon Pearson	Ontario	Ottawa
15 Jean-Robert Gauthier	Ottawa-Vanier	Ottawa
16 Lorna Milne	Peel County	Brampton
17 Marie-P. Poulin	Northern Ontario	Ottawa
18 The Very Reverend Dr. Lois M. Wilson	Toronto	Toronto
19 Francis William Mahovlich	Toronto	Toronto
20 Vivienne Poy	Toronto	Toronto
21 Isobel Finnerty	Ontario	Burlington
22 Jim Tunney	Ontario	Grafton
23		
24		

SENATORS BY PROVINCE AND TERRITORY

QUEBEC—24

Senator	Designation	Post Office Address
THE HONOURABLE		
1 E. Leo Kolber	Victoria	Westmount
2 Charlie Watt	Inkerman	Kuujuaq
3 Pierre De Bané, P.C.	De la Vallière	Montreal
4 Roch Bolduc	Gulf	Sainte-Foy
5 Gérard-A. Beaudoin	Rigaud	Hull
6 John Lynch-Staunton	Grandville	Georgeville
7 Jean-Claude Rivest	Stadacona	Quebec
8 Marcel Prud'homme, P.C.	La Salle	Montreal
9 W. David Angus	Alma	Montreal
10 Pierre Claude Nolin	De Salaberry.	Quebec
11 Lise Bacon	De la Durantaye	Laval
12 Céline Hervieux-Payette, P.C.	Bedford	Montreal
13 Shirley Maheu	Rougemont	Ville de Saint-Laurent
14 Léonce Mercier	Mille Isles	Saint-Élie d'Orford
15 Lucie Pépin	Shawinigan	Montreal
16 Marisa Ferretti Barth	Repentigny	Pierrefonds
17 Serge Joyal, P.C.	Kennebec	Montreal
18 Joan Thorne Fraser	De Lorimier	Montreal
19 Aurélien Gill	Wellington	Mashteuiatsh, Pointe-Bleue
20 Sheila Finestone, P.C.	Montarville	Montreal
21 Raymond C. Setlakwe	The Laurentides	Thetford Mines
22 Yves Morin	Lauzon	Quebec
23		
24		

SENATORS BY PROVINCE—MARITIME DIVISION

NOVA SCOTIA—10

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Bernard Alasdair Graham, P.C.	The Highlands	Sydney
2 Michael Kirby	South Shore	Halifax
3 Gerald J. Comeau	Nova Scotia	Church Point
4 Donald H. Oliver	Nova Scotia	Halifax
5 John Buchanan, P.C.	Halifax	Halifax
6 J. Michael Forrestall	Dartmouth and Eastern Shore	Dartmouth
7 Wilfred P. Moore	Stanhope St./Bluenose	Chester
8 Jane Marie Cordy	Nova Scotia	Dartmouth
9		
10		

NEW BRUNSWICK—10

THE HONOURABLE		
1 Eymard Georges Corbin	Grand-Sault	Grand-Sault
2 Brenda Mary Robertson	Riverview	Shediac
3 Jean-Maurice Simard	Edmundston	Edmundston
4 Noël A. Kinsella	Fredericton-York-Sunbury	Fredericton
5 Mabel Margaret DeWare	Moncton	Moncton
6 Erminie Joy Cohen	New Brunswick	Saint John
7 John G. Bryden	New Brunswick	Bayfield
8 Rose-Marie Losier-Cool	Tracadie	Bathurst
9 Fernand Robichaud, P.C.	Saint-Louis-de-Kent	Saint-Louis-de-Kent
10		

PRINCE EDWARD ISLAND—4

THE HONOURABLE		
1 Eileen Rossiter	Prince Edward Island	Charlottetown
2 Catherine S. Callbeck	Prince Edward Island	Central Bedeque
3 Elizabeth M. Hubley	Prince Edward Island	Kensington
4		

SENATORS BY PROVINCE—WESTERN DIVISION

MANITOBA—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 Mira Spivak	Manitoba	Winnipeg
2 Janis G. Johnson	Winnipeg-Interlake	Winnipeg
3 Terrance R. Stratton	Red River	St. Norbert
4 Sharon Carstairs, P.C.	Manitoba	Victoria Beach
5 Richard H. Kroft	Manitoba	Winnipeg
6		

BRITISH COLUMBIA—6

THE HONOURABLE		
1 Edward M. Lawson	Vancouver	Vancouver
2 Jack Austin, P.C.	Vancouver South	Vancouver
3 Pat Carney, P.C.	British Columbia	Vancouver
4 Gerry St. Germain, P.C.	Langley-Pemberton-Whistler	Maple Ridge
5 Ross Fitzpatrick	Okanagan-Similkameen	Kelowna
6		

SASKATCHEWAN—6

THE HONOURABLE		
1 Herbert O. Sparrow	Saskatchewan	North Battleford
2 A. Raynell Andreychuk	Regina	Regina
3 Leonard J. Gustafson	Saskatchewan	Macoun
4 David Tkachuk	Saskatchewan	Saskatoon
5 John Wiebe	Saskatchewan	Swift Current
6		

ALBERTA—6

THE HONOURABLE		
1 Daniel Phillip Hays, <i>Speaker</i>	Calgary	Calgary
2 Joyce Fairbairn, P.C.	Lethbridge	Lethbridge
3 Nicholas William Taylor	Sturgeon	Bon Accord
4 Thelma J. Chalifoux	Alberta	Morinville
5 Douglas James Roche	Edmonton	Edmonton
6 Tommy Banks	Alberta	Edmonton

SENATORS BY PROVINCE AND TERRITORY

NEWFOUNDLAND—6

Senator	Designation	Post Office Address
THE HONOURABLE		
1 C. William Doody	Harbour Main-Bell Island	St. John's
2 Ethel Cochrane	Newfoundland	Port-au-Port
3 William H. Rompkey, P.C.	Labrador	North West River, Labrador
4 Joan Cook	Newfoundland	St. John's
5 George Furey	Newfoundland and Labrador	St. John's
6		

NORTHWEST TERRITORIES—1

THE HONOURABLE		
1 Nick G. Sibbeston	Northwest Territories	Fort Simpson

NUNAVUT—1

THE HONOURABLE		
1 Willie Adams	Nunavut	Rankin Inlet

YUKON TERRITORY—1

THE HONOURABLE		
1 Ione Christensen	Yukon Territory	Whitehorse

ALPHABETICAL LIST OF STANDING, SPECIAL AND JOINT COMMITTEES

(As of June 5, 2001)

*Ex Officio Member

ABORIGINAL PEOPLES

Chair:	Honourable Senator Chalifoux	Deputy Chair:	Honourable Senator Johnson
Honourable Senators:			
Carney	Christensen,	Johnson,	Rompkey,
*Carstairs (or Robichaud)	Cochrane,	*Lynch-Staunton, (or Kinsella)	Sibbeston,
Chalifoux,	Gill,	Pearson,	St. Germain,
	Hubley,		Tkachuk.

Original Members as nominated by the Committee of Selection

*Carney, *Carstairs (or Robichaud), Chalifoux, Christensen, Cochrane, Cordy, Gill, Johnson, *Lynch-Staunton (or Kinsella), Pearson, Rompkey, Sibbeston, Tkachuk, Wilson.*

SUBCOMMITTEE ON ABORIGINAL ECONOMIC DEVELOPMENT IN RELATION TO NORTHERN NATIONAL PARKS

Chair:	Honourable Senator Christensen	Deputy Chair:	Honourable Senator Cochrane
Honourable Senators:			
*Carstairs (or Robichaud)	Christensen,	Johnson,	Sibbeston.
Chalifoux,	Cochrane,	*Lynch-Staunton, (or Kinsella)	

AGRICULTURE AND FORESTRY

Chair:	Honourable Senator Gustafson	Deputy Chair:	Honourable Senator Wiebe
Honourable Senators:			
*Carstairs (or Robichaud)	Gill,	LeBreton,	Stratton,
Chalifoux,	Gustafson,	*Lynch-Staunton, (or Kinsella)	Tkachuk,
Fairbairn,	Hubley,	Oliver,	Tunney,
	,		Wiebe.

Original Members as nominated by the Committee of Selection

**Carstairs (or Robichaud), Chalifoux, Fairbairn, Fitzpatrick, Gill, Gustafson, LeBreton, *Lynch-Staunton (or Kinsella), Milne, Oliver, Stratton, Taylor, Tkachuk, Wiebe.*

BANKING, TRADE AND COMMERCE

Chair: Honourable Senator Kolber
Honourable Senators:

Deputy Chair: Honourable Senator Tkachuk

Angus,	Hervieux-Payette,	*Lynch-Staunton,	Poulin,
*Carstairs,	Kelleher,	(or Kinsella)	Setlakwe,
(or Robichaud)	Kolber,	Meighen,	Tkachuk,
Furey,	Kroft,	Oliver,	Wiebe.

Original Members as nominated by the Committee of Selection

Angus, *Carstairs (or Robichaud), Furey, Hervieux-Payette, Kelleher, Kolber, Kroft,
 *Lynch-Staunton (or Kinsella), Meighen, Oliver, Poulin, Setlakwe, Tkachuk., Wiebe.

DEFENCE AND SECURITY

Chair: Honourable Senator Kenny
Honourable Senators:

Deputy Chair: Honourable Senator Forrestall

Atkins,	Cordy,	Kenny,	Pépin,
*Carstairs,	Forrestall,	*Lynch-Staunton,	Rompkey,
(or Robichaud)	Hubley,	(or Kinsella)	Wiebe.
		Meighen,	

Original Members as nominated by the Committee of Selection

Atkins, *Carstairs (or Robichaud), Cordy, Forrestall, Hubley, Kenny,
 *Lynch-Staunton (or Kinsella), Meighen, Pépin, Rompkey, Wiebe.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

Chair: Honourable Senator Taylor
Honourable Senators:

Deputy Chair: Honourable Senator Spivak

Adams,	Christensen,	Kelleher,	Sibbeston,
Banks,	Cochrane,	Kenny,	Spivak,
Buchanan,	Eyton,	*Lynch-Staunton,	Taylor.
*Carstairs,	Finnerty,	(or Kinsella)	
(or Robichaud)			

Original Members as nominated by the Committee of Selection

Banks, Buchanan, *Carstairs (or Robichaud), Christensen, Cochrane, Eyton, Finnerty,
 Kelleher, Kenny, *Lynch-Staunton (or Kinsella), Sibbeston, Spivak, Taylor, Watt.

FISHERIES

Chair: Honourable Senator Comeau
Honourable Senators:

Adams, Chalifoux,
 Callbeck, Comeau,
 Carney, Cook,
 *Carstairs,
 (or Robichaud)

Deputy Chair: Honourable Senator Cook

*Lynch-Staunton, Moore,
 (or Kinsella) Robertson,
 Mahovlich, Watt.
 Meighen,

Original Members as nominated by the Committee of Selection
*Adams, Callbeck, Carney, *Carstairs (or Robichaud), Chalifoux, Comeau, Cook,*
**Lynch-Staunton (or Kinsella), Mahovlich, Meighen, Molgat, Moore, Robertson, Watt.*

FOREIGN AFFAIRS

Chair: Honourable Senator Stollery
Honourable Senators:

Andreychuk, *Carstairs,
 Austin, (or Robichaud)
 Bolduc, Corbin,
 Carney, De Bané,

Deputy Chair: Honourable Senator Andreychuk

Di Nino, *Lynch-Staunton,
 Grafstein, (or Kinsella)
 Graham, Setlakwe,
 Losier-Cool, Stollery.

Original Members as nominated by the Committee of Selection
*Andreychuk, Austin, Bolduc, Carney, *Carstairs (or Robichaud), Corbin, De Bané, Di Nino, Grafstein,*
*Graham, Losier-Cool, *Lynch-Staunton (or Kinsella), Poulin, Stollery.*

HUMAN RIGHTS

Chair: Honourable Senator Andreychuk
Honourable Senators:

Andreychuk, Ferretti Barth,
 Beaudoin, Finestone,
 *Carstairs Kinsella,
 (or Robichaud)

Deputy Chair: Honourable Senator Finestone

*Lynch-Staunton, Poy,
 (or Kinsella) Watt,
 Oliver, Wilson.

Original Members as nominated by the Committee of Selection
*Andreychuk, Beaudoin, *Carstairs (or Robichaud), Ferretti Barth, Finestone,*
*Kinsella, *Lynch-Staunton (or Kinsella), Oliver, Poy, Watt, Wilson.*

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

Chair: Honourable Senator Kroft
Honourable Senators:

Deputy Chair: Honourable Senator DeWare

Austin,	DeWare,	Kenny,	Milne,
*Carstairs, (or Robichaud)	Doody,	Kroft,	Murray,
Comeau,	Forrestall,	*Lynch-Staunton, (or Kinsella)	Poulin,
De Bané,	Furey,	Maheu,	Stollery.
	Gauthier,		

Original Members as nominated by the Committee of Selection

*Austin, *Carstairs (or Robichaud), Comeau, De Bané, DeWare, Doody, Forrestall, Furey, Gauthier, Kenny, Kroft, *Lynch-Staunton (or Kinsella), Maheu, Milne, Murray, Poulin, Stollery.*

LEGAL AND CONSTITUTIONAL AFFAIRS

Chair: Honourable Senator Milne
Honourable Senators:

Deputy Chair: Honourable Senator Beaudoin

Andreychuk,	*Carstairs, (or Robichaud)	Grafstein,	Milne,
Atkins,		Joyal,	Moore,
Beaudoin,	Cools,	*Lynch-Staunton,	Nolin,
Buchanan,	Fraser,	(or Kinsella)	Pearson.

Original Members as nominated by the Committee of Selection

*Andreychuk, Atkins, Beaudoin, Buchanan, *Carstairs (or Robichaud), Cools, Fraser, Grafstein, Joyal, *Lynch-Staunton (or Kinsella), Milne, Moore, Nolin, Pearson.*

LIBRARY OF PARLIAMENT (Joint)

Chair: Honourable Senator Bryden
Honourable Senators:

Deputy Chair:

Beaudoin,	Cordy,	Oliver,	Poy.
Bryden,			

Original Members agreed to by Motion of the Senate

Beaudoin, Bryden, Cordy, Oliver, Poy.

NATIONAL FINANCE

Chair: Honourable Senator Murray**Deputy Chair: Honourable Senator Finnerty****Honourable Senators:**

Banks,	Comeau,	Finnerty,	Murray,
Bolduc,	Cools,	*Lynch-Staunton,	Stratton,
*Carstairs,	Doody,	(or Kinsella)	Tunney.
(or Robichaud)	Ferretti Barth,	Mahovlich,	

Original Members as nominated by the Committee of Selection

*Banks, Bolduc, *Carstairs (or Robichaud), Cools, Doody, Finnerty, Ferretti Barth, Hervieux-Payette, Kinsella, Kirby, *Lynch-Staunton (or Kinsella), Mahovlich, Murray, Stratton.*

OFFICIAL LANGUAGES (Joint)

Chair: Honourable Senator Maheu**Deputy Chair:****Honourable Senators:**

Beaudoin,	Gauthier,	Maheu,	Rivest,
Fraser,	Losier-Cool,	Mahovlich,	Simard.

Original Members agreed to by Motion of the Senate

Bacon, Beaudoin, Fraser, Gauthier, Losier-Cool, Maheu, Rivest, Setlakwe, Simard.

PRIVILEGES, STANDING RULES AND ORDERS

Chair: Honourable Senator Austin**Deputy Chair: Honourable Senator Stratton****Honourable Senators:**

Andreychuk,	DeWare,	Joyal,	Murray,
Austin,	Di Nino,	Kroft,	Pitfield,
Bryden,	Gauthier,	Losier-Cool,	Poulin,
*Carstairs,	Grafstein,	*Lynch-Staunton,	Rossiter,
(or Robichaud)		(or Kinsella)	Stratton,

Original Members as nominated by the Committee of Selection

*Andreychuk, Austin, Bryden, *Carstairs (or Robichaud), DeWare, Di Nino, Gauthier, Grafstein, Hervieux-Payette, Joyal, Kroft, Losier-Cool, *Lynch-Staunton (or Kinsella), Murray, Poulin, Rossiter, Stratton.*

SCRUTINY OF REGULATIONS (Joint)

Chair: Honourable Senator Hervieux-Payette

Deputy Chair:

Honourable Senators:

Bryden,	Finestone,	Kinsella,	Nolin.
	Hervieux-Payette,	Moore,	

Original Members agreed to by Motion of the Senate

Bacon, Bryden, Finestone, Hervieux-Payette, Kinsella, Moore, Nolin.

SELECTION

Chair: Honourable Senator Mercier

Deputy Chair:

Honourable Senators:

Austin,	DeWare,	Kinsella,	Mercier,
*Carstairs, (or Robichaud)	Fairbairn,	LeBreton,	Robertson.
Corbin,	Graham,	*Lynch-Staunton, (or Kinsella)	

Original Members agreed to by Motion of the Senate

*Austin, *Carstairs (or Robichaud), Corbin, DeWare, Fairbairn, Graham, Kinsella
LeBreton, *Lynch-Staunton (or Kinsella), Mercier, Murray.*

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

Chair: Honourable Senator Kirby

Deputy Chair: Honourable Senator LeBreton

Honourable Senators:

Callbeck,	Cook,	Kirby,	Pépin,
*Carstairs, (or Robichaud)	Cordy,	LeBreton,	Roberston,
Cohen,	Fairbairn,	*Lynch-Staunton, (or Kinsella)	Roche.
	Graham,		

Original Members as nominated by the Committee of Selection

*Callbeck, *Carstairs (or Robichaud), Cohen, Cook, Cordy, Fairbairn, Graham, Johnson,
Kirby, LeBreton, *Lynch-Staunton (or Kinsella), Pépin, Robertson, Roche.*

SUBCOMMITTEE ON PRESERVATION AND PROMOTION OF A SENSE OF CANADIAN COMMUNITY

Chair:**Deputy Chair:****Honourable Senators:**

*Carstairs,
(or Robichaud)
Cook,

Cordy,
Kirby,

LeBreton,
*Lynch-Staunton,
(or Kinsella)

Robertson.

TRANSPORT AND COMMUNICATIONS

Chair:**Honourable Senator Bacon****Honourable Senators:**

Adams,
Bacon,
Callbeck,
*Carstairs,
(or Robichaud)

Eyton,
Finestone,
Fitzpatrick,

Deputy Chair: Honourable Senator Forrestall

Forrestall,
Gill,
*Lynch-Staunton,
(or Kinsella)

Morin,
Rompkey,
Spivak.

Original Members as nominated by the Committee of Selection

*Adams, Angus, Bacon, Callbeck, *Carstairs (or Robichaud), Christensen, Eyton, Finestone,
Fitzpatrick, Forrestall, *Lynch-Staunton (or Kinsella), Rompkey, Sellakwe, Spivak.*

THE SPECIAL SENATE COMMITTEE ON ILLEGAL DRUGS

Chair:**Honourable Senator Nolin****Honourable Senators:**

Banks,
*Carstairs,
(or Robichaud)

Kenny,

Deputy Chair: Honourable Senator Kenny

*Lynch-Staunton,
(or Kinsella)
Maheu,

Nolin,
Rossiter.

Original Members as agreed to by Motion of the Senate

*Banks, *Carstairs (or Robichaud), Kenny, *Lynch-Staunton (or Kinsella), Maheu, Nolin, Rossiter.*

Visitors in the Gallery

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