



CANADA

Debates of the Senate

3rd SESSION

• 37th PARLIAMENT

• VOLUME 141

• NUMBER 8

OFFICIAL REPORT
(HANSARD)

Friday, February 13, 2004



THE HONOURABLE DAN HAYS
SPEAKER

CONTENTS

(Daily index of proceedings appears at back of this issue).

Debates and Publications: Chambers Building, Room 943, Tel. 996-0193

Published by the Senate
Available from Communication Canada – Canadian Government Publishing, Ottawa, Ontario K1A 0S9.
Also available on the Internet: <http://www.parl.gc.ca>

THE SENATE

Friday, February 13, 2004

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

Prayers.

SENATORS' STATEMENTS

WWW.VIRTUALHOSPICE.CA

Hon. Sharon Carstairs: Honourable senators, last Friday I attended and participated in the launch of the Canadian Virtual Hospice, www.virtualhospice.ca. Located at Riverview Health Centre in Winnipeg in their research facility, it has been funded by Western Economic Diversification and Telehealth Canada. The staffing of doctor and nurse are being paid for by the Government of the Province of Manitoba. However, this hospice is not just for Manitobans but for all Canadians and, as of yesterday, there have been 118,852 hits to this interesting and informative Web site. There have been 4,637 hits by people seeking specific information and 33 professional consultations with the doctor and nurse on staff.

Patients, family members, adults and children now have access to information about treatment and medication. They have access to chat rooms so the families can speak to others going through a similar distressing stage in their lives. The Web site will make valuable information available to northern and remote communities where access to information has been so difficult to achieve. The site will also be of help to patients and families in their relationships with physicians and nurses. For example, people can download questions and take them to their next appointment.

There is also the opportunity to ask questions. During the first day of operation, they were able to answer the question of a family concerned about the medication prescribed to a family member.

I have become a true convert to the concept of a Web site. At a conference in Kelowna, British Columbia, when I first mentioned this concept, I was challenged by a member of the audience who stated that if he were dying, he would not want to talk to a computer. The woman sitting next to me on the panel asked if she could reply. I agreed and she told the audience that she was dying and did not expect to live for more than three or four weeks. She then went on to say that her greatest support was coming from a chat room in St. John's, Newfoundland and Labrador. There, she was able to dialogue with others going through a shared experience.

Honourable senators, this is a wonderful new addition to the support system for those in this country approaching the end of their lives.

NATIONAL TEACHER/STAFF APPRECIATION WEEK

Hon. Ethel Cochrane: Honourable senators, I rise in recognition of National Teacher/Staff Appreciation Week. It is a time when Canadians celebrate the important work that thousands of

teachers and support staff perform in schools across our dear country.

I know that many honourable senators were or are teachers in their lives outside this place, myself included. Perhaps we are particularly aware of the challenges facing those people entrusted with the education and guidance of young minds and spirits. Surely, each one of us here and all Canadians have experienced first hand the powerful and positive impact that teachers have had in our own lives. They instill values in our children and see that those values are put into practice. They make our schools safe, supportive environments for personal growth and development. They teach students to become critical thinkers, to build literacy skills and to become active global citizens.

Of course, much of this could not be achieved without the work of the other staff in our schools. Often they are behind the scenes, but there is no doubt that they play a critical role in ensuring that our schools function smoothly on a daily basis. They are dedicated to making our schools safe, clean and organized so that students feel comfortable and are able to thrive in their scholastic pursuits.

Honourable senators, I applaud the more than 220,000 teachers across this great country, as well as the staff in every Canadian school who not only assist in the achievements of our education system but who also make such tremendous contributions to our communities and in the lives of all our students.

[*Translation*]

MANDATORY VOTING

Hon. Mac Harb: Honourable senators, I would like to speak today about voter apathy.

First I would like to pay tribute to my former constituents in the federal riding of Ottawa Centre, who did not fall into a state of voter apathy and who gave me their unfailing support for the 14 years that I had the honour of representing them. It was a privilege to serve them.

I would also like to thank Mr. Jean Chrétien, whom history will recognize as one of our greatest prime ministers. I am deeply honoured that he invited me to sit in the Senate and I am proud to be working with colleagues from a variety of backgrounds who know how to put their rich collective experience to work and who share a commitment to Canada and its future.

• (0910)

[*English*]

Unfortunately, not all Canadians share in this democratic commitment. Despite living in a democracy where electoral participation is recognized as one of the most important rights of citizenship, only 61.2 per cent of eligible voters stepped into the polling booth in Canada's last federal election. This is the lowest turnout in a federal election since Confederation. In fact, over the past four elections, voter turnout has dropped consistently.

A democracy in which only a fraction of citizens turn out to vote is a democracy in name only. Research shows that the youth in this country do not vote. In the last election, approximately 25 per cent of our young people aged 18 to 24 bothered to cast a vote. That means three out of every four youth did not bother to vote. This is the main reason why turnout has declined in Canada and it is a reflection of a larger cultural change.

In my view, voting is not only a privilege and a right, but it is fundamentally a citizen responsibility. This is why I am currently finalizing legislation to amend the Canada Elections Act to make voting mandatory in Canada.

We will not be the first to take this step. Similar legislation is already in place in more than 30 democracies around the world and has proven to be remarkably effective. One such democracy is Australia, which operates a British style of parliamentary government much like our own. When Australia instituted compulsory voting in 1922, voting rates rose dramatically from 57 per cent to consistently over 90 per cent since 1945. In Belgium, where there is also compulsory voting dating back to 1893, a similar rate of 90 per cent turnout is the norm. Voters with legitimate reasons for not participating are excused without penalty.

This legislation will pass the test of the Canadian Charter of Rights and Freedoms and will include built-in guarantees of accessibility and equality of opportunity to vote. It will take democratic institutions to a new level of responsiveness and effectiveness.

Honourable senators, once this legislation is introduced, I look forward to your support. Voter apathy can be overcome. The status quo is simply not acceptable.

PRINCE EDWARD ISLAND

VOLUNTEER RECOGNITION AWARDS— CONGRATULATIONS TO RECIPIENTS

Hon. Catherine S. Callbeck: Honourable senators, volunteers are the backbone of communities across Canada. Canadians volunteer an estimated 1 billion person hours to volunteer activities every year. This is the equivalent of more than 500,000 full-time jobs.

Volunteer groups play a key role in the lives of all Canadians, delivering a wide range of programs and services including health care, recreation, culture and the environment. They enliven our society and enrich our lives.

The volunteer sector has been characterized as the third pillar of our society, alongside government and the private sector. It plays an essential role by promoting active citizenship, building bridges among communities and people.

Today I want to recognize and congratulate a special group of volunteers. Last week in Prince Edward Island, seven Islanders were honoured during the provincial government's inaugural

volunteer recognition awards program. They are Shirley Arsenault, Louise Arsenault, Lynda Curtis, Allan Joseph Doyle, Nanne Garnham, Clarence MacDonald and Elaine MacLennan. They have been involved over the years in the lives of our communities and given generously and selflessly of their time and talents to the people around them.

Prince Edward Island is noted for its close-knit communities and spirit of neighbourliness. Approximately one in three Islanders is a volunteer. Prince Edward Island is the only Canadian province to show an increase in the level of volunteerism since 1997. In addition, the people of Prince Edward Island, along with the other Atlantic provinces, consistently rank among this country's highest rate of charitable donations.

In closing, honourable senators, I want to recognize the outstanding contributions of ordinary people from all walks of life who give freely to help make this country a better place for all Canadians.

BLACK HISTORY MONTH

Hon. Lucie Pépin: Honourable senators, as Senator Oliver so eloquently reminded us, February is Black History Month. This is a time to highlight the achievements of our African-Canadian fellow citizens over the years.

Today I would like to acknowledge the exceptional contribution of an illustrious member of the African-Canadian community, Ms. Rosemary Brown, who passed away last year at the age of 72. Whether as a member of the British Columbia legislature, Chair of the Ontario Human Rights Commission or member of the Judicial Council of British Columbia, during her entire career, Rosemary Brown always served her fellow citizens.

[*Translation*]

With her passing, we have lost a great Canadian who always fought to make Canada a country where equality and justice had pride of place. She never stopped working to ensure that all Canadian men and women, whatever their status or race, could enjoy full respect for their rights. I am very proud to have known this amazing woman. For women in politics, Rosemary was a mentor and will always be a model. We can be very proud of her legacy.

In addition to highlighting the contributions of African-Canadians in our society, this month's celebrations are an opportunity to learn more about their experiences within Canadian society. In this respect, we unfortunately still have a lot of homework to do. The Ethnic Diversity Survey published in September 2003 revealed that nearly half of Black Canadians reported that they had been the victims of discrimination or unfair treatment in the past five years; this is alarming for a country like ours, which considers itself an inclusive society where each individual, no matter what his or her origins, can find his place.

In addition, the conclusions of the Ontario Human Rights Commission on the effects of racial profiling confirm what spokespersons for racial minorities keep saying, that Canadian

men and women are still arrested on the basis of racial stereotypes rather than on reasonable suspicion. This form of racism is directed particularly at the African-Canadian community because of their more obvious racial differences. We must speak out more against such discrimination.

This reminds us of the need to overcome racism and reaffirm our commitment to promoting respect, equality and diversity. All forms of intolerance are a scourge we must seek to eliminate at all costs. Our very survival as a multicultural society depends on it.

THE LATE CLAUDE RYAN

Hon. Jean-Robert Gauthier: Honourable senators, a number of our colleagues are in Montreal today to attend the funeral of Mr. Claude Ryan. He was an enlightened critic, an accomplished scholar, a great Canadian of extraordinary intellect, influential and well informed. He was very familiar with official languages minority communities.

He came to see us often. In 1966, when I was president of the Club Richelieu, I invited him to Ottawa to speak on the future of the Francophonie and the survival of francophone communities. His talk was extremely interesting.

Along with all honourable senators, I offer his family and friends my most sincere condolences.

[*English*]

THE LATE SANDY CROSS

Hon. Tommy Banks: Honourable senators, Sandy Cross died in Victoria on December 13 of last year. He was in Victoria, where he spent a large part of each year for the past two years, but he was a Calgary guy if ever there was a Calgary guy. His family has a long, distinguished and much-honoured place in that city's history. His grandfather was Colonel James McLeod, who founded Calgary for all intents and purposes and named it, and whose fame with the North West Mounted Police was even then far flung. His father was A.E. Cross, one of the founders of the Calgary Stampede. Sandy's life was fun-filled, adventurous and fiercely private — and a life in which the values were always clear and right.

His ranch was large, even by Alberta standards, growing to nine sections — that is 5,760 acres. It was a ranch populated largely by wildlife. He began to be concerned about that almost-pristine land and that wildlife and, a few years ago, gave 2,000 acres of it as a wildlife refuge to be managed by the Nature Conservancy of Canada. At the dedication ceremony in 1989, Ms. Ann Cross said, "We don't inherit the earth from our grandparents; we borrow it from our children."

• (0920)

In 1996 the preserve was added to when Mr. Cross gave an additional 2,800 acres to what is now called the Ann and Sandy Cross Conservation Area. At that time he also gave \$800,000 to help build an interpretive centre. He also gave generously and usually anonymously to many other public and private causes.

If he had sold those 4,800 acres, which are situated just at the edge of Calgary, he would have realized about \$24 million. Instead, he gave it to the people of Alberta. There was never a

summer when Sandy Cross did not return to spend time on that land. He was 89 when he died and his ashes will, in this coming spring, be scattered over the seven and a half sections of land that will, one hopes, forever bear the name of its donor and will forever be enjoyed by the people of Alberta, who once again are the beneficiaries of Sandy Cross's generosity.

ROUTINE PROCEEDINGS

NATIONAL FINANCE

BILL C-212—NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO REFER DOCUMENTATION FROM SECOND SESSION

Hon. Lowell Murray: Honourable senators, I give notice that on Monday I shall move:

That the Standing Senate Committee on National Finance, to which was referred Bill C-212 on February 11, 2004, be also referred the papers and evidence received and taken on the subject and the work accomplished by the committee during the Second Session of the 37th Parliament.

[*Translation*]

OFFICIAL LANGUAGES

BILINGUAL STATUS OF CITY OF OTTAWA— PRESENTATION OF PETITION

Hon. Jean-Robert Gauthier: Honourable senators, I have the honour to table in this House numerous petitions, for a total of 25,834 names, asking that Ottawa, the capital of Canada, be declared a bilingual city, reflecting the country's linguistic duality.

The petitioners wish to draw the attention of Parliament to the following:

That the Canadian Constitution provides that English and French are the two official languages of our country and have equality of status and equal rights and privileges as to their use in all institutions of the Government of Canada;

That section 16 of the Constitution Act, 1867, designates the city of Ottawa as the seat of the government in Canada; and

That citizens have the right in the national capital to have access to the services provided by all institutions of the Government of Canada in the official language of their choice, namely French or English;

That Ottawa, the capital of Canada, has a duty to reflect the linguistic duality at the heart of our collective identity and characteristic of the very nature of our country.

Therefore, your petitioners call upon Parliament to affirm in the Constitution of Canada, that Ottawa, the capital of Canada, be declared officially bilingual, under section 16 of the Constitution Acts from 1867 to 1982.

[English]

QUESTION PERIOD

TRANSPORT

AIR TRANSPORTATION AND NAVIGATION DIVESTITURE INITIATIVES

Hon. Ethel Cochrane: Honourable senators, I would like to follow up on Senator Oliver's line of questioning earlier this week regarding the government's short-sighted approach to air transportation policy, and my question is to the leader.

Earlier, Doug Young, Minister of Transport in the Chrétien-Martin government, caught media attention and headlines across the country recently when he called his government's approach to the privatization of airports a mistake. Others were quick to join the debate, including Roland Dorsay, who is the President of the Canadian Airports Council. Mr. Dorsay did not agree with Mr. Young's assertion that terminal facilities had been overbuilt. However, he stressed, and I quote from the papers:

After 10 years of benign neglect from Transport Canada, before they were devolved, there was a need to update them.

My question is for the Leader of the Government in the Senate. Does the government accept and can it confirm these claims by its former Minister of Transport and also from the Canadian Airports Council?

Hon. Jack Austin (Leader of the Government): Honourable senators, I wonder if Senator Cochrane has also seen a letter from NAV CANADA, which has been circulated through the media and to senators, in which that organization repudiates the arguments of former Minister Young, and has in it statements, with respect to the cost of the services they have provided, which show, according to their presentation, that they have maintained costs in real terms as they were 10 years before.

I give that answer to say that various components of the air transport industry are now assessing and reacting to former Minister Young's statements and the government is giving consideration to those reactions, as well as to former Minister Young's statement when the industry has had the opportunity to reflect and respond. There are many other components — air carriers, for example, and unions — that are involved in the provision and support of the air system. Then it will be possible for the government to decide what steps if any should be taken.

LOCAL AIRPORT AUTHORITIES—RENTAL COSTS

Hon. Ethel Cochrane: I have a supplementary question, honourable senators.

Mr. Dorsay, President of the Canadian Airports Council, called Mr. Young's comments ironic. In fact he said the biggest problem facing airport authorities today is one that Mr. Young and his Liberal government orchestrated, and that is the issue of skyrocketing rents. I am sure the honourable senator is well aware of those.

Honourable senators, government owns the airport land and it leases the facilities to local authorities. In 1996 Ottawa collected

\$65 million in revenue from airport leases. Last year, 2003, rents to the government topped \$250 million. That is an increase of nearly 400 per cent since 1996.

• (0930)

Can the Leader of the Government in the Senate tell us what the government is doing to help airport authorities manage the burden of unprecedented rents and, more specifically, what is it doing to address this abrupt increase in rent?

Hon. Jack Austin (Leader of the Government): Honourable senators, these are questions that are under active debate in the industry at this time. In my community of Vancouver, we have a non-profit authority — incidentally, a system established by the Mulroney government — and it has been extremely successful in modernizing the airport. The performance is one in which there is always a contest amongst all the stakeholders as to what is fair and equitable. These non-profit authorities entered into agreements with the Government of Canada. The rentals to which the honourable senator is referring were based on formulas, and those formulas are in the contracts. They relate to the performance of those airports, the number of passengers who go through those airports and so on.

The contracts must always be examined to ensure that consumers of services in airports are being properly treated. Certainly, the government does not want to gouge the Canadian public. At the same time, the government requires a fair return for the assets that have been made available to the airport authorities.

Senator Cochrane: Honourable senators, does the leader not agree that it is more difficult for smaller airports in rural Canada than for airports in larger centres like Vancouver and Toronto, because of the passenger loads coming back and forth? Maybe one should look at rural Canada somewhat differently.

Senator Austin: Honourable senators, the situation of airports in rural Canada — and that includes in my own province of British Columbia — is relatively well known to me. Issues such as the costs of operating those airports, what facilities should be made available — capital investments, for example, for automatic landing, for control towers and so on — based on passenger loads, whether the user should pay or whether there should be a transfer, essentially, a subsidy, to those airports are important questions.

I wish I could give the honourable senator a definitive and positive policy answer. I will make it my business, however, to inquire further, and, I hope, be of help at a later time.

NAV CANADA—DEFERRAL OF BUDGET DEFICITS

Hon. A. Raynell Andreychuk: Honourable senators, the Leader of the Government in the Senate indicated that one would not want to gouge the customers and that costs are important. The president of NAV CANADA, Mr. Crichton, indicated in a letter that they have reduced costs by \$100 million compared to their budget — although I do not know what their budget is. In that letter, he added that during that time “NAV CANADA has also been deliberately deferring costs” — he used the word “deliberately” — “and running deficits amounting to a cumulative total of \$160 million,” conscious of its customers' limited ability to absorb new costs.

Would the Leader of the Government in the Senate tell me whether the Prime Minister believes that it is good accounting practices to defer costs to future budgets and future users — accumulating deficit, obviously — and what will the government do about that?

Hon. Jack Austin (Leader of the Government): Honourable senators, in the saga of the management of the air transport system, my understanding is that NAV CANADA has been established as an independent management authority and has been given the power in its authority to provide its services on a cost-recovery basis. If its directors have made this decision, it would be creating a claim on the air carrier system to compensate for any losses.

As the Honourable Senator Andreychuk knows, the air carrier system at the moment is under some considerable stress. Our largest carrier, Air Canada, is in bankruptcy and is trying to negotiate funding to return to a profitable course. By far, Air Canada is the largest rent-payer at airports and the largest rent-payer to NAV CANADA.

I wish I could provide an answer that indicates how the problem raised by Senator Andreychuk could be dealt with.

Senator Andreychuk: Honourable senators, part of the problem is that the Liberal government has put all of these agencies at arm's length. There appears not to be an accountability system. Senator Bolduc would speak of this at almost every budget time — that the kind of scrutiny and oversight that used to exist when these entities were government departments is not now available for the taxpayers. We put these organizations at arm's length — there is a benefit to that — but then the government said that we could not interfere.

Who is acting on behalf of the taxpayers to ensure that those agencies are utilizing taxpayers' money appropriately? There does not seem to be any system.

I am reminded of the present issue and the present scandal. Yesterday, in response to questions on this issue, the Leader of the Government in the Senate said the accounting system changed so much that it became an internal audit. Apparently, that internal audit did not work. The previous Treasury Board scrutiny seemed to be much more effective.

Here we have another situation in that the government is not in a position to interfere with NAV CANADA. NAV CANADA is already saying they are deferring costs. The answer of the Leader of the Government in the Senate is that the matter must be passed on to the airline companies. We are being told that the reason they cannot pass these matters on now is that the air carriers cannot bear the load. This situation cannot continue. The entire system will collapse.

Surely, the government has a responsibility to put in place, within the agencies they have created, proper accounting practice, scrutiny and oversight mechanisms and to establish a national

airlines policy, with overall oversight by the government. The government cannot wash its hands of this matter.

Senator Austin: Honourable senators, as Senator Andreychuk knows, both the Mulroney and the Chrétien governments were under considerable pressure to downsize the government's role as intervenor in much of the commercial economy. Steps were taken originally in the Mulroney government, and followed by the Chrétien government, to let managers manage with respect to departments, to create, as I said yesterday, the internal control supervision within the departments, rather than at the Treasury Board level. It was the internal control system that eventually caught up to the problems that are now so large in Canadian political debate.

Returning to the transport system, we made policy changes over some 20 years. At one time, at an earlier stage in my governmental career, the Government of Canada, through the Department of Transport, actually managed the day-to-day operations — we had fee, airfare and cost schedules. When the American air industry became deregulated, for the Canadian air industry to compete, it, too, had to be better at managing costs and more susceptible to market movements, rather than regulated and cost controlled.

The world of air transport, where the air industry was almost guaranteed a rate of return, because governments set the rates for them so that they could make a profit, was abandoned for the market economy.

We have created instruments, such as NAV CANADA, and we are now experiencing the way in which the market economy does not provide public services of the kind that were either previously provided or should be provided.

• (0940)

I consider the topics being raised by Senators Cochrane and Andreychuk to be of high importance, and perhaps we should consider referring these issues to the Standing Senate Committee on Transport and Communications for a very careful examination.

Senator Andreychuk: Honourable senators, deregulation and the market economy cannot be blamed. The European system has gone through deregulation and has had its ups and downs, but it has had government involvement and oversight. I am only asking that the government implement a policy and structure. You cannot simply hive off NAV CANADA and let the market take effect. This is a transportation issue. You should have hived it off and had proper oversight and accountability. That is a government responsibility, not a market problem. The market will take care of itself if there are proper structures and policies in place.

I do not know whether NAV CANADA was underfunded to start with or whether it was given a debt load it should not have had. I will not get into specifics. I am simply saying that the government cannot wash its hands of this. The system must be either cleaned up or changed.

Senator Austin: Honourable senators, in no sense is the government “washing its hands of this.” This is an issue of important public policy. Honourable senators will know that the air transport system took an enormous blow as a result of September 11, 2001. The international and domestic travelling public began to remove itself from the air carriers, and the result was an enormous decline in revenues to be shared by airport authorities, NAV CANADA, the air carriers and everyone else in the air transport system. The global industry and the Canadian industry have not yet recovered from those outside events. I would like honourable senators to be clearly aware of the broader circumstances under which this issue has arisen.

If we wish to be part of the policy debate and to make a contribution to the way in which policy should be shaped, a reference to the Standing Senate Committee on Transport and Communications of the policy issues that have been raised would be very much in order.

INTERGOVERNMENTAL AFFAIRS

WATER EXTRACTION COMPANIES— PROVINCIAL USER FEES

Hon. Eymard G. Corbin: Honourable senators, my question is directed to the Leader of the Government in the Senate. The environment minister for the Province of Ontario announced recently that companies that take water from Ontario lakes and rivers will have to pay for that privilege under new legislation. The province has candidly admitted that it does not have a system to track how much water is being taken out on a daily basis, nor does it know whether the system is being damaged by the volume of water being extracted.

The Leader of the Government in the Senate, as a former colleague of mine on the Foreign Affairs Committee, knows that we adopted legislation in Parliament in December 2002 respecting the protection of boundary waters, watersheds and so on.

In view of the fact that not only Ontario but other provinces may be about to jump on this new gold rush of charging fees for the extraction of water, can the Government of Canada tell me if there are ongoing discussions with the provinces with respect to this issue and whether the International Joint Commission has been seized of this matter in terms of information respecting the volumes of water being extracted in this country?

My other concern is that foreign companies are beginning to take over Canadian bottling companies, and I think that is something we should be concerned about.

Hon. Jack Austin (Leader of the Government): Honourable senators, I am not aware at this moment whether there are discussions taking place between the federal government and the Province of Ontario or any other province with respect to user fees for water.

Of course, water resources are property under the Constitution Act, formerly the BNA Act, and the provinces own their water resources unless they impinge on international boundary waters or cross boundaries or if the federal government authority under

navigation, and so on, is affected. The legislation to which Senator Corbin referred, which was before the Foreign Affairs Committee, dealt with the Great Lakes and the management of them and, of course, waters flowing into the Great Lakes. There is an international treaty of 1909 between Canada and the United States, the International Boundary Waters Treaty —

Senator Stratton: We do not need a history lesson.

Senator Austin: Oh, you do not? I am sorry. I apologize. I thought it was in the interests of the chamber that I give senators the fullest possible answers to their questions and interests.

Some Hon. Senators: Hear, hear!

Senator Austin: If I understand Senator Stratton’s comment, he would like me to be very brief with respect to answers to questions from his side.

Senator Stratton: It is called being succinct and to the point.

Senator Austin: I will be very succinct in answers to your side.

PRIME MINISTER

AUDITOR GENERAL’S REPORT— SPONSORSHIP PROGRAM—INVOLVEMENT

Hon. W. David Angus: Honourable senators, in the interests of comity, I should tell the Leader of the Government how pleased we are to note that the government has now reversed its field in the matter of the sponsorship program. No longer is it a small item marginalized with 14 poor civil servants. It is now a major, systematic issue that will probably require, according to the Prime Minister yesterday, determining where the political direction from high levels came from.

In any event, we have now seen, thanks to the *National Post* of today, that the Liberal Party National Policy Chair, back on February 7, 2002, sent a letter to the Honourable Paul Martin stating:

...there are persistent and growing rumours that funds from the sponsorship programme are being diverted to partisan purposes connected with the 2000 general election campaign in Quebec, through the agency of advertising and public relations firms associated with the Party.

Groupaction is specifically mentioned in the letter.

Can the Leader of the Government in the Senate now confirm that Mr. Martin was on notice, in February 2002, that the sponsorship scandal was more than just administrative errors? Can he confirm to senators that Mr. Martin indeed received that letter and tell us what he did about it?

Hon. Jack Austin (Leader of the Government): Honourable senators, my succinct answer is that the Prime Minister held a press conference yesterday and placed his position on the record at that press conference, the text of which appears in newspapers circulating today and is, of course, available to Senator Angus.

Senator Angus: The Leader of the Government in the Senate has referred to the hastily-convened but major damage-control press conference yesterday. The Prime Minister said during that press conference that there had to be political direction to the group of bureaucrats identified by the Auditor General. Can the Leader of the Government in the Senate provide us with the information that led the Prime Minister to this conclusion, given that he already had the letter back in February of 2002?

Senator Austin: Honourable senators, what the Prime Minister said at the press conference speaks for itself.

PUBLIC WORKS AND GOVERNMENT SERVICES

AUDITOR GENERAL'S REPORT—SPONSORSHIP PROGRAM—INVOLVEMENT OF OFFICIALS

Hon. W. David Angus: Honourable senators, yesterday we talked about individuals. I asked some questions and the government leader claimed that he did not have the answers to them. Let me try this question as a supplementary.

Can the Leader of the Government in the Senate tell us what the roles of Charles “Chuck” Guité and Pierre Tremblay were in the sponsorship program?

Hon. Jack Austin (Leader of the Government): I thank Senator Angus for that succinct question.

That will be the subject of the judicial inquiry, and any speculation on their roles would not be appropriate. As lawyers, there is no way either Senator Angus or I would want to tamper with or contaminate the position of any named individual.

• (0950)

I also want to continue my dialogue with Senator Angus concerning the 14 officials. I understand that the reference to 14 was originally in the evidence given by the Auditor General to the Public Accounts Committee of the other place. To my knowledge, no names have been given by the Auditor General in any public place. Certainly, none has been given to me.

Senator Angus: Honourable senators, I thank the government leader for that comment. I still accept the answer given yesterday by the Leader of the Government in the Senate that he does not know, has not informed himself and is unable to tell us today who those 14 are. That is fine with me.

Senator Austin: I cannot inform myself. It is my understanding that the information can only come from the Auditor General at this time.

Senator Angus: Honourable senators, I wish to return to the specific question I asked the Leader of the Government a moment ago. That question is: What were the roles of Charles “Chuck” Guité and Pierre Tremblay in the sponsorship program? Is the Leader of the Government saying that he does not know what roles those two gentlemen played? That has nothing to do with

the judicial inquiry. Does the government not know what the roles of these two men were at that time? I should like to know. I think all honourable senators would like to know.

Furthermore, we would like to know when these men stopped performing their roles. Was it, perhaps, in February of 2002, when Mr. Martin did take action and relieved them of their roles? I should like to have an answer, please.

Senator Austin: If, by using the word “roles,” the honourable senator is asking to know their titles and the positions they held in the Department of Public Works, then, of course, I can provide that information on Monday. I do not have their exact titles at hand today.

What needs to be said at this particular stage is that I do not have any information on the relationship between any letter Mr. Martin received when he was Minister of Finance and any action taken with respect to the two named individuals. Given the statements that the Prime Minister has made, I can only imagine that he was responsible for no such action being taken because he was not a part of the management of that particular process.

FOREIGN AFFAIRS

AUDITOR GENERAL'S REPORT—SPONSORSHIP PROGRAM—RECALL OF AMBASSADOR TO DENMARK

Hon. W. David Angus: I wish to ask about a third name — Alphonso Gagliano. I ask this simple question: Why was he recalled from his ambassador posting in Denmark?

Hon. Jack Austin (Leader of the Government): Honourable senators, I was happy to answer that question earlier this week. As I said at that time, any individual who serves in a diplomatic post at the pleasure of the Crown can be recalled when that pleasure no longer continues. It is clear that the pleasure of the Crown was terminated in the case of Ambassador Gagliano.

Senator Angus: As a lawyer himself, is the government leader comfortable with that answer? The Leader of the Government has not answered the question. I asked the government leader to tell this place the reasons that caused the government to invoke its pleasure and call this man back. Even members of the Canadian media are inside elevators in Copenhagen talking to the man. Yet honourable senators in this chamber are not allowed to know why the government decided to fire the man at this time.

Senator Austin: I hope honourable senators will understand that I am not willing to be provoked into editorial comments about any individual. I believe the judicial inquiry that has been structured is the proper place for these subjective issues to be developed. Clearly, the ambassador, when he was Minister of Public Works, had a political and/or policy responsibility for what took place in his department. Mr. Gagliano's role or involvement in the particular allegations made by the Auditor General will remain to be seen and should be brought out, not in the hot fire of political rhetoric but in the cool and calculating analytical circumstances of a judicial inquiry.

Senator Angus: In the interests, again, of comity, there is a blatant contradiction in what the leader has said. Poor Mr. Gagliano has been pre-judged, fired and dismissed by the executive branch of this government. On the other hand, all these other people are getting the benefit of a judicial inquiry and *audi alteram partem*. They are having their day in court. Why was Mr. Gagliano not afforded the same courtesy and the same rights as a citizen? Why was he recalled?

Senator Austin: The government has made it clear that given the circumstances in domestic Canadian affairs today, it would not be possible for the ambassador to carry out his functions as ambassador. The domestic situation and the allegations made impair his credibility in his mission. Therefore, he has been recalled. The honourable senator used the word "fired," a word that I am not willing to use.

The Hon. the Speaker: Honourable senators, the time for Question Period time has expired.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I wish to ask the house for agreement to extend Question Period for two more questioners.

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

Some Hon. Senators: No.

The Hon. the Speaker: Leave is not granted, honourable senators.

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Bill Rompkey (Deputy Leader of the Government): Honourable senators, I should like to call first Bill C-6, respecting assisted human reproduction and related research, followed by Bill C-5, respecting the effective date of the representation order of 2003.

[Translation]

ASSISTED HUMAN REPRODUCTION BILL

SECOND READING

Hon. Yves Morin moved the second reading of Bill C-6, respecting assisted human reproduction and related research.

He said: Honourable senators, on October 30, 2003, I moved the second reading of the bill on assisted human reproduction. At the time, I made a detailed review of the main features of the bill.

[English]

On October 30, honourable senators may remember that I gave in this chamber a wide-ranging speech covering all aspects of this important and complex bill. I will not repeat today the arguments in favour of the assisted human reproduction bill. Let me say simply that it has been a long time coming. It has been more than 10 years since the royal commission issued its report.

Bill C-6 deals with assisted human reproduction, or the use of human reproductive materials for the purpose of creating an embryo, and the use of an in vitro human embryo for any purpose. However, at its heart, Bill C-6 is about protecting the women who use assisted human reproduction services and about protecting the children who are born as a result.

Honourable senators, last November, following my speech and subsequent debate in this chamber, the Senate adopted a motion to refer the bill to the Standing Senate Committee on Social Affairs, Science and Technology. That is where matters stood when Parliament was prorogued, and where matters stand today.

Therefore, I invite honourable senators to repeat that procedure and refer the bill to committee without further delay so that committee members can thoroughly scrutinize the bill and hear from witnesses covering all points of view.

I also invite all honourable senators to attend our committee meetings. I am sure our sessions will be informative and will help all of us to form enlightened opinions on this most important legislation.

• (1000)

Hon. Marjory LeBreton: Honourable senators, following up on Senator Morin's comments, the spokesperson for our side has been Dr. Keon. He made his views on this bill known in the last session of Parliament and has nothing further to add. Therefore, I move that Bill C-6 be referred to the Standing Senate Committee on Social Affairs, Science and Technology.

The Hon. the Speaker: Does any other senator wish to speak?

Hon. Anne C. Cools: Honourable senators, I just stepped out of the chamber for a moment or two. I believe that we are on Bill C-13, and this is the first speech on Bill C-13. Am I correct?

The Hon. the Speaker: We are on Bill C-6, Senator Cools.

Senator Cools: Bill C-6 now is the old Bill C-13. Is this the reproductive technology bill? Yes. So I am absolutely correct.

I do not understand. I thought I heard Senator LeBreton move a motion to refer the bill to committee. I thought that that was a little unusual. That is usually done by the government side, usually a government member or the deputy leader.

The Hon. the Speaker: The mover of second reading has spoken, and the second speaker was from the opposition, Senator LeBreton. We are now at the stage where I am asking the chamber if it is ready for me to put the question on second reading.

The issue that Senator LeBreton raised as to which committee the bill is referred to will have to be resolved at some point if we follow our practice of referring bills to committee, but we are not quite at that stage. We are at the stage of second reading. Is the house ready for the question on second reading?

I will put the question: It was moved by the Honourable Senator Morin, seconded by the Honourable Senator Gauthier, that this bill be read the second time.

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

Motion agreed to and bill read second time.

REFERRED TO COMMITTEE

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

[*Translation*]

Hon. Yves Morin: I move that the bill be referred to the Standing Senate Committee on Social Affairs, Science and Technology.

[*English*]

Hon. Marjory LeBreton: Honourable senators, I will repeat what I said a moment ago. Our spokesperson, Senator Keon, put his views on this particular bill before the Senate chamber in the last session. I am simply rising to support that this bill be referred to the Standing Senate Committee on Social Affairs, Science and Technology.

The Hon. the Speaker: I will put the question. It was moved by the Honourable Senator Morin, seconded by the Honourable Senator Jaffer, that the bill be referred to the Standing Senate Committee on Social Affairs, Science and Technology.

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

Motion agreed to.

REPRESENTATION ORDER 2003 BILL

SECOND READING—DEBATE ADJOURNED

Hon. David P. Smith moved the second reading of Bill C-5, respecting the effective date of the representation order of 2003.

He said: Honourable senators, I am pleased to sponsor and to open the second reading debate in the Senate on Bill C-5. Many senators will be aware that the bill has been reinstated from the previous parliamentary session. It was originally passed in the other place on October 23, 2003, and received first reading in the Senate when Parliament prorogued on November 12, 2003.

This bill enjoyed much support in the other place, and the only party to vote against it was the Bloc Québécois. I should like to repeat that because it is important. The only party to vote against this bill in the other place, which is the place most directly affected by this bill, was the Bloc Québécois. The reason they voted against it really had nothing to do with the contents of the bill. They voted against it, and this is clear from their comments in the

debate, because they felt that the percentage of seats that Quebec has should remain constant and that nothing should be done to change the number of seats unless their percentage goes up. They currently have 75 out of 301 seats, and they made it clear that in the event there are any changes, they think they should go to 77. That is a separate issue, and we could debate it some other time. However, what is really before us is the effective date, and the only party to vote against that in the other place was the Bloc, for reasons that have nothing to do with the content of the bill.

Bill C-5 is an important piece of legislation for Canadians and for Canadian democracy because it protects the quality of our representative democracy by ensuring that a new, up-to-date electoral map is in place as soon as possible. Canadians are entitled to updated electoral ridings that reflect the changing face of our nation, and that is exactly what this bill does. It ensures that implementation of new electoral boundaries is not delayed beyond the minimum period required for operational reasons — not policy reasons but technical, operational reasons. To delay any longer is to postpone fair and more effective representation for Canadians.

Like our colleagues in the other place, honourable senators, I trust that we share a common commitment to ensuring fair representation in Parliament and ensuring that our electoral system properly reflects the voices of all Canadians and the diversity of all regions of the country. In a democratic system that takes representation by population as its starting point, an up-to-date electoral map is essential.

I say that representation by population is a starting point, but it is not the only point. We have other criteria in our Constitution, and I am sure everyone is aware of the Senate floor provision, which means that no province can have fewer seats in the Commons than they have in the Senate. The beloved Island, Prince Edward Island, has four senators and can never have fewer than four seats in the Commons. That alone is a good reason to perpetuate this noble institution.

Some Hon. Senators: Hear, hear!

Senator Smith: That is that valid principle, and it is in there. In addition to that floor, we also have a floor that was enshrined in legislation in 1986, which says no province can have fewer seats in the Commons than it had on that date.

This concept of representation by population has not always existed. I was reading just the other day of a famous case in Britain in 1821. They had what were referred to as rotten boroughs. There was a situation where one riding in the British House of Commons only had three eligible voters, and those three eligible voters were an earl, his son and the butler. The problem was that to be nominated to run, you had to have an eligible voter both move and second the nomination. They could not agree. The earl was not eligible. They could not agree as to whether it would be the son or the butler. This case achieved quite the notoriety, and senators will not be shocked to learn that the earl's son was finally nominated.

• (1010)

In 1832, there was the great reform bill, the Bright and Cobden bill. Students of parliamentary democracy will know that tremendous strides were made in that bill in respect of the concept of representation by population. Some honourable senators have been to my home in Toronto where I have hanging on the wall, with great pride, an original copy of the print of the reform dinner held in 1832 to celebrate that notable occasion in the development of parliamentary democracy.

We cannot assume that these principles always existed. Bill C-5 corrects an existing serious weakness. Currently, we have an electoral map that is 13 years out of date. It is based on the 1991 census and we are in the year 2004. It will always be a bit out of date, but why should we unnecessarily keep ourselves in a straitjacket?

The representation order of 2003 was proclaimed on August 25, 2003. All that remains to do now is bring it into force. I am certain that honourable senators are aware that the new electoral map will add seven new seats to the House of Commons. British Columbia and Alberta will receive two seats each and Ontario will receive three seats. It is important to the citizens of these provinces that they receive the benefit of an increase in representation to which they are entitled. Otherwise, their residents will be under-represented. Even for provinces that do not need additional seats to accommodate population growth, redistribution is necessary to reflect demographic shifts within. This causes challenges for people from, for example, certain areas of Northern Ontario and other rural areas. The reality is that there are exploding suburbs in some cities that are grossly and unreasonably under-represented; and that should not occur.

If an election were called prior to August 25, 2004, without this proposed legislation in place, then Canadians would be stuck with an out-of-date electoral map for another four years before the new boundaries could come into effect. If that were to happen, then four years from now we would have a map 17 years out of date. The current map is already 13 years out of date. Why would any rational body of legislators put themselves in that kind of straitjacket when it is simply not necessary?

Honourable senators, I think our job is to ensure that the new electoral map is in place as soon as possible. The challenge we face in accomplishing that objective is the automatic one-year grace period provided for in the Electoral Boundaries Readjustment Act. That grace period delays the coming into force of the new electoral boundaries for one year following proclamation. It is intended to give the Chief Electoral Officer of Canada and political participants adequate time to prepare for and adjust to the new boundaries. That means that we have to deal with it. There is a simple way to do that: Bill C-5 shortens the grace period to the minimum duration period possible, taking into account various operational and administrative necessities.

Why was this one-year grace period put in the act in the first place? I understand this provision goes back to the 1960s and an era when maps were drawn manually. However, over the last decade, let alone the last 40 years, dramatic technological advances have occurred whereby, with the click of button,

boundaries could be changed, rearranged and replaced before one's eyes on a computer screen. This task, which before took weeks to complete, could now be completed in minutes. There is simply no longer a need for the provision of a lengthy grace period to prepare for new boundaries.

The Chief Electoral Officer of Canada, Mr. Jean-Pierre Kingsley, made it clear on two occasions — most recently on November 12, 2003 — that Elections Canada is ready to implement the new electoral boundaries for any election called on or after April 1, 2004. It is disappointing that suggestions came from some quarters that Mr. Kingsley was pressured into doing this. He appeared before committee and said absolutely that he was not pressured. I find it refreshing for someone in his position, who is aware of the situation, to say that he could be ready to go as soon as we are ready to go. He has said that it is our decision and not his decision and that months ago the date suggested was April 1. I found that quite refreshing, and I am disappointed that some people suggested sinister motives.

Why delay? There is absolutely no public policy rationale for a delay; it just does not exist. If Elections Canada is ready to move ahead now with updated electoral maps that would ensure fair representation for the next election, how could we justify any further delay? Given that the April 1 date is achievable, why not get on with it? We have known about that date for many months. How would we explain to voters in British Columbia, Alberta and Ontario that their additional seats are being put in jeopardy? How would we justify that? I do not think that we could.

Honourable senators, allow me to put the proposition in a legal sense. If we pass this bill, then no stakeholder is adversely prejudiced. How could any stakeholder be adversely prejudiced by the passage of a bill that would implement a principle with which we agree — as much representation by population as possible and as soon as possible after the boundaries have been finalized according to due process?

In the House of Commons, the Bloc voted against the bill. A spokesperson for the Bloc stated: "We have no reason to doubt the neutrality of the Electoral Boundaries Commission for Quebec, chaired by the Honourable Pierre Boudreault. The commission has made a decision that is not to our liking, but the process was transparent and neutral. We believe it was completely untouched by any political interference." What better stamp of good housekeeping approval could one ask for in terms of the public policy aspects of this issue?

I am hopeful that honourable senators can discard partisan political leanings to pass Bill C-5. The only criterion, from a policy perspective, is this: When would it be technically possible to implement the new boundaries?

Honourable senators, timely redistribution is an issue of fundamental electoral fairness, ensuring that the right to vote remains meaningful for all Canadians. The Constitution requires it. There was a landmark decision on the right to vote as enshrined in our Constitution. The Supreme Court of Canada identified "effective representation" as the key principle that must guide electoral redistribution.

[Senator Smith]

• (1020)

The court's words at that time remind us of what is at stake in this legislation. In a 1991 decision, *Attorney General of Saskatchewan v. Roger Carter*, the present Chief Justice, Beverley McLachlin — who was not Chief Justice at the time — wrote:

Ours is a representative democracy. Each citizen is entitled to be represented in government. Representation comprehends the idea of having a voice in the deliberations of government as well as the idea of the right to bring one's grievances and concerns to the attention of one's government representative.

Justice McLachlin continued:

What are the conditions of effective representation? The first is relative parity of voting power. A system which dilutes one citizen's vote unduly as compared with another citizen's voice runs the risk of providing inadequate representation to the citizen whose voice is diluted. The legislative power of the citizen whose voice is diluted will be reduced, as may be access to and assistance from his or her representative. The result will be an uneven and unfair representation.

Do we want to do that? Of course we do not. I suppose there may be some cynical thoughts about this in certain quarters.

Some Hon. Senators: No, no!

Senator Smith: That is unfortunate, but I think it is clear that the only public policy rationale that should affect the timing of when new boundaries, having been established by due process, come into effect is: How soon can you do it? When we have the Chief Electoral Officer saying for some time that they can be ready for April 1, that is good enough for me.

I think that rationale is probably inherent in the bill presented by Honourable Senator Kinsella. He must think that that rationale is good. The only thing that is different in the wording is the date. Why is the date in Bill C-5 April 1? It is because that is when the Chief Electoral Officer said he would be ready. It is that simple. It was not anything else.

Honourable senators, out of fairness to citizens of this country and to ensure the continued quality of our democratic system, periodic readjustment is essential. It is imperative that we bring our new electoral map into effect as soon as possible, and to shorten this one-year grace period, now required by law, but for reasons that no longer really have a *raison d'être*. I hope that all honourable senators will come to the same conclusion and that we can get on with this and try to avoid jeopardizing electoral fairness for all Canadians.

Hon. Lowell Murray: Will the sponsor of the bill permit a question?

Senator Smith: Certainly.

Senator Murray: Honourable senators, my friend has made a very strong case in favour of the impartial and neutral process of redistribution that this country has enjoyed since the mid-1960s and which is not really at issue in this debate. We all agree that it has worked wonderfully in this country except on those few occasions that politicians have tried to manipulate it.

In making his case, the honourable senator gave a whole new meaning to the term "due process," which he employed I think three or four times in the course of his speech.

My question is this, and I hope I will have an opportunity to take part in the debate later on: If the government is so convinced that the 12-month period is now too long, that it has been overtaken by events and that we can well do with a much shorter period than 12 months, why did the government not proceed to change the law rather than shorten the period for this one election only?

Senator Smith: That is a good and valid question, one that I wondered about myself. I think the answer is that the Chief Electoral Officer had indicated that he thought it would be appropriate for him to do a review of the length of the period and what we really do need on a permanent basis. The period between the time the order came into effect, which was August 25 of last year, and April 1, as I do my mathematics, is seven months and one week. He may wind up reporting that he needs four months or three months or five months. I do not know.

Senator Murray: A bit of a switch, as was suggested earlier.

Senator Smith: Yes, that is true with regard to the maps, but there are other issues with regard to personnel and various officials, returning officers and so forth, that take a little longer; but he may conclude it is briefer. I think that what he was responding to was, in the particular circumstances that exist now, what would be the earliest date he could be ready, and he said April 1. If this bill passes, I believe there will be a review to determine an appropriate grace period. I think it may very well be shorter than seven months and one week.

Senator Murray: Even allowing for the views of the Chief Electoral Officer on this occasion, how can the honourable senator be sure that all the other players — principally candidates, political parties and so forth — can also be ready in a shorter time frame?

Senator Smith: Honourable senators, I do not think there has ever been an election in history, in any place, where everyone was perfectly ready.

The question is: What sort of due notice has there been? He articulated the date of April 1 many months ago. All of the parties have been aware of that date for many months. They have proceeded on the assumption that the next election will be held with the new boundaries in place.

The honourable senator is an experienced political strategist. I think that all of us know that voters in Alberta and British Columbia, in particular, would be outraged if we went to the polls on 1991 data. Voters in Ontario roll with it. I do not think that any political party would go into an election based on those boundaries. Chief Electoral Officer Kingsley did the right thing and he should be congratulated. He said, "This is when I can I do it if the legislators say that is what should happen."

Hon. Jack Austin (Leader of the Government): Does the honourable senator not think that the bill would address, at least in part, the problem of Western alienation in that British Columbia and Alberta would be counted for once?

Senator Smith: There is no doubt about that. I am familiar with those sentiments, having spent some years in school in Victoria, British Columbia.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I trust that the Chief Electoral Officer will be called as a witness before the committee that will be examining this bill. If Mr. Kingsley advises the committee that he would be much better prepared to conduct a fair election if he had 10 more weeks of preparation, would the honourable senator support an amendment to the bill to give an extra 10 weeks?

• (1030)

Senator Smith: Honourable senators, that is a hypothetical proposition. Mr. Kingsley has already been on the record, in writing, saying, many months ago, that they would be ready by April 1. I take him at his word. If he were to indicate some dramatic change of heart to us, I guess we would deal with it when we heard about that. However, there is no point going down that road, because we have not heard that. Mr. Kingsley takes his duties very seriously, and he has indicated for many months that they will be ready to go for April 1.

Senator Kinsella: To the extent that part of your argument has been the level of preparedness of Elections Canada, if we had direct testimony that Elections Canada would be more prepared to conduct a fairer election if they had another 10 weeks, why would the honourable senator not support an amendment to that effect?

Senator Smith: Honourable senators, you could also argue that if Elections Canada had another five years, they would be even better prepared. Why not carve it in stone and end up with rotten boroughs like they had in Britain, when they had three voters and one riding and the poor butler did not get to run?

Hon. Norman K. Atkins: Would the honourable senator agree that it would simplify matters if the government were to agree not to have an election in the fall and then we would not need this bill?

Senator Smith: The government may very well decide that.

Senator Murray: What would you advise, given the circumstances?

[Senator Smith]

Senator Smith: The government, whenever it decides on a date, will have to defend that decision to the Canadian electorate. Senator Atkins is a very experienced political manager, one for whom I have the highest regard. He is aware that it is not unusual for a new prime minister to want a mandate as soon as possible. Quite frankly, I think that is desirable. I do not think anyone will keel over from cardiac arrest from the shock of that pattern being followed. Having said that, whatever date a government decides on, they have to defend.

Senator Atkins: Honourable senators, if the Prime Minister had taken my advice, the day he was sworn in, he should have walked across the street and issued the writ.

Senator Smith: Well, if I can take that as a question, I will send the Prime Minister a copy of today's *Debates of the Senate*, so that he may read your comment.

On motion of Senator Kinsella, for Senator Lynch-Staunton, debate adjourned.

SPEECH FROM THE THRONE

MOTION FOR ADDRESS IN REPLY— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Trenholme Counsell, seconded by the Honourable Senator Massicotte, for an Address to Her Excellency the Governor General in reply to her Speech from the Throne at the Opening of the Third Session of the Thirty-seventh Parliament.—(6th day of resuming debate)

Hon. Jim Munson: Honourable senators, I thank you. Here I am. I thought my maiden speech and I would be front-page news. However, other news is going on. I am astounded! I thought there would be a full gallery. Certainly, the message will get out somewhere.

When I first arrived in Ottawa in 1972, I discovered that this is a rough and tumble game, this game of politics. I was six foot two then. Thank goodness I am in the Senate, because I can still stand up here and be seen!

I should like to congratulate the new leadership in the Senate, Senators Austin, Rompkey and, of course, Losier-Cool. Senator Losier-Cool and I have a special relationship, going back to northern New Brunswick. When my wife, Ginette, and I were first married, our first apartment was in the senator's house. It really is a small world.

An Hon. Senator: Did you pay the rent?

Senator Munson: Before I get too partisan, honourable senators, I should like to remember and pay tribute to two Progressive Conservative friends, the late Finlay MacDonald and the late Dalton Camp. Like two other Maritimers, Allan MacEachen and Al Graham, over all these years, Finlay MacDonald and Dalton Camp were generous with their

knowledge, their spirit and, most of all, with their time. I have fond memories of sitting on Finlay's porch in Chester, Nova Scotia, spending hours doing something that is difficult for a reporter to do — that is, listening. Finlay's stories — and it did not matter whether it was Liberal stories or Progressive Conservative stories — were captivating, and I certainly learned a lot. Those nights and days were very special.

[*Translation*]

I am very pleased to find myself in such illustrious company today. It is a great day for me, the first one of a new stage in my life. I am convinced that, along with my distinguished colleagues, we will do a good job.

[*English*]

I am sure that my honourable colleagues had similar feelings the first day they found themselves addressing the Senate of Canada. I am sure that, like me, they felt varying degrees of humility and pride, along with, perhaps, a good dose of bewilderment and nervousness. Goodness knows, as I have sat here the last few days, every time an honourable senator stood, including the Leader of the Opposition, and said, "adjournment," I was out of my seat and ready to leave. Each time, I have been told to get back to my seat, because the word "adjournment" is part of the normal business of this place.

One cannot help but look back at one's own life journey to see the turns in the road that led to this chamber. For me, it started with my father. Senator Mercer and I shared similar feelings the last few months. The late Reverend J. E. Munson, a United Church minister, who passed away a few months ago at age 93, was a great dad. He was a man who believed in service for the greater good and a man who believed that we all share a responsibility for making our country, as well as our communities, places of peace, goodwill and shared prosperity.

I turn now to Campbellton, New Brunswick, in the 1950s. It was my father who took me with him, on Thanksgivings, Christmases and other days, to visit families across the track, so to speak, across from the manse, our comfortable home. He took me with him so that I would learn that we all have a responsibility to help those in need. It was one of my first lessons in social values.

My father loved politics. Picture this scene: It was the late 1950s, 1957 or 1958, and an election campaign was underway; there was a train with bunting on its back transporting the leaders to town. It was like a scene from a movie, a wonderful scene. I was 12 years old and my dad had taken me to the station, where all these men were bundled up in their warm coats. John Diefenbaker had come to town. We listened as Diefenbaker made his stump speech at the back of the train. I got up close to shake his hand — and I am not saying anything about politics here — but Diefenbaker did not shake my hand. Perhaps he did not see me. However, only two days later, Lester B. Pearson came to

town, and my dad and I did the same thing — all bundled up in the same wonderful scene. When I went up to shake Pearson's hand, he shook my hand! I guess I have been a Liberal ever since.

Some Hon. Senators: Hear, hear!

• (1040)

Senator Munson: If these stories explain my political allegiance, they also demonstrate the importance of early experiences in shaping one's destiny. When the former Prime Minister offered me a job as his senior communications adviser, my father said it was a wonderful opportunity. I am sure that if he were alive today, he would say what a wonderful opportunity to be in the Senate, that I have a chance to do good. That is what I will aim to do, honourable senators, as I join you in this chamber.

In my many years as a journalist, I studied politics with a view to telling a story. When I became a staffer in the Prime Minister's Office, journalist friends would call me all the time and, almost in a conspiratorial tone, would say, "What is it like on the dark side?" My answer: "I have been enlightened."

Now I am offered yet another perspective into Canada's political system. Honourable senators, I welcome more enlightenment, and I am truly honoured.

A few weeks ago, I was at my son's soccer game and an exuberant woman came up and congratulated me and kissed me. I was very happy, but as I was walking away she yelled out — and everybody heard — "But what do you do in there?" She was referring, of course, to this chamber.

It has not taken me long to determine that there is a lot being done in here and out there and that senators are devoting their efforts to righting what they see as wrong in our society. I am honoured to work alongside people as devoted as Senator Joyce Fairbairn, who has directed her efforts to literacy, as well as Senator Pearson, Senator Carstairs and Senator Keon. I watched with great interest, in the last week or so, his tremendous work toward contributions and support of the Ottawa Heart Institute.

I learned so much in only one week from Senator Thelma Chalifoux. I learned a lesson in humanity and being humble, and I understood her work on behalf of the Metis and Aboriginal people, and indeed all people in terms of human rights, aging and gender issues. It was a tremendous week for me.

The recent Speech from the Throne spoke of removing barriers to opportunity. As I take my seat in this place, I plan to work toward building bridges of opportunity for others, particularly children. Policies since 1993 have made a difference when it comes to child poverty in Canada, but we know that more must be done. A working family that must visit a food bank does not care that the rates of child poverty have declined. A parent who must say no when a child needs a new pair of skates does not care that the rates of child poverty have declined. However, we, the parliamentarians of this great country, must care and we must take more action.

Hon. Senators: Hear, hear!

Senator Munson: Several years ago, when I was working as a broadcast journalist, I covered a story in the community of Whitney Pier, Nova Scotia, near Sydney. It was a simple concept. A community centre offered a breakfast program, an exercise room, a library and, more than that, a place for kids, for teenagers, simply to hang out. Times were tough and because of lack of funds the community centre was going to close. I told this story as a journalist. I do not know who this gentleman is, but in Toronto, someone saw this story on CTV. That person pledged \$50,000 toward that centre. It reopened and governments had to match those funds. That centre is open today.

I have learned how the stories I covered could have an impact beyond informing Canadians of the who, what, where and when — that the stories I told could make a difference, could help make change for the greater good. As a journalist, I covered stories that dealt with some of the most disturbing and depressing sides of the human condition. Not every story had an alternative ending like the Whitney Pier Community Centre. There were the children of Davis Inlet; there was Tiananmen Square.

I often ask this question: How can I do more? Now, senators, I feel that I can do more. I want to devote my efforts to build bridges of opportunity for the less fortunate. That is why I will be working with Special Olympics Canada, a national grassroots organization that provides sports training and competitive opportunities to more than 25,000 athletes with intellectual disabilities. I will be working with the Ottawa Senators Foundation, an organization that helps disadvantaged youth in a variety of ways. This is a beginning for me, but it is my hope to do more.

There are many detractors of the Senate, but I do not have to tell you that. I was asking Senator Mercer a couple of moments ago and Senator Andreychuk — am I a politician now? I guess I am. One only has to look at how provincial governments, the federal government and the private and voluntary sectors are cooperating to promote literacy to see the handiwork of Senator Fairbairn. One only has to look at the legislation and social policies on behalf of children to see the mark of Senator Pearson.

A strong democracy is not about reflection; it is about striving for something better. That is why I am a supporter of the Canadian Firearms Program. We know the program has had problems, but we also know that it has saved lives. It has improved the security of Canadians by providing police officers with important information before they arrive at a crime scene; by keeping firearms out of the wrong hands; by reducing the number of lost and stolen firearms; by protecting spouses, usually women, from abusive partners; and, finally, by reducing the number of firearms being used in crimes.

[*Translation*]

Honourable senators, I come here with a lot of energy and a great deal of respect for those who work to implement our policies. In recent years, I have seen the work of public servants and politicians; I have witnessed their dedication and intelligence. I have great respect for their ability to cooperate and to take an

idea and turn it into a policy or a bill, into a measure that promotes the well-being of all.

[*English*]

There is a call for change in Parliament, a call for us to develop a new culture of collaboration and consultation. This is very positive. There is a call for a greater degree of transparency, with which I agree. I believe that as a senator I should be held to the highest ethical standards. That is why I will be supporting Bill C-4.

Some Hon. Senators: Hear, hear!

Senator Munson: I believe this bill is in the best interests of the Senate and ultimately strengthens our parliamentary functions. However, I would like to be clear. While I support change and renewal, it must be rooted in rich traditions of Liberal social policies. I intend to uphold the Liberal legacy of Pearson, Trudeau and Chrétien, a legacy that stresses the importance of social policy in the political equation of the times. Canada can be proud to have one of the most successful liberal regimes of any country in the world. We cannot abandon our history to the demands of the present.

As a senator, I will raise awareness and bring issues to the attention of cabinet. My father taught me how an individual can make a difference in his or her community. My life experience has taught me how much more of a difference we can make as a team. I am a team player, literally and figuratively, perhaps not as an Ottawa Senator, but as a senator in Ottawa. Here in the Senate, I will be one of the players who helps make the plays. I will build bridges, engage with people and with communities — because the communities are where I feel that my work, our work, can be put to the test and perhaps done the best — and advance causes that are close to my heart.

Honourable senators, I consider government to be an agent of good. All of us here have our moment to take the floor and help create the conditions that provide individuals and communities with opportunities to flourish, for as the Speech from the Throne stated, by sharing opportunity we also share prosperity. We have a role to play. There is something we can do.

Our opportunities are not limited by our borders, either. Canada is an international success story and the envy of countries around the globe. I have seen that as a journalist for over 10 years working overseas. During some of those times, I would have to explain Meech Lake or Charlottetown to people who came up to me. They would look at me and say, “Is that your only problem?” They could not understand it.

We have made our mark by our contributions and our actions, and also by the openness of our society. I am very proud that the Prime Minister’s reply to the Speech from the Throne confirmed that Canada will be moving ahead with legislation to provide low-cost pharmaceuticals to combat HIV/AIDS in the least developed countries. It is to be called the Jean Chrétien pledge to Africa act, a fitting tribute to the international vision and integrity of the former Prime Minister.

• (1050)

In closing, I would like to say that there is a great team here. I am thinking of Senator Léger, Senator Mahovlich, and senators on this side. We are having so much fun here with Senator Andreychuk. We are learning a lot about how the Senate works. Honourable senators, I am proud yet humbled to be among this distinguished group. I promise to do everything I can to contribute to an effective team that has the best interests of Canadians at heart. I am ready to make a contribution, as my father taught me to do, toward the greater good of Canada, and I intend to have much to say the next time on the soccer pitch when asked, "What do you do in there?"

Hon. Tommy Banks: Honourable senators, many of us, perhaps all of us, were delighted to learn that the Speech from the Throne contained the following sentences:

Another defining characteristic of our communities and of our reputation around the world is the vitality and excellence of our cultural life. Canada's artists and cultural enterprises are among our best ambassadors, as well as being an increasingly dynamic element of the knowledge economy. Their work holds a mirror on our society and builds a legacy for future generations.

Those are welcome words, honourable senators, because when Her Excellency said them they reflected that the government knows there is a place, as opposed to a role, for the arts and cultural industries in the economic structure of which most people are less aware.

To many Canadians, the arts and cultural industries are a segment of society inhabited by a bizarre people doing bizarre things, which we tolerate with a degree of condescension and amusement, just so long as they keep their place. We in the arts do count some pretty interesting characters among our number. After all, what we do is a little bit out of the ordinary in the first place. The point is that each of those strange individuals is, in his or her unique way, an entrepreneur; the proprietor and operator of a small business, concerned with marketing and cash flow, and long-range planning and the like. People in those businesses do not call them by those names, but that is what they are. Surprisingly, it is a really big economic factor in this country.

Many people think of the arts as some frivolous activity conducted in leisure time, and it can be that and it is that, and thank goodness for it, but the arts is also a very large, thriving and growing industry in our country and in all our provinces, and especially in our cities and towns.

That is not the most important thing about arts and culture. The aesthetic values and the quality of life values are the most important things. Civilizations, past and present, are known to historians and to their contemporaries not so much by their bank accounts as by their cultures. Economic importance does count though — economic importance, as well as aesthetic value.

Economists and politicians — some politicians — have suddenly realized that here is an industry that, with relatively

low levels of support from governments, is one of the most labour-intensive, cost-effective, efficient areas of our business sector, and one that deals primarily with a constantly renewable resource — people with talent and with a vast potential for growth.

In my province alone, in 1994, Statistics Canada concluded that there were 41,627 Albertans employed in that sector. Those are full-time employed tax-paying Canadians in Alberta. That was then 7.9 per cent of the national cultural labour force. That is not counting 15,000 Albertans employed in the heritage sector, and it is not counting 1,300 Albertans employed in respect of the arts and culture in government. In all, the number of Albertans in the cultural labour force is 58,302.

As I mentioned in my previous speech, the cost of creating a job in heavy industry is about \$200,000. In light industry, it is about \$100,000. In the arts and cultural industries, it is about \$20,000. Why is that? Well, there are a number of reasons, but the simplest and most applicable reason is that people in the arts are driven to do what they do and the industry rewards them very efficiently.

Why would people do something at which they are likely to earn less money than they could at something else? It is because the world is changing profoundly. One of the ways in which it is changing is that people want jobs in which they can be proud, in which they can demonstrate their individual abilities, in which they have a direct sense of personal worth, and those are exactly the kinds of jobs that arts and cultural industries offer. These people and the places in which they work are businesses, not whimsical distractions, and they make significant contributions, not only to our quality of life but also to the economic health of our towns, our cities, our provinces and our nation. It is the industry of the arts — a labour-intensive renewable resource industry that has a potential for growth greater than any other, except perhaps its close cousin, tourism.

Each year, seven million Canadians make significant purchases in the arts. This figure is expected to continue to grow, as it has over the past many decades. Obviously the arts and cultural industries are doing something right. They are not only labour-intensive, they are also very efficient in the way they reward their workers. Most manufacturing industries spend about 20 cents of every dollar on wages. The arts spends 66 cents of every dollar on wages, yet, in the arts, the average wage is just a little more than half of what it is in other manufacturing sectors.

Honourable senators will recall in my last speech I said that the cultural industries are among Canada's largest employers among manufacturing industries. Well, they are seventh on the list in respect to the size of their payroll. We have already discussed why that is. They are prepared to work for less money and to be perfectly happy, and these days, doing what is more important than job creation. For every \$100 that it costs to create a job in conventional light manufacturing, five jobs could be created in the arts; five taxpaying, full-time employed workers. Using even the most conservative multiplier of 1.5, the arts have a direct economic impact in this country of more than \$40 billion every year.

The arts are appealing to Canadians. It is a good business. More people in any year in Canada attend cultural events than attend sporting events. They are important to us. If you think, even in respect of tourism, the reasons that people go places are climate, culture and shopping, mostly. It is the second two, certainly not the first two, which make Paris, London and New York, the tourist meccas they are. We do not go to London for the weather. In Toronto, almost 30 per cent of the visitors to that city go there specifically to see cultural attractions. Over half the visitors to the Stratford Festival come from outside Canada. In my city, I do not know how many people travel to North America's largest theatre festival, which is held in Edmonton, but it is a lot because you cannot get a hotel room for weeks.

Governments and private businesses at all levels have a huge stake in encouraging, as is suggested in the Throne Speech, growth in this industry, and I hope that its inclusion, as it was, in Her Excellency's speech to us will augur well for the arts and cultural industries in Canada's future.

On motion of Senator LeBreton, debate adjourned.

• (1100)

[Translation]

BILL RESPECTING THE EFFECTIVE DATE OF THE REPRESENTATION ORDER OF 2003

SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Kinsella, seconded by the Honourable Senator Stratton, for the second reading of Bill S-7, respecting the effective date of the representation order of 2003.—(*Honourable Senator Robichaud, P.C.*).

Hon. Fernand Robichaud: Honourable senators, I move that the debate be deferred until the next sitting day.

On motion of Senator Robichaud, debate adjourned.

[English]

STATUTES REPEAL BILL

SECOND READING—DEBATE ADJOURNED

Hon. Tommy Banks moved the second reading of Bill S-11, to repeal legislation that has not been brought into force within ten years of receiving royal assent.—(*Honourable Senator Banks*).

He said: Honourable senators, I wish to inquire as to whether honourable senators would prefer that I speak to this bill at another time. If that is the case, I would ask that the remainder of my time be held for me to do so at the next sitting of the Senate.

An Hon. Senator: Agreed.

The Hon. the Speaker: I think we can rely on that suggestion as being agreed to and you would rise at the next opportunity.

On motion of Senator Banks, debate adjourned.

[Senator Banks]

CRIMINAL CODE

BILL TO AMEND—SECOND READING— POINT OF ORDER—SPEAKER'S RULING

On the Order:

Resuming debate on the motion of the Honourable Senator Joyal, P.C., seconded by the Honourable Senator Kinsella, for the second reading of Bill C-250, to amend the Criminal Code (hate propaganda).—(*Honourable Senator Tkachuk*).

Hon. Anne C. Cools: Honourable senators, I rise on a point of order that I believe can be clarified quickly. I am referring to the *Debates of the Senate* of yesterday, February 12, 2004, immediately following on the intervention of Honourable Senator Banks. The record states clearly, "On motion of Senator Stratton, for Senator Tkachuk, debate adjourned."

Honourable senators, my recollection is that yesterday, when the order was called, Senator Banks spoke for a few moments and at the end of that process, since Senator Tkachuk was holding the debate from the previous day, all that needed to have happened was for the debate to fall back into Senator Tkachuk's name.

My recollection of the events yesterday was that Senator Stratton moved no motion whatsoever. He just said "stand," yet, it appears from the record that he made a motion. In actual fact, there was no need for a motion because the floor was yielded by Senator Tkachuk to Senator Banks. The adjourned debate would have just fallen back to Senator Tkachuk.

I do not know how this has happened, but it is not in order and is not proper. In actual fact, once a motion to adjourn has been made, and the next day an honourable senator rises and says "stand," there is no need for another motion for adjournment because "stand" means that the adjourned debate stands over. The stand is on the strength of the first or the previous adjournment motion. I do not know if there is some explanation to this meaning, but there is something wrong in the record of what transpired yesterday.

This record says very clearly that Senator Stratton made a motion. Senator Stratton is not here now, but Senator Stratton moved no motion yesterday to adjourn that debate. The debate should have continued to stand adjourned in Senator Tkachuk's name as by the order of the Senate from the previous day when Senator Tkachuk moved the adjournment.

I do not know if this is a mistake of some kind or if the record can be corrected, but I have no doubt that Senator Stratton yesterday moved no such motion and the record should not be saying that he did move a motion. I do not know if anyone else has noticed this, but perhaps it could be clarified quickly.

The Hon. the Speaker: I thank the Honourable Senator Cools for giving me notice of this concern. The record stands, but the Honourable Senator Cools is quite right; my recollection, as well, is that Senator Stratton simply used the word "stand." However, we have a rule that I had been made aware of by Honourable Senator Banks, which I will read. Honourable senators will recall that Senator Banks had spoken to the motion.

37(1) No Senator shall speak more than once. However, if a material part of the Senator's speech has been

misunderstood, the Senator may speak again in the same debate. In such a case, the Senator, with leave of the Senate, shall be permitted no more than one period of five minutes to explain that part of the speech which was misunderstood. In so doing, the Senator shall not introduce new matters.

Senator Banks asked for leave. I asked if leave was granted and leave was granted. Senator Banks actually spoke pursuant to the rule. Our practice is that following an intervention such as a speech, we would have the process that was followed, which was an actual adjournment of the debate.

Perhaps the proper procedure would have been to say, "Senator Stratton, would you please use the words, 'I move the adjournment of the debate?'" I skipped over that, thinking that honourable senators would understand that we were simply following the rules. In the past, we have not made much of observing precise wording on these occasions. In any event, that is the explanation as to why we proceeded as we did.

Senator Cools: Honourable senators, I thought I was making myself clear. Perhaps I was not. My point was not related to Senator Banks' intervention or the rightness or propriety of his intervention. His intervention was perfectly in order. I had no problems with that. Honourable senators were pleased to agree to have him make the correction. That is not what I am speaking about.

The procedure should have been that as he made that intervention, which he was properly allowed to do, the adjourned debate should have fallen back; that is, the debate should automatically have fallen back to Senator Tkachuk without the need for any motion or intervention. Obviously, Senator Stratton understood that. He just said "stand"; in other words, stand over, as it was before.

What His Honour is saying essentially is that he spoke for Senator Stratton or made an intervention on Senator Stratton's part. It should be clarified that once a senator says "stand," there is no need for a new motion because "stand" means that the old motion stand over until whenever. I wanted to make that clear.

The Hon. the Speaker: Honourable senators, I do not wish to prolong this matter; hence I will make a ruling.

I did not think that anything that Senator Banks did was outside of our regular practices. Rule 37(1) provides specifically for what occurred.

When we have an intervention such as a speech, which is provided for in the rule, the normal practice is that the debate is adjourned. It may be adjourned in the name of the same senator, although occasionally it is not, but we have not followed a precise way of doing that. The only issue that I can think of that is a problem here is that Senator Stratton did not use the words, "I move the adjournment of the debate" but rather said "stand." I put words in his mouth, I guess, and perhaps I will take this as an admonition to myself that I must be more careful in the future, and I will try to be.

However, my ruling is that the proceeding that took place is within the rules and, in particular, within the provisions of the rule that Senator Banks used to intervene a second time and that the process that was followed is not out of order.

• (1110)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

FIRST REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the first report of the Standing Committee on Internal Economy, Budgets and Administration (*Senate Supplementary Estimates 2003-04 and Senate Estimates 2004-05*), presented in the Senate on February 12, 2004.—(*Honourable Senator Bacon*).

Hon. Lise Bacon moved the adoption of the report.

Motion agreed to and report adopted.

SECOND REPORT OF COMMITTEE ADOPTED

The Senate proceeded to consideration of the second report of the Standing Committee on Internal Economy, Budgets and Administration (*budgets of certain committees*), presented in the Senate on February 12, 2004.—(*Honourable Senator Bacon*).

Hon. Lise Bacon moved the adoption of the report.

Motion agreed to and report adopted.

FOREIGN AFFAIRS

BUDGET REPORT OF COMMITTEE— DEBATE ADJOURNED

The Senate proceeded to consideration of the second report of the Standing Senate Committee on Foreign Affairs (budget—study on Canada-United States and Canada-Mexico trade relationship), presented in the Senate on February 12, 2004.—(*Honourable Senator Stollery*).

Hon. Bill Rompkey (Deputy Leader of the Government): Stand.

Hon. Eymard G. Corbin: Honourable senators, in the unavoidable absence of both the chair, Senator Stollery, and the deputy chair, Senator Di Nino, I should like to move the adoption of this report.

Hon. Marcel Prud'homme: Although neither the chair nor the deputy chair of the committee is here, I wish to say that there are other matters in the world that could be studied. I know that the United States is very important; it is our friend, our neighbour and our trading partner, as is Mexico. However, there are so many other issues that we seem to have been avoiding since the days of Senator van Rogen.

I hope that the Honourable Senator Corbin will relay this message to the chair and the deputy chair of the Foreign Affairs Committee.

Senator Corbin: Honourable senators, I should like to inform Senator Prud'homme that this initiative is to complete our study on NAFTA. The committee will be hearing a number of important witnesses in the coming days and weeks. In addition, I think it would be important for the committee to visit Mexico, to meet with ministers and government officials there. Indeed, the committee has been invited to do just that, just as it travelled to Washington to meet extensively with important people there, if I may put it that way.

I am taking very good note of Senator Prud'homme's comments for future studies of the committee.

Senator Prud'homme: I hope the honourable senator is aware that the committee so ably chaired by Senator Bacon slightly changed the permission for the number of people who will be allowed to travel.

Senator Corbin: The request was for the full committee to travel. The Internal Economy, Budgets and Administration Committee has approved the request but limited the number of senators to nine plus essential staff.

Senator Rompkey: Honourable senators, the record will show that I asked that the matter stand, which is, in view of the fact that there should be some discussion about this, perhaps the best course of action. It would be only a matter of standing it over until Monday, and I propose that that is what we do.

The Hon. the Speaker: I take that as a motion to adjourn the debate, because I did put the motion. It seems to me that we will have to be more careful.

As a matter of order, "stand" is sometimes said softly, sometimes loudly. The person responsible for turning on the microphone sometimes has it on but at other times does not.

If an honourable senator rises to put a motion just seconds after a senator says "stand," I am not sure what I should do in that situation. If a senator says "stand," is a senator who wants to move a motion prevented from doing so? If an honourable senator wishes to raise a point of order on that, I will deal with it — but I think not.

Senator Rompkey: Honourable senators, I move adjournment of the debate.

Senator Corbin: I do not want to get in trouble with my leadership here; however, sometimes these matters are called quickly, the upshot of which is that before a senator has time to rise we have already moved on to something else. There ought to be a reasonable delay, in the same way, Your Honour, as when you ask, "Is the house ready for the question?" In the course of asking that question, you pause, you look around, and sometimes you repeat the question. Let us give ourselves breathing space. The leadership may do what it wants, of course, but I am just acting on behalf of the committee.

The Hon. the Speaker: An intervention was made that was valuable, which I will put on the record. When an honourable senator says "stand," the item is stood when the Speaker repeats

the word. If the Speaker does that before seeing another honourable senators, then that is the decision of the Senate. It is, in effect, an agreement to defer or adjourn a matter to another day.

It was raised earlier as a point of order that each one of us should know what is going on in this chamber at any given moment. Granted, there are occasions when new senators, not yet accustomed to how we conduct our business, are here or when an honourable senator is distracted, but each and every decision we make is important. It has now been drawn to my attention by Senator Rompkey's intervention that the matter of "stand" can be an important decision.

I just mention that in passing in terms of the exchange we have had as to who I should have recognized first — Senator Rompkey in saying "stand" or Senator Corbin in moving the motion.

In any event, I do not think I said "stand" before I recognized Senator Corbin. In any event, we moved on. With those few words, I will take my leave of this subject and I will put Senator Rompkey's motion.

It is moved by Senator Rompkey, seconded by Senator Losier-Cool, that further debate be adjourned to the next sitting of the Senate.

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

Motion agreed to.

[Translation]

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

MOTION TO AUTHORIZE COMMITTEE TO STUDY CERTIFICATION OF PETITIONS TABLED IN THE SENATE—MOTION IN AMENDMENT— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Gauthier, seconded by the Honourable Senator Fraser:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be authorized to examine, for the purposes of reporting by March 1, 2004, all Senate procedure related to the tabling of petitions in this Chamber in Parliament assembled, that a procedural clerk, having examined the form and content, certify the petitions in accordance with established standards and that follow-up be provided for in the *Rules of the Senate*.—(Honourable Senator Corbin).

Hon. Eymard G. Corbin: Honourable senators, so as not to delay government motions or private bills, I will address the matter of petitions very briefly.

In my decades in the Senate I have rarely heard any complaint about how we handle petitions. I have often wondered why we did things the way we did, when the House of Commons practice has evolved over time. It is vital for us to know why petitions are handled differently in the Senate from the House of Commons or any other legislative chamber in Canada or elsewhere.

It is important to be aware of the history behind the Senate procedure. Anyone wishing to do so can come to the first floor of the Parliament Buildings and look at the petitions. I did so myself a few minutes ago. I was given clear confirmation that, once a petition is placed on the Clerk's table, the Clerk sends it to the *Journals of the Senate* for filing.

I also inquired whether people ever ask to examine these petitions. I was told that this almost never happens. However, the petition having been read by the senator who tabled it, its contents are thereby published in the *Debates of the Senate* and in the *Journals of the Senate*, and it is noted that the petition was presented. However, in examining some petitions, I realized that they are not correct as to form. This is perhaps something that deserves serious consideration.

In the House of Commons, petitions received are examined to ensure that they are correct as to form and content. The Senate completely ignores this practice.

I come back to my initial proposal: why has the Senate always received petitions in this way and simply filed them in the *Journals of the Senate*? No doubt, there are good reasons for this. We are not necessarily neglecting our democratic duty by not following up on a petition. Anyone can follow up on a petition by introducing a motion or a private or public bill.

Petitions need not necessarily die in the *Journals of the Senate* archives. Anyone, including the honourable senator presenting the petition, can introduce a bill, motion or an initiative or ask a committee to consider any matter. However, petitions must first and foremost seek to right a wrong.

Yesterday, I quickly consulted a few texts, including Erskine May's *Parliamentary Practice* and Beauchesne's *Parliamentary Rules & Forms*, and there are other authorities in this field. The aim of petitions is to right a wrong. I consider this to be fundamental. This has been their purpose since Edward I was King of England.

Before we ask the Standing Senate Committee on Rules, Procedures and the Rights of Parliament to consider this matter, we need more information. We should not eliminate such a long-standing practice in this house without first knowing the reason for its existence. Then we can be constructive and ask the committee to consider the matter and to propose some alternatives. It is important, first, to respect the principles.

MOTION IN AMENDMENT

Hon. Eymard G. Corbin: Honourable senators, for this reason, I move:

That the motion be amended by deleting all the words after the word "That" and substituting the following therefor:

"the history of the practice in both the Senate and the House of Commons relating to petitions other than petitions for private bills, as well as the customs, conventions and practices of the two Houses at Westminster, be tabled in the Senate and distributed to the honourable senators before being referred to the Standing Committee on Rules, Procedures and the Rights of Parliament."

I would like to apologize to my English-speaking colleagues. The translation of my amendment is not yet available. It will be distributed to you as soon as possible.

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

[English]

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, Senator Corbin has indicated that the translation of his motion into English has not yet been prepared. In that case, I propose that we adjourn the debate until Monday. We will then have a copy of it.

If the debate were to continue, we would be on the motion in amendment. Without an English copy of the motion, we will not know what we are talking about.

On motion of Senator Kinsella, debate adjourned.

• (1130)

TRANSPORT AND COMMUNICATIONS

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON MEDIA INDUSTRIES

On the Order:

Resuming debate on the motion of the Honourable Senator Fraser, seconded by the Honourable Senator Joyal, P.C.:

That the Standing Senate Committee on Transport and Communications be authorized to examine and report on the current state of Canadian media industries; emerging trends and developments in these industries; the media's role, rights, and responsibilities in Canadian society; and current and appropriate future policies relating thereto;

That the Committee submit its final report to the Senate no later than Thursday, March 31, 2005; and

That the papers and evidence received and taken on the subject and the work accomplished during the Second Session of the Thirty-seventh Parliament be referred to the Committee.—(Honourable Senator Kinsella).

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, this motion from the Standing Senate Committee on Transport and Communications has been before us for a few days, and it is time for us to study this in greater detail. I did this with the assistance of our colleagues on the committee. I am satisfied that it is well before us, and I would support the adoption of the motion.

The Hon. the Speaker: Is the house is ready for the question?

Hon. Senators: Question!

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

Motion agreed to.

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON NEED FOR NATIONAL SECURITY POLICY

Hon. Tommy Banks, for Senator Forrestall, pursuant to notice of February 5, 2004, moved:

That the Standing Senate Committee on National Security and Defence be authorized to examine and report on the need for a national security policy for Canada. In particular, the Committee shall be authorized to examine:

- (a) the capability of the Department of National Defence to defend and protect the interests, people and territory of Canada and its ability to respond to or prevent a national emergency or attack and the capability of the Department of Public Safety and Emergency Preparedness to carry out its mandate;
- (b) the working relationships between the various agencies involved in intelligence gathering, and how they collect, coordinate, analyze and disseminate information and how these functions might be enhanced;
- (c) the mechanisms to review the performance and activities of the various agencies involved in intelligence gathering; and
- (d) the security of our borders.

That the papers and evidence received and taken during the First and Second Sessions of the Thirty-seventh Parliament be referred to the Committee;

That the Committee report to the Senate no later than June 30, 2004 and that the Committee retain all powers necessary to publicize the findings of the Committee until July 30, 2004.

Motion agreed to.

BANKING, TRADE AND COMMERCE

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON STATE OF DOMESTIC AND INTERNATIONAL FINANCIAL SYSTEM

Hon. Wilfred P. Moore, for Senator Kroft, pursuant to notice of February 5, 2004, moved:

That the Standing Senate Committee on Banking, Trade and Commerce be authorized to examine and report upon the present state of the domestic and international financial system;

That the papers and evidence received and taken on the subject during the First and Second Sessions of the Thirty-seventh Parliament and any other relevant Parliamentary papers and evidence on the said subject be referred to the Committee; and

That the Committee submit its final report no later than December 31, 2004.

Motion agreed to.

NATIONAL SECURITY AND DEFENCE

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Tommy Banks, for Senator Cordy, pursuant to notice of February 10, 2004, moved:

That the Standing Senate Committee on National Security and Defence be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Tommy Banks, for Senator Cordy, pursuant to notice of February 10, 2004, moved:

That the Standing Senate Committee on National Security and Defence have power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Motion agreed to.

ABORIGINAL PEOPLES**COMMITTEE AUTHORIZED
TO PERMIT ELECTRONIC COVERAGE**

Hon. Ione Christensen, for Senator Sibbeston, pursuant to notice of February 10, 2004, moved:

That the Standing Senate Committee on Aboriginal Peoples be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Ione Christensen, for Senator Sibbeston, pursuant to notice of February 10, 2004, moved:

That the Standing Senate Committee on Aboriginal Peoples have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Motion agreed to.

THE ESTIMATES, 2003-04**COMMITTEE AUTHORIZED TO CONTINUE
STUDY ON MAIN ESTIMATES**

Hon. Lowell Murray, pursuant to notice of February 10, 2004, moved:

That the Standing Senate Committee on National Finance be authorized to examine and report upon the expenditures set out in the Estimates for the fiscal year ending March 31, 2004, with the exception of Parliamentary 10 and Privy Council Vote 25, and

That the papers and evidence received and taken on the subject and the work accomplished by the Standing Senate Committee on National Finance during the Second Session of the Thirty-seventh Parliament be referred to the Committee.

Motion agreed to.

NATIONAL FINANCE**COMMITTEE AUTHORIZED TO ENGAGE SERVICES**

Hon. Lowell Murray, pursuant to notice of February 10, 2004, moved:

That the Standing Senate Committee on National Finance have power to engage the services of such counsel and technical, clerical, and other personnel as may be

necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Motion agreed to.

**COMMITTEE AUTHORIZED TO PERMIT
ELECTRONIC COVERAGE**

Hon. Lowell Murray, pursuant to notice of February 10, 2004, moved:

That the Standing Senate Committee on National Finance be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

**RULES, PROCEDURES AND
THE RIGHTS OF PARLIAMENT****COMMITTEE AUTHORIZED TO STUDY
A CODE OF CONDUCT FOR SENATORS**

Hon. Lorna Milne, pursuant to notice of February 10, 2004, moved:

That the Standing Committee on Rules, Procedures and the Rights of Parliament be authorized to consider a code of conduct for Senators and that all related evidence and papers taken on this issue by the Committee in the 2nd Session of the 37th Parliament be referred to the Committee; and that the Committee be authorized to take into context the 51st Report of the House of Commons Standing Committee on Procedure and House Affairs from the 2nd Session of the 37th Parliament; and that the Committee report no later than April 1, 2004.

Motion agreed to.

ABORIGINAL PEOPLES**MOTION TO ADOPT SIXTH REPORT OF COMMITTEE
OF SECOND SESSION AND REQUEST
GOVERNMENT RESPONSE—POINT OF ORDER**

Hon. Ione Christensen, for Senator Sibbeston, pursuant to notice of February 11, 2004, moved:

That the sixth report of the Standing Senate Committee on Aboriginal Peoples, tabled in the Senate on October 30, 2003, during the Second Session of the 37th Parliament, be adopted and that, pursuant to rule 131(2), the Senate request a complete and detailed response from the Government, with the Ministers of Indian Affairs and Northern Development, Justice, Human Resources and Skills Development, Social Development, Canadian Heritage, Public Safety and Emergency Preparedness, Health, and Industry; and the Federal Interlocutor for Métis and Non-status Indians being identified as Ministers responsible for responding to the report.

Hon. Eymard G. Corbin: Honourable senators, I wish to speak and raise a point of order. Yesterday, I drew to honourable senators' attention what I thought was an irregularity in Motion No. 2 presented by the Honourable Senator Gauthier. I raised a point of order, and the Speaker has taken the matter under advisement.

We are faced here with Motion No. 24, standing in the name of Senator Sibbeston, with an even greater sin. If one reads attentively the text of the motion, one will see:

That the sixth report of the Standing Senate Committee on Aboriginal Peoples, tabled in the Senate on October 30, 2003, during the Second Session of the 37th Parliament, be adopted and that, pursuant to rule 131(2), the Senate request a complete and detailed response...

• (1140)

At least they got that part right because the rule provides for it. The request for a response from the government is included with the report, which is the ideal way of doing it under rule 131(2).

However, we are being asked to adopt a report that is not before the house. The previous session ended, the table was wiped clean and the report flew out the door. The report is not before the house.

Surely, honourable senators, we must put some order into this practice. I do not know what His Honour will have to say in respect of my point of order, but this is worse. The Senate would be committing a disservice to procedural practices if it were to proceed with this matter as it now stands.

I request that His Honour examine this proposal in light of the comments others and I made yesterday. Perhaps he could include it in his ruling on Senator Gauthier's Motion No. 2.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, in respect of this point of order, I agree with the points made by Senator Corbin. This situation is fundamentally different from the matter that is currently in His Honour's hands for a ruling because the Senate never adopted the report in question and so there is no continuing effect. If I may suggest, and if it would facilitate the work of His Honour, perhaps these issues could be joined. In that way, when His Honour rules on one point of order, he could make a ruling on this one. In making the basic distinction, I think the house would benefit from having the guidance of the Chair on how we should proceed because this is a relatively new rule.

[*Translation*]

Hon. Jean-Robert Gauthier: Honourable senators, Senator Kinsella has just explained the distinction that should be made. The report mentioned in Motion No. 24 has not been adopted by the Senate; therefore it is a committee report. Yesterday, when I asked the government to table a comprehensive response to the fourth report of the Standing Senate Committee on Official Languages, the report had been adopted on October 28, 2003. It had a particular status. The next day, October 29, I gave a notice

of motion. Two days' notice must always be given for this type of motion. Thus, on October 29, I had given notice that I would move that the government make a comprehensive response to the report.

These are two different cases. The first involves a committee report, which has a particular status. The report mentioned in the notice of motion that I presented had been adopted by the Senate. Thus, it is a Senate report and no longer belongs to the committee. That is the distinction to be made.

Hon. Fernand Robichaud: Honourable senators, I understand the point of order that has been raised, but we have before us a report prepared by a committee after considerable research and much consultation. I think it would be unfortunate to just shelve it.

The Senate may, perhaps, decide to seek a solution by which a committee could reinstate a report from the previous session, so that it could be submitted to the Senate and then, after the usual motions for its adoption, a request could be made for a government response.

[*English*]

The Hon. the Speaker: Do any other honourable senators wish to intervene?

[*Translation*]

Senator Corbin: Honourable senators, the other place has a procedure for reinstating unfinished business. The Senate does not. That is no reason for making exceptions to the long-established rules and practices of the Parliament of Canada — especially the Senate — to take up legislative bootlegging. If we want to reinstate something, let us do it properly.

Senator Robichaud's suggestion is the same one I made yesterday. I am not here to slow down proceedings. When I speak, it is to ask for respect for the rules and procedures. Otherwise, I warn you that it will not serve us very well in the long run.

[*English*]

Senator Kinsella: Honourable senators, Senator Robichaud raised another element. We already have the means available to the house if a committee wishes to come forward with a motion for an order of reference for a study that it had done but that had not arrived in the chamber to be debated and adopted or rejected by the chamber. Right now, a committee may ask for an order of reference on a given subject matter. Committees now are asking that the papers, et cetera, from a previous session be brought forward. In a sense, we have the vehicle available, but the critical point is that nothing exists as an opinion of the house until the house approves it. These are reports of committees and that is why, when they are published, even when the Senate is not sitting, the public is made to believe that the report is the opinion of the

Senate. However, the Senate may not have seen the report because it may not have been sitting when the report was published. The report and the expression of the Senate on the given subject matter does not exist until it is adopted by the Senate.

Senator Corbin: That is correct.

The Hon. the Speaker: I thank Senator Corbin for his point of order and other senators for their interventions. I will take the matter under consideration and return with a ruling as soon as possible.

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO RECEIVE PAPERS AND EVIDENCE

Leave having been given to revert to Notices of Motions:

Hon. Tommy Banks: Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That the papers and evidence received and taken by the Standing Senate Committee on Transport and Communications during its study of Bill S-26, concerning personal watercraft in navigable waters in the First Session of the Thirty-seventh Parliament and the papers and evidence received and taken during the Second Session of the Thirty-seventh Parliament during the study of Bill S-10, concerning personal watercraft in navigable waters be referred to the Standing Senate Committee on Energy, the Environment and Natural Resources for its study of Bill S-8, concerning personal watercraft in navigable waters.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Tommy Banks, pursuant to notice of February 11, 2004, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Motion agreed to.

• (1150)

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Tommy Banks, pursuant to notice of February 11, 2004, moved:

That the Standing Senate Committee on Energy, the Environment and Natural Resources be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

[*Translation*]

OFFICIAL LANGUAGES

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Maria Chaput, pursuant to notice of February 12, 2004, moved:

That the Standing Senate Committee on Official Languages be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Maria Chaput, pursuant to notice of February 12, 2004, moved:

That the Standing Senate Committee on Official Languages have power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Motion agreed to.

[*English*]

BUSINESS OF THE SENATE

Hon. Sharon Carstairs: Honourable senators, is it not possible to take these motions together and move, for example, as I would be prepared to do, that Motion Nos. 31, 32, 33 and 34, standing in Senator Oliver's name, be now adopted, on the basis that they are all procedural items? There is nothing unusual about these. They are simply motions needed to set up a committee.

[*Translation*]

Hon. Fernand Robichaud: Honourable senators, in order to follow up on Senator Carstairs' suggestion, we could vote on the first motion and then apply that vote to the next three, provided they concern the same committee. That way, we would save some time.

[*English*]

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I know we are trying to expedite things, but with regard to the next three motions, I have no difficulty with Motion Nos. 31 and 32, but I have difficulty with Motion No. 33.

The Hon. the Speaker: Honourable senators, I appreciate and share the sentiment of the interventions of Senators Carstairs and Robichaud, but we have had an example of a point of order on one item and had another senator indicating that combining several motions might cause some misunderstanding or confusion as to when to object or intervene.

I think this matter should be referred to the Speaker's Advisory Committee, in terms of streamlining this process, and that, for the time being, we should proceed as we have in the past.

We will proceed to Motion No. 31, standing in the name of Senator Oliver.

AGRICULTURE AND FORESTRY

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Noël A. Kinsella (Deputy Leader of the Opposition), for Senator Oliver, pursuant to notice of February 11, 2004, moved:

That the Standing Senate Committee on Agriculture and Forestry have power to engage the services of such counsel and technical, clerical and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as referred to it.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Noël A. Kinsella (Deputy Leader of the Opposition), for Senator Oliver, pursuant to notice of February 11, 2004, moved:

That the Standing Senate Committee on Agriculture and Forestry be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

NATIONAL FINANCE

COMMITTEE AUTHORIZED TO STUDY CHAPTERS 1-4 OF THE NOVEMBER 2003 REPORT OF THE AUDITOR GENERAL

Hon. Noël A. Kinsella (Deputy Leader of the Opposition), for Senator Comeau, pursuant to notice of February 11, 2004, moved:

That Chapter 1, *Information Technology; Government On-Line*, Chapter 2, *Accountability and Ethics in Government*; Chapter 3, *The Sponsorship Program*; and Chapter 4, *Advertising Activities*, of the November 2003 Report of the Auditor General of Canada to the House of Commons, tabled in the Senate of Canada on February 10, 2004, Sessional Paper No. 3/37-18, be referred to the

Standing Senate Committee on National Finance for consideration and report; and

That the Committee submit its final report no later than June 23, 2004.

Motion agreed to.

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON HEALTH ISSUES SURROUNDING REPORT ON STATE OF HEALTH CARE SYSTEM

Hon. Marjory LeBreton, pursuant to notice of February 12, 2004, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to examine and report on issues arising from, and developments since, the tabling of its final report on the state of the health care system in Canada in October 2002. In particular, the Committee shall be authorized to examine issues concerning mental health and mental illness;

That the papers and evidence received and taken by the Committee on the study of mental health and mental illness in Canada in the Second Session of the Thirty-seventh Parliament be referred to the Committee, and

That the Committee submit its final report no later than May 30, 2004.

Motion agreed to.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Marjory LeBreton, pursuant to notice of February 12, 2004, moved:

That the Standing Senate Committee on Social Affairs, Science and Technology be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

Hon. Noël A. Kinsella (Deputy Leader of the Opposition), for Senator Beaudoin, pursuant to notice of February 12, 2004, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs be empowered to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

Motion agreed to.

FISHERIES AND OCEANS

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON MATTERS RELATING TO STRADDLING STOCKS AND FISH HABITAT

On Motion No. 43:

That the Senate Standing Committee on Fisheries and Oceans be authorized to examine and report on matters relating to straddling stocks and fish habitat;

That the papers and evidence received and taken on the subject and the work accomplished during the First and Second Sessions of the Thirty-seventh Parliament be referred to the Committee; and

That the Committee submit its final report to the Senate no later than Monday, May 31, 2004.

COMMITTEE AUTHORIZED TO CONTINUE STUDY ON QUOTA ALLOCATIONS AND BENEFITS TO NUNAVUT AND NUNAVIK FISHERMEN

On Motion No. 44:

That the Senate Standing Committee on Fisheries and Oceans be authorized to examine and report on matters relating to quota allocations and benefits to Nunavut and Nunavik fishermen;

That the papers and evidence received and taken on the subject and the work accomplished during the Second Session of the Thirty-seventh Parliament be referred to the Committee; and

That the Committee submit its final report to the Senate no later than Monday, May 31, 2004.

COMMITTEE AUTHORIZED TO PERMIT ELECTRONIC COVERAGE

On Motion No. 45:

That the Standing Senate Committee on Fisheries and Oceans be authorized to permit coverage by electronic media of its public proceedings with the least possible disruption of its hearings.

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

On Motion No. 46:

That the Standing Senate Committee on Fisheries and Oceans have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Hon. Noël A. Kinsella (Deputy Leader of the Opposition): Honourable senators, I move that Motion Nos. 43, 44, 45 and 46, standing in the name of Senator Comeau, be adopted.

The Hon. the Speaker: Are honourable senators ready for the question?

Hon. Senators: Question!

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

Motions agreed to.

• (1200)

[*Translation*]

THE SENATE

Hon. Jean Lapointe: Honourable senators, I would like to make one comment. I do not know if it is a point of order, but I think things have gone particularly smoothly this morning, with no time wasted. My suggestion is that we should sit every Monday morning and then rest on Thursdays, so as to work more quickly and not waste time.

[*English*]

LEGAL AND CONSTITUTIONAL AFFAIRS

COMMITTEE AUTHORIZED TO ENGAGE SERVICES

Hon. Noël A. Kinsella (Deputy Leader of the Opposition), for Senator Beaudoin, pursuant to notice of February 12, 2004, moved:

That the Standing Senate Committee on Legal and Constitutional Affairs have power to engage the services of such counsel and technical, clerical, and other personnel as may be necessary for the purpose of its examination and consideration of such bills, subject matters of bills and estimates as are referred to it.

Motion agreed to.

ADJOURNMENT

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

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

That when the Senate adjourns today, it do stand adjourned until Monday, February 16, at 8 p.m.

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

Hon. Senators: Agreed.

Motion agreed to.

The Senate adjourned until Monday, February 16, 2004, at 8 p.m.

**THE SENATE OF CANADA
PROGRESS OF LEGISLATION
(3rd Session, 37th Parliament)
Friday, February 13, 2004**

**GOVERNMENT BILLS
(SENATE)**

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

**GOVERNMENT BILLS
(HOUSE OF COMMONS)**

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-4	An Act to amend the Parliament of Canada Act (Ethics Commissioner and Senate Ethics Officer) and other Acts in consequence	04/02/11							
C-5	An Act respecting the effective date of the representation order of 2003	04/02/11							
C-6	An Act respecting assisted human reproduction and related research	04/02/11	04/02/13	Social Affairs, Science and Technology					
C-7	An Act to amend certain Acts of Canada, and to enact measures for implementing the Biological and Toxin Weapons Convention, in order to enhance public safety	04/02/11							
C-8	An Act to establish the Library and Archives of Canada, to amend the Copyright Act and to amend certain Acts in consequence	04/02/11							
C-13	An Act to amend the Criminal Code (capital markets fraud and evidence-gathering)	04/02/12							
C-14	An Act to amend the Criminal Code and other Acts	04/02/12							
C-16	An Act respecting the registration of information relating to sex offenders, to amend the Criminal Code and to make consequential amendments to other Acts	04/02/12							
C-17	An Act to amend certain Acts	04/02/12							

COMMONS PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
C-212	An Act respecting user fees	04/02/03	04/02/11	National Finance					
C-249	An Act to amend the Competition Act	04/02/03							
C-250	An Act to amend the Criminal Code (hate propaganda)	04/02/03							
C-260	An Act to amend the Hazardous Products Act (fire-safe cigarettes)	04/02/03							
C-300	An Act to change the names of certain electoral districts	04/02/03							

SENATE PUBLIC BILLS

No.	Title	1 st	2 nd	Committee	Report	Amend	3 rd	R.A.	Chap.
S-2	An Act to prevent unsolicited messages on the Internet (Sen. Oliver)	04/02/03							
S-3	An Act to amend the Constitution Act, 1867 and the Parliament of Canada Act (Speakership of the Senate) (Sen. Oliver)	04/02/03							
S-4	An Act to amend the Official Languages Act (promotion of English and French) (Sen. Gauthier)	04/02/03							
S-5	An Act to protect heritage lighthouses (Sen. Forrestall)	04/02/03	04/02/05	–	–	–	04/02/05		
S-6	An Act to amend the Criminal Code (lottery schemes) (Sen. Lapointe)	04/02/04	04/02/11	Legal and Constitutional Affairs					
S-7	An Act respecting the effective date of the representation order of 2003 (Sen. Kinsella)	04/02/04							
S-8	An Act concerning personal watercraft in navigable waters (Sen. Spivak)	04/02/05	04/02/12	Energy, the Environment and Natural Resources					
S-9	An Act to honour Louis Riel and the Metis People (Sen. Chalifoux)	04/02/05							
S-10	An Act to amend the Marriage (Prohibited Degrees) Act and the Interpretation Act in order to affirm the meaning of marriage (Sen. Cools)	04/02/10							
S-11	An Act to repeal legislation that has not been brought into force within ten years of receiving royal assent (Sen. Banks)	04/02/11							
S-12	An Act to amend the Royal Canadian Mounted Police Act (modernization of employment and labour relations) (Sen. Nolin)	04/02/12							

PRIVATE BILLS

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

CONTENTS

Friday, February 13, 2004

	PAGE		PAGE
SENATORS' STATEMENTS			
www.virtualhospice.ca		Foreign Affairs	
Hon. Sharon Carstairs	179	Auditor General's Report—Sponsorship Program— Recall of Ambassador to Denmark.	
National Teacher/Staff Appreciation Week		Hon. W. David Angus	185
Hon. Ethel Cochrane	179	Hon. Jack Austin	185
Mandatory Voting		Hon. Noël A. Kinsella	186
Hon. Mac Harb	179	<hr/>	
Prince Edward Island		ORDERS OF THE DAY	
Volunteer Recognition Awards—Congratulations to Recipients.		Business of the Senate	
Hon. Catherine S. Callbeck	180	Hon. Bill Rompkey	186
Black History Month		Assisted Human Reproduction Bill (Bill C-6)	
Hon. Lucie Pépin	180	Second Reading.	
The Late Claude Ryan		Hon. Yves Morin	186
Hon. Jean-Robert Gauthier	181	Hon. Marjory LeBreton	186
The Late Sandy Cross		Hon. Anne C. Cools	186
Hon. Tommy Banks	181	Referred to Committee.	
<hr/>			
ROUTINE PROCEEDINGS		Hon. Yves Morin	186
National Finance		Hon. Marjory LeBreton	186
Bill C-212—Notice of Motion to Authorize Committee to Refer Documentation From Second Session.		Hon. Anne C. Cools	186
Hon. Lowell Murray	181	Referred to Committee.	
Official Languages		Hon. Yves Morin	186
Bilingual Status of City of Ottawa—Presentation of Petition.		Hon. Marjory LeBreton	186
Hon. Jean-Robert Gauthier	181	<hr/>	
QUESTION PERIOD		Electoral Boundaries Readjustment Act (Bill C-5)	
Transport		Bill to Amend—Second Reading—Debate Adjourned.	
Air Transportation and Navigation Divestiture Initiatives.		Hon. David P. Smith	187
Hon. Ethel Cochrane	182	Hon. Lowell Murray	189
Hon. Jack Austin	182	Hon. Jack Austin	190
Local Airport Authorities—Rental Costs.		Hon. Noël A. Kinsella	190
Hon. Ethel Cochrane	182	Hon. Norman K. Atkins	190
Hon. Jack Austin	182	Speech from the Throne	
NAV CANADA—Deferral of Budget Deficits.		Motion for Address in Reply—Debate Continued.	
Hon. A. Raynell Andreychuk	182	Hon. Jim Munson	190
Hon. Jack Austin	183	Hon. Tommy Banks	193
Intergovernmental Affairs		Representation Order 2003 Bill (Bill S-7)	
Water Extraction Companies—Provincial User Fees.		Second Reading—Debate Continued.	
Hon. Eymard G. Corbin	184	Hon. Fernand Robichaud	194
Hon. Jack Austin	184	Statutes Repeal Bill (Bill S-11)	
Prime Minister		Second Reading—Debate Adjourned.	
Auditor General's Report—Sponsorship Program—Involvement.		Hon. Tommy Banks	194
Hon. W. David Angus	184	Criminal Code	
Hon. Jack Austin	184	Bill to Amend—Second Reading	
Public Works and Government Services		Point of Order—Speaker's Ruling	
Auditor General's Report—Sponsorship Program— Involvement of Officials.		Hon. Anne C. Cools	194
Hon. W. David Angus	185	The Hon. the Speaker	194
Hon. Jack Austin	185	Internal Economy, Budgets and Administration	
		First Report of Committee Adopted.	
		Hon. Lise Bacon	195
		Second Report of Committee Adopted.	
		Hon. Lise Bacon	195
		Foreign Affairs	
		Budget Report of Committee—Debate Adjourned.	
		Hon. Bill Rompkey	195
		Hon. Eymard G. Corbin	195
		Hon. Marcel Prud'homme	195
		Rules, Procedures and the Rights of Parliament	
		Motion to Authorize Committee to Study Certification of Petitions Tabled in the Senate—Motion in Amendment—Debate Continued.	
		Hon. Eymard G. Corbin	196
		Motion in Amendment.	
		Hon. Eymard G. Corbin	197
		Hon. Noël A. Kinsella	197

PAGE	PAGE
Transport and Communications	Energy, the Environment and Natural Resources
Committee Authorized to Continue Study on Media Industries.	Committee Authorized to Permit Electronic Coverage.
Hon. Noël A. Kinsella	Hon. Tommy Banks
198	201
National Security and Defence	Official Languages
Committee Authorized to Continue Study	Committee Authorized to Permit Electronic Coverage.
on Need for National Security Policy.	Hon. Maria Chaput
Hon. Tommy Banks	Committee Authorized to Engage Services.
198	Hon. Maria Chaput
Banking, Trade and Commerce	201
Committee Authorized to Continue Study on State of Domestic	Business of the Senate
and International Financial System.	Hon. Sharon Carstairs
Hon. Wilfred P. Moore	Hon. Fernand Robichaud
198	Hon. Noël A. Kinsella
National Security and Defence	201
Committee Authorized to Permit Electronic Coverage.	Hon. Noël A. Kinsella
Hon. Tommy Banks	202
Committee Authorized to Engage Services.	Committee Authorized to Permit Electronic Coverage.
Hon. Tommy Banks	Hon. Noël A. Kinsella
198	202
Aboriginal Peoples	Agriculture and Forestry
Committee Authorized to Permit Electronic Coverage.	Committee Authorized to Engage Services.
Hon. Ione Christensen	Hon. Noël A. Kinsella
199	202
Committee Authorized to Engage Services.	Committee Authorized to Permit Electronic Coverage.
Hon. Ione Christensen	Hon. Noël A. Kinsella
199	202
The Estimates, 2003-04	National Finance
Committee Authorized to Continue Study on Main Estimates.	Committee Authorized to Study Chapters 1-4 of
Hon. Lowell Murray	the November 2003 Report of the Auditor General.
199	Hon. Noël A. Kinsella
National Finance	202
Committee Authorized to Engage Services.	Social Affairs, Science and Technology
Hon. Lowell Murray	Committee Authorized to Continue Study on Health Issues
199	Surrounding Report on State of Health Care System.
Committee Authorized to Permit Electronic Coverage.	Hon. Marjory LeBreton
Hon. Lowell Murray	202
199	Committee Authorized to Permit Electronic Coverage.
Rules, Procedures and the Rights of Parliament	Hon. Marjory LeBreton
Committee Authorized to Study a Code of Conduct for Senators.	202
Hon. Lorna Milne	Legal and Constitutional Affairs
199	Committee Authorized to Permit Electronic Coverage.
Aboriginal Peoples	Hon. Noël A. Kinsella
Motion to Adopt Sixth Report of Committee of Second Session	202
and Request Government Response—Point of Order.	Fisheries and Oceans
Hon. Ione Christensen	Committee Authorized to Continue Study on Matters Relating
199	to Straddling Stocks and Fish Habitat.
Hon. Eymard G. Corbin	Committee Authorized to Continue Study on Quota Allocations
200	and Benefits to Nunavut and Nunavik Fishermen.
Hon. Noël A. Kinsella	Committee Authorized to Permit Electronic Coverage.
200	Committee Authorized to Engage Services.
Hon. Jean-Robert Gauthier	Hon. Noël A. Kinsella
200	203
Hon. Fernand Robichaud	The Senate
200	Hon. Jean Lapointe
Energy, the Environment and Natural Resources	203
Notice of Motion to Authorize Committee to Receive Papers	Legal and Constitutional Affairs
and Evidence.	Committee Authorized to Engage Services.
Hon. Tommy Banks	Hon. Noël A. Kinsella
201	203
Committee Authorized to Engage Services.	Adjournment
Hon. Tommy Banks	Hon. Bill Rompkey
201	203
	Progress of Legislation
	i



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