



CANADA

# Debates of the Senate

---

1st SESSION

•

38th PARLIAMENT

•

VOLUME 142

•

NUMBER 58

---

OFFICIAL REPORT  
(HANSARD)

**Wednesday, May 11, 2005**



THE HONOURABLE DANIEL 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 PWGSC – Publishing and Depository Services, Ottawa, Ontario K1A 0S5.  
**Also available on the Internet: <http://www.parl.gc.ca>**

## THE SENATE

Wednesday, May 11, 2005

The Senate met at 1:30 p.m., the Speaker *pro tempore* in the chair.

Prayers.

### VISITORS IN THE GALLERY

**The Hon. the Speaker *pro tempore*:** Honourable senators, I wish to draw your attention to the presence in the gallery of 12 deputy ministers from the government of the Republic of Georgia, headed by Mr. Levan, Gamgebeli, Head of the Secretariat of the Head of the Administration, Administration of the President of Georgia. They are guests of the Honourable Senator Grafstein and they are here to learn from deputy ministers and departments of the Canadian government.

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

---

## SENATORS' STATEMENTS

### REPUBLIC OF GEORGIA

#### VISITING DELEGATION OF PUBLIC OFFICIALS

**Hon. Jeremiah S. Grafstein:** Honourable senators, I am delighted today to welcome to our chamber the deputy head of all of the departments of the Republic of Georgia, the head of the public service and chief of the administration of the president's office. I welcome them to Canada.

This is a unique visit. The members of the delegation are here for five days, to work with our deputy ministers and departments in order to gain what information they can about how a public service works in a democracy.

It was 10 years ago that I first visited Georgia and spoke to their Parliament about human rights. I am delighted and surprised that 10 years later there is a newly elected democratic government in Georgia, represented by a new public service dedicated to democracy and economic growth. I hope that we will foster close and great economic and democratic relationships with our sister republic in Georgia.

I wish to pay special tribute, honourable senators, to the Canadian Bureau for International Education and to the Georgian Foundation for Strategic and International Studies, two NGOs that came together to help advise and support our colleagues from Georgia to come to Canada.

Welcome to Canada. Welcome to the Senate. Welcome to democracy.

### VISITORS IN THE GALLERY

**The Hon. the Speaker *pro tempore*:** Honourable senators, I wish to draw your attention to the presence in the gallery of a parliamentary delegation from the state of Kuwait led by Mr. Basel Saad Al Rashed, member of Parliament and head of the delegation; Mr. Abdullah Youssef Al Roumi; Mr. Adel Abdelazziz Al Sarawi; and Mr. Ali Fahed Al Rashed. They are accompanied by His Excellency Dr. Musaed Rashed Al Haroun, Ambassador of Kuwait to Canada. They are the guests of the Honourable Senator Marcel Prud'homme.

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

[Translation]

### THE LATE JEANNE-MANCE CHARLISH

**Hon. Madeleine Plamondon:** Honourable senators, with National Aboriginal Day coming up, I would like to take this opportunity to pay tribute to a great lady: Jeanne-Mance Charlish.

Ms. Charlish died in October 2004. She fought for the preservation of the Aboriginal way of life. Those who knew her testified to the cultural legacy she has left behind. She lived the life of the Innu people and knew everything one needed to know to live that life. She was a specialist in Aboriginal linguistics. She was a distinguished translator of several languages, including Algonquin, Navajo, and others which I would not know how to pronounce correctly.

• (1340)

The press release put out by the Coalition Ukauimau Aimu, which means "mothers of families speak," states that she helped many people of all backgrounds familiarize themselves with her language, its words and their true meaning.

She worked in collaboration with anthropologists from the world over. She was a poet, a storyteller and an artist, always drawing inspiration from the depths of the forest on Innu land.

Dynamic and determined, Ms. Charlish primarily dedicated herself to the preservation and revitalization of the language. Maintaining the vitality of a language not only maintains a community's pride, it also enhances it. It increases its chances of being strong, thus contributing through exchanges to the development of other communities.

A different language is no barrier; it is an opportunity to become enriched by the culture of others. In any language, words, expressions and concepts have a soul of their own. Here in the Senate, Aboriginal senators must be able to take part in the proceedings as equals with both francophones and anglophones.

Ms. Charlish worked tirelessly for the preservation of her culture. She felt the word “negotiation” should have existed back in 1534.

The tribute I want to pay her today would have made her uncomfortable, had she been alive. She was modest and never sought honours.

To talk about her life today also means asking ourselves what the words “language”, “culture” and “people” mean to each of us and ensuring that our differences do not act as walls that isolate us one from the other, but rather as bridges that bring us closer to one another, in full mutual respect.

## SASKATCHEWAN

### CENTENNIAL CELEBRATIONS

**Hon. Lillian Eva Dyck:** Honourable senators, on May 19, Her Majesty Queen Elizabeth II and Prince Philip will be visiting the University of Saskatchewan.

[English]

As part of their trip to Saskatchewan in honour of our province’s centennial, the royal couple will tour the Canadian Light Source synchrotron located on the University of Saskatchewan campus and will attend a reception hosted by the president of the university, Peter MacKinnon. The royal couple will also visit a school and attend Lieutenant-Governor Lynda Haverstock’s centennial gala.

I would like to remind honourable senators of some of our history prior to 1905 from the First Nations perspective. In 1871, four years after the creation of the Dominion of Canada, the Canadian government negotiated the first of 11 numbered treaties in the West. The University of Saskatchewan, located in Saskatoon, is in the area covered by Treaty No. 6, signed in 1876. The Indian Act, also from 1876, provided a legal definition of who was an Indian.

Honourable senators, I am a member of the Gordon First Nation of Saskatchewan. My reserve is covered by Treaty No. 4, signed in 1874. My mother, Eva McNab, was sent to residential schools and was taught to be ashamed of her culture. In fact, she was taught to be ashamed of her own self.

On her marriage certificate she did not identify herself as an Indian, but instead she wrote “Scots.” This was true to some extent because she did indeed have a Scottish grandfather who was a fur trader in the late 1800s.

I, too, was ashamed of being an Indian. I self-identified as being Chinese until 1981, when I obtained my Ph.D. With that degree, I thought that no one could look down on me anymore.

My father, Yok Leen Quan, was Chinese. He came to Canada in 1912, and he paid the head tax to do so. He had a wife and family in China in addition to his wife and family here. We were

told that because he refused to disown his Chinese family, especially his firstborn son, he was not able to become a Canadian citizen until 1956, 44 years after he arrived in Canada.

Because my mother married a non-Indian, she was automatically disenfranchised — that is, she was no longer considered to be an Indian person according to the Indian Act.

Until the passage of Bill C-31 in 1985, I could not be a status Indian and have treaty rights. Although Bill C-31 has allowed me to reclaim my Indian status, my son cannot do so. Only the first generation of children born to women who, like my mother, lost their Indian status can reclaim their Indian status. It is clear that Bill C-31 continues to discriminate against the families of women who lost their Indian status by marriage to non-Indians.

[Translation]

Honourable senators, in celebrating the centenary of the province of Saskatchewan —

[English]

— let us remember that the First Nations people of Saskatchewan, by entering into treaty agreements, allowed Saskatchewan to be settled and become home to non-First Nations peoples, and let us remember that gender equality for First Nations women has yet to be achieved under Canadian law.

[Translation]

## THE LATE HONOURABLE LOIS E. HOLE, O.C.

### POSTHUMOUS AWARD

**Hon. Claudette Tardif:** Honourable senators, on May 5, I had the privilege of attending a tribute dinner in Toronto organized by The Learning Partnership, a not-for-profit agency devoted to the advancement of public education in Canada. During the evening’s ceremonies, a posthumous award was given to Lois Hole, the late Lieutenant-Governor of Alberta, who left us in January.

I had the pleasure of knowing Ms. Hole well and was honoured to be the one to receive the award on behalf of her family.

The educators of Canada chose this way of marking Ms. Hole’s contribution to education throughout the country. In her 20 or so years as a school board member, and as chancellor of the University of Alberta, Lois Hole was a staunch supporter of public education. Promoting literacy was one of her priorities; she believed no one was too old to learn.

She was equally committed to children’s rights, public health care and the disadvantaged. As well, she was very actively involved in environmental protection and culture.

Ms. Hole had an unwavering faith in the advantages of bilingualism and was a staunch supporter of French immersion programs, the activities of Canadian Parents for French and the work of Faculté Saint-Jean.

[English]

In accepting the award for Her Honour, the late Lois Hole, I was once again struck by the commitment and devotion this amazing woman had to the cause of public education. She was beloved by all the people of Alberta, regardless of class, race, religion or ideology. Testimony after testimony from teachers, librarians, politicians, businessmen and journalists all bore witness to the utter conviction that the Lieutenant-Governor had about the intrinsic value of knowledge and the transformative capacity of an education in the life of an individual and society.

She was a tireless advocate of literacy and gave countless hours of her own time to interact with children in schools and libraries across the province, even as Lieutenant-Governor. The smiles and hugs of Her Honour gave hope and encouragement to thousands upon thousands of Alberta students, from a struggling reader in grade six to a graduating university student.

Honourable senators, I leave you today with the words of Her Honour herself. She said:

The heart and soul of Alberta doesn't lie in the rich farmland, the majestic Rockies, the precious oil fields or bustling cities. As wondrous and important as those features may be, that heart resides in our people.

Honourable senators, no greater example can I find of the true heart of Alberta than in the life of the late Honourable Dr. Lois E. Hole.

[Translation]

This was my first speech in the Senate and I am very pleased to have devoted it to expressing my recognition and respect for this great lady with whom I shared a great attachment to education and to Alberta. Lois Hole will continue to be an ongoing source of inspiration to me and to many of my fellow Albertans.

• (1350)

[English]

#### MR. STEVE NASH

##### CONGRATULATIONS ON BECOMING MOST VALUABLE PLAYER OF NATIONAL BASKETBALL ASSOCIATION

**Hon. Mobina S. B. Jaffer:** Honourable senators, I rise today to pay tribute to the member of the basketball team who became the first Canadian in the history of the National Basketball Association to win the NBA's most valuable player award. Steve Nash led the NBA in assists this season, becoming the first league leader in assists to be named most valuable player since Magic Johnson won MVP in 1987.

Mr. Nash put his personal accomplishments aside and invited his Phoenix Sun teammates, with whom he achieved a league-leading record of 62 wins, to the podium when he accepted the award. Such a gesture can be described as nothing short of typically Canadian. Honourable senators know that this honour has been a long time in coming, not only because of Steve Nash's outstanding play but also because the game of basketball was

invented by a Canadian, James Naismith, from the friendly town of Almonte, Ontario. No doubt Mr. Naismith would be proud of his fellow countryman, as are we all.

Honourable senators, I am pleased to inform you that Mr. Nash and I have a few things in common. The first and most obvious is that we both call the beautiful province of British Columbia our home. Mr. Nash continues to support numerous community basketball programs in his hometown, hoping to inspire young Canadians to join him in achieving basketball's greatest honour. Second, we are both African-Canadians, Mr. Nash coming from South Africa at the age of four and I coming from Uganda at a slightly older age.

Honourable senators, I hope you will join me in extending our congratulations to an outstanding Canadian and an outstanding British Columbian athlete and in wishing him the best of luck as he and his Phoenix teammates take on his former team, the Dallas Mavericks, in the NBA playoffs.

#### CANADIAN ENGINEERING MEMORIAL FOUNDATION

**Hon. Mac Harb:** Honourable senators, on Friday, May 13, the Canadian Engineering Memorial Foundation will be awarding scholarships at the luncheon during the annual general meeting of the Canadian Council of Professional Engineers in Regina, Saskatchewan. The CEMF is committed to creating a country where engineering meets the needs and challenges of all Canadians by engaging the skills and talents of both men and women. The foundation is dedicated to attracting more women to the engineering profession so that they may contribute in a truly inclusive manner. As the Canadian Council of Professional Engineers noted in its latest enrolment report, in 2001 women accounted for 57 per cent of the total enrolment in Canadian undergraduate programs. Compare this with engineering programs where women accounted for under 20 per cent of registered students.

The CEMF is working to encourage women to enter the applied sciences and, in so doing, the foundation also honours the memory of the 14 women from École Polytechnique de Montréal whose lives were so tragically cut short on December 6, 1989. Each year the Canadian Engineering Memorial Foundation awards scholarships to extraordinary women in engineering studies to assist and recognize them. Each year a truly remarkable group of young people, Canada's leaders of tomorrow, apply for these scholarships and only the very best of them are chosen. Funding for the foundation comes from the corporate sector and from thousands of individuals across Canada who share in the mission of the foundation. One of the key supporters of the CEMF is the Canadian Council of Professional Engineers, the national organization of the provincial and territorial bodies that license Canada's 160,000 professional engineers.

I call on honourable senators to join me in offering our congratulations to this year's winners of the CEMF Scholarship Awards. I want to congratulate the foundation for investing in the education of young Canadian women, instilling in them the value of pursuing a profession in engineering and promoting engineering as a choice for all young people, regardless of gender.

## ROUTINE PROCEEDINGS

### RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

#### THIRD REPORT OF COMMITTEE TABLED

**Hon. David P. Smith:** Honourable senators, I have the honour to table the third report of the Standing Committee on Rules, Procedures and the Rights of Parliament, which deals with the conflict of interest code for senators.

**The Hon. the Speaker:** Honourable senators, when shall this report be taken into consideration?

On motion of Senator Smith, report placed on the Orders of the Day for consideration at the next sitting of the Senate.

## QUESTION PERIOD

### PARLIAMENT

#### CORRUPTION IN GOVERNMENT

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Honourable senators, my question is addressed to the Leader of the Government in the Senate. The sponsorship scandal has been described by Andrew Stark, a management and political science professor at the University of Toronto, as “a total breakdown of all the moral, legal and institutional boundaries that we expect to see observed. It’s almost the perfect storm.”

Honourable senators, we are all too well aware that Liberal corruption is not limited to the sponsorship fiasco. The last 10 years have been particularly bad for scandals in this country. Some highlights include: the HRDC boondoggle, in which \$1 billion in grants and contributions were mismanaged; the Somali inquiry, which was shut down because it was taking too long; Shawinigate and the questions over Jean Chrétien’s involvement in the sale of two properties in his riding — on three separate occasions, the former Prime Minister contacted the Federal Business Development Bank of Canada about a \$2-million loan to Yvon Duhaime, the new owner of the Auberge Grand-Mère, to expand the hotel; Paul Martin’s blind trust, which was not truly blind after he met 33 times with the Ethics Counsellor; the politically motivated Airbus investigation, which cost \$6.4 million and turned up nothing; and the \$2-billion gun registry program.

When will the Leader of the Government tell us why this government has subjected Canadians to such corruption over the last 11 years, culminating in “the perfect storm” of a scandal today?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, this is not a question but is, in fact, a political speech by Senator Stratton. To begin with, Professor Andrew Stark was a political assistant for the former Progressive Conservative Party and has continued to make, in my view, partisan statements. I would not suggest that what Professor Stark has to say has any reliability from an objective point of view.

Honourable senators, I will refrain from reciting the record of corruption during the Mulroney government; I will not speak to the ministers who were charged; I will not speak to those who were convicted; and I will tell you why. I believe that this Parliament has to demonstrate a civility, decency and fairness in its conduct. The kind of speech made by Senator Stratton should not be made in this chamber. This is a question of senators’ proper conduct as trustees of sober second thought and of relatively impartial, objective balance. Honourable senators, I have responded to Senator Stratton’s question.

• (1400)

I welcome my friend’s endeavour to ask a supplementary question that would be civil in nature and objective in facts.

**Senator Stratton:** I really admire the government leader’schutzpah in answering the question. I remember the days when we were sitting on that side and he was sitting over here and I can imagine what he would have done in today’s circumstances. I know what he would have done.

**Senator Lynch-Staunton:** Remember the GST?

**Senator Stratton:** There are no kazooes over here. I will never forget the kazooes.

The truth is that Andrew Stark is a highly respected academic and political analyst. When asked by *Maclean’s* about the sponsorship scandal, he said:

Nothing like the sponsorship scandal has ever occurred, and neither has any like the steady stream of conflict-of-interest questions that have engulfed even the prime ministers. I think this scandal comes close to a breakdown of institutional boundaries on a scale that resembles the worst kind of corruption you’d find in a developing country.

Even for a politically motivated and highly respected professor, that is quite a statement. When it comes to the sponsorship scandal, Paul Martin talks about all the action he has taken. I will answer that question. He has launched the inquiry, he has fired people and he is personally offended. Paul Martin is great at holding others accountable but has taken no responsibility himself.

No wonder Canadians are becoming cynical. How cynical? Voter participation has dropped 10 percentage points in the last 11 years, from 70 per cent in 1993 to 60 per cent in 2004. That is the Liberal government’s watch. Who can blame Canadians when no one will take responsibility for the mess the Liberals have created? Where does the buck stop? How does the honourable government leader explain the drop-off and the cynicism on the part of Canadians? Tell me that. Answer that question.

**Senator Austin:** The political speech goes on. We can see what is being prepared by way of the strategy of the Conservative side in the next election, whenever it might come.

Honourable senators have listened to Senator Stratton, and what they see is an election that will be based on misrepresentation, misstatement and innuendo.

Honourable senators, let us go back to Professor Stark for a moment. My understanding from reading the article was that he was asked as a Conservative partisan to give his views, not as an objective observer.

With respect to this particular line of questioning, we want to remind the Conservatives on the other side that the polls are clear. The nation wants to await the outcome of the Gomery commission and its report. The nation wants to be fair and objective. It wants to hear Commissioner Gomery's assessment of the stories that are appearing in evidence and the Conservative side does not. The Conservative side wants essentially to hear one side and, as I said in the past, lead a lynch mob to hang the accused before the judge has been able to come to a verdict.

Honourable senators, this is serious work. The Prime Minister has said that we want to get to the bottom of this matter. The Liberal government and the Liberal Party should be respected and I believe are respected across the country for opening up this set of practices and putting paid once and for all to this kind of politics in Canada.

There are practices in all political parties. I believe that Mr. Guité said in his evidence, and I do not want to be taken for believing anything else he said, that the Conservatives were even worse. He said exactly that.

**Senator Lynch-Staunton:** He did not say that. He said 150 per cent.

**Senator Austin:** He said 150 per cent worse.

I am delighted to have this repartee with Senator Lynch-Staunton and Senator LeBreton. I am deploring the inaccuracy of Senator Lynch-Staunton.

**The Hon. the Speaker:** Honourable senators, a few exchanges are okay, but when they become many, it is difficult for senators to hear what is being said.

**Senator Lynch-Staunton:** Just as well.

**The Hon. the Speaker:** I would ask for order, please.

**Senator Stratton:** Again, I admire the honourable leader's chutzpah because some of the lines he threw across the aisle were so distorted that I could not believe he was actually saying them. We are the only guys throwing lines out that he finds distasteful.

I will never forget that if he were sitting here and I were sitting there, he would be doing exactly as we are doing. The senator opposite throws back at me his assertion that we have done worse things. Tell me, what is worse than this sponsorship scandal?

**Senator Austin:** Honourable senators, the fun continues. When we had the GST debate in this chamber, the people of Canada told us they did not want the GST, and we in the Senate supported the people of Canada.

Today, with respect to the attempt of the opposition to defeat the government in the other place, the people of Canada are on the other side. They are saying, "We do not want an election." What we see today is the Conservative Party — its leader in

particular — hungry for power, hungry for one opportunity, not taking responsibility for public policy, not taking a fair judgment on the evidence; a party, to put it plainly and simply, only hungry for power.

## FISHERIES AND OCEANS

### FOREIGN OVERFISHING

**Hon. Gerald J. Comeau:** Honourable senators, my question for the minister is related to a question posed last week on the international fisheries conference in St. John's, Newfoundland.

The future health of the international fisheries industry is a cause for serious concern. The Food and Agriculture Organization of the United Nations estimates that 78 per cent of the world's fish stocks have been placed in jeopardy and may be unable to reproduce because of overfishing.

Could the Leader of the Government in the Senate give us the government's assessment of the progress that was made at the St. John's meeting to address the question of illegal fishing and whether the government has any strategy to translate the Prime Minister's vows into tangible action?

**Hon. Jack Austin (Leader of the Government):** Honourable senators, as Senator Comeau knows, the Government of Canada, through the Honourable Geoff Regan, Minister of Fisheries and Oceans, announced on May 2, 2005, that the Government of Canada will invest an additional \$20 million over the next three years in initiatives to combat overfishing and strengthen the governance of international fisheries.

With respect to this investment, the government hopes to marshal resources on several new fronts, including science advocacy, policy and legal initiatives. Those results, we hope, will support Canada's efforts to work with other countries through a number of different fora to improve international management of these important ocean resources adjacent to and within Canada.

• (1410)

### NUNAVUT—REPORT ON DEVELOPMENT OF ARCTIC FISHERIES INDUSTRY

**Hon. Gerald J. Comeau:** Honourable senators, my next question is on a fisheries-related topic but is not specifically on the issue of foreign overfishing.

I refer to last Thursday's report from Nunavut whereby the Nunavut government proposed a massive policy change for funding and re-engagement of the federal government to develop the Arctic fisheries industry. Specifically, the Nunavut government has asked that the federal government get involved in helping Nunavut with its struggling economy by investing heavily in research, infrastructure and the training needed for the industry to expand and survive. We know that the federal government has, over the years, invested quite heavily in the southern areas of Canada but has committed very little funding to

Nunavut. Could the Leader of the Government in the Senate tell us when we might expect a response from the government to the requests from the Nunavut government?

**Hon. Jack Austin (Leader of the Government):** Honourable senator, I will make inquiries and hope to report in the next two or three weeks.

## HERITAGE

### STATE OF NATIONAL ART GALLERY

**Hon. Janis G. Johnson:** Honourable senators, my question for the Leader of the Government in the Senate concerns the National Art Gallery of Canada. The gallery houses over 38,000 objects of art, which are held in trust on behalf of all Canadians.

According to recent reports, the gallery is struggling with financial and structural problems. Repairs to fix leaks in the roof have been postponed because of a lack of funds. I visited the gallery recently and can report that the humidity level in the building is very high, which, of course, is damaging to the long-term health of the art work.

Budget problems have meant that the gallery has reduced its programming and exhibition schedules. It is also running out of storage space and there have been cuts to staff. Considering the importance of this resource to our heritage, our national pride and, indeed, to the world, this is an appalling situation.

Taking into account the billions of dollars the federal government is spending these days quite freely, would it not consider dedicating funds to repair Canada's National Art Gallery?

**Hon. Jack Austin (Leader of the Government):** I share Senator Johnson's concern about the National Art Gallery, about heritage buildings in the country and museums.

Honourable senators, the government is reviewing its spending priorities in all these areas. Senator Johnson will know that within the envelope of funds a great deal of money has been set aside for a new museum in Winnipeg on the basis that there are matching funds from the private sector. The government has given this new institution something of a spending priority. The overall envelope for museums, galleries and heritage buildings and facilities in parks and the national park system is being studied.

### REVIEW OF MUSEUMS POLICY— REQUEST FOR UPDATE

**Hon. Janis G. Johnson:** I thank the honourable leader for that answer, but I still think we have to look after our national gallery.

In December of last year, Heritage Minister Liza Frulla promised a review of federal museum policy. Would it be possible for the government leader to make inquiries and give us a status report on the policy review?

**Hon. Jack Austin (Leader of the Government):** I certainly will do so. I hope to respond within two or three weeks.

## HEALTH

### PRIVATE AND PUBLIC DELIVERY OF SERVICES

**Hon. Wilbert J. Keon:** Honourable senators, last month I attended a health policy forum in Toronto where I spoke shortly after the Minister of Health. In his speech, the minister said that the federal government only supports a health care system based on public pay and public delivery.

I have published the opposite side of this argument and have been a believer that there should be room for competition in private enterprise in the delivery of health care, provided we have a public payer, because every other country in the world endorses that system.

However, what surprised me about the minister's statement is that he did not recognize that 30 per cent of health care in Canada is delivered privately. This includes mental health services, where virtually all psychological services are private. It includes home support services, many diagnostic clinics, surgical clinics and, of course, virtually all dental and vision care.

I raise this matter with honourable senators because it is an extremely important principle if our health care system is to survive. Does the government leader believe that from here on in the policy of the government will be that government should directly provide all health services? I think such a policy would be a serious mistake.

**Hon. Jack Austin (Leader of the Government):** Honourable senators, of course this is a most serious issue and central to the concerns of Canadians and those who bring health care to Canadians — the federal government, the provinces and the territories.

The debate, which was in part initiated by the report of our own Standing Senate Committee on Social Affairs, Science and Technology, remains engaged at many levels. The Minister of Health is defending the proposition that the Canada Health Act requires that all medically necessary insured health services be covered by provincial-territorial health insurance plans. As we know, it does not preclude those services from being delivered by private facilities as long as insured persons are not charged for insured health services.

Health Canada's approach to the Canada Health Act's administration is set out in a general interpretation letter sent to all the provinces and territories in 1985 by the former federal Minister of Health and Welfare, the Honourable Jake Epp. That approach emphasized transparency and consultation and dialogue with provincial health care authorities. We continue to follow that approach.

As my honourable friend knows, there are a number of diagnostic clinics in Canada. The federal minister and representatives of some of the provinces and territories met in Ottawa on February 7, 2005, to discuss this subject. The issue of what Canadians wish to receive in the way of delivering publicly insured health services will continue to be discussed.



The Government of Canada is taking a long-standing position. I believe, and Senator Keon may have more information than I, that the court case with respect to the position of a Charter entitlement to health services within a reasonable period of time will be brought down sometime this year. The decision of the court may be a major step in resolving this issue.

**Senator Keon:** I thank the leader for his response, but I would like to pursue this line of questioning a little further.

I understand the Minister of Health sent a letter to the premiers of Quebec, New Brunswick, Alberta and British Columbia asking them to meet with him about how he could stop private diagnostic clinics in those provinces. I do not want to underestimate the complexity of this issue. Last summer the Ontario government took over the NMR clinics, which was an absolutely silly manoeuvre on their part. Here were clinics whose entire capital costs had been paid for by the owners of the clinics.

• (1420)

They were operating the clinics at the same unit price as the public clinics, and they were turning a profit. They were satisfying their customers. For the sake of rhetoric, the government takes over these clinics, pays more and gives worse service. Common sense has to intervene in this whole subject. I am concerned because we are again into a move where perhaps the federal government will be involved in buying out private clinics that do not have to pay capital costs to get up and running, that are willing to accept the government normal per diem payment or unit payment for services, that can turn a profit and can give much higher quality service than the publicly run bureaucratic systems.

My question to the leader again, and I hope he will raise this matter in cabinet, is whether the government really wants to get into this business of buying out these clinics at added expense, added bureaucracy and poorer service.

**Senator Austin:** Honourable senators, I will bring Senator Keon's comments in the Senate today to the attention of the Minister of Health. That would be the best way of representing the arguments that he has made. I want to confirm what he said about the minister sending a letter to the Ministers of Health of Alberta, British Columbia, Nova Scotia and Quebec. This letter was sent on April 26, 2005 and requested the initiation of discussions at the deputy minister level to clarify the status of private diagnostic clinics from a federal, provincial and territorial legislative and regulatory perspective. The letter asks the deputy ministers to review the types of services these clinics will provide and to review and identify possible options that ensure that these clinics operate in a manner consistent with the Canada Health Act.

It is significant to this government that the delivery of health to Canadians be the best delivery we can possibly organize. It is of further significance to say that there is a legitimate concern to evaluate the question of private diagnostic clinics in terms of the overall capacity of the federal government, the provinces and the territories to ensure the highest possible level of health. Beyond that, honourable senators, I will draw to the attention of the Minister of Health the questions and answers today in the Senate.

## PRIME MINISTER

### USE OF PRIVATE HEALTH CARE FACILITIES

**Hon. David Tkachuk:** Honourable senators, I have a supplementary question. Is the Prime Minister himself using a private clinic in the city of Montreal?

**Hon. Jack Austin (Leader of the Government):** I believe there is a question somewhere that is being answered in due course.

**Senator Tkachuk:** Would that particular clinic be called Medisys?

**Senator Austin:** Honourable senators, as I said in answer to this question previously, I have no personal information. I am seeking an answer to Senator Tkachuk's question.

**Senator Tkachuk:** Will the Liberal government try to acquire this clinic as well?

**Senator Austin:** Honourable senators, I think Senator Keon was asking better questions.

**Senator Tkachuk:** Good for you.

[Translation]

## THE ENVIRONMENT

### NATIONAL WATER POLICY

**Hon. Madeleine Plamondon:** Honourable senators, my question is for the Leader of the Government and concerns the environment, water in particular. There was an article in yesterday's *Ottawa Citizen* about a study by Environment Canada. It reveals some major problems relating to various aspects of water. The title itself was somewhat telling:

[English]

"No one in charge as water crisis looms."

[Translation]

The article mentions that there are water shortages in the Prairies; that there are diseases from contaminated water; that low water levels on the Great Lakes threaten shipping and reduce hydroelectric energy production; that Canada needs \$41 billion over ten years for water treatment and sewage disposal; that water shortages cause friction between provinces, between industries, and between Canada and the U.S.; that we do not know how much groundwater we have in Canada; and that we do not understand the effects of newer pollutants such as pharmaceuticals that end up down the drains and can disrupt human hormone systems.

Can the Leader of the Government in the Senate tell us whether the government has a plan to address these problems, which are putting Canadians and their environment at risk?

[English]

**Hon. Jack Austin (Leader of the Government):** Honourable senators, I thank Senator Plamondon for her question. The subject of water has been on our agenda in terms of public policy for a very long time. As Senator Plamondon has said, jurisdiction is shared across the country. In fact, water is usually a resource within the constitutional jurisdiction of the provinces, with some responsibility assigned by provinces to municipalities. There is not yet a coherent policy developing in this country with respect to water. Water issues are being tackled in terms of the environment. There are measures to deal with municipal sewage. The federal government has given a considerable amount of money to various provinces to deal with municipal sewage in this country. I do not have the numbers at hand, but I can certainly find them if they are of interest to Senator Plamondon.

We are endeavouring to deal with polluted water that is the result of industrial activity. Again, because that industrial activity is significant to various communities, there is resistance to certain kinds of measures.

I want to mention Senator Grafstein's efforts to deal with a number of issues relating to water, and one of them has been the question of the way we treat water economically. We historically treat water as a free resource. Canada has seen it as an abundant commodity. Everyone has a right to take what they want, and not to pay for it. More and more, I believe that economics will drive us to begin to price the cost of polluted water, water that is overused and therefore not available for other activities except at a much higher price.

Quite frankly, I would welcome a Senate study on the question of water. It has been proposed here before. Unfortunately, so far as I can recall, it never actually got underway. I wonder if Senator Plamondon would allow Senator Banks, as Chair of the Standing Senate Committee on Energy, the Environment and Natural Resources, to respond. Quite frankly, I cannot follow the work in every committee, and I would be delighted if she wanted to ask him to give further information.

• (1430)

[Translation]

## QUARANTINE BILL

### MESSAGE FROM COMMONS— SENATE AMENDMENTS CONCURRED IN

**The Hon. the Speaker** informed the Senate that a message had been received from the House of Commons returning Bill C-12, to prevent the introduction and spread of communicable diseases, to acquaint the Senate that the House of Commons has agreed to the amendments made by the Senate to this bill, without amendment.

## ORDERS OF THE DAY

### PERSONAL WATERCRAFT BILL

#### SECOND READING—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Spivak, seconded by the Honourable Senator Murray, P.C., for the second reading of Bill S-12, concerning personal watercraft in navigable waters.—  
(Honourable Senator Rompkey, P.C.)

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, this bill has been before us for some time. I had been informed that a particular senator wanted to speak and that perhaps he needed a bit more time to consult with the sponsor of this bill.

I would ask that the debate be adjourned in the name of the Honourable Senator Massicotte until the next sitting of the Senate.

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

### LEGAL AND CONSTITUTIONAL AFFAIRS

#### BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—REPORT OF COMMITTEE ON STUDY OF INCLUDING IN LEGISLATION NON-DEROGATION CLAUSES RELATING TO ABORIGINAL TREATY RIGHTS ADOPTED

The Senate proceeded to consideration of the seventh report of the Standing Senate Committee on Legal and Constitutional Affairs (budget—study on the inclusion of non-derogation clauses in legislation—power to hire staff), presented in the Senate on May 10, 2005.—(Honourable Senator Bacon)

**Hon. Lise Bacon** moved the adoption of the report.

Motion agreed to and report adopted.

#### BUDGET AND AUTHORIZATION TO ENGAGE SERVICES—REPORT OF COMMITTEE ON STUDY OF BILINGUAL STATUS OF CITY OF OTTAWA ADOPTED

The Senate proceeded to consideration of the eighth report of the Standing Senate Committee on Legal and Constitutional Affairs (budget—study on declaring Ottawa to be a bilingual city—authorization to hire staff), presented in the Senate on May 10, 2005.—(Honourable Senator Bacon)

**Hon. Lise Bacon** moved the adoption of the report.

Motion agreed to and report adopted.

[English]

**STUDY ON LEGAL ISSUES AFFECTING ON-RESERVE  
MATRIMONIAL REAL PROPERTY ON BREAKDOWN  
OF MARRIAGE OR COMMON LAW RELATIONSHIP**

INTERIM REPORT OF THE STANDING SENATE  
COMMITTEE ON HUMAN RIGHTS AND REQUEST  
FOR GOVERNMENT RESPONSE ADOPTED

The Senate proceeded to consideration of the seventeenth report (Interim) of the Standing Senate Committee on Human Rights (Study on an invitation to the Minister of Indian and Northern Affairs), tabled in the Senate on May 10, 2005.—(*Honourable Senator Andreychuk*)

**Hon. A. Raynell Andreychuk:** Honourable senators, I move:

That the report be adopted and that, pursuant to rule 131(2), the Senate request a complete and detailed response from the Government, with the Minister of Indian and Northern Affairs being identified as Minister responsible for responding to the report.

**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 motion?

Motion agreed to and report adopted.

[Translation]

**DECENTRALIZATION OF FEDERAL DEPARTMENTS,  
AGENCIES AND CROWN CORPORATIONS**

INQUIRY—DEBATE CONTINUED

On the Order:

Resuming debate on the inquiry of the Honourable Senator Downe calling the attention of the Senate to the benefits of the decentralization of federal departments, agencies and Crown corporations from the National Capital to the regions of Canada.—(*Honourable Senator Chaput*)

**Hon. Maria Chaput:** Honourable senators, it gives me great pleasure to speak today on the decentralization of the federal public service, as described in Senator Downe's remarks. As a francophone senator from Manitoba, I strongly support any initiative that will make it easier for the residents of the various regions of Canada to access government services and that will contribute to the local economy and the development of communities.

I therefore encourage our government to continue its efforts to decentralize. Needless to say, the highest concentration of federal public servants is right here in the National Capital Region, and, according to Statistics Canada, their number has increased considerably.

These federal jobs are regarded as permanent, stable and well-paid positions, compared to the positions available in the regions. A number of my honourable colleagues who have spoken on this matter have cited decentralization success stories. They mentioned the relocation of Public Works and Government Services Canada's Superannuation Division to Shédiac, which was announced on June 14, 1976. In 1976, the payroll involved was \$4 million; today, it is \$23 million, for offices that are now well established and stimulating local economic activity.

Another success story, cited by Senator Downe, is the move of Veterans Affairs to Charlottetown, which has also led to a striking increase in the use of French. It is obvious that governments have been trying to decentralize some departments outside Ottawa. Senator Ringuette said that:

Despite the opposition faced, the relocated departments did manage to reduce their property and human resources costs and have become engines of economic development for their new region.

Honourable senators, I have noted the positive spin-offs generated by transferring federal activities out into one or more regions: private investment, annual payroll, value added in our human resources, enrolment in educational programs, local jobs, the retention of young people in their native region, and more.

However, there is one important factor that the federal government must consider in any decentralization, and that is the consequences for the Official Languages Act of moving the headquarters of federal institutions when the new host region is not designated bilingual.

This can bring a loss of the right to work in the official language of one's choice and possibly a loss of services in the official language of one's choice for a number of Canadians.

I, in turn, would like to cite an example of decentralization that undoubtedly makes very good financial sense but that has powerful implications both for the right of employees to work in French and for the right of citizens to continue obtaining services in both official languages. My example is the moving of the Canadian Tourism Commission.

The CTC is known to have had an impact on the development of francophone minority communities and, according to the Commissioner of Official Languages, the CTC does not even have official languages policies or guidelines.

• (1440)

The Commissioner of Official Languages has said:

Moving the commission to a region which is not designated bilingual for language of work is a very serious matter.

While the head offices of federal institutions can be moved, we must take into account the impact of such moves for the Official Languages Act as a whole, including the provisions on language of work.

[English]

The Government of Canada must take all necessary steps to promote the vigour and usefulness of its institutions by decentralizing them to become an economic support for the regions, but it must also protect the language rights of Canadians. This becomes even more important when an institution is one of the federal institutions considered by the Government of Canada to have a significant impact on the development of official language minority communities. In my opinion, it is possible to find ways of reconciling economic impact with the impact on the development and vitality of official language minority communities.

There are many federal departments and agencies that, over the years, have developed links of cooperation and support with official language minority communities. Bringing these two entities, federal agencies and communities, closer together by way of decentralization is an excellent objective to pursue, as long as they are indeed brought closer together and not driven apart.

It seems obvious to me that decentralization must provide for the creation or maintenance of tangible links with the federal agency's new host community. The agency does not function in a vacuum. It adapts and becomes accustomed to the environment that receives it and is ready to nurture the relationship that already exists or can be established with the federal government.

Infrastructures, clientele and services in official languages must be taken into account in any decentralization plan. In this way, the interests of the community are considered and the government's mission is respected. The official language minority communities have been campaigning for a long time for equal access to federal agencies and departments.

I will conclude my remarks by reminding honourable senators that the Official Languages Act, first passed in 1969, must be complied with. Since the act is now part of the Canadian landscape and since its main objective is the development and vitality of official language minority communities, it is essential that our government's decisions take the act into account. The successful decentralization of federal agencies and departments hinges on this. Otherwise, the government is giving with one hand and taking away with the other, and I am sure that is not our government's intention.

On motion of Senator Losier-Cool, debate adjourned.

[Translation]

## THE SENATE

### MOTION TO AMEND RULE 32— SPEAKING IN THE SENATE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Corbin, seconded by the Honourable Senator Cook:

That the *Rules of the Senate* be amended by replacing rule 32 with the following:

“32. (1) A Senator desiring to speak in the Senate shall rise in the place where that Senator normally sits and address the rest of the Senators.

(2) Any Senator who speaks in the Senate shall do so in one of the official languages.

(3) Notwithstanding subsection (2), a Senator desiring to address the Senate in Inuktitut shall so inform the Clerk of the Senate at least four hours before the start of that sitting of the Senate.

(4) The Clerk of the Senate shall make the necessary arrangements to provide interpretation of remarks made in Inuktitut into the two official languages.

(5) Remarks made in Inuktitut shall be published in the *Debates of the Senate* in the two official languages, with a note in the *Journals of the Senate* explaining that they were delivered in Inuktitut.”—(Honourable Senator Robichaud, P.C.)

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, I am pleased to rise in support of the motion of the Honourable Senator Corbin on this amendment to rule 32 of the *Rules of the Senate*. This change would allow the honourable senators who represent certain regions of Canada's Far North to express themselves in their native language, Inuktitut. This is a very important change, because it seeks to recognize the cultural identity of some of our honourable colleagues.

For the majority of people, their mother tongue is the first language they learn and, of course, the one they master best. This means that it is a lot easier to use our mother tongue to express ourselves, than to use a second or even a third language.

Moreover, language is part of one's cultural and personal identity. It is very important to preserve and to use one's mother tongue to maintain and assert one's identity.

Honourable senators, it must be realized that it is very difficult to preserve and to use one's mother tongue when it is not one of Canada's two official languages. Of course, at this point, we cannot make it possible to use all the languages spoken in Canada here in this chamber. However, it would make sense to adopt this motion, this change to the rules, and there is no reason not to take this first step to accommodate our colleagues, Senators Adams and Watt, by following the proposed procedure.

We know that it is possible to translate this language, Inuktitut, in the Senate, because it has been done occasionally in the past. Indeed, we have heard the Honourable Senator Adams express himself in Inuktitut on a number of occasions, with Senator Watt providing the interpretation in English. Since he did not have access to the Senate's interpretation system, Senator Watt had to interrupt Senator Adams every few seconds to do the interpretation. These interruptions were annoying for the Honourable Senator Adams, because they broke up the flow of his speech. So, why not provide the necessary tools to allow our

[ Senator Chaput ]

honourable colleagues to be better understood and to better express themselves? Of course, I am not passing judgment on how these honourable senators have expressed themselves in the past in this place.

I believe that allowing our colleagues to express themselves in their mother tongue, Inuktitut, would constitute a recognition of their culture. It can be difficult to express ideas, thoughts and even feelings in a language that has not been completely mastered. In other words, not every word or expression has been learned. It becomes even more complicated when our mother tongue is almost never used outside those communities. As Senator Corbin mentioned, Inuit appointed to the Senate must contribute to that institution and represent the inhabitants — meaning their customs and culture — of their territory. Why not provide them with the tools they need to express themselves with ease and ensure that they can share their feelings with us?

Honourable senators, if we, as senators, are to represent our regions and their specific nature, should we not speak in the language used by the people in those regions? I believe that this honourable chamber could establish a connection with these communities, which could then build a relationship with the Senate.

In my opinion, this is the aim of the motion currently before us, and I support it wholeheartedly.

• (1450)

**Hon. Joan Fraser:** Honourable senators, as I indicated last week in this chamber, I support the motion. As Senator Robichaud has just explained, it is extremely difficult to always be speaking a language that is not one's mother tongue. We feel that we lack subtlety, that we can never say exactly what we want to. It is important to be able to express oneself in this chamber with all the nuance and intelligence at our disposal. The changes proposed by Senator Corbin are eminently desirable.

Last week, however, Senator Joyal reminded us that Canada's Constitution provides that the proceedings of Parliament be in Canada's two official languages. In order to be more sure of what we are saying and more accurate, it would be very useful to submit this motion to the Standing Committee on Legal and Constitutional Affairs for its consideration, which I am sure would take no time at all, in order to confirm that it would be well within the constitutional framework to provide the appropriate translation of the Inuktitut into English or French and have the debates published in English and French with a note that the original language was Inuktitut. If, as currently formulated, the motion of Senator Corbin were not quite the way to go about it, the situation could be corrected. We must be absolutely sure we are meeting our constitutional obligations.

Senator Corbin could then consider altering his motion and ask the Standing Committee on Legal and Constitutional Affairs to do the study. I am sure that the process would be quick and the answer entirely favourable.

[English]

**Hon. Nick G. Sibbeston:** Honourable senators, I am pleased to speak today in support of Senator Corbin's motion to change the

rules to permit the speaking of Inuktitut in our chamber. Accepting this addition to our rules would be a great step forward. It would show Canadians that the Senate truly has members who represent all the peoples of our country. To have Inuktitut spoken in the Senate chamber would be especially good because the Inuit are one of the original peoples of our country.

Senator Adams and I first began our political careers back in 1970, in the Legislative Assembly of the Northwest Territories. It was an era when Aboriginal peoples in the North were becoming involved in the democratic system. A few years before that, we had a government that was centred here in Ottawa. Eventually there was a process of electing people from the North, but the commissioner who was in charge of the northern government was situated in Ottawa.

I was elected in 1970 to a territorial council that consisted of 14 people. Nine were elected and five were appointed. Senator Adams and other Inuit, as well as some Dene from my own culture, sat on the council. It was a very difficult time because each member conversed best in their own Aboriginal language. As in the current situation, they were, in a sense, forced to speak the English language, which made communicating very difficult.

When I came on the scene in 1970, there were institutions in the North like the CBC that did not have one word of Dene in any of their programming. I was just out of university, had learned about political science and had some ideas about how democracy should work in the North. Therefore, I agitated and became involved in a program where I and an elder produced half an hour of Dene language programming for the CBC. That was the start of the Dene and eventually all Aboriginal peoples being able to hear words in their own language on the radio. It was a small first step.

While on the territorial council, I was jealous of the Inuit and the fact that they were able to speak in their own language. The government at the time had no choice but to provide interpreters because the unilingual Inuit people who were elected did not know English and had to speak their own language. I asked if it was possible for Dene people like myself to speak the Dene language; the answer always was no.

One day, to make the point, I spoke on and on in my own language and everything came to a halt. The Speaker of the day arranged for someone to sit by me and interpret my remarks. That was the start of using Dene interpreters.

Minister John Munro came from Ottawa to the North to tell us and the government that French had to be an official language in the Northwest Territories. Most of us spoke Aboriginal languages, but the federal government wanted to impose French on the people of the North.

We had a meeting and we negotiated, the result being that in agreeing to have English and French recognized as the official languages of the North, the government said it would also provide funding so that Aboriginal languages could be recognized and used in all institutions in the Northwest Territories.

At one point, something like nine Aboriginal languages could be used in our legislative assembly — Inuktitut and a number of Dene languages.

We felt very fortunate that the Aboriginal languages spoken in the Northwest Territories were supported. Eventually, a bill was passed that recognized French, English and all Aboriginal languages in the North as official languages of the North. We made those important steps for the languages and the cultures in the North.

Today, I fully support the little step that has been proposed by Senator Corbin. I do not doubt that Senator Adams is conversant and very well-spoken in his own Inuktitut language. However, members know it is a bit difficult for Senator Adams to speak in English, so I support the initiative that has been taken and herald the day when the our rules will be changed.

• (1500)

Honourable senators, it is a great distance from the North, but we will see how this process works. Perhaps one day I will press to be able to speak in my own language.

On motion of Senator Stratton, debate adjourned.

[Translation]

## THE SENATE

### RULES OF THE SENATE—MOTION TO CHANGE RULE 135—OATH OF ALLEGIANCE—ORDER STANDS

On the Order:

Resuming debate on the motion of the Honourable Senator Lavigne, seconded by the Honourable Senator Robichaud, P.C.:

That the *Rules of the Senate* be amended by adding after rule 135 the following:

**135.1** Every Senator shall, after taking his or her Seat, take and subscribe an oath of allegiance to Canada, in the following form, before the Speaker or a person authorized to take the oath:

I, (*full name of the Senator*), do swear (*or solemnly affirm*) that I will be faithful and bear true allegiance to Canada.

And on the motion in amendment of the Honourable Senator Day, seconded by the Honourable Senator Lavigne:

That the motion be amended by replacing, in the proposed rule 135.1, the word “shall”, with the word “may”.—(*Honourable Senator Cools*)

**Hon. Raymond Lavigne:** Honourable senators, I would like to know when Senator Cools will speak to my motion.

[ Senator Sibbeston ]

[English]

**Hon. Terry Stratton (Deputy Leader of the Opposition):** Honourable senators may recall that Senator Cools said last week that she would speak to this motion. I will speak to her within the next day or so and advise the house.

Order stands.

### NEED FOR INTEGRATED DEPARTMENT OF FOREIGN AFFAIRS AND INTERNATIONAL TRADE

INQUIRY—DEBATE ADJOURNED

**Hon. Terry Stratton (Deputy Leader of the Opposition),** for Senator Andreychuk, rose pursuant to notice of February 22, 2005:

That she will call the attention of the Senate to the need for a strong integrated Department of Foreign Affairs and International Trade and the need to strengthen and support the Foreign Service of Canada, in order to ensure that Canada's international obligations are met and that Canada's opportunities and interests are maximized.

He said: Honourable senators, Senator Andreychuk is unavailable to address this issue today. She had to leave the chamber early to attend the Foreign Affairs Committee, which is today hearing from the President of Mali.

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

### CHANGES TO BUDGET 2005

INQUIRY—DEBATE ADJOURNED

**Hon. Gerald J. Comeau** rose pursuant to notice of May 3, 2005:

That he will call the attention of the Senate to the NDP budget announced in the media by the Prime Minister on April 26, 2005; the ruination and destruction of the Liberal budget; the compromised integrity of the Minister of Finance whose previous position was that such measures were fiscally irresponsible; and the irresponsibility of the Liberal government in attempting to shore up its fading support through reckless new spending announcements.

He said: Honourable senators, I had planned to speak to Senator Kinsella's inquiry into last February's budget. However, Mr. Martin has tossed that budget out the window, the fiscal plans are in ruins and the integrity of the Minister of Finance has been compromised. We now have a Liberal-NDP budget that was not announced in Parliament by the Minister of Finance. Moreover, as the government leader informed the Senate on May 3, there is not even a written document for the Minister of Finance to table in Parliament.

From the media and from NDP news releases, we learned that the Liberals and the New Democratic Party reached a deal that involves NDP support of the government on confidence measures

in exchange for budget changes — so much for the democratic process. There was a time when budget announcements were made in Parliament in the presence of parliamentarians, not made in newspapers or elsewhere outside the precincts of Parliament.

There is an old bit of partisan humour to the effect that the letters “NDP” stand for “no down payment.” We will all pay for the \$4.6-billion deal, which uses taxpayers’ money to keep a scandal-ridden government afloat. The money is to flow over two fiscal years at \$2.3 billion per year, perhaps eating into the contingency reserve or coming from somewhere else. Might there be more cuts to DFO’s budget or to assistance to farmers, or might we face increased taxes?

In the May 4 edition of *The Global and Mail*, it is reported that some of the money for this deal might come from funds that the government had originally intended to announce for Natives. If this is true, then someone will have to rewrite chapter 3 of the Budget Plan, entitled “Securing Canada’s Social Foundations.” Meanwhile, the government is making one spending announcement after another.

[Translation]

In one week, between April 21 and April 27, several ministers announced \$1.6 billion in new spending. If you add another \$4.6 billion to that spending, Mr. Martin becomes the \$6-billion man.

[English]

The \$6-billion man will need a bionic arm fairly soon to ease the cramps from signing all these cheques. From April 21 to May 10, the spending announcements were made at a pace of \$1.24 billion per day, which works out to \$22 billion in total. How long can Canadian tax payers afford this?

Mr. Pat Martin, who is no relation to Prime Minister Martin, is a member of the NDP caucus. He appeared on CTV News on April 26 and characterized the recent flurry of government spending as “a spending orgy.” This is akin to a spending free-for-all. Taxpayers had better hope that there is a spring election before the country is bankrupted by such spending. Mr. Pat Martin is a member of the NDP caucus that signed the deal with the Liberals.

Honourable senators, is the NDP-Liberal deal part of a spending orgy that will bankrupt the country if we do not have a spring election? That is a good question. The sum of \$4.6 billion works out to approximately one quarter of a million dollars per NDP vote.

[Translation]

The Liberals are buying NDP votes in Parliament to try to survive the scandal. Is that how Canadians want governments to spend \$4.6 billion in public funds? I think not.

[English]

No one could say it better than Mr. Layton himself when on April 21, in a press release, he said:

...at the core of the scandal is a Liberal Party that cannot distinguish between the public purse and its own.

We now have a scandal-ridden Liberal Party in government and the socialist NDP dictating budget policy. Together they have come up with a fiscal plan for the nation on the back of an envelope, with the Minister of Finance looking on from the sidelines. This is a recipe for economic disaster. The businesses that create jobs and the hard-working Canadians who drive the economy have had the door slammed in their faces by the Prime Minister and Mr. Layton.

To pay for this extra spending over the next two years, the government first agreed to delay business tax reductions.

[Translation]

This is interesting from a balanced budget point of view. The money is spent now, but the corresponding revenue will not be secured before 2008.

[English]

The Canadian Federation of Independent Business responded in a press release on April 29 that said:

It is notable that they acknowledged small business but this is not a small-business budget, this is a “stay-alive budget.”

The press release went on to ask:

What message are they sending to Canadian businesses and foreign investors?

I suggest to honourable senators that the message is not that great.

The C.D. Howe Institute looked at the proposed rollback of the business measures and in an April 27 news release said:

Overall the rollback of the planned federal corporate tax cuts will have an economic cost of about \$31 billion in capital expenditure and \$2.7 billion in GDP. Those are figures that not only count; they matter.

Ms. Nancy Hughes Anthony, President and CEO of the Canadian Chamber of Commerce, stated in an article in the April 28 *National Post*:

What they are saying is, “Have faith in us and we will try to get this through at some point in time.” Well, that’s too little, too late.”

Honourable senators, it is quite clear that the leader of the NDP did not go into secret deal-making to look out for Atlantic Canada. Despite his supposed support for spinning the offshore accord out of the budget to ensure its immediate passage, it does not seem that he even raised the issue with the Prime Minister.

• (1510)

[Translation]

As a result, Atlantic Canada is still waiting for money it is owed to get back on its feet. Like the Liberals, Jack Layton does not care.

[English]

For that matter, can Mr. Layton trust even Mr. Martin? At first, Mr. Martin was going to delay the corporate tax cut by a couple of years, except for small business. This was on Tuesday, April 26. Then, late on Wednesday, April 27, the finance minister said in a press release that the government planned to go ahead with the business tax reduction. The government would carve out parts other than reductions for small business and bring them back through a separate bill.

Did Mr. Layton realize that he was agreeing to a sleight of hand? Mr. Layton's reaction, as reported in several newspapers on April 28, was to accuse the Prime Minister of, "fooling around with Canadians once again and trying to pretend you're all things to all people."

The NDP leader also conceded that he cannot hold the Prime Minister to honouring the promises made in the deal. According to a report circulated by Canadian Press, he said:

I don't know what assurances he can give me about the far distant future. He's tried to assure Canadians on many things and he always breaks those promises, so, we shall see.

At least one of the measures, the tuition fee cut, could not go ahead without provincial cooperation, while most of the rest represents federal spending in areas of provincial jurisdiction. Yet, Ontario Premier Dalton McGuinty has said that not one provincial premier or territorial leader was consulted about this in advance. The two deal makers cannot even agree on what was in their deal.

From *The Vancouver Sun* of April 29 I quote:

Layton and his officials say the Liberals agreed explicitly in writing that the education money will only go to provinces that specifically agree to use it to reduce tuition.

"No, we didn't say that," Martin responded.

These two people are speaking in the press. This is ridiculous.

If Mr. Layton wants to see his promises kept, he might have to prop up the government until Christmas so that the necessary legislation can be passed. Even then the Prime Minister insists that the extra spending will only go ahead if there is still a surplus at the end of the fiscal year, and that takes us into next spring.

Honourable senators, Paul Martin said he wanted Parliament to work, but he certainly never consulted our party about making a budget that would speak to the real priorities of Canadians.

[Translation]

The Conservatives are hoping for significant tax cuts for Canadian businesses and families, and for some spending cuts. Mr. Martin could have obtained 99 votes instead of 19, if these had been his priorities. He could have had the budget passed very quickly, without spending an extra \$4.6 billion.

[ Senator Comeau ]

[English]

Honourable senators, the government simply cannot draw up a game plan and stick to it. A few weeks ago, Finance Minister Ralph Goodale warned that the opposition could spark a financial crisis by tampering with the budget bill. Specifically, in the April 8, 2005 Saskatoon *The Star Phoenix*, he was quoted as saying:

You can't go on stripping away piece by piece by piece of the budget. You can't, after the fact, begin to cherry pick: "We'll throw that out and we'll put that in, we'll stir this around and mix it all up again." That's not the way you maintain a coherent fiscal framework. If you engage in that exercise, it is an absolute, sure formula for the creation of a deficit.

In the Regina *Leader-Post* of April 26, published the morning of Mr. Martin's deal, we have:

But Goodale said there were some disadvantages to the country if the Liberal government was to accept an NDP proposal — which would involve the government retracting \$4.6 billion in corporate tax cuts proposed in the budget in order to receive NDP support in Parliament.

The competitive position of Canadian businesses compared to U.S. businesses could be damaged if those tax cuts are not provided, Goodale said.

Finance Minister Goodale is left by the wayside by the Prime Minister. The bottom line is that the Prime Minister has compromised the integrity of the Minister of Finance, whose previous position was that such measures were fiscally irresponsible. Why is the Prime Minister doing this to his finance minister? What did Ralph Goodale ever do to deserve such treatment from his Prime Minister? For that matter, what has come over Jack Layton, a man who in recent weeks has called the Liberal Party corrupt and criminal and suggested that the Prime Minister has lost contact with reality?

Mr. Layton was reported in the April 13 *Winnipeg Free Press* as saying:

The fact is this Liberal corruption is putting a corrupt face on federalism in Quebec and it is smearing Quebec's name all across Canada.

In an April 7 press release he said:

The testimony released out of the Gomery inquiry shows a complete absence of any form of responsibility at the highest echelons of the Liberal party. It exposes a tired, washed-up and corrupt regime for what they really are.

One would think that, logically, Mr. Layton would want Canadians to pass judgment on whether the Liberals are still fit to govern. Yet, despite all his ranting, he now agrees to keep Paul Martin in power. Despite claiming to be troubled by Liberal scandal, he is willing to sell NDP support to the Liberals. So much for NDP principles. If they do not like the ones they have today, they will change them as they see fit.



**Senator LeBreton:** That is why they get along so well with the Liberals.

**Senator Comeau:** Whatever happened to the party of Knowles, Coldwell, Woodsworth, Lewis, Douglas and Broadbent?

If the government wanted to improve the budget, it had other ways to do so. It could have provided adequate resources for Canada's military so that our Armed Forces can become fully combat capable as well as equipped for peacekeeping duties.

It could immediately implement the proposed personal income tax reduction rather than asking Canadians to settle for a mere \$16 tax cut next year. It could walk completely away from the provisions that implement the fatally flawed Kyoto accord and, instead, address real environmental issues — acid rain killing our lands, our forests and our rivers — rather than buying pollution credits elsewhere from God knows who. Purchasing credits for greenhouse gas reduction is simply wrong. It is a sham.

The government could deliver child care dollars directly to parents instead of setting up a massive bureaucratic child care program. It could make a meaningful commitment to the agricultural sector and rural Canada to provide aid at a time when Canada's regions need it most. It could have eliminated wasteful spending such as the long gun registry.

[Translation]

The budget implementation bill was introduced in the other place on March 24. We are now in May, and it has not even gone through second reading.

[English]

As introduced, it had the support of the official opposition, conditional on putting the Kyoto accord sections in another bill and with an offer for immediate passage of the Atlantic accord provisions if these were put in a separate bill. Instead, this government has dithered and blundered from crisis to crisis, failed to manage its parliamentary agenda and is now grasping at anything in a desperate effort to stay alive.

The government is now asking to be dealt with under the rule of law. They are saying: "Do not convict us until we have been proven guilty." The suggestion that the Gomery inquiry will provide a guilty or non-guilty verdict in his inquiry is just another sham. It will not happen. Commissioner Gomery will provide a summary of the findings.

We are getting results already. How many more manila envelopes, brown paper bags and satchels of money do we need to see changing hands from advertising sponsors to the Liberal Party coffers? How many more of these envelopes do we need to hear about before we pass judgment on a party that has overstayed its welcome in Canada and now needs to lick its wounds and say, "We have done wrong and we admit it"?

This is the time to do it. The budget that will be coming before us proves it, and the daily revelations from the Gomery inquiry indicate that it is now time for the great Liberal Party of Canada

to do the right thing, accept the non-confidence motion in the other place and seek a new mandate from the people of Canada.

**The Hon. the Speaker *pro tempore*:** I regret to inform Senator Comeau that his time has expired.

**Hon. Noël A. Kinsella (Leader of the Opposition):** Would the honourable senator agree to ask for extended time in order that we can ask him questions?

• (1520)

**Senator Comeau:** If the Senate wished to extend the time for me to respond to questions, that would be welcomed.

[Translation]

**Hon. Fernand Robichaud (Acting Deputy Leader of the Government):** Honourable senators, we sometimes give a senator an additional five minutes to finish his speech, but if Senator Comeau could do it in one minute, we would agree.

**Senator Kinsella:** I would like to explore two things. You referred to Commissioner Gomery's mandate. You said that the judge cannot mention names in his final report, that he cannot indicate who should be prosecuted before the courts. Could you explain Mr. Gomery's mandate and tell us who gave him that mandate?

**Senator Comeau:** Just before calling the last election, when we suspected certain things, the Prime Minister decided to establish the Gomery commission. He ended the proceedings of the Public Accounts Committee to prevent the disclosure of information from that committee to the House of Commons. Before the Gomery commission began hearing witnesses, he decided to call an election. We were not able to find out what had been going on.

Since then, the Gomery commission has been fulfilling its mandate. There is this impression among Canadians that the Gomery commission is conducting a judicial inquiry. That is not the case. The Gomery commission is hearing the testimony of those individuals involved. Following this evidence, Mr. Gomery cannot find a witness guilty, and he cannot mention names. He can only write a report saying: "This is what I heard." He cannot even make recommendations.

[English]

It is not a judicial inquiry. It is a commission of inquiry. The impression is being created by the government that everything will come out in the wash within the Gomery inquiry and that people will be found guilty or not guilty. That is simply not the case. The Gomery inquiry simply gets the evidence and then presents it to the public, which means that the public will still have to make the decision of the inquiry. It is still up to the Canadian people.

The question has been raised by a number of people as to whether we should be going into an election or waiting for the Gomery inquiry to propose its findings. The findings are there. They are coming out as we go along. We are suggesting to the government now that there is enough coming out, without anybody taking any kind of responsibility, no responsibility

whatsoever, for what has happened there. The Prime Minister of today, the number two man in Quebec, keeps snapping his suspenders at how great a finance minister he was, solving all the problems of the world with the GST, free trade, and the difficult decisions that had been made by a previous government. All he had to do was stand around. The garden had been set by the previous government. All he had to do was walk around and collect the results of the garden that had been laid out.

I heard the Leader of the Government in the Senate today talking about the previous government. Every time the discussion starts going back in time, they bring up Mr. Mulroney's name.

We are not over 15 minutes yet, are we?

**The Hon. the Speaker *pro tempore*:** I am sorry, senator. Your five minutes are up.

**Senator Robichaud:** I had a question.

**The Hon. the Speaker *pro tempore*:** I see no senator rising.

**Hon. Terry Stratton (Deputy Leader of the Opposition):** I move adjournment of the debate.

**Senator Comeau:** You do not want to hear the truth. I will do my best Jack Nicholson impersonation.

**Senator Robichaud:** We want to hear the truth from the Gomery inquiry.

**The Hon. the Speaker *pro tempore*:** Order.

On motion of Senator Stratton, debate adjourned.

The Senate adjourned until Thursday, May 12, 2005, at 1:30 p.m.

---

## CONTENTS

Wednesday, May 11, 2005

	PAGE		PAGE
<b>Visitors in the Gallery</b>		<b>Prime Minister</b>	
The Hon. the Speaker <i>pro tempore</i> . . . . .	1219	Use of Private Health Care Facilities.	
<hr/>		Hon. David Tkachuk . . . . .	1225
<b>SENATORS' STATEMENTS</b>		Hon. Jack Austin . . . . .	1225
<b>Republic of Georgia</b>		<b>The Environment</b>	
Visiting Delegation of Public Officials.		National Water Policy.	
Hon. Jeremiah S. Grafstein . . . . .	1219	Hon. Madeleine Plamondon . . . . .	1225
<b>Visitors in the Gallery</b>		Hon. Jack Austin . . . . .	1226
The Hon. the Speaker <i>pro tempore</i> . . . . .	1219	<b>Quarantine Bill (Bill C-12)</b>	
<b>The Late Jeanne-Mance Charlish</b>		Message from Commons—Senate Amendments Concurred In.	
Hon. Madeleine Plamondon . . . . .	1219	The Hon. the Speaker . . . . .	1226
<b>Saskatchewan</b>		<hr/>	
Centennial Celebrations.		<b>ORDERS OF THE DAY</b>	
Hon. Lillian Eva Dyck . . . . .	1220	<b>Personal Watercraft Bill (Bill S-12)</b>	
<b>The Late Honourable Lois E. Hole, O.C.</b>		Second Reading—Debate Continued.	
Posthumous Award.		Hon. Fernand Robichaud . . . . .	1226
Hon. Claudette Tardif . . . . .	1220	<b>Legal and Constitutional Affairs</b>	
<b>Mr. Steve Nash</b>		Budget and Authorization to Engage Services—	
Congratulations on Becoming Most Valuable Player		Report of Committee on Study of Including in Legislation	
of National Basketball Association.		Non-derogation Clauses Relating to Aboriginal Treaty	
Hon. Mobina S.B. Jaffer . . . . .	1221	Rights Adopted.	
<b>Canadian Engineering Memorial Foundation</b>		Hon. Lise Bacon . . . . .	1226
Hon. Mac Harb . . . . .	1221	Budget and Authorization to Engage Services—	
<hr/>		Report of Committee on Study of Bilingual Status	
<b>ROUTINE PROCEEDINGS</b>		of City of Ottawa Adopted.	
<b>Rules, Procedures and the Rights of Parliament</b>		Hon. Lise Bacon . . . . .	1226
Third Report of Committee Tabled.		<b>Study on Legal Issues Affecting On-reserve Matrimonial</b>	
Hon. David P. Smith . . . . .	1222	<b>Real Property on Breakdown of Marriage or Common</b>	
<hr/>		<b>Law Relationship</b>	
<b>QUESTION PERIOD</b>		Interim Report of the Standing Senate Committee	
<b>Parliament</b>		on Human Rights and Request for Government	
Corruption in Government.		Response Adopted.	
Hon. Terry Stratton . . . . .	1222	Hon. A. Raynell Andreychuk . . . . .	1227
Hon. Jack Austin . . . . .	1222	<b>Decentralization of Federal Departments, Agencies</b>	
<b>Fisheries and Oceans</b>		<b>and Crown Corporations</b>	
Foreign Overfishing.		Inquiry—Debate Continued.	
Hon. Gerald J. Comeau . . . . .	1223	Hon. Maria Chaput . . . . .	1227
Hon. Jack Austin . . . . .	1223	<b>The Senate</b>	
Nunavut—Report on Development of Arctic Fisheries Industry.		Motion to Amend Rule 32—Speaking in the Senate—	
Hon. Gerald J. Comeau . . . . .	1223	Debate Continued.	
Hon. Jack Austin . . . . .	1224	Hon. Fernand Robichaud . . . . .	1228
<b>Heritage</b>		Hon. Joan Fraser . . . . .	1229
State of National Art Gallery.		Hon. Nick G. Sibbeston . . . . .	1229
Hon. Janis G. Johnson . . . . .	1224	<b>The Senate</b>	
Hon. Jack Austin . . . . .	1224	Rules of the Senate—Motion to Change Rule 135—	
Review of Museums Policy—Request for Update.		Oath of Allegiance—Order Stands.	
Hon. Janis G. Johnson . . . . .	1224	Hon. Raymond Lavigne . . . . .	1230
Hon. Jack Austin . . . . .	1224	Hon. Terry Stratton . . . . .	1230
<b>Health</b>		<b>Need for Integrated Department of Foreign Affairs and</b>	
Private and Public Delivery of Services.		<b>International Trade</b>	
Hon. Wilbert J. Keon . . . . .	1224	Inquiry—Debate Adjourned.	
Hon. Jack Austin . . . . .	1224	Hon. Terry Stratton . . . . .	1230
		<b>Changes to Budget 2005</b>	
		Inquiry—Debate Adjourned.	
		Hon. Gerald J. Comeau . . . . .	1230
		Hon. Noël A. Kinsella . . . . .	1233
		Hon. Fernand Robichaud . . . . .	1233
		Hon. Terry Stratton . . . . .	1234



*If undelivered, return COVER ONLY to:*  
Public Works and Government Services Canada  
Publishing and Depository Services  
Ottawa, Ontario K1A 0S5