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The Honourable GEORGE J. FUREY,
Speaker

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THE SENATE

Wednesday, March 21, 2018

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

Prayers.

BUSINESS OF THE SENATE

The Hon. the Speaker: Honourable senators, you'll see a rather strange-looking object in the chamber. A notice went out to all senators, but if you haven't read it or had an opportunity to see it, it's not a recording device. It's a device used by Public Services to check the acoustic levels here, so there is no recording being done.

SENATORS' STATEMENTS

TRIBUTES

THE LATE HONOURABLE NORMAND GRIMARD

The Hon. the Speaker: Honourable senators, I received a notice from the Leader of the Opposition who requests, pursuant to rule 4-3(1), that the time provided for consideration of Senators' Statements be extended today for the purpose of paying tribute to the Honourable Normand Grimard, whose death occurred on Thursday, December 28, 2017.

[*Translation*]

Hon. Jean-Guy Dagenais: Honourable senators, one of our former colleagues, Senator Normand Grimard, died at the venerable age of 92 on December 28 of last year.

Senator Grimard left his mark on the Senate, where he sat as a Conservative senator for 10 years. I would like to take a few minutes today to pay tribute to him.

His appointment was somewhat unusual in the history of this chamber. On September 27, 1990, Prime Minister Brian Mulroney decided to deal with Liberal obstruction in the Senate by giving himself a Conservative majority in the upper house. He didn't want anything to interfere with his GST bill getting through. Senators may recall that Jean Chrétien promised to do away with the goods and services tax, but he never did.

Prime Minister Mulroney took advantage of a little-used provision of the Constitution Act of 1867 that allowed him to recommend adding an extra eight seats to the Senate's 105.

That is how Normand Grimard, a well-known lawyer from Rouyn-Noranda, became a senator. As you might imagine, Senator Grimard had strong ties to the Conservative Party, having run twice in the riding of Témiscamingue. The first time was in a 1977 by-election following the death of Réal Caouette.

At the age of 65, with 30 years of legal practice under his belt and after, as he put it, biting the electoral dust, he enthusiastically took on the mantle of senator. As a member of several standing and special committees, Senator Grimard studied a number of issues relating to foreign affairs, national finance, natural resources, and transportation and communications.

A prolific writer, Senator Grimard published numerous works on a wide range of subjects, including the financial challenges of professional sport in Canada, the evolution of the Canadian family, employment in the era of globalization, bilingualism in the national capital region, the influence of the United States on the everyday life of Canadians, and Senate reform. As you can tell, these topics are still current today.

During his time in the Senate, he served for three years as co-chair of the great Standing Joint Committee for the Scrutiny of Regulations. In this capacity, he helped make constructive amendments to at least 50 Senate rules. Most, if not all, of those amendments are still in place.

Senator Grimard also wrote a book entitled *L'indispensable Sénat: défense d'une institution mal aimée*, which chronicles the tumultuous events experienced by the eight so-called "divisional" senators appointed by Prime Minister Mulroney during the controversial GST debate. In the book, Senator Grimard proposes to reform the Senate by making a Senate that is equal by region, with a total of 130 senators appointed fifty-fifty by Ottawa and the provinces to a maximum term of 10 years.

The Hon. the Speaker: Senator, your time is up. You have 10 seconds to finish your remarks.

Senator Dagenais: This leads me to say that the idea of Senate reform — or modernization, as some would call it — is more than just two or three years old, and that none of us here is responsible for coming up with it.

Today, on behalf of all my Senate colleagues, I wish to thank the late Senator Grimard for his years of distinguished service to his constituents and remind him that wherever he is, he can always raise a glass to our health.

Some hon. senators: Hear, hear!

[*English*]

Hon. Anne C. Cools: Honourable senators, I rise today to pay tribute to the late the Honourable Senator Normand Grimard, a son of Quebec, who served here in the Senate from 1990 to 2000. I must admit that the passing of a colleague or former colleague is always a very sad thing, particularly for those who knew that senator.

Senator Grimard was well known and loved in his beloved western Quebec region. He was one of the eight senators, called the divisional senators, who were appointed by then Prime Minister Mulroney in 1990, pursuant to the British North America Act, 1867, section 26, a rarely used provision.

Senator Grimard's contributions and dedication to this Senate will always remain meaningful and distinguished in my memory and in my heart. I shall always remember his kind and friendly nature, always available to any who needed him and all who knew him. He was a most thoughtful human being, gentle and kind, admired and liked by colleagues on both sides of this Senate.

Colleagues, in honour of the late Senator Grimard, I shall read the scriptures. I find the scriptures always speak best in these circumstances. I shall read Ecclesiasticus, Chapter 44, verses 1 to 10:

Let us now praise famous men, and our fathers that begat us. . . . All these were honoured in their generations, and were the glory of their times. There be of them, that have left a name behind them, that their praises might be reported. And some there be, which have no memorial; who are perished, as though they had never been; and are become as though they had never been born; and their children after them. But these were merciful men, whose righteousness hath not been forgotten.

I thank honourable senators for their attention.

• (1410)

[*Translation*]

Hon. Claude Carignan: Honourable senators, I join my colleagues in paying tribute to Senator Grimard, who recently passed away. I did not know Senator Grimard personally, but I would be pleased to acknowledge some of the highlights of his career. As it turns out, we had the same alma mater, the Séminaire Saint-Joseph, in Trois-Rivières. It is one of Mauricie's finest institutions and we were fortunate enough to receive our education there a few years apart.

I was also surprised to learn that it was on the advice of Maurice Duplessis that, as a young lawyer, Mauricie's own Senator Grimard specialized in mining law and moved his practice to Abitibi-Témiscamingue. Premier Duplessis had rightly predicted that this sector would undergo tremendous growth and he certainly had the talents of his protégé pegged. You would be hard pressed to have a better mentor than someone of Maurice Duplessis' character and stature.

Senator Grimard's career in the Senate began under tough circumstances. Senator Cools is the last remaining senator who was here at the time. She could certainly paint a more complete picture of the events. Senator Grimard was appointed to the Senate on September 27, 1990, at the height of the contentious GST debate. He was one of the eight so-called divisional senators appointed by Prime Minister Mulroney through a special provision under section 26 of the British North America Act. On the day of Senator Grimard's appointment, Conservative senators

piled on the dilatory motions to ensure that the eight senators would arrive in time to prevent the Liberals from calling a vote to amend the GST bill.

As soon as these eight senators were appointed, Senator Frith, a senior member of the Liberal caucus, raised a question of privilege to prevent the vote from taking place. Some Liberal senators even took legal action to have the appointments of those senators rescinded. As a result, Senator Grimard's first standing vote followed what was referred to as the "closed door incident", when Speaker Charbonneau decided to bring an adjournment motion to a vote despite the fact that the Liberal Whip refused to show up for the vote. The vote was held with Liberal senators outside the Senate chamber knocking on the doors. The situation deteriorated and the Liberals held one of the longest filibusters in the history of the Senate.

All of these events led to a major change in the way the Senate operates. It was in this highly partisan climate, where low blows and insults were being hurled on both sides of the chamber, that Senator Grimard took his seat in the Senate. Despite all that, he became friends with a number of senators on both sides of the chamber and had an outstanding 10-year career in the Senate. He was known for his listening skills, his warm personality, and his hard work and meticulousness, particularly on the Standing Committee on Rules, Procedures and the Rights of Parliament and the Standing Joint Committee for the Scrutiny of Regulations.

He wrote a number of articles and books, but the one that resonated with me was a book on Senate reform entitled *L'indispensable Sénat: défense d'une institution mal aimée*. In it, Senator Grimard proposes a "Triple V" reform: in French "viable, vraisemblable, valorisante." This was different from the "Triple E" philosophy that was popular at the time. He advocated for a Senate equal by region, appointed fifty-fifty by Ottawa and the provinces, comprised of 130 senators with a 10-year mandate.

As we can see, Senator Grimard put forward certain ideas back then that served to inform the more recent debates on Senate reform. As his colleagues paid tribute to him upon his retirement, Senator Grimard said he was looking forward to playing golf as much as possible. I hope he was able to do just that at the end of his illustrious career. I salute the members of his family who are with us in the chamber today, particularly his wife. I know, because mutual friends have told me so, that Senator Grimard was very close to her. Madame Grimard, I am grateful for your husband's public service.

[*English*]

Hon. David Tkachuk: I was saddened to learn of the passing of Senator Normand Grimard this past December. I had the honour to serve with him in this place for seven years. One of the first things that came to mind, when I learned of his passing, was what a nice man he was and what a great smile he had and what a great laugh he had. That is saying something, when the first thing you remember about a man as accomplished as he was is what a genuinely nice person he was.

[Senator Cools]

Normand was one of the eight senators appointed by Brian Mulroney after he invoked section 26 of the Constitution Act, which allows for the appointment of four to eight senators to be added to the Senate at any one time.

That time, in this case, was when the Liberal majority in the Senate saw fit to obstruct the government in the debate over the GST. Eight senators were appointed to ensure the government could get its legislation passed. We have had three Liberal governments since then, and none of them has gotten rid of something they fought so hard against. Normand would have appreciated that.

As Senator Lynch-Staunton said upon Senator Grimard's retirement in 2000, he took a few hard punches in his first few weeks in the Senate, as you can imagine, but those throwing punches quickly learned that he was a match for anyone.

Eventually, however, most if not all senators came not only to respect him but to like and admire him. Senator Joyal, who sat on the other side of the aisle from him, said this upon his retirement:

... he is leaving ... with the dignity of a man who has provided this institution with the essential qualities it must offer the Canadian public: courtesy, respect for differences of opinion, and the ability to express all the points of view that make up the Canadian mosaic.

He was also, if you will excuse my use of the phrase, a modernizer. He wrote a book whose title, roughly translated into English, is *The Indispensable Senate: In Defence of an Unloved Institution*.

His defence of the Senate in that book included suggestions for reform based on whether they were viable, realistic and feasible. But his zest for reform didn't stop with the big picture. As he pointed out in his final speech in the chamber, as a member of what is now known as the Rules Committee, he and his fellow senators amended around 55 rules of the Senate, including, fortunately for all of us, a 15-minute limit on speeches. So those who now fancy themselves as trailblazers in Senate modernization might want to reference some of his work.

Senator Grimard also loved great food and wine. In fact, he was one of the few senators who referenced the parliamentary restaurant and its chef in his final speech in the Senate.

He also loved golf, like he loved all sports. He loved baseball. He loved the Montreal Canadiens with a passion. He actually took pride in the fact that he knew most of the players on the Montreal Canadiens. His love of golf was something we shared, although he was much better at it than I was. I was gratified to learn that after he left this place he continued to play golf regularly in Montreal and Florida until the age of 88.

I want to say my heart goes out to his family on behalf of all of us and to those in the gallery today.

One of the last things he said when he left the Senate was, "I leave here with no enemies." Knowing the man as I did, I would venture to say that the same thing could be said when he left this Earth. Thank you.

[Translation]

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Mr. Marc Grimard, Senator Grimard's son and judge in the Court of Quebec, accompanied by Mr. Marc Bédard, as well as Ms. Claude Thibault, a friend of the Grimard family. They are the guests of the Honourable Senator Dagenais.

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

Hon. Senators: Hear, hear!

[English]

CRIMEA CONFLICT

Hon. A. Raynell Andreychuk: Honourable senators, four years ago the international community witnessed a grave violation of international law, the illegal annexation of the Ukrainian territory of Crimea by the Russian Federation.

Today, Russia's destabilizing presence within the region continues to defy international norms. Russia continues to fuel violent conflict in the east, known as the Donbass, through military and economic support, a conflict in which at least 10,090 people have been killed. Dissent across occupied territories is silenced through arbitrary arrests, detention and torture. In Crimea, the persecution of the Crimean Tartars, Ukrainians and others continues to intensify. Meanwhile, Russian warships continue to amass along the shores of the Black Sea.

• (1420)

Within the context of these realities, parliamentary engagement in advancing support for Ukraine and building stability within the region is crucial.

Earlier this month, the Ukraine-NATO Interparliamentary Council, representing 28 NATO member countries, met in Odessa, Ukraine, to mark this fourth anniversary, a sad one. Iryna Herashchenko, First Deputy Speaker of the Ukrainian Verkhovna Rada, and I released as co-chairs a statement that said:

We remain firm in our support for Ukraine's independence and territorial integrity, and convinced that the full implementation of the Minsk Agreements remains the best way forward in the occupied part of Donbas. We call for an urgent end to violations of the ceasefire, the provision of full and secure access to OSCE monitors, and rapid progress toward the release of hostages and political prisoners illegally detained in Russia and in the occupied regions.

Honourable senators, I urge you to join me in echoing these calls as we mark the fourth anniversary of the illegal annexation of Crimea. As President Putin retains control of Russia, let us remain consistent in the application of all the levers at our

disposal to denounce and further discourage the Kremlin's aggressive actions and policies. This includes the application of economic sanctions. Let us continue to call for the reunification of Ukrainian territory, lend our support and encourage the further Euro-Atlantic integration of Ukraine and, above all, speak for our values through NATO.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Raymond O'Brien, Sarah O'Brien, Michael O'Brien and Natalie Bergeron.

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

Hon. Senators: Hear, hear!

[*Translation*]

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Ms. Paula Kline and Mr. Anwar Alhjoor, from Montreal City Mission, accompanied by a group of Syrian refugees. They are the guests of the Honourable Senator Gold.

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

Hon. Senators: Hear, hear!

[*English*]

WOMEN WEAVING THEIR DREAMS

Hon. Marc Gold: Honourable senators, a few short years ago, Yusra Ballan was in Damascus when a bombed-out building collapsed onto her apartment and she had to pull her children out from under the rubble. She bears the scars on her wrists today.

Around the same time in Aleppo, Hana Tahan sent her granddaughter to the bakery and experienced the horror of her granddaughter barely escaping injury when the bakery was bombed.

Now, Yusra and Hana are living in Montreal. They are here with us today, accompanied by their fellow participants, in a wonderful project called Women Weaving Their Dreams. This is a project that aims to provide emotional support and vocational training in Montreal for female refugees from Syria and elsewhere. It's funded in part by Montreal City Mission, a not-for-profit founded in 1910 with a mission to help refugees integrate into Canadian society.

This project has special meaning for me because it's modelled after and inspired by after a project in Beersheba, Israel, where Bedouin women receive similar support and training. My wife and I had the pleasure of visiting this project many years ago in Israel when it was first launched, and we were moved and inspired by it then, as we are today.

[Senator Andreychuk]

I'm especially thrilled that my friend Anwar Alhjoor, my friend from Beersheba who now lives in Montreal, is also here with us today. He's a community organizer at Montreal City Mission and the driving force behind the introduction of this project to Montreal. He is accompanied by Paula Kline, the Executive Director of Montreal City Mission, and Rania, Sondos and Somia, several of the talented and dedicated social and vocational workers and volunteers who work with the group.

Through this project, participants help each other adjust to the new reality of living in Canada. They learn important skills that help them integrate into the Canadian economy. Many aspire to operate their own businesses and are being assisted in this regard.

[*Translation*]

The project has been so successful that a second program was launched in January, and 15 women are already signed up. These women come from Eritrea, Sudan, Yemen, Palestine and Syria.

[*English*]

And several of them are also here with us today.

Honourable senators, I know that I speak for all you in wishing them the best of luck as they pursue their new lives in Canada. To you, *natamaana lak alnajah fi hayatik aljadidat fi kanada*. Thank you. *Shukraan*.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Katja Iversen and Evelyne Guindon, from Women Deliver; and Victoria Kellett and Celeste Kinsey from Global Affairs. They are the guests of the Honourable Senator McPhedran.

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

Hon. Senators: Hear, hear!

[*Translation*]

WOMEN DELIVER

Hon. Marilou McPhedran: Honourable senators, I rise today to talk about an organization and about an extraordinary women's movement in support of gender equality.

[*English*]

First, I would like to report back to this place on the UN Commission on the Status of Women sixty-second session, which I mentioned before our break. On Sunday, I returned from the UN in New York, where over 4,500 civil society representatives attended the largest annual women's rights conference in the world. This year, we had approximately 15 Canadian civil society organizations present, including 17 Manitoba students and six Indigenous chiefs among 320 Canadian delegates. I was

honoured to be invited by UN Women to speak at their forum on youth engagement, which hosted more than 300 young leaders, on Saturday, March 10.

Women Deliver was among those civil society organizations present at CSW and which gave a number of events that were very well attended and indicated the innovation of their program.

From Women Deliver, Katja Iversen, President and CEO, and Evelyne Guindon, the External Relations Director, both global advocates for health, rights and the well-being of women and girls, will be co-hosting alongside Prime Minister Justin Trudeau and Madam Sophie Grégoire-Trudeau the 2019 Women Deliver conference, which will be almost double the size of this year's CSW in New York. Women Deliver is a leading international advocate on gender equality and the health, rights and well-being of girls and women, and Canada had stiff competition to be chosen to host in 2019.

Women Deliver works to drive investments — programmatic, political and financial — in girls and women because when we invest in girls and women, there is a ripple effect that goes way beyond the individual, around our globe. Together with a dynamic network of partners, Women Deliver catalyzes action, and convenes, connects, communicates, advocates and builds the capacity of advocates across the globe, not least youth leaders of all genders, to make the world a better place for girls and women to not only survive but to thrive — to live their rights.

To this end and beyond, Women Deliver will be holding their 2019 conference from June 3 to 6 in beautiful Vancouver. But the word “conference” doesn't really do it justice. Vancouver 2019 will be the largest and most innovative global convening on empowering progress for girls and women. This conference will bring together on site more than 6,000 world leaders, ministers, parliamentarians, royals, private sector executives, civil society leaders, young people, advocates, academics, activists and journalists from more than 160 countries, with another 100,000 more participating online and in satellite sessions around the globe.

• (1430)

To facilitate participants joining from far and wide, 40 per cent of conference funding goes to scholarships to ensure intersectional inclusion.

This is going to be a big year for Canada when it comes to championing gender equality. From hosting the G7 this June, wherein gender equality is a key pillar, and Katja Iversen is a G7 advisory group member, to hosting the Women Deliver Conference next June, now is our chance. This is the year we work together to move gender equality to the top of the agenda, because when the world invests in girls and women, everybody wins. Thank you, *meegwetch*.

ROUTINE PROCEEDINGS

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

TWENTY-SIXTH REPORT OF COMMITTEE TABLED

Hon. Larry W. Campbell: Honourable senators, I have the honour to table, in both official languages, the twenty-sixth report of the Standing Committee on Internal Economy, Budgets and Administration, which deals with the international travel reports of Senators Harder and McPhedran.

[*Translation*]

THE SENATE

NOTICE OF MOTION TO AFFECT QUESTION PERIOD ON MARCH 27, 2018

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, in order to allow the Senate to receive a Minister of the Crown during Question Period as authorized by the Senate on December 10, 2015, and notwithstanding rule 4-7, when the Senate sits on Tuesday, March 27, 2018, Question Period shall begin at 3:30 p.m., with any proceedings then before the Senate being interrupted until the end of Question Period, which shall last a maximum of 40 minutes;

That, if a standing vote would conflict with the holding of Question Period at 3:30 p.m. on that day, the vote be postponed until immediately after the conclusion of Question Period;

That, if the bells are ringing for a vote at 3:30 p.m. on that day, they be interrupted for Question Period at that time, and resume thereafter for the balance of any time remaining; and

That, if the Senate concludes its business before 3:30 p.m. on that day, the sitting be suspended until that time for the purpose of holding Question Period.

ADJOURNMENT

NOTICE OF MOTION

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, I give notice that, at the next sitting of the Senate, I will move:

That, when the Senate next adjourns after the adoption of this motion, it do stand adjourned until Tuesday, March 27, 2018, at 2 p.m.

[English]

SOCIAL AFFAIRS, SCIENCE AND TECHNOLOGY

NOTICE OF MOTION TO AUTHORIZE COMMITTEE TO MEET DURING SITTINGS AND ADJOURNMENT OF THE SENATE

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

That, for the purposes of its consideration of Bill C-45, An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts, the Standing Senate Committee on Social Affairs, Science and Technology:

- (a) be authorized to sit even though the Senate may then be sitting, with the application of rule 12-18(1) being suspended in relation thereto; and
- (b) be authorized, notwithstanding rule 12-18(2), to meet from Monday to Friday, even though the Senate may be then be adjourned for more than a week, or for more than a day but less than a week.

[Translation]

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

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

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

That the Standing Senate Committee on Energy, the Environment and Natural Resources have the power to meet at 5 p.m. on Tuesday, March 27, 2018, even though the Senate may then be sitting, and that rule 12-18(1) be suspended in relation thereto.

[English]

QUESTION PERIOD

FINANCE

BUDGET 2018

Hon. Larry W. Smith (Leader of the Opposition): Honourable senators, my question for the Government Representative in the Senate today concerns a report issued by the Parliamentary Budget Officer March 15 which looks at the recent federal budget. The PBO reported that:

Budget 2018 provides an incomplete account of the changes to the Government's \$186.7 billion infrastructure spending plan. PBO requested the new plan but it does not exist.

[Translation]

Canadians were told that the Liberal government would have to run a supposedly modest deficit in order to pay for infrastructure spending. Today, not only is the deficit twice as much as originally planned, but we still don't have the infrastructure promised and there is no plan for the funding of such projects.

[English]

After two and a half years in office, how can it be possible that the government still does not have an infrastructure program?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. I'll endeavour to be briefer in my responses than the honourable minister yesterday.

As senators know, the infrastructure program of the Government of Canada is, in fact, under way. The Minister of Infrastructure has been here on two occasions to describe how the allocations of funding are working so that everybody understands that the last dollar out is after appropriate benchmarks have been achieved and verified.

Therefore, as senators will know, there has been a reprofiling of some funding, but not a delay in the projects themselves being implemented. It's a delay in the benchmarks being achieved, and the projects, which must have the approval of other levels of government, are under way.

I want to assure him and all senators that the infrastructure program is robust, it is under way, it is achieving the results that we had hoped as we passed the bill.

Senator Smith: I appreciate the answer, Senator Harder. Having spent some time on the National Finance Committee related to this particular study, we did put some money into tracking projects, and I understand an amount of money was set in the file to be invested into projects, and I understand that people don't get their money until they submit their final receipts.

However, it's not we as opposition stating that this does not exist. It is the PBO, the Parliamentary Budget Officer. I think it's probably important for us to have more transparency and clarity because it's great for the minister to say there is a plan, there is money out. But when you look at the trail — and we started looking at the trail ourselves with computer-assisted programming — there is a question mark as to what the plan is. There is a trail of money, but does the money correspond with the total commitments that were made by the government?

We look at lapsed infrastructure money because there has been, through the government, a statement made by the Minister of Finance that there has been lapsed money. That leads us to the fact that if there is lapsed money, if there isn't a real, strong

structural plan, and there is a huge deficit — and we know that part of the infrastructure money was probably put in to support the government's spending — why should Canadians have any confidence whatsoever in the economic management of this particular file?

Senator Harder: Again, I thank the honourable senator for his question. I think Canadians can have confidence in the economic performance of this government because the economy is responding as a result of the investments made in the course of the last two years by budgets of this government.

With the economic growth that has taken place and the job creation that is under way, and indeed, even in the trade winds of the world trade system, progress is being made on trade agreements, which are so important to the life blood of this country.

• (1440)

With respect specifically to the infrastructure program, the senator will know that this Senate made a report to the government on that. The government has responded. I would be happy to make inquiries of the minister responsible so that I can bring a further update on the program to the attention of all senators.

Senator Smith: I appreciate that answer. Maybe a simpler way of putting a request forward to you for the government is that I think what is really important to Canadians is that you can track the money. Basically, there is an issue right now with trying to track where all this commitment is in terms of the money. It would really be helpful for the credibility of the government, and its management practices, to be able to give more transparent reports as to exactly where they are with the money.

Let's take a simple example. If they committed \$33 billion for phase one, or \$11 billion for phase one, or whatever, where is the actual expenditure? They started phase two. We know that publicly, but where is the money? Tracking the money in simplistic terms so that people are able to communicate with citizens and citizens have a sense of confidence in the government's economic management would be very helpful.

Senator Harder: I thank the honourable senator for his question. That is the kind of report I would assume the senator is asking for. I'll make every effort to achieve that.

As the senator will know, when the minister was here last — and it might have been two times ago — he spoke about the transparency that his department was committed to in tracking these projects. I will be delighted to seek an update.

[Translation]

NATIONAL DEFENCE

PEACEKEEPING MISSION TO MALI

Hon. Jean-Guy Dagenais: My question is for the Prime Minister's representative and has to do with Monday's announcement regarding the deployment of Canadian soldiers to

the mission in Mali. According to the United Nations, 162 soldiers have lost their lives during the mission in Mali, making it one of the most dangerous international operations currently being led by the UN. Peace does not exist in Mali. It is a war zone. The information given by Minister Sajjan and Minister Freeland on Monday was vague and contradictory, as is often the case.

Minister Sajjan indicated that we are going to send two Chinook helicopters and four Griffon helicopters to Mali, but General Vance later said that the number of aircraft had yet to be determined. Which is it?

Will the Leader of the Government in the Senate provide us with the following information? How many soldiers will be deployed? When will the mission begin? What is the chain of command? What are the rules of engagement?

That is basic information for any military deployment, and Canadians have the right to know.

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. I am sure he would agree, as do all senators, that part of Canada's international commitments is an ongoing participation as we see appropriate in peacekeeping and stabilization missions, through the United Nations. Amongst other areas, I know that we are participating in some stabilization work outside of the UN framework.

The government announcement was to send an aviation task force to Mali, which, as the honourable senator noted, will include two Chinook helicopters that will provide much-needed transport and logistical capacity, as well as four Griffon helicopters for armed escort and protection. A yet-to-be-confirmed number of troops, at what levels, from the Canadian Armed Forces will also facilitate medical evacuation for troops on the ground and provide logistical support for the mission.

I want to reiterate that the government is committed to contributing in ways that maximize Canada's impact and bring the most value to the United Nations stabilization mission in Mali. Further details will be coming forth from the military and the minister responsible as they become available and clarified as the program gets under way.

[Translation]

Senator Dagenais: Canadian soldiers will be deployed to a war zone. Canadians have the right to know how exactly this mission is in our national interest. Can the Leader of the Government in the Senate guarantee us that he will get back to us quickly with the details of the mission to Mali? We have the right to know whether the Trudeau government is going to send our soldiers to be killed for a bogus peacekeeping mission.

[English]

Senator Harder: I would be happy to update the Senate as a whole as details become available. I do want to stress that it is the view of the Government of Canada that participation in the

stabilization mission as part of the United Nations effort in Mali is in the national interest, as participating in the UN peacekeeping is in Canada's interest, in the view of this government.

[*Translation*]

DEMOCRATIC INSTITUTIONS

ELECTORAL SYSTEM—REVISIONS TO THE ELECTIONS ACT

Hon. Serge Joyal: My question is for the Government Representative in the Senate.

[*English*]

I would have preferred to ask this question to the Minister of Democratic Institutions yesterday because my question is directly related to that subject. However, I am happy and honoured to ask the leader the question.

Following the revelation on Monday of the manipulation of the electorate during the last American election and the previous referendum on Brexit by the firm Cambridge Analytica using the private information of more than 50 million users made available by Facebook, and considering that section 3 of the Charter of Rights provides that each Canadian citizen has the right to vote freely and without undue influence in any election, is the government willing to immediately propose measures to prevent the manipulation of the private information of Canadian voters through the Internet in time for the next federal election? When can we expect legislation amending the Canada Elections Act, which was written for a pre-digital world?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. Like the honourable senator, I wish he had asked the minister as well. I will endeavour to answer part of his question, but there are parts he is asking that I will have to seek additional material on.

I want to assure him and all honourable senators that the government takes very seriously the protection of Canadians' privacy and their online presence. In that regard, the Minister of Democratic Institutions is working to strengthen protections of our electoral system and our democratic institutions from interference from outside forces. As the minister hinted at in his answer to another question yesterday, the ministry is coming forward with some amendments to the Canada Elections Act in response to that.

I would also like to take this opportunity to support the Privacy Commissioner's actions where he proactively reached out to Facebook to get more information and to make clear the importance of protecting the privacy of Canadians.

The government is pleased that the Privacy Commissioner has announced plans to investigate these allegations. The government takes these allegations very seriously and will do what it can in further protecting both the private information of Canadians and the integrity of our electoral system.

[Senator Harder]

As the honourable senator will know, in the last budget the government placed a good deal of resources on cybersecurity. Amongst the issues of cybersecurity are, of course, our democratic institutions and electoral processes.

With respect to some specific questions that the honourable senator asked with regard to the timing of potential amendments, I will endeavour to report back as soon as possible.

Senator Joyal: In the context of the next election, I think honourable senators will recognize that time is of the essence here because even if we adopt election legislation this spring, for example, the time that the Chief Electoral Officer will need to implement those changes and adjust the overall system to it is of the essence. Otherwise, I think it will be a generous intention that will not be transformed into active regulation within the system and the capacity of the system to implement it.

My question to you is to insist again on the urgency that those measures be introduced this spring so that we have time, before the summer adjournment, to consider them and make the proper recommendations in time. Before the other place takes them and before they come back here and we pay sober second thought to them, we need time to do that. I ask the government leader to press the government to do its utmost to introduce that as soon as possible so that we can contemplate that the next election will be run without the undue interference and involvement we have seen which, as Christopher Wylie has said, is targeting the inner demons of Canadians. That's certainly not what we want at the next federal election.

• (1450)

Senator Harder: Again, senator, I will undertake to pass that message to the minister responsible.

I want to, though, indicate the high priority the government places on this issue for the very reasons that the honourable senator cites. One of the complexities, of course, is that, in the world of cybersecurity, it is important to ensure that the Canadian Security Establishment and the Canadian Security Intelligence Service are all part of the response. That work is under way as we speak to ensure that the legislation that could be contemplated is the most robust and most contemporary in responding to the most contemporary of challenges in the cybersecurity space.

AGRICULTURE AND AGRI-FOOD TRANSPORT

WESTERN CANADIAN GRAIN TRANSPORTATION

Hon. Pamela Wallin: My question is for the Government Representative and concerns moving grain on the Prairies.

For months now, farmers in my province have been frustrated, to say the least, by the inability to get millions of tonnes of their product to market. Both CN and CP claim they are taking steps to make improvements, but this is time sensitive. Farmers say their grain is not moving.

Part of the problem is the government's decision to include grain and rail transport provisions in a contentious omnibus bill that includes air passenger rights, and there will be calls for amendments, further delaying passage. If I might add, it's a bit much that ministers of transport and agriculture are demanding that the Senate rush to pass this bill when it is the government who presented this as an omnibus bill, making it more complicated to properly scrutinize this legislation in a timely fashion.

So I am asking if you could ask the ministers of transport and agriculture to take immediate action, despite the resistance of Liberals on the House Agriculture Committee that we heard this week, and that this action might include the potential of an order-in-council to deal with grain transport separately and immediately to get the grain from the bin to market before it becomes too late.

Today, farmers are actually unable to make mortgage, land, loan, or input payments, and this puts this year's crop in jeopardy too. They need us to help them now.

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. Be assured that I will bring to the attention of the ministers responsible the suggestions of the honourable senator and note that they may well be shared by others in this place.

I do, though, want to take the occasion to assure all senators that the government, and particularly the ministers of agriculture and transport, are working closely with all of the supply-chain partners to ensure that the freight sector can meet the needs of farmers and all shippers. There are obvious challenges, to which the honourable senator has referred.

The Senate should know that, earlier this month, the ministers directly petitioned and requested further information from the railways about their plans to restore service levels. CN and CP have both subsequently provided responses to the government and, indeed, have made public statements about their own inadequate response to date, which they have assured us, as Canadians, they would be seeking to improve.

I want to report that there have been some early signs of improvement in performance for grain and other commodities for both CN and CP. In crop week 32, CN spotted over 5,000 empty grain cars and 10 per cent improvement over week 31 and a 62.4 improvement compared to week 30 levels. CP also spotted 10 per cent more grain cars in week 32 than in week 31.

While this is a good first step, we should all — and certainly government will be — closely monitoring the situation to ensure that further improvements are sustained.

I appreciate the question of the honourable senator and want to assure her that the ministers responsible, and the government as a whole, take very seriously this challenge.

PUBLIC SERVICES AND PROCUREMENT

DOMINION CARILLONNEUR—RENOVATIONS TO PARLIAMENT BUILDINGS

Hon. Marilou McPhedran: Honourable colleagues, my question is for the Government Leader in the Senate. On March 8, International Women's Day, I had the pleasure of being up in the Peace Tower with our Dominion Carillonneur for her noon concert. It was there I learned that it was the Honourable George Bradbury, senator for Manitoba, who first proposed the installation of the carillon in Parliament, following his experiences in World War I. This was favourably received by members of the House of Commons and in all parts of Canada, and the carillon is sometimes termed our nation's voice in the international, universal language of music.

For decades, the Dominion Carillon has had a rich history in Canada and in Manitoba. As we move closer to the closing of Centre Block, I ask you to inquire about the potential impact that construction will have on the carillon. What alternative arrangements are being made to ensure that live concerts continue and that our national voice is not silenced?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. I was unaware of the origins of the carillon and appreciate the fact that there is a Senate role here.

As senators will know, my office benefits from a rather proximate relationship to the bells, and it's a wonderful relief as I contemplate the luxury of returning to the Senate for Question Period.

I would be happy to make inquiries and report back.

[Translation]

PUBLIC SAFETY

CANNABIS BILL—REGULATIONS

Hon. Pierre-Hugues Boisvenu: On Monday, the Standing Senate Committee on National Security and Defence heard testimony from Mr. Saunders, a lawyer from British Columbia who specializes in cases involving offences committed by citizens who are attempting to enter the United States and who admit to having taken marijuana. His company is being flooded with requests from people who have been banned from the U.S. for life. Technically, 40 per cent of Canadians could suffer the same fate in the coming years. In response to a question from Senator McIntyre, the Canada Border Services Agency, the Royal Canadian Mounted Police, and Global Affairs Canada stated that no discussions were happening with their American counterparts.

So my question for you, Leader of the Government in the Senate, is can you tell us why there have been no written communications between the Canadian and American border protection and security agencies on an issue as important and problematic as marijuana legalization and the impacts of this legislation?

[English]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. These are matters that are being studied in committee, not only the committee to which the senator refers but other committees, as and when the reference to the committees is made. I am sure that more in-depth conversation around this will take place.

In response to the question, I, of course, would want to reinforce the notion that each country is responsible for the rules of ensuring the protection of their frontier. In that regard, the Americans are proposing no changes. Frankly, Canadians remain vigilant with respect to incoming travellers and adherence to Canadian laws, which include a different regime, for example, on gun carriage than the Americans. So this is a process in which there is obviously a need for training and for Border Services working with our American partners to ensure that there is an awareness of the respective responsibilities of governments and of individual citizens as we look forward to promulgating a law that has yet to be passed.

[Translation]

Senator Boisvenu: Leader, are you or your government aware that marijuana is going to be legalized in just a few weeks, yet nothing has been done to raise awareness on the consumption of this product? Nothing has been done to inform citizens intending to travel to the U.S. All the producers, investors, workers, retailers and proponents of the new marijuana industry will be barred from setting foot on U.S. soil the moment this drug is legalized. What does the government plan to do to notify these people that they will be losing this essential right to enter the United States?

[English]

Senator Harder: Again, I thank the honourable senator for his question. It is not accurate to suggest that there has been no public education or awareness program. There has. It has been launched. It's being ramped up. The budget most recently tabled adds a significant new \$60-some million dollars to the \$40-some million that the federal government is undertaking. Provincial governments are adding to that as well. I would be happy to report back in a more fulsome way in this place or through the committee process to ensure that this important component — and I recognize it is an important component of public education and awareness — is being taken seriously and the government is well launched in this important work.

[Senator Boisvenu]

• (1500)

INNOVATION, SCIENCE AND ECONOMIC DEVELOPMENT

ROLE OF PEOPLE'S REPUBLIC OF CHINA IN ANBANG INSURANCE

Hon. Thanh Hai Ngo: My question is for the Leader of the Government in the Senate.

Last year, Innovation Minister Bains approved the controversial \$1 billion sale of one of B.C.'s largest retirement home chains to Anbang Insurance, and the — structured Chinese conglomerate would report assets of \$392 billion.

Last month, the Chinese Communist Party officially seized full control and ownership of Anbang Insurance Group. This means the ultimate control of this company has shifted to a new owner after the former chairman, Wu Xiaohui, was removed from power following accusations of fraud and embezzlement by his government.

Senator Harder, our seniors do not want the Chinese communist government as their landlord. Can you tell us if this shift of the ultimate ownership of this company forces the review of the health field?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his question. I want to assure him that the minister responsible is well aware of the situation and is monitoring it closely.

With respect to the Investment Canada Act, Anbang Canada's entity, Cedar Tree, has made a number of legally binding commitments as part of the review, including to have the current operator continue to manage the business, maintain a significant level of equity in Canada and not to close or repurpose any of the existing retirement residences.

The government will continue to monitor Cedar Tree's compliance with these and other commitments. If there is any need for further action under the Investment Canada Act, I want to assure you appropriate action will be taken. The residences remain subject to provincial health and safety regulations, which the Canadian operator must continue to meet or exceed.

Senator Ngo: Thank you. The shift is very troubling because the foreign government is using a back-door entrance into the full ownership of the company, which offers critical services to our seniors. The British Columbia health minister, Adrian Dix, also raised his concern about this deal and rightly so, because provinces also have a responsibility for awarding contracts to this company.

Can you tell us if the government was aware of the undertakings that led to the change of ownership and if it will conduct an entirely new net benefit test and security review with Anbang?

Senator Harder: Again, senator, as I indicated earlier, the minister and the department responsible are examining the situation closely to make sure that the existing undertakings are adhered to. And if there are further actions needed to be taken under the Investment Canada Act as a result of actions or changes in circumstances, the minister is quite prepared to do so.

HEALTH

UNICEF REPORT ON CANNABIS

Hon. Tony Dean: My question is to the Government Representative in the Senate.

Senator Harder, there was a statement during second reading debate on Bill C-45 yesterday which questioned the validity of a 2013 UNICEF report on cannabis consumption statistics in Canada.

As we're all concerned about young Canadians consuming cannabis and the social and public health implications that result from this, could you please clarify the source of those statistics for us?

Hon. Peter Harder (Government Representative in the Senate): Again, I want to thank the honourable senator for his question and for his attention to ensuring that we are all aware of the facts of the situation.

As some senators are aware, the 2013 UNICEF report on child well-being in rich countries indicates that 28 per cent of 15-year-old Canadians reported past 12-month use of cannabis, ranking Canada as the number one country in the world ranking on this parameter. The statistic was widely reported in the media following the report's release.

The same report also ranked 15-year-old Canadians as number one in the country ranking when reporting on lifetime use, with a prevalence rate of 33 per cent. Data for the 2013 UNICEF report was drawn from a document entitled *Healthy Behaviour in School-Aged Children*, a report of 2009-10. This is a World Health Organization collaborative cross-country survey conducted every four years in more than 40 countries.

The Canadian data for this WHO survey was funded by the Public Health Agency of Canada and overseen by a research team at Queen's University in compliance and collaboration with other universities.

Canada's Department of Justice has no role in the HBSC report on cannabis consumption, although it would presumably be responsive to inquiries about cannabis in the criminal justice system.

Furthermore, Canadian surveys tell us quite a bit about consumption rates for young Canadians. Let me just go into the stats there. Statistics Canada's Canadian Alcohol Tobacco and

Drug Survey reports data on cannabis consumption in past-year use for 15- to 24-year-old Canadians and those over 25. In 2015, 25.2 per cent of 15- to 24-year-olds reported past-year use of cannabis. Within this range, 20.6 per cent of 15- to 19-year-olds reported past year use, while 29.7 per cent of 20- to 24-year-olds reported past year use.

In summary, Statistics Canada informs us that one in five Canadians aged between 15 and 19 and almost one in three Canadians aged between 20 and 24 reported past-year consumption in the year 2015.

Senators will be interested in how cannabis use rates among young Canadians have changed over the years. As in many other jurisdictions, consumption rates fluctuate over time. Statistics Canada reports show that consumption by 15- to 24-year-olds dropped from a peak of 37 per cent in 2004 to 20.3 per cent in 2012.

However, consumption rates have climbed again over the past two surveys. By 2015, one in five Canadians aged 15 to 19 reported past-year consumption and almost one in three 20- to 24-year-olds reported past-year use. These consumption rates obviously remain alarming for all.

Consumption by those above 25 years also peaked at 10 per cent in 2004, dropping to a low of 6.7 in 2011 and rose again to 9.9 in 2015. This confirms the data's integrity. Furthermore, in respect of—

The Hon. the Speaker: Excuse me, Senator Harder, I'm sorry I have to interrupt you, but the time for Question Period has expired.

Senator Harder: Surely another five minutes.

Senator Mockler: That's what they call a planted question.

Senator Housakos: I have a supplementary question, if I am permitted.

The Hon. the Speaker: The time has expired.

Senator Housakos: Hopefully you'll table the stats by tomorrow and we don't have to ask the question.

[Translation]

ORDERS OF THE DAY

CANADA BUSINESS CORPORATIONS ACT CANADA COOPERATIVES ACT CANADA NOT-FOR-PROFIT CORPORATIONS ACT COMPETITION ACT

BILL TO AMEND—THIRD READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Wetston, seconded by the Honourable Senator Cormier, for the third reading of Bill C-25, An Act to amend the Canada Business Corporations Act, the Canada Cooperatives Act, the Canada Not-for-profit Corporations Act, and the Competition Act, as amended.

Hon. Renée Dupuis: Honourable senators, I rise today at third reading of Bill C-25, An Act to amend the Canada Business Corporations Act, the Canada Cooperatives Act, the Canada Not-for-profit Corporations Act, and the Competition Act.

At second reading, I spoke about clause 24 of the bill, which would add a new part to the Canada Business Corporation Act. This part contains just one section, section 172.1, which states, and I quote:

The directors of a prescribed corporation shall place before the shareholders, at every annual meeting, the prescribed information respecting diversity among the directors and among the *members of senior management* as defined by regulation.

From what I gather from the debate on this bill at second reading, the government plans to use the regulations that will follow the adoption of the bill to clarify the vague term of “diversity,” which has no legal definition. It will be defined as applying to the four groups designated in the Employment Equity Act: women, Aboriginal peoples, members of visible minorities and persons with disabilities.

The regulations must put this new requirement in the appropriate context, which means that the requirement is directly connected to human rights and to the need to address past discrimination towards people in these four specific groups.

I remind senators that under the Employment Equity Act, federally regulated companies with more than 100 employees have obligations with respect to the collective representation of these four groups among their employees, including employees in senior management. Each company subject to this act must conduct availability analyses, assess and adopt plans to achieve employment equity for the members of each of these four groups, and take corrective action when these groups are under-represented among the company’s personnel.

• (1510)

The purpose of quantitative objectives is to ensure that each of the four groups is represented in proportion to its labour force availability. The federal system resulted in decades of experience with specific quantitative objectives. We know that the current system still has problems, and we know that some groups oppose it because they would rather maintain the status quo—in other words, continue to discriminate against women.

In its 2017 final report, the Joint Union/Management Task Force on Diversity and Inclusion clearly made that link by recommending the “establishment of a Commissioner for Employment Equity, Diversity and Inclusion.” The report also stated the following:

Employment equity is still a priority. . . . there remains a need to address existing gaps in representation, particularly in certain occupational categories, the executive group. . . .

The federal Minister of Innovation, Science and Economic Development explained that the government rejected quotas in favour of a “comply or explain” approach. The courts have clearly identified discriminatory barriers to the recruitment and retention of women in corporations. Over 30 years ago, the Supreme Court ruled in *Action Travail des Femmes v. Canadian National Railway Company* that harmful prejudices against women and discriminatory policies and practices against them were an expression of systemic discrimination deeply rooted in employment systems, a form of discrimination sometimes sanctioned by senior management in such organizations.

The Quebec Court of Appeal firmly upheld this conclusion in its 2011 ruling in another case brought by the same group, *Action Travail des Femmes*, against *Gaz Métro*. As a result, programs with mandatory quantitative objectives and preferential hiring measures were imposed on the corporations, and they were required to report to human rights commissions. That is the state of the law right now, and it is also the state of practice.

I followed the debates at third reading stage and the debates on the amendment proposed and rejected in the Senate. I took note of the intervention by Senator Wetston, the sponsor of the bill, who reiterated the commitment made by the minister, when he appeared before the Standing Committee on Banking, to review the results of Bill C-25 and to consider other measures, if significant progress was not made within three to five years. Senator Wetston also reminded us that, according to the minister, this bill enjoys support from institutional investors, governance experts and regulators.

The approach used in Bill C-25 is outdated. It will do nothing to address the absence of women on boards of directors or in upper management positions, which is in fact the result of women hitting a glass ceiling, a threshold in terms of professional advancement that women are unable to cross because of discrimination. That is what is preventing women from filling senior roles at most companies, despite having the skills to do so.

I also took note of the intervention by the Government Representative in the Senate, Senator Harder, who insisted that the bill enjoyed the consensus of stakeholders and members of

the other place. He even quoted Senator Carignan at second reading when he said that Bill C-25 is a “non-partisan bill that was developed by two different successive governments” and that “there was consensus within the industry, and the government honoured that.” If I understand correctly, the consensus we are talking about is based on buy-in by the companies in question. No mention is made of representatives of rights advocacy organizations who represent the four designated groups of victims of discrimination. Am I to assume that the sought-after consensus did not include them and no effort was made to involve them?

The Government Representative added that the government’s objective is “a more diverse and gender-balanced corporate sector.” In the legal domain, women have fought for centuries to gain legal recognition of and respect for their right to equality, including access to this legislative chamber of the Senate, where we are holding a debate. This bill would implement women’s right to real equality until women reach equal representation at all levels of decision-making.

Budget 2018 recently presented by the federal government clearly describes the situation:

Over the last 40 years, the rising number of women in the workforce has accounted for about a third of Canada’s real GDP per capita growth.

The budget also references the Peterson Institute for International Economics:

Increasing the share of women in leadership positions from zero to 30 per cent translated into a 16 per cent boost in profits.

The budget identifies discrimination and sexual harassment in the workplace as two barriers to women’s success. Finally, it clearly states:

Measures to advance women in leadership . . . also contribute to closing the gender wage gap.

Dear colleagues, the costs associated with discriminatory hiring practices by certain corporations against members of a designated group, costs borne by all of society, must lead us to implement systems that remedy discrimination. In that regard, one of the budget measures deserves our attention. The awarding of federal contracts equal to or greater than \$1 million will be conditional upon the “robust application of federal employment equity law.” Even the government recognizes the importance of this type of incentive.

The enactment of the Canadian Human Rights Act 40 years ago, in 1978, prohibited all forms of discrimination in federally regulated organizations. It created a legislative framework that must help advance the protection of rights, not erode it. The five-year review stipulated in Bill C-25 will give the Senate the opportunity to analyze in detail the results of enforcing this legislation and to determine whether any real progress has been made. Honourable senators, we must be vigilant when it comes time to review this legislation.

Hon. Senators: Hear, hear!

(On motion of Senator Martin, debate adjourned.)

[*English*]

SALARIES ACT FINANCIAL ADMINISTRATION ACT

BILL TO AMEND—SECOND READING

On the Order:

Resuming debate on the motion of the Honourable Senator Harder, P.C., seconded by the Honourable Senator Wetston, for the second reading of Bill C-24, An Act to amend the Salaries Act and to make a consequential amendment to the Financial Administration Act.

Hon. Yonah Martin (Deputy Leader of the Opposition): Going back to No. 1, second reading, we’re ready for the question.

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

Hon. Senators: Question.

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

Some Hon. Senators: Agreed.

Senator Martin: On division.

(Motion agreed to and bill read second time, on division.)

REFERRED TO COMMITTEE

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

(On motion of Senator Harder, bill referred to the Standing Senate Committee on National Finance.)

• (1520)

CANNABIS BILL

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Dean, seconded by the Honourable Senator Forest, for the second reading of Bill C-45, An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts.

Hon. Fabian Manning: Honourable colleagues, I rise today to contribute to the important debate on Bill C-45, more specifically referred to as the cannabis act. I have listened with great interest to many of your speeches and feel comfortable in saying that I believe this particular debate is definitely taking place on one of the most important pieces of legislation that has come before us in quite some time.

My reason for stating this is because this bill before us proposes to regulate and legalize the production, possession, use and distribution of marijuana throughout Canada. I have been told that the rush for passage of this bill is because during the last election campaign, the then-leader of the Liberal Party of Canada, our present Prime Minister, made an election promise to legalize the use of marijuana in Canada, and he has to fulfil that promise.

Well, there was also the promise of a balanced budget, and we all know where that promise ended up. There was also the promise of no carbon tax, and we all know where that is today.

This whole scenario reminds me of a well-known song from my teenage years by the rock musician Meat Loaf, when he sang the song "Two Out of Three Ain't Bad." If it wasn't so serious, it would be a joke.

The bill's purpose is said to be to protect the public health and public safety of Canadians. The Liberal Party of Canada website states that the purpose of legalizing marijuana is to ensure we keep marijuana out of the hands of children.

Friends, I have studied this piece of legislation from front to back. I have talked with physicians, police officers, mental health experts and many people who have a great interest in this legislation. To this day, I cannot find, nor has it been pointed out to me, where any clause of this bill will remotely keep marijuana out of the hands of children. In my humble opinion, it does the complete opposite, and I feel the price we will be paying in the future is just too high.

I want to once again refer back to my teenage years. Being born in 1964, the early 1980s was a period of great change for many people my age. It was a time to explore and participate in what were deemed to be rites of passage. It was long before hard drugs were on our streets. It was long before profit was the key motivation of the day. It was long before social media made our world so much smaller and increased our access to knowledge, giving us access to so much of what lay outside our protected and sacred places.

I thank God every day that I was fortunate enough not to get caught up in a world of drugs and falsehoods. I know of many very good and decent people who began the downward slope with marijuana. I do not have to go outside my own family to see what the ramifications or consequences can be. Marijuana, in my view, is an introductory drug, and while many may never move on from its use, many do, and their lives and their families are destroyed in the process.

I believe there is a great level of confusion among Canadians about what this bill will do and what all this discussion we are having here is all about. It is not about people using marijuana for medical purposes. That is legal in Canada today, and with that

I fully agree. It is not about the decriminalization of marijuana, because if it were, I would fully agree with that as well. We were all teenagers at one time, and we have all made mistakes and stupid decisions. We should not have to wear them for the rest of our lives like a noose around our necks.

This bill is about legalization of marijuana. It is about sharing the profits of the sales of drugs to Canadians. It is about creating a permission slip for Canadians, saying, "Go ahead and try it; it is legal to do so."

Friends, as a father and a grandfather, I have taught and will continue to teach my family of the harms of drug use and pray that they will listen. But I truly fear that what many believe today is the intent of this bill will not be tomorrow's reality. In the short time I have left, I'm going to tell you why I feel this way.

I listen to people such as Dr. Jeff Blackmer from the Canadian Medical Association. He appeared before the House of Commons Health Committee to testify and spoke specifically to how this government is not taking the medical evidence on marijuana very seriously. To quote him:

We've been a little surprised that people haven't been more respectful of the evidence and the real potential for damage.

These are not theoretical lab models. These are studies, and we know that the earlier people start, the greater the damage, the more permanent it is, and the greater the likelihood of becoming addicted to marijuana. We have all the statistics. We have all the evidence we need in terms of the effects on education, career attainment, IQ levels, and all of these types of things, yet we keep hearing that we need to keep it consistent with the age of alcohol.

Again, to us, this argument doesn't hold water.

As I stated earlier, the government says the intent of this bill is to keep marijuana out of the hands of children. Subclauses 7(a) and (b) of the bill provide that the purposes of the bill are to "protect the health of young persons by restricting their access to cannabis"; and to "protect young persons and others from inducements to use cannabis."

These statements, however, are directly contradicted by the following provisions in Bill C-45 itself. Clause 2 of the bill defines "young person" as an individual who is between 12 and 18 years of age. Clause 8 of the bill provides that a young person may possess 5 grams of marijuana, or 10 joints. Subparagraph 9(1)(b)(i) provides that a "young person" may distribute up to 5 grams of marijuana, or 10 joints. Paragraph 12(4)(b) provides that private homes may grow up to four marijuana plants without legal sanction.

Consequently, the bill provides that individuals between 12 and 18 years of age may freely possess, use and even share marijuana up to 5 grams at a time, or 10 joints. There is absolutely no recourse if a minor is seen carrying, using or handing out marijuana. Please do not attempt to convince me that these provisions in the bill are not going to have a negative effect on our young people, and cause serious repercussions and damage to brain development.

As a senator representing Newfoundland and Labrador, I am being asked to legalize a drug that the medical community states is injurious to the brains of Canadians 25 years or younger. My answer is “no way.”

I’m being asked to legalize a drug that many law enforcement agencies in our country are telling us that they have neither the equipment nor the knowledge to deal with the onslaught of drivers who will be behind the wheel high. My answer is “no way.”

I am being asked to legalize a drug that will be easily accessible to Canadians who have not received the proper prevention and education programs that they deserve. My answer is “no way.”

I’m being asked to legalize a drug that will give a young person between the ages of 12 to 18 years the right to possess and distribute up to 5 grams of marijuana, or 10 joints, without any recourse for their actions. My answer is “never.”

Friends, the country of Sweden has a comprehensive drug prevention and education program, and they have the lowest drug consumption in the world.

As they say in my home province, I believe this piece of legislation is definitely putting the cart well before the horse.

Do we need to rush through Bill C-45? I do not think so. I believe we can learn from the mistakes of others, and we have to look no further than the state of Colorado where after five years of legislation, Colorado now has one of the highest levels of homelessness in the United States, twice as many accidents involving drivers under the influence of marijuana, a 71 per cent increase in illegal consumption in schools, and Colorado ranks first in the United States for marijuana use among teens, scoring well above the national average. Are these the stats that we are trying to attain for the people of Canada? I would hardly think so.

There is so much more I would like to say about what I believe will be the negative effects of this piece of legislation on our health care system, our workplaces, our highways, our youth and our homes, just to name a few. But time does not allow me to do that today. What I can say, though, is this: As a member of this chamber, I take my role here very seriously. I read, I listen, I discuss, and I decide. Everything I have seen and heard thus far on Bill C-45 leads me to believe that we are rushing through a piece of legislation that health professionals, law enforcement officials, provincial legislatures and many Canadians believe we are not prepared for.

• (1530)

Even though I may disagree with many of my colleagues and their opinions and their support of this bill, I respect their right to vote how they wish. But I have to do what I believe in my heart to be the right thing. Therefore, I will not be able to support Bill C-45.

(On motion of Senator Martin, debate adjourned.)

[*Translation*]

CANADA ELECTIONS ACT

BILL TO AMEND—SECOND READING—
DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Mercer, seconded by the Honourable Senator Day, for the second reading of Bill C-50, An Act to amend the Canada Elections Act (political financing).

Hon. Josée Verner: Mr. Speaker, before I begin my speech, I would like to point out that the debate was adjourned by the Honourable Senator Frum on March 1, 2018. I have informed her of my intention to speak to this matter today. Accordingly, I would ask that the debate be adjourned in her name following my speech.

Honourable senators, I rise today to speak to Bill C-50, An Act to amend the Canada Elections Act in respect of political financing. I would like to begin by saying that I will be supporting this bill at second reading. Why? Because as a senator and former minister and member of Parliament, I believe that we in this chamber have a duty to maintain Canadians’ trust in our electoral and democratic systems.

If we overlook the context that led to its introduction, this bill is reasonable. Who here could possibly oppose greater transparency in our electoral system?

The bill requires that certain fundraising activities be publicly disclosed, particularly those attended by the Prime Minister, ministers, opposition party leaders and federal party leadership candidates, whenever the ticket price is over \$200.

It does not address the broader issues regarding the fairness of the electoral process or political financing. Some senators probably would have liked to see some major reforms to the regulation of election financing activities. I agree that those are very important issues. However, that is not the subject of the bill before us today, but I do think this is a step in the right direction.

Given that the bill is about transparency, I take comfort in the fact that voters will be able to find out more about this kind of activity and the people who participate. In other words, Canadians will have the final say as to whether these fundraising activities are appropriate and ethical. Accordingly, we have to ensure that the bill truly channels the government’s intention to make these fundraising activities more transparent.

Senator Mercer has already covered the bill’s main provisions, so I would now like to propose two points to ponder that can inform the debate here and in committee.

First, what about simply prohibiting all of the fundraising activities covered by Bill C-50, the better to avoid the appearance of special access and the risk of conflict of interest? I mention this because some MPs in the other place suggested this would have been the wiser course of action for the government to take.

That is what Ontario did. The new Election Finances Act, which came into effect on January 1, 2017, prohibits all provincial elected representatives from participating in such events. I should point out that Ontario made the switch from funding rules that were much more lax than those at the federal level to a regulatory framework that is now similar to the federal rules in many respects.

Does that mean Bill C-50 should have done likewise and prohibited all federal parties in the other place from engaging in such activities because the government has come under fire for certain fundraising activities? I don't think so. Speaking from experience as a politician, I can assure you that not everything in fundraising is black and white. One can strike a balance, and I have always chosen to follow the rules. Party fundraising must continue to play a key role to ensure that our democracy and our political parties work properly.

We are always concerned about the decline in the voter turnout rate, and yet, fundraising activities are actually one of the means available to Canadians to express their allegiance to a political party and their interest in public affairs. Whether these are activities set out in Bill C-50 or traditional breakfasts, barbecues, corn roasts, or spaghetti dinners organized by members, they all provide opportunities for citizens to meet their elected members and other people. They make connections in their communities and across the country. They develop a sense of belonging, attend political debates in their region, and encourage other people to get involved and to vote, whether for their party or another.

I would also add that most of the people who appeared before the committee in the other place did not address this possibility. When he appeared before the committee on October 17, 2017, Greg Essensa, Chief Electoral Officer of Ontario, did not seem concerned about Bill C-50's relative lenience when he stated:

I do believe this bill achieves greater transparency by making fundraising events public . . .

The former Conflict of Interest and Ethics Commissioner, Mary Dawson, in her 2012-13 annual report, had already supported the possible prohibition of fundraising activities involving ministers and also parliamentary secretaries. During her testimony on October 17, 2017, she supported the bill and deemed that it was "a positive measure that would benefit our electoral process." She added that it would allow the commissioner's office to better enforce the Conflict of Interest Act by giving it access to the names of political fundraiser participants in future investigations. The Commissioner of Lobbying, Karen Shepherd, who testified at the same time as Ms. Dawson, shared that point of view.

Finally, the former Chief Electoral Officer of Canada from 1990 to 2006, Jean-Pierre Kingsley, said in his testimony of October 5, 2017, that this would improve transparency. He said, and I quote:

. . . don't try to prevent it from happening You let the sun shine on it by letting people know.

That brings me to my second point, which is that we must determine whether the provisions of Bill C-50 are enough to meet the government's stated objective of transparency. In order to do that, I will briefly talk about three specific issues.

The first is whether the definitions of the regulated events and participants that must be disclosed to Elections Canada are inclusive enough to ensure the transparency of political fundraising. As I already mentioned, the bill targets events involving the Prime Minister, ministers, opposition leaders, and leadership candidates. Parliamentary secretaries are not included in this bill. However, we cannot overlook the fact that, in some cases, by virtue of their position, parliamentary secretaries have just as much influence as ministers, even if they are not members of cabinet and do not have access to the confidential exchanges or secret information discussed there.

Similarly, the exclusion of political staff from the list of participants that must be given to Elections Canada is something we need to think about. Fundraising event participants could have a major influence on a chief of staff who is attending with his or her minister.

Honourable colleagues, there was broad support among those who spoke in the other place for amendments to address these issues in the bill. I think we need to consider whether these amendments have merit so that we can determine whether they would help the government achieve its objective of greater transparency.

That said, I want to move on to my second question. Are the penalties for non-compliance with the obligations set out in Bill C-50 enough to deter political parties and event organizers from circumventing the law? Under this legislation, a political party will be required to reimburse participants for the total amount raised at any fundraising event that Elections Canada deems non-compliant. The bill also provides for a separate offence that only carries a maximum fine of \$1,000 for organizers found to be at fault.

• (1540)

Given that the government's objective is to be transparent, would such a small fine really deter organizers from violating their obligations and restore Canadians' trust, especially since there aren't even any offences in the Canada Elections Act with a fine as low as \$1,000? In his testimony in committee, Mr. Kingsley suggested raising the fine to \$5,000, the same amount levied for certain similar offences under the act. That suggestion also deserves renewed consideration in committee.

I now come to my third and final question. Does the bill clearly define all the stakeholders who can organize regulated fundraising events? I am asking this question because the bill also regulates fundraising events organized by persons or entities for the benefit of a political party, riding association, or leadership candidate. What do these terms mean? Who are these persons and entities? Mr. Kingsley asked that question too when he appeared before the committee of the other place, because neither term is defined in the bill.

The Canada Elections Act contains very clear provisions governing political fundraising and third-party activities. So it would be a good to seek clarification on these terms to ensure that they're consistent with the provisions of the act, not least because legitimate concerns are being raised about the risks of foreign influence within our voting system. I want to commend the Honourable Senator Frum for the work she has done on this issue, especially with her Bill S-239.

I conclude, honourable senators, by reminding you that we must keep in mind that Canadians expect elected officials and political parties to act responsibly and transparently when it comes to political financing. I urge you to support the principle of Bill C-50, and I encourage you to carefully consider all of the points I raised today.

Thank you.

(On motion of Senator Frum, debate adjourned.)

[English]

CRIMINAL CODE

BILL TO AMEND—SECOND READING— DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Hervieux-Payette, P.C., seconded by the Honourable Senator Joyal, P.C., for the second reading of Bill S-206, An Act to amend the Criminal Code (protection of children against standard child-rearing violence).

Hon. A. Raynell Andreychuk: Honourable senators, this matter stands in my name. With the indulgence of the Senate, I would appreciate being able to speak to this at a later date, so I'm asking to rewind the clock.

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

Hon. Senators: Agreed.

(On motion of Senator Andreychuk, debate adjourned.)

RULES, PROCEDURES AND THE RIGHTS OF PARLIAMENT

FOURTH REPORT OF COMMITTEE—DEBATE CONTINUED

On the Order:

Resuming debate on the motion of the Honourable Senator Fraser, seconded by the Honourable Senator Hubley, for the adoption of the fourth report (interim) of the Standing Committee on Rules, Procedures and the Rights of Parliament, entitled *Sessional Order*, presented in the Senate on March 7, 2017.

Hon. Richard Neufeld: Honourable senators, I move the adjournment in my name.

(On motion of Senator Neufeld, debate adjourned.)

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

TWENTY-FIRST REPORT OF COMMITTEE—DEBATE

On the Order:

Resuming debate on the motion of the Honourable Senator Massicotte, seconded by the Honourable Senator Tannas, for the adoption of the twenty-first report (interim) of the Standing Committee on Internal Economy, Budgets and Administration (*Audit and Oversight*), presented in the Senate on November 28, 2017.

Hon. David M. Wells: Honourable senators, I would like to make brief remarks on the Audit and Oversight Committee recommendation that came to this chamber from CIBA and is before us now.

It may be instructive to know how we arrived at this point, especially for the newer senators who were not here when the reference was given to the Auditor General. On Thursday, June 6, 2013, there was a motion in the chamber and it stated that the Senate invite the Auditor General of Canada to conduct a comprehensive audit of Senate expenses, including senators' expenses.

That motion, colleagues, was adopted on division. I voted "yea" for that motion. I voted for the AG to come in and audit the Senate because no organization or institution paid for by the taxpayers should be free from scrutiny.

The budget for the Senate in 2013-14 was \$92 million. Fast-forward to the completion of the audit, \$27 million later including questions in my office from the auditor. They were questions like, "On October 14, two years ago, did you eat a meal on your flight from Halifax to Ottawa?" And "On June 6, why did you drive your car to the airport versus getting a taxi?"

• (1550)

So colleagues, from a directive from the Senate to look at the expenditures of the Senate, a \$92 million budget that year, a contract auditor, who had zero knowledge of what a senator does, sat in each of our offices, numerous times, and asked those questions. They asked those questions to senators who had long since retired, no longer had a staff or resources and were proud of their service to this nation. The only ones who escaped this \$27 million scrutiny were the ones who had since died.

The AG did not fulfil his mandate, that is, to conduct an audit of Senate expenses, including senators' expenses. He looked at only senators' expenses — sitting senators, brand new senators, retired senators, all honourable people, as we have here today. He was asked to audit two years of Senate expenditures, \$186 million in total. He chose to audit less than 12 per cent of that, only senators' expenses, not the millions spent by our hard-

working directorates in HR, ISD, Finance and Procurement, not International and Interparliamentary Affairs, Property and Services — nothing. Twelve per cent — 8 per cent representing our travel; 2 per cent representing goods and services from our office; and 2 per cent living expenses. Twelve per cent, colleagues, of 186 million that he was asked to audit. So I think it's necessary for us to continue that work, to continue not just the concept but the practice of auditing our expenses, to ensure that we spend taxpayers' money responsibly.

I want to talk about some of the things that our Subcommittee on Estimates, when I was on that subcommittee, looked at when we made these recommendations to CIBA and thus to the chamber.

I have been asked by other senators about the scope I would envision for an audit and oversight committee. Number one would be a deep dive on specific issues like pensions, where millions of dollars are spent through the public purse in the Senate and, of course, by ourselves, as senators. That money is directly spent, often without our knowledge, through the Treasury Board.

Number two, I would recommend a direct audit, on a revolving basis, of our directorates. We have more than 15 directorates. A number of years ago, we embarked on a zero-base budgeting exercise, where we broke everything down to zero and built up the expenditures of the directorates. This is an opportunity to look at one, two or possibly three directorates each year so that we can ensure that the money approved for them is being spent in a responsible way.

Number three, colleagues, gets to the crux of what the AG only did, and that's looking at senators' expenses — travel, office expenses, living expenses — based on a standard sampling that is part of a good economic practice and good budgeting practice. So that wouldn't be a deep dive. It would be a random sample that would highlight areas where mistakes are made or could be made and further training is needed. It would highlight for the rest of us what to be aware of as we expend senators' office budgets.

Number four, there have been some questions about duplication of activities. Colleagues, the question is: Should this stay within the confines of CIBA? I think there should be a direct division — it's good governance of expenditures — into those who approve expenditures, which is always through CIBA, and those who do a check on these expenditures, which would be under this proposed committee.

Next, colleagues, where does this subcommittee fit? This subcommittee would be answerable to the highest governing authority. That's just simply good governance. The highest governing authority, in this case, is the Senate.

For greater transparency, we had a very specific and directed debate on whether there was a place for non-senators to sit on this parliamentary subcommittee, this Senate subcommittee. After lengthy debate, with both sides weighing in, we decided it was best that, for full transparency, we would report all of our subcommittee meetings on camera, not in camera. That would provide the transparency that Canadians demand when assessing whether expenditures were spent responsibly. Witnesses would be heard publicly, and evidence would be heard publicly.

Further, there would be an internal auditor, which we don't yet have, and an external auditor, which we obviously have every year. They would also sit as experts to the subcommittee. That composition of outside expertise would be welcome and, I think, would serve the purpose of having that outside expertise that some call for.

As I mentioned, this would be on camera, not in camera, for the many Canadians who take great interest in the expenditures of the Senate. This subcommittee would be conducting its hearings directly in front of them, and I think that would provide the transparency and accountability that the Senate needs and that all Canadians would want it to have.

Colleagues, I don't have a lot more to say. I note the clock. I'll be happy to take questions and look forward to this being sent to our Rules Committee.

Hon. Percy E. Downe: Thank you, Senator Wells, for your speech. I, too, voted for the Auditor General to come in to audit the Senate, a decision I regret very much in hindsight, not because I was found to be in violation of any of the rules, which I was not. Rather, I was shocked that the amount of money that was spent was over \$27 million. You have indicated in your speech the categories that were done and how minimal it was. But the \$27 million doesn't include the expenditures of the Senate, where we had an army of people, it seemed— I was on Internal at the time— working on this file, working overtime, expenditures, to get all of this information that they requested. Then, over and above that, our individual office staff had to go back to every claim for two years. For example, they had to dig up records of who I visited, where I was, what I was doing and so on. It was a tremendous use of resources.

My question is this: Is there any limit, any check, so that we don't get into this excessive auditing on a continuous basis? It seems to me there needs to be a balance between taking care of taxpayers' money, on the one hand, and the Senate spending, directly or indirectly, tens of millions of dollars to that end.

Keep in mind, of course, that the House of Commons, down the hall, when they had the opportunity for transparency and openness, all of the parties denied any authority for the Auditor General to come in to check their books. We're beyond reproach, I guess, in our level of information.

I'm just wondering, what are the restrictions on the amounts? I don't want to go down this road again, where we think we're approving one thing, and then we, in my opinion, hose the taxpayers for an incredible amount of money.

Senator Wells: Thank you, Senator Downe. That's an excellent question. Of course, what we didn't do last time was to have a preemptive exercise. This would be a preemptive exercise to any Auditor General who might wish to come in or who is given permission to come in. This would be a preemptive exercise to ensure that our practices, procedures and expenditures are within reason and within the rules.

The Hon. the Speaker: Senator Wells, a number of other senators wish to ask questions, but it's now 4 o'clock. When we convene at the next sitting, when this matter is called again, you will have the balance of your time, if you wish, to answer questions from other senators.

(At 4 p.m., pursuant to the order adopted by the Senate on February 4, 2016, the Senate adjourned until 1:30 p.m., tomorrow.)
