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Monday, May 10, 2004

Speaker: The Honourable Peter Milliken

CONTENTS

(Table of Contents appears at back of this issue.)

HOUSE OF COMMONS

Monday, May 10, 2004

The House met at 11 a.m.

Prayers

● (1100)

[*Translation*]

BUSINESS OF THE HOUSE

The Acting Speaker (Mr. Bélair): It is my duty, pursuant to Standing Order 81(14), to inform the House that the motion to be considered tomorrow during consideration of the business of supply is as follows:

> That the House condemn the private for-profit delivery of health care that this government has allowed to grow since 1993.

[*English*]

This motion standing in the name of the hon. member for Churchill is not votable. Copies of the motion are available at the table.

[*Translation*]

It being 11:07 a.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

● (1105)

[*English*]

PERSONAL WATERCRAFT ACT

Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.) moved that Bill S-8, an act concerning personal watercraft in navigable waters, be read the second time and referred to a committee.

He said: Mr. Speaker, Bill S-8, the personal watercraft act, is essentially the same bill I introduced in the last session of Parliament as Bill S-10.

I feel very privileged to debate this bill in the House of Commons to support the many years of work done by Senator Spivak to resolve a very real ecological and social problem. In the absence of regulatory changes, Senator Spivak has developed this legislation and, through great persistence, twice brought it through the Senate.

The bill would improve the safety of Canadians, protect the fragile environment of our lakes and rivers and, most important, give local communities a choice and a measure of local control over a significant problem on their lakes and rivers. The bill would also reverse one area in which the federal authority is being eroded.

The problem this bill addresses arose some 10 years ago with the use of personal watercraft or PWCs, also known as Jet Skis or Sea-Doos, in areas where they pose an undue threat to safety, to the environment and to everyone's peaceful enjoyment of the waterways. For those not familiar with them, they are small, high-powered, jet-driven machines that people ride like a snowmobile on the water.

In brief, the bill would allow municipalities, cottagers' associations and other bodies to place restrictions on PWCs on designated lakes, rivers or portions of coastal waterways. It would also allow local authorities to ban them entirely where they pose an inordinate hazard to safety, to the environment or to the peaceful enjoyment of any navigable water.

At the heart of the bill are two principles: first, the principle of choice, and second, the principle of local control. The bill would allow owners or renters of personal watercraft to continue to use them in areas where they can be used safely and without undue harm to the environment. It would give local authorities, the people who best know the area, a measure of control to decide where restrictions are needed.

The bill has received a significant amount of support. Some 78 organizations are now behind it: municipal associations, cottagers' associations, canoeists, wildlife groups and others who are calling for a resolution to the problem. Because of lack of time, I will skip the list of the many, many organizations that support this bill. However, I will say that petitions from thousands of people urging Parliament to pass this legislation have been presented in the Senate. The news media also has taken a great interest in this issue, and well over a hundred items have appeared in magazines, in newspapers, on radio and on television.

Not everyone is in favour of this approach. As expected, personal watercraft manufacturers and some boating organizations are not in support. They believe that it is untrained drivers, not their machines, that cause the problems, and they believe that education can solve everything.

This was indeed the approach adopted by a cabinet committee in 1994. In fact, the Canadian Coast Guard had drafted regulations that would have made this particular bill, Bill S-8, redundant. Communities wanted the right to restrict PWCs. The Coast Guard responded with new proposed regulations. With provincial agreement, a lake in Quebec and the waters of Pacific Rim National Park were chosen to set the example other communities could follow.

However, the cabinet committee rejected the option on the erroneous assumption that boating education would solve all the problems. Cabinet told the Coast Guard to go back to the drawing board to devise new safety regulations for all types of pleasure craft in respect of equipment, boating safety, training, and the age of boat and PWC operators. Now, no one under 16 years of age can drive these powerful machines.

This approach was advanced by the personal watercraft manufacturers who, to their credit—and credit must be given where it is due—contributed financially to boating programs. It was also an approach which held that personal watercraft were not unique and that it was somehow discriminatory to allow local communities to restrict them while allowing larger power boats on lakes and rivers.

The response to these claims is threefold.

● (1110)

First, the educational program has not worked. The problems have not gone away. Among them is a stunning rise in PWC related fatalities. Last summer the Royal Life Saving Society documented a 53% increase in PWC related deaths since 1996. At the same time, the deaths linked to all small boats declined by 29%. The fatality rate from PWC use is now almost double the rate for other power boats.

Second, personal watercraft are unique, both in their design and the way in which they are used as a thrill craft.

Third, it is no more discriminatory to regulate the activities of PWCs than it is to regulate the activity of waterskiing or boardsurfing, which are currently allowable through the boating restriction regulations.

What the bill would do is change policy. The government could effect the necessary changes by simple regulatory changes to the boating restriction regulations under the Canada Shipping Act. Bill S-8 mimics what the Coast Guard officials proposed to do in 1994 and what appeared in the *Canada Gazette* as a proposed regulation. The internal documents supporting that proposal describe it as a "balanced regulatory regime". The bill attempts to restore that balance.

I have referred to the problems of PWCs repeatedly. I want to briefly outline them. First and foremost are the deaths, injuries and rescue operations that result when these high-powered machines collide with others on the water or with rocks, or they become stranded offshore.

An extensive review of PWCs in the United States found that several years ago they made up 9% of all registered boats but were involved in 26% of all boating accidents and 46% of all boating injuries. Emergency room information collected and analyzed by Health Canada under the Canadian hospitals injury reporting and prevention program also tells us that PWC use results in a disproportional number of injuries. All things being equal, PWCs should account for anywhere from 3% to 5% of the emergency room injuries from watercraft. In fact, they account for more than 20% of them.

Boating safety training will go some way to reducing this toll but it is important to remember that PWCs are primarily thrill craft. People ride them for the fun and the thrill of speed. There will always be thrill seekers whose courage is greater than their skill or judgment.

The pollution from PWCs is of great concern. While many new models are now powered by four stroke engines, the majority of older models are powered by two stroke engines. The U.S. EPA estimates that up to 30% of the fuel in these engines is discharged unburned directly into the water. With fuel consumption rates of up to 10 U.S. gallons per hour, one PWC can discharge 50 to 60 gallons per year based on less than one hour of use per week.

The exhaust emissions also cause air pollution. The emissions from one 100 horsepower PWC driven for just seven hours is equivalent to the emissions from a passenger car driven 160,000 kilometres. Just one hour of PWC use generates as much smog forming pollution as a passenger car generates over one year.

These facts have been recognized by governments in Canada and the U.S. and by the manufacturers of marine engines for PWCs. All have agreed to reduce emissions over time but that is small consolation for people living on shallow lakes or in other areas where pollution is an increasing problem. They have to live with the PWCs that people now own.

The threats to birds that nest on the shore or lake, to marine mammals and to loons has also been well documented. James Martin has a written a report for the year 2001 entitled "Loon and Grebe Study". I will not have the time to quote from it but it is available on the web and the report documents it very clearly.

Similarly, noise is a well recognized problem. Wildlife or people just 100 feet away from a PWC will be exposed to approximately 75 decibels, which, because of rapid changes in acceleration and direction, may be more disturbing than a constant sound of 90 decibels.

● (1115)

The American Hospital Association recommends hearing protection for occasional sounds above 85 decibels. When they travel in packs, as they often do, the noise from PWCs is multiplied. Here too, PWC manufacturers know that they have a problem and they have begun to put less noisy models on the market. Again, people will have to live with the noise that older models produce.

The status quo is simply not acceptable. Provinces are no longer prepared to sit by and watch PWCs and power boats harm their drinking water, the environment and the safety of others on or near their lakes and rivers.

André Bourgon, Diane Rivard and Nicholas Bourgon of Montreal, Quebec wrote the following:

[*Translation*]

> It has now become necessary for Canada, with the support of the provinces, to start doing something about water. This depletable resource needs to be protected. Not only the quality of our water, but also the peace and quiet of our river banks and lake shores.

[*English*]

In British Columbia, a municipality many years ago banned PWCs from a lake on Vancouver Island. Earlier this year, the resort municipality of Whistler, site of the 2010 Olympics used a noise bylaw to ban PWCs from four lakes. In New Brunswick, in the interests of protecting their watersheds, provincial authorities have banned all motorized watercraft from 30 lakes. Last summer, in the interests of safety, the Quebec government gave municipalities the authority to set near-shore speed limits and it is widely expected to soon ban gas power boats on small lakes.

None of these provincial or municipal actions are in keeping with the constitutional division of powers in which the federal government has sole jurisdiction over navigation; the sole right to set limits on when and where boats can and cannot go. In the absence of federal actions, however, these actions are morally, if not legally, justified.

A better course would be to do what Bill S-8 proposes to do: to respect the federal government's constitutional authority, while acknowledging the need for local choice and control. Bill S-8 would do this by requiring a resolution from a local authority, together with proof of consultation, to come to the federal minister for publication in the *Canada Gazette.* It would require a public comment period and it would give the minister the right to deny the requested restriction if it would unduly impede navigation.

Local authorities that strongly favour this approach want it because they know that boating safety courses and age restrictions have not been sufficient. They want the choice to restrict personal watercraft where residents agree that they are clearly hazards to safety, to the environment or to the peaceful enjoyment of their lakes.

It is not expected that Bill S-8 will be needed everywhere. In fact, I hope it will not be needed on the majority of our lakes and rivers. Voluntary codes, negotiated settlements and good common sense by PWC users should solve many of the problems. However where "a certain boating activity poses a danger to the public or is harmful to the environment" local authorities should be able to apply for a boating restriction. Bill S-8 would give them the means.

I do hope that members of the House will agree with the importance of the bill and send it to the Standing Committee on Environment and Sustainable Development for closer examination. I hope the practical solutions put forward in the legislation will one day become law. We lose nothing by sending it to the Standing Committee on Environment and Sustainable Development for debate on the issue. To close our eyes and our ears and pretend there is no problem with PWCs is avoiding the issue altogether.

Bill S-8 offers a very important option. It enables us to debate this very important issue, protect the environment, protect the rights of citizens to quiet enjoyment of their waterways and protect wildlife. I ask all my colleagues to support the bill very strongly.

● (1120)

[*Translation*]

Mr. Marcel Gagnon (Champlain, BQ): Mr. Speaker, I would like to thank the hon. member for Lac-Saint-Louis for bringing forward this extremely important matter, especially as summer is fast approaching.

Yesterday, I was on the shores of Shawinigan Bay, where I became aware of the potential of PWCs to cause a disturbance to people living near the water. The only hang-up here is that we do not need a law for this because, as the hon. member for Lac-Saint-Louis has just said, the municipalities already have the power to pass bylaws on this.

So this is my question for him. What is the point of having a bill on something that comes under municipal jurisdiction, and therefore under the general jurisdiction of Quebec and the provinces? It is, of course, a fine subject of discussion to make legislators more aware of the issue, but is there not already such a law in Quebec?

The hon. member referred to cases in British Columbia as examples, to which I could add some in my riding of Mauricie, of municipalities that already have regulations in place for a lake located right in the middle of a municipality.

I would ask the member for Lac-Saint-Louis whether this bill makes any new contribution, or whether it represents nothing more than an intrusion into areas under provincial jurisdiction.

Mr. Clifford Lincoln: Mr. Speaker, I thank the hon. member for his question. In fact, as I explained, navigable waters in Canada are under federal jurisdiction. That is clear.

We are talking about navigable waters. It is true that many municipalities across the country, including some in Quebec and British Columbia, have already passed municipal bylaws to restrict the use of certain kinds of boats, including personal watercraft. At the same time, many municipalities and provinces do not want to venture into this field. They believe that the federal government is responsible for navigable waters and that, under the Constitution, it is up to the federal government to make such regulations.

In fact, regulations had been discussed and proposed by the Coast Guard a number of years ago, Nevertheless, the proposal was set aside by the government. The government must now assume its responsibilities. Because of its own obligations and its own jurisdiction over navigable waters, it must make regulations that apply everywhere in Canada, thus giving complete authority to provinces and municipalities to legislate. When that is done, such laws and regulations will stand up in the Supreme Court if ever they are challenged.

Thus, the federal government must, at all costs, assume its responsibilities and not hide behind the municipalities to do its work.

● (1125)

[*English*]

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, CPC): Mr. Speaker, I rise to speak to Bill S-8, an act concerning personal watercraft in navigable waters. Essentially the bill would give local authorities to same kind of ability to restrict the use of seadoos and personal watercraft, jet skis and so on, as they have to restrict water skiing or prevent sea plans from landing.

Bill S-8 would allow local authorities to have the Minister of Fisheries and Oceans make boating restriction regulations under the Canada Shipping Act. To the extent that the Canada Shipping Act only applies in federal waters, Bill S-8 does not trample on provincial powers.

Speaking of the Constitution, most experts describe Ottawa's residual powers therein as POG, peace, order and good government. I am pleased that the peace and order are very much at the heart of Bill S-8.

The amount of noise that personal watercraft produce is such an issue that in February the municipality of Whistler, the site of the 2010 Olympic Winter Games, added personal watercraft to its noise bylaws.

However, another major concern is the safety of other people using the waterway. According to internal Coast Guard information obtained by Senator Spivak, its rescue and environmental response division has found that personal watercraft have a higher rate of collisions than any other small vessel. Similarly a disproportionate number of calls on the department's 1-800 boating safety hotline were about personal watercraft.

However, peace and order do not necessarily imply a ban on personal watercraft. They imply respect within a community and consultation, as well as responsible and courteous use of public waterways. Therefore, while some in this chamber might see an outright ban on watercraft as the true manifestation of peace and order, I would tend to look further.

For me, peace and order involves a community deciding together the best ways to collectively share our lakes and waterways. In a confederation like Canada, true peace and order involves an understanding that different communities will choose different realities.

The concept of community is central to Bill S-8, and expressed in the term of local authority which can include both an incorporated city and a cottage association. In essence, it could best be described as the collective that controls the water for the benefit of all. This is important, because it should be obvious that in any cottage association there are people who like jet skis and there are people who do not. If cottage country is really to have peace and order over summer barbecues, it is essential to make as many people as happy as possible.

It is important to understand that Bill S-8 is not intended to be anything more than a tool in allowing authorities to deal with the increasing use of personal watercraft. In the vast majority of cases, voluntary codes, negotiated settlement and good common sense by personal watercraft users will make the provisions of Bill S-8 unnecessary, in practical terms. At the same time, Bill S-8 gives local authorities the same ability to apply for a boating restriction for personal watercraft as they do for other boats.

It is with this understanding in mind that Bill S-8 would require a local authority to be the catalyst for any change in boating regulations. In fact, as if to reinforce the importance of local authority in being part of the solution that starts the process, Bill S-8 has a purpose clause which reads:

> 3. The purpose of this Act is to provide a method for a local authority to propose to the Minister that restrictions be applied respecting the use of personal watercraft on all or a portion of a navigable waterway over which Parliament has jurisdiction, in order to ensure the waterway's safe use and peaceful enjoyment and the protection of the environment.

Even then clause 4 of Bill S-8 would require the local authority to give "general consultation within the community including consultation with local residents and law enforcement agencies" before calling for new regulations. Then the local authority must pass a resolution and forward it to the Minister of Fisheries and Oceans.

At this point Bill S-8 gives the minister 60 days to publish the regulations in the *Canada Gazette* and begin his or her own 90 day consultation period, after which time, unless navigation would be impeded or his or her consultation yields negative results, the regulation will then take effect.

It is interesting to note that Bill S-8 was first born as Bill S-26 on May 9, 2001, exactly three years ago yesterday. It proposes a similar balanced regulatory regime to be published in the June 1994 *Canada Gazette* as a result of work done by the Canadian Coast Guard.

When she first presented the bill, Senator Spivak told her colleagues:

> The bill is supported in principle by all 141 municipalities in British Columbia; by half the rural municipalities in Alberta; by the Union of Nova Scotia Municipalities; by the Newfoundland and Labrador Federation of Municipalities; by the Manitoba Association of Cottage Owners, with its 60 member associations that represent more than 9,000 cottagers in my province; by FAPEL, a Quebec federation of cottage associations; by the Alberta Summer Village Association—

It has been in the Senate as three different bills, Bills S-26, S-10 and more recently S-8, which we are debating today, and has received some 15 days of Senate committee time and has been reported without amendment.

● (1130)

That something so basic with such broad national support could be allowed to languish for so long astounds me and tells me that the federal Liberals are not as good at copying ideas as some in the House may think.

Perhaps the true genius of Bill S-8 is that it gives local authorities true influence over the federal regulations that apply to "a designated waterway whose shoreline is within jurisdiction or area of the local authority". For example, under Bill S-8, the village of Belcarra in my riding could, after consultations, call for Bedwell Bay to be added to schedule I of the voting restriction regulations "Waters on Which All Vessels Are Prohibited With The Authority of the Minister". This would ban personal watercraft from Bedwell Bay and subject owners to a $500 fine for the violation of that provision.

Similarly, under Bill S-8, the village of Belcarra could, after consultations, call for Bedwell Bay to be added to schedule II of the voting restriction regulations "Waters on Which Power Drive Vessels or Vessels Driven by Electrical Propulsion Are Prohibited Except With The Authority of the Minister". This would require personal watercraft operators in Bedwell Bay to comply with the restrictions set out by the village of Belcarra or face a $500 fine.

In a real sense then, Bill S-8 would give, for example, the village of Belcarra and tens of thousands of similar local authorities the ability to influence the federal regulations that apply to their waters. In each case once the local authority has conducted its consultations and submitted a resolution to the Minister of Fisheries and Oceans, section 5 of Bill S-8 requires the minister, unless navigation will be impeded, to within 60 days draft up new regulations, publish them in the *Canada Gazette* and then after 90 days of successful consultation begin enforcing the new regulation.

For perhaps the first time, it gives local authorities the ability to tell Ottawa and to tell Ottawa bureaucrats what the local priorities are. The importance of this cannot be understated. The village of Belcarra , the very place I mentioned earlier, is a case in point. If Bill S-8 passed and the village of Belcarra conducted consultations essentially by this time next year, it would have influence over Bedwell Bay.

That would be an amazing step forward. In fact, for the citizens of the village of Belcarra and all the tri-cities, in particular Ralph Drew the mayor of Belcarra, it might well an unbelievable step forward. That is because since 1996, the village of Belcarra has been petitioning the federal government to have Bedwell Bay designated as a "no discharge zone" for the discharge of sewage by pleasure craft.

In 1996 the government of B.C. included Bedwell Bay on a list of roughly 70 sites that it wanted to have designated as no discharge zones via a memorandum of understanding with the federal government. In July 1998 the GVRD board of directors unanimously echoed the Bedwell Bay no discharge zone call and a month later the B.C. Ministry of the Environment Lands and Parks regional office also added its endorsement.

In 2000, as required by the Waste Management Act, the GVRD completed the Vancouver region's liquid waste management plan and called again for Indian Arm to be designated under the pleasure craft sewage pollution prevention regulations as a no discharge zone. The B.C. Ministry of Water, Land and Air Protection subsequently endorsed the recommendation in 2002.

If Bill S-8 passes, and I am fortunate to be re-elected in the coming campaign, I will work and introduce my own private member's bill to give the village of Belcarra and other similar areas the same power to declare local waters no discharge zones that Bill S-8 would give them to add local waters to schedules I and II of the boating restriction regulations.

The Conservative Party of Canada believes in sending more power, money, control and influence back to local municipalities. Allowing local governments to decide what regulations to impose on personal watercraft and sewage disposal are only two of the many examples of policy areas where local common sense should always be put ahead of Ottawa bureaucracy.

We have to wonder who is in favour of dumping raw sewage from pleasure craft into Bedwell Bay, but they must be big supporters of the Liberal Party if eight years after petitioning, they still cannot get such a beautiful part of my riding, indeed this country, listed as a no discharge area.

However, the fact that Bedwell Bay is not yet a no discharge zone is probably rooted in the fact that Ottawa bureaucrats are handling the file and they see Bedwell Bay as a benign place or name, a word on a page rather than what it really is. However, for those of us in the tri-cities, we know Bedwell Bay for its full beauty and glory. For the people in my riding, Bedwell Bay and all of Indian Arm are a big part of keeping British Columbia beautiful.

Just so the House understands, the official opposition, the Conservative Party of Canada, strongly supports Bill S-8. We see it as a precedent for the kind of new government Canada needs in respecting local authorities, giving power, money, control and influence back to Canadians, back to municipalities so we can all have the kind of government we want, not the kind of government that is mandated by Ottawa and the bureaucrats here.

● (1135)

[*Translation*]

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, it is a pleasure for me to speak this morning on Bill S-8 which, as my colleague said, is a bill that has been before this House previously.

I have some questions about this bill, and one in particular. Bill S-8 allows municipalities to deal directly with the federal government in order to modify regulations governing the lakes and rivers in Quebec, and the other provinces, while the current procedures allow Quebec's Ministère des Affaires municipales, du Sport et du Loisir to make regulations governing the use of personal watercraft on our lakes and rivers.

That is my first question, because, in fact, the bill charges right into an area of provincial jurisdiction.

Finally, we should ask ourselves a fundamental question, which is perhaps the most important one. If we gave the federal government the responsibility of monitoring the use of personal watercraft on all the lakes of Quebec and Canada, how could the Coast Guard implement these regulations, given its current means? I think the answer is obvious.

It seems impossible to me that, right now, the Coast Guard could be the body or the agency in charge of implementing this legislation alone. Therefore, it would have to delegate its power to local authorities, which would be in a position to monitor the use of personal watercraft. This bill is about personal watercraft, but there are all kinds of other boats and craft.

Today, the popularity of personal watercraft is somewhat reminiscent of that of snowmobiles. When snowmobiles first appeared in the late sixties, if my memory serves me correctly—perhaps I was too young to remember the exact time; I wonder if the hon. member for Champlain could tell us the exact time—there were, of course, no regulations and no way to monitor the use of snowmobiles. This resulted in abuse and accidents. People used to drive snowmobiles on farmland and this had a harmful impact, particularly on the environment. Moreover, a significant number of deaths occurred before governments took action and made attempts to monitor the use of snowmobiles.

But let us get back to personal watercraft. In my opinion, there are not only personal watercraft out there, and this is very important. Nowadays, there are some very powerful boats. Those who live along the St. Lawrence River can see other types of boats that are used by people and that travel at incredible speeds. We should deal not only with personal watercraft, but with all types of boats and craft, particularly on waterways such as the St. Lawrence River or the Great Lakes.

The Bloc Quebecois' position is that there are solutions other than the bill before us to deal with this issue. This bill charges right into a provincial jurisdiction. Consequently, we simply cannot approve such a bill, which, in any case, appears to be totally useless in its present form.

Currently, there is a mechanism whereby municipalities can amend boating regulations. Applications to that effect are submitted to Quebec's department of municipal affairs, sport and recreation, which then transmits them to Fisheries and Oceans Canada.

We think that changing the nature of the mechanism at this time, so that municipalities are dealing directly with the federal government, is an intrusion by the federal government into a provincial jurisdiction, Quebec's in particular.

To achieve the desired objective, that is, to restrict the use of personal watercraft, federal regulations could be changed without bypassing the Government of Quebec. At this time, it would simply be a matter of changing federal regulations. The federal government could then delegate to the Quebec authorities, who could work together with local authorities to resolve what I consider to be specific problems.

● (1140)

We know there are a great many bodies of water in Quebec and this situation does not apply to all of them. Each one has to be treated individually, with the two sets of authorities, those for local matters and those for the body of water, as is the case when it comes to the environment and catchment areas such as for rivers. A local committee manages all the pollution in the catchment areas. Decisions are made by a local committee and are backed by the Government of Quebec. This works very well.

I do not see the point in centralizing Canada-wide a problem that can be resolved by Quebec, by provincial and local authorities. Of course, the federal regulations would have to be adjusted. As I was saying, it is not necessary to have a bill. It is simply a question of adjusting the federal regulations in order to allow Quebec and provincial authorities to take appropriate action.

There is another problem with Bill S-8. To arrive at a solution, all types of watercraft would have to be banned. The current wording of the bill is problematic. Do we want to ban only personal watercraft or all watercraft that might make noise or harm the environment?

This is far from clear in Bill S-8 at the present time. Not only not clear, but also, for a community or a municipality to be able to ban personal watercraft, all motorboats would have to be banned from the waters in question. There cannot be a ban of just one type of watercraft and not other types which may produce an equal amount of noise and pollution and cause as much damage. So there is a legal problem concerning the bill before us here.

For bodies of water where there is no alternative road access, it would strike me as extremely difficult to ban the use of motorboats of any kind. People need to use them to get to cottages with no road access, or to where they want to hunt and fish or engage in some other activity. This is another problem with Bill S-8.

My colleague for Lac-Saint-Louis, having been Quebec's environment minister, may recall that, when we first discussed personal watercraft use, we addressed another problem not covered by Bill S-8: not noise but environmental damage, specifically the spread of invasive exotic species by this type of watercraft. PWCs can be readily moved from one body of water to another.

For example, at this time the zebra mussel costs our economy $7 billion to $13 billion yearly. Watercraft of this type are the main reason for the spread of such invasive species from one body of water to another, and this is a major environmental problem.

We must go further with this. We must see that federal responsibility goes beyond the protection of water to focus more on species protection. That is the approach this bill ought perhaps to have taken.

We are well aware that the use of personal watercraft may seriously disturb the quiet enjoyment of some people along the shores of waterways. In its present form, however, this bill strikes us as impossible to enforce.

● (1145)

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I thank you for the opportunity to join the debate on Bill S-8. I would like to pass on some of the views of the New Democratic Party caucus in regard to the bill.

I would like to start by complimenting and acknowledging the effort of Senator Spivak from Manitoba who has been tireless in her pursuit of this issue, and the member for Lac-Saint-Louis, who has been equally aggressive on the environmental issues that come to the House of Commons. It is a fitting match that Senator Spivak should join forces with the member for Lac-Saint-Louis on the bill.

I was shocked when I heard the speech by the member for Lac-Saint-Louis. Even though I have fairly strong personal views on personal watercraft, I was not aware of some of the negative aspects regarding these machines and the fact that they are dangerous to the well-being of Canadians, but also the degree to which they pollute and the environmental degradation associated with them. It compounds my own personal feelings and views toward personal watercraft to learn some of these statistics.

I was particularly interested, from a personal well-being point of view and given that so many young people and youth are involved in using personal watercraft, in the incidence of accidents. When we look directly at ratio and proportion, personal watercraft are 3% of the sports recreation watercraft out there. We should have approximately 3% of the injuries associated with them. The figure is actually 20%, almost 10 times higher, vastly higher, a disproportionate incidence of injuries associated with these vehicles.

While I was listening to the other speakers I was looking at the Canada Fisheries and Oceans Coast Guard document regarding personal watercraft. It has recognized some of the problems associated with these vehicles and has taken some steps to education Canadians. In fact, a personal pleasure craft operator card is now required for anyone operating these things.

However, any hon. members who have been to the lake recently will know that these things are used, like skateboards on the streets, with reckless abandon to any acceptable guidelines. Most pleasure craft boaters take some pride in the way they conduct themselves on the water. These vehicles are used in a reckless way virtually every time I have ever seen them used. It is not shocking that the incidence of injury is that much higher because they are used recklessly.

The incidence of deaths associated with these are double those of normal power boats. That is not even getting into the issue of the noise pollution and the environmental degradation associated with them.

I come from a building trades background. I am used to power tools and noisy equipment. I even have some hearing loss associated from using power tools and I know that the decibel schedule is not linear. If we go up three points, three decibels from 65 decibels to 68 decibels, it doubles the noise level. When we go a further three decibels higher, it doubles again, it compounds.

When we talk about 75 decibels of noise exposure from a personal watercraft operating 100 feet away, the distance between you and I, Mr. Speaker, or not quite that far perhaps, that is a shocking noise level. It can escalate to 90 decibels when the machine turns or when the wind carries the noise toward the recreation user. So, 90 decibels is far in excess. We should be wearing hearing protection to operate these things.

I suppose some of the reluctance on the part of municipalities to take steps to bar personal watercraft is because of the two stroke engines, as there are an awful lot of outboard motors still in use that have two stroke engines. However, when I heard the statistics, the exhaust from a two stroke personal watercraft with seven hours of use would be equal to the exhaust of a modern car for 160,000 kilometres worth of driving. These things are belching out fumes. Thirty per cent of the fuel is not burnt but is actually discharged into exhaust or even into the water.

● (1150)

I was taken aback by the speech from my colleague from Lac-Saint-Louis. It reinforced my own view about these personal watercrafts. To be fair to my colleagues in the NDP caucus, at least one member of our caucus has expressed the fact that she does not agree with the bill which would enable municipalities to further restrict their usage. She represents the vast region of Churchill which is two-thirds of the Province of Manitoba and home to over 100,000 lakes.

My colleague pointed out that a lot of the people she represents in smaller communities in northern Manitoba do not want their use of these things limited. To be fair to her point of view she represents a large constituency with a number of year-round residents of cottage country, not just urban dwellers who seek sanctuary in those pristine settings. People use personal watercraft in certain parts of the country and my colleague wanted me to point out on her behalf that our caucus is not unanimous in its support of Bill S-8.

If these vehicles cause environmental degradation to the degree that has been cited by colleagues today, then they should be regulated under Environment Canada's regulations. We would have to start doing something about the grossly inefficient old Evinrude's that are out there. I am not criticizing any one product line, but we would have to start doing something about the old two stroke outboard motors which continue to belch smoke all through cottage country.

This is a good day for the environment in these twilight hours of this Parliament that we are seized of this issue that will have a meaningful impact on average Canadians.

I would like to share another piece of good news with my colleagues that just came out this hour. Monsanto has announced that it will no longer produce genetically modified wheat. I know it is a secondary issue to what we are discussing now, but it is a good day for the environment. Monsanto has not waited for any labelling regime to be put in place but has simply stated that it cannot sell this wheat on the market if it has been genetically modified. This is a good day for the environment and for those of us who follow these issues.

I support Bill S-8 and look forward to its speedy passage. I support the efforts of Senator Spivak who has tirelessly pursued this issue for many years. This legislation does not tie anyone's hands. It is not a heavy intervention by the state. It simply enables municipalities to test the waters, excuse the pun, in their own communities and seeks input from cottage dwellers as to whether or not they would like to limit the use of these watercraft in their area.

Hon. Jim Karygiannis (Parliamentary Secretary to the Minister of Transport, Lib.): Mr. Speaker, I will begin by saying that the government welcomes this debate because we are convinced that boating safety is exponentially improved by open dialogue and education. We want to commend Senator Spivak and the hon. member for Lac-Saint-Louis for their longstanding commitment to the environment and, in this particular instance, boating safety.

While the department shares many of the same concerns that resulted in the proposal we have before us, I regret that I cannot support giving second reading approval in principle to the bill, because it is clearly unnecessary. It duplicates existing measures and does not provide for fundamental democratic rights of Canadians for a fair and open consultative process.

Let me first provide some background on the current legislation and policy before getting into a more detailed examination of the proposed bill.

It is the Canada Shipping Act that provides the legislative basis to restrict boating for reasons of public safety, protection of the marine environment, and public convenience. Under this authority, the government has enacted the boating restriction regulations. These regulations provide a mechanism to restrict or even prohibit the operation of all powered vessels, including personal watercraft, on Canadian waters.

The regulations contain a number of schedules that set out the restrictions or prohibitions that apply to vessels; that is, all vessels, not just certain types of vessels, may be prohibited using these regulations.

Bill S-8 would duplicate boating restrictions that are applied to all motorized vessels of the same type or engine size. What is at issue, and where the government and the Bill S-8 sponsors part company, is that current regulations apply to all vessels and do not discriminate against a specific type of vessel, such as personal watercraft.

A number of other useful measures can be established under the boating restriction regulations.

Under these regulations, shoreline speed limits have been made for all waters from the Ottawa River to the Pacific Ocean. Permits can be issued for events that may occur on a waterway where a restriction is in place. A maximum horsepower for vessels operated by those who are under 16 years of age has been set, as has the minimum age required to operate a vessel, including a personal watercraft. Under these regulations, only persons 16 years of age and over may operate a personal watercraft.

In addition, the regulations for competency of operators of pleasure craft now require that operators of personal watercraft, known as PWCs, have a pleasure craft operator card. The schedules that implement these provisions are amended regularly to add and, in some rare cases, to withdraw a restriction from a particular schedule following a request, which usually comes from local authorities.

The existing process includes the provinces, which are partners in the enforcement of those boating regulations and are an important part of the regulatory process. I mention this important provision as Bill S-8 could completely bypass the municipalities and provinces. This is a very real concern to us as well as municipalities and provinces.

I will give a few examples of what the bill would allow. It proposes a regime whereby a small group of people could dictate that a ban be imposed on the use of personal watercraft without requiring that the rest of the population of the lake or river be allowed to exercise their democratic rights to be consulted. The minister would be bound under clauses 5, 6 and 7 of the bill to take specific action to implement this proposal in a very short timeframe, notwithstanding any concerns he or she may have about lack of consultation. The minister could refuse the demand only if safety concerns could be proven or if navigation would be unduly restricted.

At this point, I think it might be helpful to lay out what the government sees as Bill S-8's duplicative measures. Let us start with some similarities first. Bill S-8 provides for: a similar power to make regulations; a similar scheme of schedules annexed to regulations; a shortened process for requesting a restriction or prohibition; and a provision with regard to local consultation.

● (1155)

In terms of differences, the proposed measures in the proposed legislation would result in the following: restrictions or prohibitions that would apply only to personal watercraft; the power to make regulations would be given to the minister and not to cabinet; provincial and municipal governments would be bypassed; and administrative constraints and deadlines would be imposed on the minister which could in some cases mean that he or she could not comply with the Government of Canada's regulatory policy.

I should note here that this regulatory policy has evolved to ensure that a thorough consultation process has been undertaken because of the importance of consultation in protecting the democratic rights of Canadians. The government has established clear requirements for an adequate and fair consultation process, which it may not be possible to respect under this proposed legislation.

We do not believe that the Canadian boating public would be well served by Bill S-8 as it essentially would result in two sets of boating restriction regulations: one would be for personal watercraft and the other for all vessels.

Here is one of the ways in which we can help spread the word to bring about the changes in the operation of personal watercraft that we believe would make this bill unnecessary. In our lobbies here today we have copies of several publications, and the Office of Boating Safety would be happy to supply more so that we can take copies to our constituents to help our constituents understand the obligations that already exist for these vessels.

I am going to refer first to some information in a small pamphlet that is entitled, "Do You Have What It Takes to Have Fun Boating?" Also, do members know that, under the Contraventions Act, enforcement agencies in many provinces can now give tickets to offenders on the spot? Tickets can be issued for offences such as not having required safety equipment on board or violating speed limits, both of which apply equally to personal watercraft. The Provinces of New Brunswick, Prince Edward, Nova Scotia, Ontario, Quebec and Manitoba already have these mechanisms in place.

Charges can be laid for the very things that I believe the sponsors of this bill are most concerned about. Under section 43 of the small vessels regulations, operators of all pleasure craft, including PWCs, can be charged if they are operating a craft in such a way that could affect the safety of people or property and for operating the vessel in a careless manner and without consideration for other people. As I mentioned earlier, under the boating restriction regulations, from Ontario to British Columbia there are already shoreline speed limits within 30 metres from shore.

Although I have indicated that Bill S-8 would be a departure from current departmental policy and practice, I would like to add that Transport Canada always gives consideration to any application for a boating restriction that is brought to it.

Regional offices of boating safety are spread across the country. Recently there has been additional training for staff, so they are well trained to respond to any questions or concerns that people on lakes and rivers might have. The Office of Boating Safety has its own website; people can find the regional contacts or they can contact Transport Canada. The regional staff can even act as useful mediators between the opposing parties if PWCs or other watercraft are becoming a nuisance in a particular location.

For instance, in the Pacific region, the boating safety staff was the first to take up an active promotion and mediation role in responding to local requests. There has been a 90% reduction in requests for the formal regulatory assistance process because of the effectiveness of mediation and education.

There is another excellent product that should be looked at, which gives some useful examples of signage that can be displayed at municipal boat ramps, for instance, and in other prominent places where boaters congregate. This will educate boaters and their shore-bound neighbours of the responsibilities and rights of those on the water and on the shore.

It makes it clear that small vessel regulations prohibit the careless operation of a vessel. This means that no person shall operate a small vessel in a careless manner without due care and attention or without reasonable consideration for other persons. Unfortunately, many municipalities and communities are unaware of this regulation and how it can help them deal right away with problematic behaviour. There is even a sample of a sign that can be posted around waterways and marinas. It starts off with "Warning: Careless Operation", and it goes on to say that an offence is "subject to a fine or a court appearance or both".

● (1200)

I think there are now prohibitions that local authorities can use when they are trying to battle unacceptable behaviour on their lakes or waterways. Therefore, in closing, I reiterate that I cannot support giving second reading approval in principle to this bill because it is clearly unnecessary.

[*Translation*]

Mr. Marcel Gagnon (Champlain, BQ): Mr. Speaker, I would like to begin by congratulating the hon. member for Lac-Saint-Louis. I had the opportunity to work with him in the Quebec National Assembly where he was minister of the environment. I know that he will end his political career some day. I can say, from my acquaintance with him, that in every position he held, he has managed to advance the cause of the environment. That is much to his credit, but there still is a great deal of work to be done.

I live near the St. Lawrence River between Trois-Rivières and Quebec City. My colleague mentioned that the Coast Guard was sufficient to enforce a law or regulation like this, and that is true. It made me think, as someone who lives near the river, that we see some horrible things happening.

We are destroying the banks of the St. Lawrence. It is not only because of pleasure boating; it is the result of all kinds of shipping. The shipping lines do not respect the banks of the St. Lawrence and our environment will soon be destroyed if nothing is done. That is also a direct responsibility of the federal government.

Considering the value of our environment and considering that the river is the lifeline of Quebec, I think the federal government ought to permit more surveillance on the river. There are boats that go by our house, pleasure craft among them. It was said that the noise of these motors is around 90 decibels. Still, I can tell the House, even though I have never measured it, that there are boats going by so fast on the river that the noise they make is enormous, and they can be heard a dozen kilometres away as they come toward Champlain. It is the same on the other side of the river.

I believe the federal government must urgently pass measures to protect the St. Lawrence River, not only against personal watercraft but against all those who damage it.

● (1205)

[*English*]

The Acting Speaker (Mr. Bélair): The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the Order Paper.

GOVERNMENT ORDERS

[*English*]

FIRST NATIONS FISCAL AND STATISTICAL MANAGEMENT ACT

The House resumed from May 7 consideration of the motion that Bill C-23, an act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts, be read the third time and passed, and of the amendment.

Mr. Rick Laliberte (Churchill River, Lib.): Mr. Speaker,

[*Editor's Note: Member spoke in Cree*]

[*English*]

It is an honour to speak again on behalf of the many first nations and the aboriginal people who have created this beautiful country that we call Canada through a treaty relationship. This bill would impact on their lives, the development of their communities, the assessment of their lands and the risk management that would take place within the borrowing limitations that are being afforded through the new fiscal relationship in Bill C-23.

I have studied the bill extensively to figure out where it is coming from and why. In large part, the government's explanation is that this is for socio-economic development of the first nations' members on the band list who come under the Indian Act definition of who is an Indian and first nation member. I tried to get to the bottom line of what the department was thinking.

I went through a document from the estimates of Indians affairs from 2003. It says that without a new fiscal model, increasing budgetary needs by first nations may erode public support, including public support for self-government.

That one little sentence says a lot. It means that Indian affairs understands that the first nations of this country are an exploding population. In recent history our young people in these communities on reserves and off reserves have never grown to this number before.

We have communities of about 5,000, 6,000, 10,000 or 15,000 people living on a reserve. Pressure builds on the band councils to develop and finance the housing needs and the social and economic needs of these communities.

That sentence means that Indian affairs recognizes that there will be increased budgetary needs. However, Indian affairs and our government seem to be more concerned about public political opinion on this greater need. The government is trying to give a new fiscal relationship to the band councils to alleviate this budgetary pressure that is building.

There is more need for housing, water and sewer. More health clinics, schools and more classrooms are required. The population is growing. The population in Canada is growing and it is growing not only on first nations reserves but off the reserves as well.

I want to raise another concern I have with Bill C-23 and put it on the record. My concern comes from the royal commission. Within the past 10 years the United Nations designated this an international decade to deal with the issues of indigenous people. Within those 10 years, Canada instituted the royal commission on aboriginal peoples, which made the following recommendation concerning section 35 of the Constitution Act, "the Canadian Constitution in section 35 identifies the first nations, the Indians, the Métis and the Inuit. Section 35 provides the basis for an aboriginal order of government that co-exists with the framework of Canada, along with federal and provincial orders of government".

We have the federal and provincial orders of government. The Constitution gives Parliament all the powers. Through the evolution of this country, the federal government has given its powers to create provincial governments. In turn, the provincial governments turn around and give its powers to the municipal governments.

● (1210)

In our history, Parliament created an Indian Act which identified 630 to 650 band councils across the country. Bill C-23 would give the first nations, as defined under this bill, the band councils the same powers as a municipal government. They would have borrowing powers and the power to tax real property, assess land and assess buildings, so they can be used for taxation and local revenue making.

However the royal commission recommended that the Government of Canada recognize an aboriginal order of government equal within the framework of Canada and within the realm of federal and provincial governments.

I bring back to the House a history of this country. There was an intention of a treaty called a two-row wampum. A two-row wampum treaty signified that the newcomers, which was the British parliamentary system, the British North American Act, Britain, France, all the Europeans who were looking for colonies, the Spanish, Portuguese and the Dutch, who were a big part of the agreement, would have their own vessel for their laws, their languages and their religion. In these treaties the original peoples and their nations would have their governments, their languages, their religions, and that the two vessels would journey together in this river of life.

That statement from the royal commission challenged Canada to recognize an aboriginal order of government. I offer to the House today that the aboriginal orders of government be recognized first as nations, as tribes and as communities, what the Indian Act defines as bands, those camps and communities that engage with treaty, the Indian Act does not recognize the nations and tribes.

For the record of the House, I will read the official names of the nations and tribes of this country, which I have researched, and maybe people will recognize these names. They are: the Beothuk, the Mi'kmaw, the Maliseet, the Naskapi, the Montagnais, the Innu, the Huron, the Petun, the Neutral, the Algonquin, the Odawa, the Cayuga, the Tuscarora, the Seneca, the Onondaga, the Oneida, the Mohawk, the Ojibwa, the Plains Cree, the Woodland Cree, the Swampy Cree, the Assiniboine, the Saulteaux, the Blackfoot, the Dene, the Gwich'in, the Tahltan, the Hare, the Sarcee, the Tlicho, the Slavey, the Carrier, the Chippewyan, the Tutchone, the Beaver, the Sioux, the Dakota, the Nakota, the Lakota, the Kutenai, the Okanagan, the Shuswap, the Comox, the Lillooet, the Nuu-chah-nulth, the Kwakiutl, the Nuxalk, the Heiltsuk, the Haisla, the Wakashan, the Haida, the Tsimshian, the Nisga'a, the Salish, the Sechelt, the Squamish, the Halkomelem and the Tlingit.

● (1215)

Canada will be making a grave mistake if it does not organize, recognize and respect these nations. I have studied the treaty creation of this country through the books and the history of the people.

[*Editor's Note: Member spoke in Cree*]

[*English*]

I have studied how that relationship of the co-existence that symbolized and was reflected in treaty. The Crown made an obligation called a fiduciary responsibility. It was not only a fiscal relationship. The fiduciary responsibility was that the Crown would respect the original sovereignty of the nations. I do not think we should go head strong into creating a municipal type of borrowing and fiscal relationship with the band councils, which fall under the Indian Act under the Indian agent, acting like a warden.

The Indians have been treated like wards of the state, which is how they entered into residential schools. How could the government take five year old children away from their families and place them in institutions to teach them French and English, and Roman Catholic and Protestant religions? These children were forced out of their communities by a government that considered them to be wards of the state.

Now is the time to give aboriginals proper respect and allow them to play a significant role in the governance of this country. The royal commission also challenged the country to reconstruct the structure of the governance of Canada, not only the self-government structures of a band council, of a Métis community or an Inuit village, it challenged us to restructure the very parliamentary structure of our country. Part of that is the recommendation that an aboriginal order of government be recognized.

I have recommended through many of my speeches in the House that we look at a third House of Parliament. The House of Commons is a House. The Senate is a House. They are of the British parliamentary system where two sides argue in order to correct human nature. There is the opposition and government. There is no symbol of unity here. It is all square. It is designed because the king in England could not convene the commoners except in a cathedral, which was square. That is why this is a square room. However there is one building on Parliament Hill, called the parliamentary library, that resembles a teepee. A very sacred symbol of the medicine wheel is imbedded on the floor plan of the building. It is being renovated now and will be ready in 2006.

This is a challenge for all my brothers and sisters of all the nations and tribes of Canada to organize themselves as a council to help guide this country. There is no greater time and no greater threat to our aboriginal nations than now.

This bill has an opt-in clause which is the only significant measure that allows the government to say that this is a safe bill for first nations to consider right now. It is not. There was another opt-in clause that was thrown in for political purpose in the House. It dealt with members' pensions. There were certain people in certain parties in the House who took exception to the pension plan. The government used a political ploy and made the pension an opt-in program. Certain members hung on without a pension for many years but they finally gave in. If we were to check the records of the House, a majority of the members are now under the pension plan that certain people had opposed.

This is the same political strategy that is being used in this bill. Band councils can choose not to enter into this but in 10 years or 15 years, or whatever time it takes, eventually all band councils will be squeezed to find a financial institution to borrow money from for their clinic. If they want more classrooms because of the growing population of children, they will be pointed to the fiscal relationship to borrow money to build the school.

● (1220)

On the issue of water and sewer, the quality of their water might diminish to a point where they will be forced, because of medical and critical reasons for the mere survival of a community, to borrow money to upgrade their water and sewer systems.

This is a dangerous precedent without the proper recognition of the original tribes and nations. That is where the security blanket of our people will be taken care of and secured. There are sacred responsibilities within the nations. Our language is an example.

[*Editor's Note: Member spoke in Cree*]

[*English*]

I speak Cree fluently, thanks to the aboriginal nations, my ancestors, who held that language as a God given gift. The creator give us the gift of language. I carry it today in a proud and noble way. There is knowledge and wisdom locked in that language as well. It is the responsibility of a nation to take care of that language. It is not a band council. A community cannot uphold one responsibility for one language. A whole nation is required to carry the language responsibility.

There are also sacred responsibilities for land, for traditional knowledge and for intellectual property rights of medicines. Pharmaceutical companies are rampant in finding medicines from different plants, beans and minerals in this land. Some of those medicines were taken care of within the knowledge of nationhood, within the knowledge of these tribes. There is a great responsibility there.

The intention of the fiscal and statistical management bill is great and it is appreciated, but it is in the wrong sequence. Organize the proper aboriginal governments of the nations first, the nations, the tribes and band councils. There are three orders of government. We have a federal, provincial and municipal order within our parliamentary system. There are three orders as well in the aboriginal order of government: nation, tribes and band councils. The Government of Canada is making a grave mistake by only recognizing the band councils. In the bill the first nation definition is a band council identified under the Indian Act.

Study the English language dictionary. First means original, number one, the ones who were here first. Nation means nation. Nation does not mean band council. The original nations of Canada are the nations that I read off. There are 50 up to 60 nations. If we look at the documents of the government and the department, they look at the Assembly of First Nations as a lobby group that represents the chiefs and band councils of the country.

It is time, my brothers and sisters, that we gather as nations and tribes, and respect each other. Let us gather ourselves in a circle and help guide the country. Otherwise the country will lose its way. Canada is such a beautiful country.

We cannot carry our responsibilities, as the clan mothers, who are sitting here in the chamber today, have. In their history there was a gift of peace. The creator gave a gift of peace to the original people of this land. We will be making a great mistake if we do not nurture that peace in a respectful and responsible way.

● (1225)

I would like to introduce the following amendment: That the motion be amended by deleting all the words after the word "that" and substituting the following:Bill C-23, an act to provide for real property taxation for first nations to create a first nations tax commission, first nations management board, first nations finance authority and first nations statistical institute and to make consequential amendments to other acts related, be not now read a third time but be referred back to the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources for the purpose of reconsidering the bill to ensure that full consultation with the first nations leaders and their communities on the benefits and impacts of this new fiscal relationship.

The Acting Speaker (Mr. Bélair): The hon. member's amendment is not receivable as the House is debating an amendment. I would suggest, if he approaches the table, there may be another means to accomplish what he wants to do.

● (1230)

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I know the member has certain concerns about the bill. Because of the time limit on speeches, I want to ensure he has a chance to get them out on the table. There may be more comments on some of the clauses in the bill.

Mr. Rick Laliberte: Mr. Speaker, in large part, the other reason I recommended that this be considered for consultation was that last year, Bill C-6, Bill C-19 and Bill C-7 were considered as a suite of bills in the standing committee that went through public consultation. However, the focus of that consultation was Bill C-7, the governance bill. Bill C-19, now Bill C-23 moved in the shadow of the consultation of Bill C-7. A lot of the consultation took place in Parliament.

Bill C-19 was not taken to community consultation. In the Bill C-7 hearings, some people wanted to talk about Bill C-23, or Bill C-19 as it was, but were not allowed to because the mandate of the standing committee in the community hearings was limited to Bill C-7 only. If we are so proud of this bill and it stands the test of community consultation and first nations leadership consideration, it is time to take it to the communities. Let us make sure that everybody thoroughly understands that this search of fiscal relationship deals with a domestic market. There is an opportunity for borrowing members, and there is a definition of borrowing members among the first nations band councils.

There are also definitions of taxpayers. I find them very amusing because there are different categories of taxpayers. There are commercial taxpayers, residential taxpayers and utility taxpayers. I do not know of any other act, federally or provincially, where these different definitions and categories of taxpayers exist.

There is also an issue of a different type of first nation, a first nation member. First nations members are the Indians of Canada, as defined in the Indian Act. However, there is this other category of first nation member and that is a member who agrees with taxation of land. A first nation member who agrees with taxation can sit on the tax commission and on the fiscal institution.

It defines different types of first nations as well. If we are going to define different types of first nations and different types of taxpayers, why can we not define the different nations and tribes of Canada and allow these first nations, as orders of government, to be part of the security of a first nation? Lets say a first nation member wants to borrow money, say a Cree community in northern Saskatchewan in my riding. However, because of fiscal relationships, member does not pay taxes and cannot pay the debt. Why can the Cree nation, or the Prairie Cree or the Woodland Cree not come in and help the member, instead of the third party management or the co-management provisions in the bill?

That co-management and third party management is delegated to the different institutions: the financial management board, the tax commission, and the finance authority. These authorities will be created because of the risk management when dealing with market realities of borrowing money. Why can we not recognize the nations, the tribal councils that have been created across the country, in the bill as having a significant role in this new fiscal relationship?

Also, I cannot miss the opportunity to say that this is a bold vision by our Prime Minister, who wants to have a relationship with the first nations of this land. Allow that relationship to exist first before we define these in stone, in legislation. Once a first nation opts in, it will be difficult to opt out of the fiscal institution. It will be hard for first nations to redefine themselves as a non-borrowing member because the consensus of the borrowing members will be required before they do that.

● (1235)

There are many strong measures that need to be carefully looked at. Proper consultation and understanding by the first nations and their leaders needs to take place. The government should recognize true aboriginal governance first as nations and tribes. Then this legislation will provide them with security for the future. It is the wrong sequence of events.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the people of the Nishnawbe-Aski Nation of the treaty nine district of northern Ontario have sent me a question via the magic of e-mail.

They point out that in 2002 when Bill C-19 was first introduced by the then minister of Indian affairs, the member for Kenora—Rainy River, the right hon. member for Calgary Centre asked how the minister could be tabling the legislation when the four institutions were already up and running. They had offices, staff, salaried officers, boards of directors, and CEOs. The enabling legislation had just been introduced and was being debated but the institutions had been up and running for two years, if not longer. Where did the minister get the spending authority to hire those people and create the four institutions without the enabling legislation having been passed?

Does the member believe that this is the reason for the urgency of ramming the bill through even though no one in Indian country wants it?

Mr. Rick Laliberte: Mr. Speaker, unfortunately I cannot answer the question about where the financial obligations are. Maybe it is in the estimates. Perhaps people in the department could answer that question.

The member is right. There is an existing commission. Advisory boards have been created over the years. The preamble of the legislation recognizes that these boards have already been created.

In 1995 the First Nations Finance Authority was created. In 1999 the first nations and the government recognized the benefits of establishing statutory institutes and the fiscal statistical management system. The Indian Taxation Advisory Board was created in 1988.

There is a grandfathering clause in Bill C-23 as well. The existing organizations and institutes will retain their commissioners, boards of directors and employees until the renewal process takes place.

With regard to the opt-in situation, the bill provides for a seven year review. After royal assent and after consultation, not with first nations members or leaders, but after consultation with the tax commission, the management board, the finance authority, and the statistical institute, the minister will make amendments, including any changes the minister recommends relating to the evolution of this mandate and the operation of the institutions.

That is why Bill C-23 should be sent back to committee. Amendments should be made so that after seven years, the minister, when making changes, should not only consult with the financial institutions created by the bill but also with first nations and first nations leaders.

I would ask the government, under the fiduciary responsibility of the Crown, to please respect the tribes and first nations under royal proclamation that have been identified. There are nations in this country that need that respect.

● (1240)

Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.): Mr. Speaker, the least we can say about the bill is that from its very inception it has been subject to constant controversy as well as a consistent and profound opposition by the majority of first nations. This is why I strongly endorse the substance of the motion proposed by my colleague from Churchill River to refer Bill C-23 back to committee for re-examination and new hearings. I realize that you have ruled, Mr. Speaker, that the motion as it is framed is not receivable. You have also opened the way for some other procedure to be adopted that would come to the same result, in other words, to refer the bill to committee for new hearings and consultation.

It is clear to me that the systematic opposition that the bill has faced on the part of a large majority of first nations has been compounded by what first nations rightfully contend as inadequate consultation.

I listened to the debate on the bill. I am happy to recognize the broadmindedness of my colleague from the Yukon who backed the bill, naturally as he is the parliamentary secretary. At the same time he expressed a degree of fairness and openness and is ready to listen to arguments on both sides. This is why my colleague from Churchill River and I are speaking from a different viewpoint.

Perhaps we could find it in ourselves to express this feeling of openness and conciliation, that we should listen and hear the voices in opposition that have been expressed on the bill and send it back to the committee for review and re-examination. Nothing would be lost in doing what is proper, right and fair.

The Supreme Court of Canada in such leading cases as Sparrow and Delgamuukw has been clear that the first nations are entitled to full and reasonable consultation when there is a proposed measure likely to affect their rights. Certainly this measure is there to affect their rights. In special cases first nations' consent may be required and if the consultation record is insufficient, the legislative measure may be deemed invalid. This is what the Assembly of First Nations in several resolutions and many first nations acting on their own have contended right from the start.

I am convinced that if the bill is passed into law, it will surely be challenged in the courts. There is a strong likelihood that the statute would be held unconstitutional because of the failure to follow the consultation standard laid down by the Supreme Court of Canada in numerous landmark decisions.

Recent initiatives by the Prime Minister and our government have given fresh hope that a new climate of mutual trust and understanding may be pointing itself on the horizon as between government and our first nations.

Sadly, Bill C-23 conflicts with this new spirit of hope and of a true dialogue and understanding with our first nations. It stands out as an important irritant in a context of what was just yesterday and the day before renewed hope by our first nations spirited by the recent, and I would say courageous, statements and initiatives by our Prime Minister.

When the bill was briefly before the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources in 2003, the committee heard from Mr. Fred Lazar, an economist with the Schulich School of Business at York University in Toronto. Dr. Lazar said that he was "adamantly opposed to Bill C-19", which is now Bill C-23. He said:

> So we have taxation, devolution, and control, which is the essence of this proposed bill, all wrapped up in the federal government's limited and historically and legally incorrect view of aboriginal self-government.

● (1245)

Dr. Lazar pointed out that if first nations received their fair share of revenues from resources, the situation would greatly improve.

For several years I have been acting as a volunteer, as a friend, and for two years as a special representative of an Algonquin band not far from here. In 1991, 13 years ago, the band signed a trilateral agreement with the federal government and the Quebec government about the integrated management of the resources on the band's land.

The trilateral agreement happened because suddenly, one day, forestry companies, acting on a management mandate from the Quebec government, started to cut trees on a vast scale on the band's land, which its people have occupied for thousands of years. They rebelled. They blocked the roads and forced the advent of the trilateral agreement, expressing the view that under the Brundtland report, sustainable development was endorsed by all our governments.

The trilateral agreement is viewed by the Royal Commission on Aboriginal Peoples, by the United Nations itself, as a landmark agreement of its kind. It has been 13 years since its inception and we are still arguing whether or not resources should be shared. We are still arguing about where this first nation will find the resources through grants and subsidies to repair its schools, to build adequate housing, which it badly needs, to find revenues with respect, without having to beg from any governments to have what we take for granted in our lives: that every person has a right to a decent living, to quality of life, to education and to proper health care.

Where do they find these resources? If they are on their own territories, they are not allowed a share of these resources, which they own and which treaties recognize as their own. This is really what the bill is about.

Dr. Lazar rightly said:

> The first nations view of the verbal commitments made by both sides was that the lands were to be shared so that both groups could live and prosper together.

This implies at a minimum that the first nations should have received at least half of the revenues and wealth generated by the land and the resources on or below the land. They have not even asked for 50%; they have asked for a share. In the case of the people I know well, the Algonquins of Barriere Lake, they would be satisfied with any share of the revenues on their land. They would be satisfied with control of some of their resources so that people would not abuse them, both ecologically and in regard to their long term sustainability.

Dr. Lazar asked whether the bill would provide first nations with the access to capital markets that is available to other governments.

The federal government sees securitization of tax and other long term revenues as a means for the first nations to build up their infrastructure on reserves. Undoubtedly, there is a need for significant investments to upgrade the infrastructure on reserves, but the onus remains on the federal government to fully underwrite these costs. What we ask is not for the federal government to give grants forever, but to give to the people a share of their own resources which belong to them by treaty.

The proposed bill highlights the potential for control over almost all financial affairs on reserves. It appears to be the Trojan horse, enabling the eventual takeover of all spending decisions on reserves by the independent institutions to be created by the bill.

I would like to quote one of the chiefs. Chief Stewart Phillip is president of the Union of British Columbia Indian Chiefs. He told the committee that 60 first nations who belong to that organization are opposed to the bill. He is the chief of the Penticton Indian Band which is a member community of the Okanagan nation.

● (1250)

The Union of British Columbia Indian Chiefs is the oldest political organization in B.C. Chief Phillip told the committee that Bill C-23 fails to meet the conditions set out in various AFN resolutions—and which have been successively carried out—saying the bill is flawed. I have a set of these resolutions passed over a whole year, time after time in Ottawa, in B.C., and in various parts of the country, repeating again and again that the bill is flawed, that it has not been subjected to adequate consultation and that it should be re-examined or it should fail.

Indeed, a special AFN assembly was convened in Ottawa in November of 2002, two years ago now, for the chiefs in the assembly to make a decision on the first nations financial and statistical management act. It rejected Bill C-23 in its entirety. I will again quote Chief Phillip, who said:

> As for the contents of Bill C-19, it is our submission that legislation, especially national legislation, is not necessary for these four institutions to function.
>
> The Indian Taxation Advisory Board and the other boards are already in existence and operating, as far as we know.

I strongly believe that Chief Phillip and his organization express the views of a substantial majority of first nations and that his recommendation is reflected in the very justified motion of my colleague from Churchill River. I hope that somehow I will find a way to implement the substance of his motion.

Let me now review certain of the modifications of the bills which proponents tout as justifying support for it. The new schedule of the bill conveys the impression that three of the institutions in the bill, all but the statistical institute in part 5, are optional and therefore do not prejudice the first nations that choose not to join.

In addition to the deceptive information that the bill has the support of first nations, the so-called opting in feature is touted as another important measure favouring the bill. The implicit message is that even if most first nations do not like it, they should not interfere with the opportunities of those who choose to opt in.

This is clearly misleading.

First, the so-called opting in provision introduced by the schedule amendment does not apply in the case of the statistical institute under part 5. This part is imposed on all first nations or bands in Canada whether or not they are added to the schedule. This is clearly unfair to the overwhelming majority of first nations who oppose the bill. It should be noted that under clause 105 of the bill the federally appointed institute can indefinitely collect and use the most sensitive data about all bands in Canada without their consent.

What about the other three institutions: the tax commission, the management board, and the financial authority? Again the alleged opting in regarding these three institutions is very misleading. In fact, these statutory national bodies will affect the rights and interests of all first nations in Canada whether or not they are added to the schedule. Indeed, these important national institutions will be controlled for the long term, and in fact forever, by a small number of first nations strongly in support of Bill C-23 and aligned with the Department of Indian Affairs and Northern Development.

The tax commission, which is a federally appointed body, will become the overseer of all future on reserve property taxation bylaws or laws. If the bill is passed, all first nations in Canada that want to develop on reserve property taxation laws and systems will have to seek the approval of this federally appointed commission. All such first nations will have to submit their annual property tax budgets to the commission for approval under clause 9. Surely this affects the rights and interests of all first nations, which belies the argument about the opting in feature.

Clause 13.1, an amendment to Bill C-23 tabled by the minister, may seem to suggest that current property tax provisions in the Indian Act—namely, sections 83 and 84—will continue to be available to communities that do not enlist in the tax commission. However, I question whether, if Bill C-23 is passed into law, two parallel systems will be maintained into the long term.

● (1255)

It is very improbable to think that communities will be permitted to operate for any length of time under the Indian Act regime whilst a new tax commission operates the new, chosen instrument adopted by the federal government.

Perhaps the provision which most significantly disturbs those first nations that oppose Bill C-23 is that of the management board. According to clause 8 of the bill, communities that do not join Bill C-23 are not permitted to pass bylaws or laws dealing with the critical area of financial administration.

Thus, non-opting in communities are restricted to the narrow list of bylaw topics under section 81(1) of the Indian Act, which list does not include financial administration, the very core of local government. In other words, first nations that do not opt in effectively forfeit a key area of local jurisdiction: financial administration.

I referred earlier to the constitutional aspects of the bill which are likely to lead to legal challenges. No doubt the most fundamental problem in this connection is its conflict with the inherent right of first nations to self-government as protected by section 35 of the Constitution Act of 1982. Surely the powers granted to the tax commission and to the management board under Bill C-23 are a direct interference with an inherent right of self-government protected by the Constitution and cherished by all first nations as a centrepiece of their fundamental rights as our first citizens.

Supporters of the bill will argue that the recent introduction of a non-derogation clause relating to section 35 of the Constitution Act of 1982 will fully protect all constitutional rights of first nations. However, there still remains the serious risk that the bill might still infringe the fiduciary duty of Canada to appropriately consult under section 35, which the majority of first nations contends has not taken place, as well as the protection against discrimination under section 15 of the charter, and, most important, the inherent right of self-government of all first nations protected under the Constitution.

I consider that the motion by my colleague from Churchill River—or a substitute for it that he is now negotiating with the Table—is fair and makes eminent sense in the circumstances. It seeks to replace controversy and consistent opposition with consultation, fairness and conciliation. I would like to support its substance most convincingly.

In the time that I am allowed I would like to appeal to all sides of the House for fairness and for conciliation. Surely all these first nations that oppose Bill C-23—and there are hundreds of them reflected in those resolutions that I have read, a great majority of them—represent a voice that cannot be ignored. Surely they have a right to express their position, and surely also they must feel in their heart that something is wrong with the bill.

Who are we here to decide for them as to measures that they themselves do not accept or agree with? Who are we here to say that we know best what is good for them when they tell us that it is not good enough for them? Who are we here to dictate and legislate when such a position is there?

I strongly recommend that we support very actively the substance of the motion of my colleague from Churchill River and send this bill back to committee. We must take time to produce a better bill, one that is acceptable to the people most concerned, the first nations of Canada.

● (1300)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I want to thank the member for Lac-Saint-Louis for a very sensitive and insightful speech regarding a very controversial bill. I welcome the insights. Both the tone and content of his speech were perhaps the best I have heard on this subject in the House of Commons since this controversial bill has been debated.

Given that the overwhelming majority of first nations across the country vehemently oppose this bill, I would like him to expand upon the thought that he left us with. Is it not the height of colonial arrogance for us to impose our will on the governance structure of first nations that have looked at and studied this bill and rejected it categorically?

Of the 633 first nations in the Assembly of First Nations, about 30 support this bill. Government speakers have said there are as many as 100, but they are adding in all those who have indicated even some interest in some aspects of the bill. Those who actively promote and support the bill number no more than 30, most of them concentrated in British Columbia, and they have their own legitimate reasons for supporting aspects of the bill.

I would also ask the member to comment on the optionality issue. My view, our view, is that saying this bill is optional is the same thing as saying that driver's licences are optional. They are optional until one wants to drive a car, and then suddenly one has to have a licence.

My hon. colleague specifically made reference to the management board. If first nations do not sign on to this particular bill, if they are not one of the signatories in the schedule of optional first nations, they are not allowed to put in place financial bylaws dealing with those issues. If they want to put in place financial administration bylaws that go beyond the current parameters of the Indian Act, they have to join this particular vision of this financial management board. How is that optional? It is not optional. It is mandatory if they want to do those things.

The final point I would like him to comment on is the fear, and in my view the legitimate fear, that co-management and third party management may become one of the tasks and duties of this board, so that when the government puts a band into trusteeship for overspending or for trying to meet the basic needs of their communities with the inadequate financial resources they have, when the government comes along and imposes third party trusteeship on them, that duty will be assigned to this government-appointed management board that is an instrument of government now.

I would be interested in hearing my colleague expand upon all of those things.

Mr. Clifford Lincoln: I would like to thank my colleague for his remarks. His consistent fight on behalf of aboriginal peoples has been constant and very sincere. I think it adds greatly to the debate that he should express them so forcefully and so frankly.

I sense a feeling in the House that it is not all black and white. I sense this in our own party. The very fact that I am able to stand here and take a position to a measure by my own government, that my colleague from Churchill River has done likewise, that the parliamentary secretary from Yukon has chatted with me outside and in a very open fashion, I view this as something very constructive for us all.

I agree with my colleague from the NDP that the time when we can impose measures on others is long past, especially with regard to first nations. They should be telling us that they are the people who owned this land and still do. They should be telling us what they want, not we telling them what is good for them.

In my case, it is my conviction on why the bill is flawed. We are opposing measures that obviously, the great majority, whether it is 550, 450, or 490, are opposed to.

I take the point of my colleague that once we have these institutions legislated and entrenched into law, are we going to say, 5 years or 10 years hence, that the opting in clause for those who do not join is a reality, is something that will be substantial? Of course not. When we will have these institutions staffed with a lot of administrative powers and staff, surely the pressure for those nations that stay out will be unbearable. They will either join the system or they will not join.

This is why I made the point in my speech that to say that they will be allowed in certain cases to use the provisions of the Indian Act to run a parallel system, I do not believe is realistic. Once these boards are in place, staffed and funded, the pressures on the nations that do not join in will be so unbearable that they will stand outside the system. Decisions will be made despite them and against them, and against the opposition, and they will have to cave in or the law will have to be changed.

It seems to me that this consistent opposition to the law which has started ever since the first bill was introduced is indicative that it is not perfect and it is flawed.

It seems to me, in the spirit expressed by the Prime Minister recently, that we should look at it. Let us take a few more months. Let us take another year but do it right rather than force it through at the last minute, despite opposition. This is what I seek and this is what is sought by my colleague from the NDP.

This is why we should join in a consensus in the House to support the substance of what is requested by my colleague from Churchill River.

● (1305)

Mr. Rick Laliberte (Churchill River, Lib.): Mr. Speaker, in a recent study by the United Nations on the International Decade of the World's Indigenous People, there was a summit on the treaty relationships that the indigenous nations of the world have with nation state members of the United Nations.

The bill does not refer to any of the treaties that created this country. Canada has adopted a policy of self-government. It does not refer to anything in section 35, the inherent or historical rights and privileges of the first nations. Could the member comment on this?

In my reference to reconsidering the bill, perhaps the bill would be better founded if it referred to the original treaties and to the first nations as the real nations of this land as opposed to just band councils under the Indian Act or just the policy of government? Perhaps the foundation of this relationship should be treaty based. Perhaps that is the appropriate way to approach the bill.

Mr. Clifford Lincoln: Mr. Speaker, my colleague from Churchill River expressed the feeling that I am deeply convinced about, that the first nations have a special place in our history, in our nation, and in our way of life. They are protected by section 35 for good reason. Section 35 protects all these treaties and all these inherent rights to self-government that are entrenched, not only in the Constitution of our nation but in the historical relationships with the first nations. We cannot just toss them aside willy-nilly by a few pages of legislation and say these are the institutions that we have decided are best for them.

This is really where the opposition comes from in one segment, including the majority of first nations that say we cannot toss aside all these inherent rights sanctioned by treaties. I give the example of a tri-lateral agreement which was signed by the Algonquins of Barriere Lake Indian Band as a sovereign people with the Quebec and federal governments. And 13 years after, the Quebec government opted out unilaterally at one point and then came back in when it realized it was ultra vires.

Today the federal government is virtually absent from it because it has decided that the Algonquins are people that are too annoying and too embarrassing. They keep on harping about sharing of resources and 13 years after we have not resolved the whole question of their right to their own resources on their own lands so that they can live in dignity, in self respect, and in full pride of their own achievements using their own resources the way they want to.

This is why the question brought up by my colleague from Churchill River is quite right and should be entrenched in the bill.

● (1310)

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, I am pleased to participate in the debate on Bill C-23 and honoured to follow the comments by the member for Lac-Saint-Louis who has put on record an impassioned, compassionate, and cogent argument for why this piece of legislation ought to be reviewed further.

I want to add my congratulations and thanks to the member for Lac-Saint-Louis for his years of service in this place. He leaves a legacy to be followed by all of us and I wish him well in his future pursuits.

The member for Lac-Saint-Louis gave us a strong and clearly articulated argument about pausing, taking a moment to reflect, and giving further consideration to the bill before us. That is very wise advice in the case of this particular legislation which deals directly with our relations to first nations communities.

I sense from the comments across the way that there are a good number of Liberals who are uneasy about Bill C-23. I would hope that the views of members from the Liberal backbenches are taken into serious consideration before the government makes the final decision to advance this bill through all of its stages.

It seems to me that this is a perfect example of how we deal with the democratic deficit in this place. If the Prime Minister is serious about giving more power to backbenchers and increasing the role of parliamentarians, and about ensuring that decisions are made in this place based on the best advice possible that takes into account external factors,—in this case, relations with our first nations communities—then we have all of the ingredients that we need today for the Prime Minister to say that he agrees that we should pull back on this piece of legislation.

My question to the Prime Minister is, is he listening to his backbenchers or does he have a three line whip on this bill? Is it a three line whip or a two line whip? How is the Prime Minister responding to concerns on Liberal benches about this piece of legislation? If he were true to his words about addressing the democratic deficit, we should see a response shortly vis-à-vis this bill and a decision to pull it off the agenda and send it back to committee.

Mr. Pat Martin: It is the only right thing to do.

Ms. Judy Wasylycia-Leis: As my colleague from Winnipeg Centre has just said, it is the only right thing to do. He ought to know. As the aboriginal affairs critic for the New Democratic Party, he has been working tirelessly on this and other matters pertaining to our first nations communities.

He has consulted and spoken with first nations communities right across the country. He has sought their advice and input, and has come back to our caucus and this Parliament with a message from the vast majority of the first nations communities to say: "For goodness sake, don't rush into this bill. It is flawed. It will harm our relationship. It will set us back at the very time when we need to be coming together and dealing once and for all with a historically embarrassing situation vis-à-vis first nations communities in this, one of the wealthiest countries in the world.

Whether talking about the democratic deficit here in this place or disillusionment among Canadians with the parliamentary process, the Prime Minister has only one option. The bill should be pulled to allow for further study, not to concede defeat and say it was all wrong, but to say it has serious problems. The first nations communities have raised concerns that have to be taken into account.

That is absolutely critical. If we are going to build the kind of partnerships we need with our first nations communities, it is absolutely the kind of response that is necessary if we are going to once and for all deal with and find solutions for deep rooted, systemic economic and social inequality.

● (1315)

It is the kind of response that is absolutely necessary if we are going to take seriously the well documented and impartial observations by UN observers that Canada's first nations communities live in third world conditions. If we are concerned about leaving a legacy of finally addressing the deplorable living and working conditions of our first nations communities, then surely the Prime Minister will do the right thing and send the bill back to committee in the new Parliament.

Why would we rush the bill through the House in the few days left before we rise for a break or before this Parliament adjourns because of an election call? Why do we want to saddle the new Parliament with less than perfect legislation? Why would we want to hand to the new Parliament a breakdown in relationships between Parliament and first nations communities? Why would we not hold this in abeyance, do further studies, build something that would reflect those concerns and take into account the needs of all those involved in this important partnership?

The member for Lac-Saint-Louis, my colleague from Winnipeg Centre and others have documented clearly just how much opposition this is from first nations communities to the bill. It is clear that Bill C-23 is vehemently opposed by the overwhelming majority of the more than 600 first nations communities in Canada. Is that not enough to make the government have second thoughts? Why proceed if more than 50% of those involved have deep concerns about the actual legislation?

The governing organization of our first nations communities, the Assembly of First Nations, has called for the bill to be withdrawn in favour of legislation that would apply only to those specific first nations that want to participate in the institutions. The AFN has said that the bill needs clear and concise non-derogation, which would guarantee that it would not affect aboriginal and treaty rights. The bill needs much more clear provision around the ability of a first nation to opt in or out of the legislation.

Members in this place know how tenuous the relationship is between government and first nations communities. We know how first nations communities bear a tremendous sense of betrayal by governments through the ages. We have an opportunity today to change that. We have an opportunity to make a difference by listening to their voices. We have an opportunity to do it better. Let us listen to the concerns of first nations communities.

I could go on at length about problems with the bill and about what each first nations community has said with respect to different aspects of the bill, but that job has been done by my colleague from Winnipeg Centre, the member for Lac-Saint-Louis and others.

In the few minutes I have left, I want to simply repeat a plea that has been heard in this chamber often. There is no mileage in terms of forcing Bill C-23 through. Changing the whole question of first nations fiscal and statistical management will only work if there is cooperation. Cooperation is built through partnership and by listening to one another's voices. We do that by respecting the right of first nations to self-government. We do that by addressing and working with first nations communities on a nation to nation basis.

● (1320)

Something that is top down, handed to first nations communities is a complete violation of that partnership. It is a complete denial of the nation to nation relationship. Pushing through this bill at this time will do more harm than good. It will set us back further in terms of the work that has to be done.

Let me just conclude by saying that I and all my colleagues in the New Democratic Party and a growing number of members of Parliament on the Liberal's side believe that Bill C-23 is a flawed and misguided piece of legislation. It places too much discretionary power in the hands of the minister and it denies the need to develop a relationship of consulting and listening to first nations communities.

The government should not be trying to railroad this bill through in the last few days before the end of this Parliament and before an imminent election call. It only makes sense that we hold it, that we send it back to members of Parliament on the new aboriginal affairs committee of the House once a new Parliament has been reconvened and once some time has been allowed to lapse between the introduction of this bill and concerns about it. It is only fair to regroup again and this time take into account fully the needs and concerns of our first nations.

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I thank the member for her debate. Basically, I do not have a problem with most of the sentiment of her intervention. However, early on in her speech she referred to the serious problems with the legislation. Could she could outline some of those problems?

Contrary to what she inferred about top down, this legislation, as I think most people who have been worked with it realize, came from first nations. It was a first nations' proposal to the government. As the Prime Minister has said, we are looking for solutions from first nations. We are trying to work with the suggestions that we have received and put them in place.

I do not think there is any effort to rush it through. We have been debating this since the 1990s, when these proposals first started to come in to us. It has had a lot of debate and a lot of feedback. There has been a lot of changes, and interaction has been made to the feedback. I am not sure where there is any intention to rush it through.

As with the member for Lac-Saint-Louis, we are having a very fruitful debate now and are trying to look at the issues and problems. I do not know how many member will speak to the bill, but I think there are a still a number of them to speak. Therefore, I do not see any sense that we are rushing it.

What I am trying to do is search out and research some of those issues that the member might be able to bring forward, in addition to the ones I have written down from the excellent intervention from the member for Lac-Saint-Louis.

While he is here, I would like to also pay tribute to him, as the others have, in his last term with us. I have always treated him with a great deal of respect and have listened intently when he has spoken. He has made some fantastic speeches in the House of Commons and will leave a real legacy in the Parliament of Canada. I honour him for his efforts in the House.

Ms. Judy Wasylycia-Leis: Mr. Speaker, I would be happy to address some of the specific concerns with respect to the bill. To begin, it would appear, in terms of our analysis, that Bill C-23 is hardly different from Bill C-19, around which we had some discussion and considerable input. It was recommended that some drastic changes had to be made to that bill to make it acceptable in terms of the first nations community and what constituted good public policy.

I would also point out to the member that, as I far as I understand it, the concept of enshrining the four fiscal and statistical institutions in federal legislation was considered by the AFN at its annual assembly in Halifax in 2001. There was good discussion and debate, but it did not garner the 60% of support required by the AFN charter. We are still a long way from having the first nations community as a whole on-board with the legislation.

I will not have time to go into all the specifics, but let me reference just a few of the major concerns. This is from documents from the chiefs in Ontario, with which I think the member may be familiar. It is indicated that the most disturbing strong-arm component of the amended Bill C-23 is directly linked to the management board. As the member knows, this component is found in clause 8 of the bill.

Communities that do not voluntarily join the Bill C-23 schedule are not permitted to pass bylaws or laws dealing with the critical area of financial administration. Non-believer communities are restricted to the narrow list of bylaw topics under subsection 81(1) of the Indian Act. The list does not include financial administration. That is one point. Another is that some of the most draconian measures in Bill C-23 are designed to prop up the credit worthiness of the authority, apparently at almost any cost.

I will quote from the document that was provided to the chiefs in Ontario where it states, "There is a gross surrender of sovereignty by first nations that get caught up in the scheme. A single missed payment can trigger the takeover of local financial affairs by the management board".

Those are a couple of the major concerns. The most fundamental constitutional problem with Bill C-23, even as it has been amended by the schedule attachment, is its broadside attack on the inherent right of all first nations to self-government.

I come back to the first point I made which is when we try to correct historical wrongs or address our failures of the past, we must do so with full cooperation and partnership of the first nations community. If there is any sense to the inherent right of self-government being bypassed, if there is any refusal to deal nation to nation with first nations, then we will have failed and only made the situation more difficult than it already is.

I truly hope that the member for Yukon, who is genuine in his pursuit of justice in this regard, listens to those in his house who have made strong appeals, and they are not just dumping all over the bill, to hold off and get it back to committee in the new Parliament. That is the message of the member for Lac-Saint-Louis. He has said that we should give it more thoughtful consideration, that we should involve the first nations in a true dialogue and come up with a financial statistical management package that is truly reflective of the needs of everyone in our country today.

● (1325)

Mr. Rick Laliberte: Mr. Speaker, I rise on a point of order. Given that the amendment I proposed earlier today was ruled out of order, because we are debating an existing amendment, I would like to seek unanimous consent of the House to propose the following subamendment.

I would like to move that the amendment be amended by adding after the words, "The needs of most first nations", the following: In particular the need to enter into full consultation with first nations leaders and communities on the benefits and impacts of the new fiscal relationship.

The Deputy Speaker: Does the hon. member for Churchill River have the consent of the House to propose the motion?

Some hon. members: Agreed.

An hon. member: No.

● (1330)

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, it gives me pleasure to speak in support of Bill C-23, the first nations fiscal and statistical management act, and against the motion that was introduced by the hon. member for Saint-Hyacinthe —Bagot.

[*Translation*]

Before going any further, I would like to say that I was listening to the speech by the hon. member for Lac-Saint-Louis a few minutes ago and I enjoyed the considerable eloquence for which he is so well known. I would also like to take this opportunity to congratulate him and thank him for his years of service to the public, his riding and of course all Canadians, here in the House of Commons.

I remember when this man—who today is the member for Lac-Saint-Louis—ran in a byelection in Chambly, I believe. I had the opportunity to go to his riding to listen to him during his nomination meeting. Unfortunately for us, the hon. member was not elected, but he ran again another time and has been with us ever since.

Nonetheless, unfortunately for us—perhaps not for him since he will undoubtedly have a very nice retirement—we will no longer hear his well-chosen words in the House of Commons once the election is called.

Once again, I would like to commend the hon. member and former provincial minister for his great speeches, which we will remember for a very long time; speeches that always come to mind when we are talking about individual rights. Hats off to the hon. member for Lac-Saint-Louis.

Now that I have taken a few minutes to pay tribute to the hon. member for Lac-Saint-Louis, albeit inadequately since we could speak at length about his work, I will take a few minutes to discuss the substance of the bill now before the House.

Having praised the member for Lac-Saint-Louis, and rightly so, I am going to take a different point of view on this. Nonetheless, it says a lot about the greatness of the man and the respect he inspires that, even though we are not of the same opinion, we recognize today, just like every other day, the magnitude of his achievements, and of course of his commitment in general to all those he represented and will continue to represent for a little while longer here in the House of Commons.

[*English*]

I intend to vote in favour of the bill at third reading when it comes to a vote. We do not know when the vote will be because I understand a number of people on both sides intend to speak to the bill, some for and some against, but that is fair too.

I believe the parliamentary secretary, on countless occasions, has referred to the bill as being first nations-led. It perhaps is not with the agreement of everybody in that community but it is the genesis of it. I believe that is proof of the government's seriousness in fulfilling its commitment to first nations and aboriginal people.

Mr. Speaker, you and I will recall that in the Speech from the Throne the government restated its commitment to begin the difficult but essential work of renewing its relations with first nations. The government vowed to undertake a new and collaborative approach when working with aboriginal leaders. It pledged to rekindle the relationship based on trust and mutual respect.

The government also indicated clearly that fostering economic development in first nation communities and narrowing the gap in living standards between aboriginal and non-aboriginal people is a foremost priority, as it should be for everyone in this room. I think it is and I think it is for Canadians generally. I think every right minded Canadian wants a better life for the first citizens, their brothers and sisters of the first nations community in this country.

A number of significant steps have taken place to begin building a strong foundation for first nations economic progress. Let me give hon. members a few examples. Land claims have been negotiated. Self-government agreements have been signed. Together, first nations leaders and the federal government have taken action to support first nations entrepreneurs to attract investments and to create jobs in first nation communities.

● (1335)

[*Translation*]

When I was a minister of state and the Leader of the Government in the House of Commons, there was a period during which almost a majority of bills before the House dealt with Canada's aboriginal communities. Some very heated debates took place.

For example, I remember that a small group of parliamentarians from the other side submitted hundreds of amendments to the bill recognizing the Nisga'a community, in British Columbia. There were such ridiculous amendments as to change semicolons to commas, or change implementation dates. There have been hundreds of such examples. The purpose of this was to force parliamentarians to vote needlessly throughout the night in the House, thus delaying the implementation of an agreement signed by the Nisga'a community in British Columbia, the provincial government of British Columbia and the Government of Canada. Naturally, we held our own and the bill was passed.

I remember the bill on governance in the Yukon. The same people across the floor delayed the process. There was a large number of initiatives sponsored by aboriginal communities, or at least supported by a large number of people from that community. Again, the parliamentary process was slowed down for a while by those who were attempting to prevent this legislation from moving forward in the House.

I recall the bill on Nunavut. Nunavut, as we are all aware, is ably represented in this House by our colleague. I recall how greatly disappointed she was when certain members over there voted against that bill concerning the community she represents in this House. That bill was another recognition of the important role played by the aboriginal communities in that part of our big beautiful country. Considerable effort had to be made to counteract these attempts to slow down certain bills by filibustering.

As for the one before us today, similar attempts have been made to hold it up. Some of those responsible are seated in the House today. They tried to hold back a bill although it had considerable aboriginal support. Some may react by saying that perhaps it did not have the required 60% support. I wonder whether the member opposite would consider that a bill he supported, which had 51% of the member of the House on side, was of no value whatsoever. Of course not.

Just because this bill does not have 60% support does not mean it does not have the value of law in this House. I do, of course, acknowledge that this 60% criterion does exist under the regulations of the council of first nations for matters on which they will hold a vote. But that does not mean that we need to claim that same percentage applies in this House.

● (1340)

[*English*]

In recent years, the first nation economy has undergone a remarkable transformation in some parts of the country. Businesses owned by first nations now operate in a number of sectors of the Canadian economy. That is quite good, and we only hope that it will increase.

Although physical factors such as improved transportation links and communications technologies have contributed to this shift, I believe that one of the differences has been a change in attitude. Over the past years, a spirit of cooperation has grown among aboriginal and non-aboriginal citizens in public and private sectors alike.

I had an opportunity on a plane coming back from Quebec City one day. A couple on the plane was dressed in somewhat traditional attire that made it obvious they were of a first nations community. I engaged in an interesting conversation about how this couple had started a computer company and was enjoying quite a level of success. I could detect only a kind of optimism that was so obvious in these nice people, whom I have had the opportunity of meeting on a few occasions since, by the way. It was so refreshing. The only thought that came to my mind at that point was that I hope their success somehow can multiply itself thousands and thousands of times throughout the country so that many others can prosper where prosperity regrettably has not been there previously.

Having said this, though, it is also true that not all first nations have benefited from the increased cooperation that exists. Despite many positive strides forward, the economic and social conditions of obviously too many aboriginal communities remain extremely unwell, and I even would say unacceptable. C.T. (Manny) Jules, one of the principal architects of the legislation, articulated the root causes of this and said:

> Today, a wall surrounds First Nation economies. It is a wall built by past legislation and policies. It is a wall of mistrust and dependency that traps us in our own poverty. Each additional year of dependency is another brick in this wall. This wall has not served Canada well. It has prevented us from participating in the economy.

[*Translation*]

To the members of this House who say that the bill is being rushed through, I must say I disagree with that analysis, because the bill has been under consideration for years; therefore, it is not being rushed through. In fact, some might say that the bill has been delayed, not hurried along.

Returning to Mr. Jules' idea, if we delay this bill any further, this additional delay, added to the previous one, will only serve to perpetuate even longer the conditions that are unacceptable to everyone, both those who are in favour of this bill and those who are opposed.

● (1345)

[*English*]

There are many who believe that Bill C-23 will help to dismantle that wall to which Mr. Jules referred. Bill C-23 is vitally important legislation that will help first nations to travel further on the road to prosperity and self-sufficiency, providing a way for first nation peoples to participate more actively in the Canadian economy and foster business-friendly environments while meeting the needs of their communities.

It is important to note that Bill C-23 was developed by first nations for first nations, recognizing, of course, that not everyone is in favour of it. The four institutions at the heart of the bill are the finance authority, the tax commission, the statistical institute, and the financial management board. They provide a foundation that will enable first nations to realize economic development according to their needs, their unique needs, because of course these kinds of structures are not replicated elsewhere in the economy. They have considerable differences.

This is a foundation which will ensure that first nation communities can become full partners in the Canadian federation. The practical tools at the heart of this legislation will help first nations to more easily acquire the funds they need to engage in capital infrastructure and of course we all know that is very badly needed in many of our communities.

Bill C-23 will also lead to greater and more effective decision making, enabling first nations to capitalize on existing business relationships as well as build new ones. Today, many first nations face economic disadvantages that must be corrected.

[*Translation*]

It is often said that the financial institutions are prepared to loan people money to set up a business, as long as they do not need it. That means, of course, that the financial institutions are looking for very solvent businesses in order to minimize their risks.

And if these businesses are that solvent, they will not likely need much help from the financial institutions. If they needed it, they would not be in that position, and they would have problems getting loans.

[*English*]

Research indicates that the cost of doing business on first nation land can be six times higher than in the rest of Canada, perhaps not everywhere, but I suppose it depends. I am using a law of averages. If the community is located in southern Canada perhaps that ratio is somewhat lower, but it is still expensive. This is because first nations communities lack the systems and public institutions that other local governments in Canada take for granted.

I could speak for a longer period, but my time is coming to an end.

[*Translation*]

Needless to say, when someone sets up a business, if there is no infrastructure or no sewers—if there are none of the things usually found in a village but rarely found in aboriginal communities—that is a very serious disadvantage.

Of course, that is only one example. Dozens more could be found, from urban planning and all the other elements that help develop the connections that can make businesses more successful.

I shall end my comments by congratulating the person temporarily in the chair, the hon. member for Lac-Saint-Louis, for the quality of his comments, especially in the last few minutes. Usually he sits behind me. I want to thank him for the excellent work he has done here, in the House of Commons, and I wish him many good things for the future.

● (1350)

[*English*]

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, there is an old saying of great wisdom, which might even be from the scriptures: there are none so deaf as those who will not hear and there are none so blind as those who will not see.

That thought came to mind as I listened to the speech of the member for Glengarry—Prescott—Russell. It would seem to me that his job today, as sent in by the government, the ruling party, is to ignore the appeal from first nations in regard to their wishes pertaining to the bill and to force through the government's wishes, to once again impose the will of government on first nations who have vehemently and clearly opposed this bill time and time again and found it to be unsatisfactory.

The hon. member misrepresented the amount of opposition there is to this bill when he tried to imply to the House that while there is not 60% support for this initiative among first nations there is at least broad support. Then he asked if 50% plus one should not be enough. It may be argued that it would be enough, but in actual fact there is not 50% plus one support for the bill. There are approximately 30 out of 633 first nations that support this bill. By my mathematics, that is 5% in strong support of the bill.

In fact, at two recent Assembly of First Nations assemblies, the vote was 81 against and 10 in favour. There was a vote in November 2002 about Bill C-19, as it was then called, and then, at a special confederacy called in February 2003, the same motion was put forward, with 37 opposed and 2 in support.

Even when a special assembly was orchestrated in British Columbia, where the base of the support for this bill resides, the government failed to achieve support. I believe it was 30% at that assembly; the 202 first nations from British Columbia did not even come out to support this initiative.

I am not going to take the entire time I had planned to because I know there are other speakers who would also like to confront the member for Glengarry—Prescott—Russell and make the same comments.

Hon. Don Boudria: Mr. Speaker, I never suggested that the number was that which the hon. member said. I only suggested that the basis for the argument in the previous speaker's comments was not applicable. The hon. member can always review what I said. He does not have to believe it. He only has to read *Hansard*, which presumably he will do later.

The hon. member was asking implicitly, why are we advancing with this bill given that some first nations are not supportive of it? The answer is that delays in approving this bill will be at a significant cost for those communities that are anxious to use it to advance the development of their communities. They have prepared for this; they have been working for this. It places quite a burden on them.

Given that it is elective, the hon. member is not, in my view, correct in his failure to support the legislation. But of course, he is entitled to his opinion, as I am entitled to mine. I will recognize that. Additionally, the government is honouring its commitment to first nations, which have worked long and hard to remove the barriers of development in their communities.

In addition, I want to say to the hon. member that it is not an either/or proposition because it does not preclude the government from working cooperatively with different groups of first nations in order to advance other initiatives.

I want to get back to the resolutions of the AFN in respect of the proposed first nations fiscal and statistical management act since its introduction. There has only been one resolution in which Bill C-23 has been mentioned since introduction in December 2002, and that is the vote that took place on October 8, 2003—perhaps that is the one the hon. member was referring to—at the Special Chiefs Assembly at the Squamish Nation.

He referred to the fact that it had been held in B.C., so presumably that is what he was referring to. It was an omnibus resolution meant to deal with Bills C-6, C-7 and C-19, now modified as Bill C-23.

The resolution called for the Chiefs and Special Assembly to, first, reject Bill C-6. In other words, they themselves produced a motion to reject Bill C-6, reject Bill C-7, and support Bill C-19. The three elements combined were in the same motion.The results of the vote were: 109 opposed; 65 for; two abstained; and 52 did not vote. But that had to do with rejecting two items and supporting one, in the same motion.

For the hon. member to state that all this is somehow equated with Bill C-19, now Bill C-23, is not totally factual. Neither he nor I can speculate as to the exact quantity of votes that there were for each item that we have here.

● (1355)

The Deputy Speaker: The member for Glengarry—Prescott—Russell will have three minutes remaining in his intervention. The Chair will now proceed to statements by members.

STATEMENTS BY MEMBERS

[*English*]

PETERBOROUGH CO-OP

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, serving the rural and more recently the urban communities of the Peterborough area for more than 60 years, the Peterborough Co-op today presents a new, refreshed face to Peterborough county and city.

A larger building with many more products and services including an ice cream parlour, tuck shop, and a unique collection of antique farm equipment are only a few of the added features.

Rural Routes began and continues today to be a co-op, an organization where membership brings a patronage dividend, discounted purchases, and a say in the direction of business. The more one spends at a co-op the more one reaps. A farmer who spends $100,000 a year might get a cheque for $4,500 at the end of the year.

While all involved with our co-op are enthusiastic about the new look, they are adamant there is one thing that will never change and that is the co-op's reputation for quality and knowledgeable service.

My congratulations and best wishes for continued success to the management and staff of Rural Routes at the Peterborough Co-op.

* * *

RURAL COMMUNITIES

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, CPC): Mr. Speaker, among the growing list of Canadians who have been forgotten by this Prime Minister and his Liberal government, is there a more obvious example of neglect than rural Canada?

In my riding of Pictou—Antigonish—Guysborough in Nova Scotia there are communities on the brink of disaster as they face the possibility of the closure of their post office or their fish plant. They are asking that their national government defend their interests, and allow them to stay, work and live in their local communities.

Unfortunately, their pleas seem to go unheard. The Prime Minister does not make his decisions based on what is right. Rather, he defines his priorities based on the number of votes he can get. With clearly an eye on electoral support in urban Canada, the Prime Minister is trying to bluff through some sort of agenda for cities which, given his record, will be heavy on rhetoric and light on substance. However, for those in rural Canada he has not even offered that much.

Since 1993 the government has been instrumental in the deterioration of rural Canada. From funding cuts to health care to the wasted money on the gun registry, the government has given rural Canada nothing but the back of its hand.

Rural Canadians deserve better. They deserve a government that will listen to their problems and do something about them.

• (1400)

IRAQ

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, it is impossible to remain silent let alone indifferent to the pictures of Iraqi prisoners. It is hard to find words to express adequately the horror and agony caused to human beings by other human beings.

These pictures do not reflect on the American people. We know that. But they do reflect on the U.S. administration. Yet, no political action has been taken to turn into deed the indignation expressed by the U.S. President. As each day goes by, without resignation or dismissal, the impression grows that words are not being matched by action.

We can be grateful to the International Red Cross for having gone public with its report. We can be grateful for the existence of an international convention that makes the Red Cross the agent in defence of humanitarian treatment.

The pictures of Iraqi prisoners are devastating. We all have a responsibility to discharge if we are to rebuild peace with the Arab world. That is why we as parliamentarians have to speak up.

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[*Translation*]

NATIONAL POLICE WEEK

Mr. Jeannot Castonguay (Madawaska—Restigouche, Lib.): Mr. Speaker, May 9 to 15 is National Police Week. The purpose of this event is to strengthen ties between the police and the community since the best way to increase public protection is to establish partnerships with the public.

A number of community activities will be held across the country. For instance, police officers will be visiting schools, or taking part in a marathon or a softball game. In some communities they will be holding open houses or serving breakfast to seniors.

Our police services play a vital role in keeping our communities safe. It is thanks to them that Canadians have a strong sense of security.

To all those whose job it is to protect us, I say thank you. Keep up the good work to make our communities safer places to be.

* * *

[*English*]

HOCKEY

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, at this time of year the minds of Canadians turn to tuning up the lawn mower, a trip to the garden centre, and what else? You guessed it, Mr. Speaker, hockey.

Yesterday, Team Canada won the world cup in a 5 to 3 win over Sweden. The team captured back to back world championships for the first time since the Whitby Dunlops in 1958 and the Belleville McFarlands in 1959 turned the trick nearly half a century ago. I am sure you remember that, Mr. Speaker.

The back to back gold medals follow up from Canada's Olympic glory in Salt Lake City two years ago, as well as the women's world title two months ago. I think Canadians can rest assured knowing that all is right in the world when Team Canada is winning hockey championships.

This House and the whole country congratulates Team Canada. We are proud of their achievements.

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FISHERIES

Mr. Loyola Hearn (St. John's West, CPC): Mr. Speaker, as we increase our presence on the nose and tail of the Grand Banks, we are finding more and more fishing violations. We now have proof that foreign vessels are overfishing, fishing species under moratorium, using illegal gear, and fishing in restricted areas, sometimes even inside our 200 mile limit. However, we have known that for years.

More presence at this stage means issuing more citations. What we need is action so that these abuses are brought to a halt. We can harass the foreigners affecting them economically. We can pursue avenues under the law of the sea convention. We can pursue international cooperation with teeth. It will still be a doubtful and time consuming process.

We do not have time. A renewable resource is disappearing. It is imperative that Canada take action now. If we cannot convince NAFO to enforce the laws, then we should declare custodial management before it is too late.

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[*Translation*]

CLAUDE BEAUSOLEIL

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, today I would like to draw attention to the election of poet Claude Beausoleil to the prestigious Académie Mallarmé. This academy was founded in 1937 to support and promote contemporary poetry.

Before becoming a full member, Mr. Beausoleil had been an associate of the academy since 1997. Mr. Beausoleil, who wrote *Dépossessions*, *Déchiffrement du monde* and *Chant du voyageur*, will have a good opportunity to forge ties between the poetic communities of Canada and France.

Now that he is a member of the academy he will have a say in selecting works, suggesting readings and influencing the choice of meetings with wordsmiths.

There is no doubt that he will be able to further promote Canadian talent in his new capacity.

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● (1405)

JACKIE ROBINSON AWARDS

Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ): Mr. Speaker, on Saturday, the Montreal Association of Black Business Persons and Professionals held its 19th Jackie Robinson banquet and honoured three members of Quebec's black community for their positive influence on Quebec society.

First, I should point out that Jackie Robinson is a professional baseball player who, in 1946, became the first black player to sign a contract with the Montreal Royals.

Yvette Bonny, who is originally from Haiti, is a pediatrician and hematologist at Montreal's Maisonneuve-Rosemont Hospital. In 1980, she performed the first bone marrow transplant on a child in Quebec.

Ulrick Chérubin, the mayor of Amos, who is also originally from Haiti, received an honorary award in recognition of his social involvement in the community.

Finally, the business personality of the year award went to Jean-Yves Renel, a sociologist born in Martinique who owns the Ferme du domaine, near Shawinigan.

We sincerely congratulate these three Quebec recipients. Their cultural, professional and social contributions are important to Quebec.

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NATIONAL CHILD BENEFIT

Mr. Gilbert Barrette (Témiscamingue, Lib.): Mr. Speaker, today, I want to stress the significant efforts made by our government in recent years to fight child poverty.

Through the national child benefit, the Government of Canada provides financial support, programs and services to low income families.

The government is committed to ensuring that children get a good start in life, as evidenced by the 2004 budget, which includes an additional $75 million.

I am proud to be part of a government that wants to strengthen the social foundations of our country, now and in the future.

* * *

[*English*]

LIBERAL PARTY OF CANADA

Mr. James Rajotte (Edmonton Southwest, CPC): Mr. Speaker, when the current Prime Minister was running to unseat his predecessor, he campaigned across the country promising to fix the democratic deficit.

One of the most fundamental principles of democracy is the right of the people to select their own representatives, not to have these representatives appointed by a monarch or a party leader. The Prime Minister has violated this principle by appointing four more Liberal candidates in western Canada.

In my own home city of Edmonton, he directly intervened and cut off the democratic process by appointing John Bethel and preventing local businessman Sine Chadi from contesting the nomination. Why has the Prime Minister chosen Mr. Bethel? Could it be that he was the Alberta organizer for the Prime Minister's leadership campaign? Shame.

The Prime Minister has violated that fundamental right of the Liberal members of Edmonton East to choose their own representative in favour of rewarding his own friends. The people of Edmonton will have the final say on election day when they will render a just judgment on this undemocratic action of the Prime Minister by making Edmonton Liberal-free.

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[*Translation*]

ERIC KIERANS

Hon. Serge Marcil (Beauharnois—Salaberry, Lib.): Mr. Speaker, I was greatly saddened to learn today of the passing of Eric Kierans, who was a pillar of Canadian politics at a pivotal point in our history.

Born in Montreal in 1914, he entered provincial politics in 1963. After his first victory in a by-election, he went on to the revenue portfolio and then to health in the government of Jean Lesage.

Today, everyone agrees that the Lesage government was the architect of the quiet revolution in Quebec. In 1968, he made the leap to the federal level, where he made a name for himself as Postmaster General and Minister of Communications in the government of Pierre Elliott Trudeau.

Mr. Kierans was a larger-than-life figure in Canadian politics. We extend our condolences to his family and friends on behalf of all Canadians. Canada will never forget this man who was so devoted to his country.

* * *

● (1410)

[*English*]

HURRICANE JUAN

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, one of the major concerns of any elected government should be the care of the people who need the care the most.

Recently in Nova Scotia we had hurricane Juan which devastated many people throughout our area. The fact is it devastated those people on low incomes and on social assistance more than any others. In fact, we found out today that the federal auditors will not even reimburse those people on social assistance or low income for their food expenses during hurricane Juan. It is absolutely unbelievable. We also found out that this is the Liberal policy throughout the entire country in terms of disasters.

What we are asking the federal government to do is back the hounds off, look after those people and reimburse their expenses for the loss of food during hurricane Juan.

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MULTIPLE SCLEROSIS

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, last week I assisted the Multiple Sclerosis Society in kicking off its 28th annual carnation campaign by pinning carnations on members of Parliament. Thanks to their generous donations we raised almost $350, a tremendous start to an important campaign to support those living with MS and to invest in research.

Colleagues, I was touched by the generosity of all members on both sides of the House and the many personal messages of those in this place who have been touched by MS.

This past weekend I joined volunteers in my riding of Burlington to sell carnations. We had great success.

May is Multiple Sclerosis Awareness Month. I hope all Canadians will take the time to learn more about this disease, learn to recognize the early indications and to seek help.

Canada has one of the highest rates of MS in the world. An estimated 50,000 Canadians are living with this disease and three more are diagnosed each day. We need to find a cure for this disease.

I thank my colleagues for their support.

* * *

THE ENVIRONMENT

Mr. Bob Mills (Red Deer, CPC): Mr. Speaker, for over 10 years the Canadian environment has suffered under the Liberal government. Successive Liberal do nothing, lip service governments have brought us next to zero meaningful environmental programs.

Here is what we do have: untreated sewage flowing into the ocean in three major cities; a legacy of contaminated sites; brownfields littering every city; overflowing landfills not using modern technology; no invasive species legislation; bilge oil being intentionally dumped off our coast; boil water warnings in every province; and decreased air quality and increasing smog days.

We are ranked 16th out of 24 countries in environmental quality. We have ineffective, last minute legislation designed to buy votes. We have a species at risk bill which will not protect species at risk. We have a carbon dioxide treaty that will never see the light of day. We have a bill which removes large chunks of national parks. We have a gutted weather service.

The Liberal legacy goes on and on.

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[*Translation*]

GATINEAU OLYMPIQUES

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, I would like to bring to the attention of the hon. members that the Gatineau Olympiques have just won the President's Cup for the second year in a row. As a result, they will be representing Quebec in the Memorial Cup series.

Last evening, the Olympiques showed their mettle in an exciting game at Hull's Robert Guertin arena. They beat the Moncton Wildcats, taking the Quebec Major Junior Hockey League championship before a delighted hometown crowd. This team is gutsy, to say the least.

My congratulations to the entire team, and in particular to captain Maxime Talbot. His leadership has earned him the Guy Lafleur trophy for series MVP, two years running.

Hockey is still as much a Canadian passion as ever, and we enthusiastically support our young players. Gatineau is justifiably proud of its Olympiques, and we wish them luck as they head on to the Memorial Cup.

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[*English*]

CITIZENSHIP AND IMMIGRATION

Mr. Scott Reid (Lanark—Carleton, CPC): Mr. Speaker, on October 24, 2002 the House of Commons unanimously voted in support of a motion that called for the release of 13 Falun Gong practitioners with family ties to Canada, who at the time were imprisoned in China. It was passed with the specific intention that these prisoners of conscience be reunited with their families here in Canada.

One of these prisoners, Mingli Lin, was freed on March 26, 2003. However since that time, our consulate in Shanghai has repeatedly denied him a visa to come to Canada. While the Chinese authorities have respected the requests of Parliament as communicated through the former prime minister, our own consular officials are refusing to act upon the stated and unanimous directives of the House.

I call upon the Minister of Citizenship and Immigration to respect the express and unanimous will of the House of Commons by allowing Mingli Lin to enter Canada to be reunited with his family.

* * *

● (1415)

[*Translation*]

GASOLINE PRICES

Mr. Sébastien Gagnon (Lac-Saint-Jean—Saguenay, BQ): Mr. Speaker, last Friday in the Saguenay region, the Prime Minister of Canada announced with great fanfare—for the second time—federal financial participation in the widening of highway 175. The Prime Minister seems to be short of ideas, to say the least, if he has to resort to recycling an announcement that had already been made by his predecessor, two years ago.

The man who wanted to do things differently is taking up the old Duplessis-style methods of winning votes. People are not fooled by this and they can see through these electioneering moves. It would have been much more significant for the people of Saguenay—Lac-Saint-Jean had he made a commitment to take swift action to curb the spectacular rise in the price of gasoline.

If he really wants to stand out, the Prime Minister should agree to establish a petroleum monitoring agency, as called for by the Bloc Quebecois. But it appears that he would much rather serve up leftovers than create anything new.

ORAL QUESTION PERIOD

[*English*]

SPONSORSHIP PROGRAM

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, CPC): Mr. Speaker, today's charges stem from an earlier Auditor General's report, an earlier investigation, an earlier scandal, although there is one common denominator and that is the Liberal Party of Canada.

These charges will not provide Canadians with any answers regarding the sponsorship program or the Auditor General's concerns over the $250 million of taxpayers' money. There will be an 18 month delay before there will be any answers from the public inquiry. There are 13 RCMP investigations. There are no answers coming from the government.

Canadians deserve to know, where is the money, who is responsible and who gave the political direction?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, that is exactly what the Prime Minister wants to get to the bottom of and he has made it absolutely plain. That is why we have a public inquiry. That is why the public accounts committee is at work.

What I would do is call upon the public accounts committee to put together an interim report, especially in light of the charges that were laid today. It is probably a good time for the public accounts committee to take stock of what it has heard so far and share that with the Canadian public.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, CPC): Mr. Speaker, the death knell is tolling for the public accounts committee. There is a deep, gaping hole through the government and the bureaucracy. We are nowhere near the bottom of answers in the sponsorship scandal.

Given the recent comments from the Prime Minister's Quebec lieutenant, Jean Lapierre, calling for charges in the sponsorship scandal, today's charges seem suspicious at best. They are soiled because of those words. It is inappropriate for public commentary to come from someone that close to the Prime Minister.

The Prime Minister gave his absolute assurances. Will there be no political manipulation of this system and will Canadians truly get the answer before an election?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, I hope the hon. member is not impugning either the integrity or the independence of the Royal Canadian Mounted Police. Let me quote Corporal Patrice Gélinas, who today made the following statement in relation to the investigation: "Our investigation is totally, totally independent from whatever is going on in politics, so we are doing our police investigation, notwithstanding whatever is going on everywhere else". He said that it does not affect by any means the RCMP investigation.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, CPC): Mr. Speaker, this is not about the RCMP.

The Auditor General very much said that in the sponsorship scandal every rule in the book was broken. When it comes to shutting down inquiries, incomplete inquiries, and political interference, the government wrote the book.

The manipulation from the Prime Minister's Office to shut down the inquiry is evident. The Prime Minister himself said that Canadians deserve answers. They do not have answers as yet. He has said that there will be answers before an election.

Will the Deputy Prime Minister reassure Canadians that we will get to the bottom of this before he shuts down the committee and pulls the plug?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, the public accounts committee is not being shut down. In fact, members of the public accounts committee, as I understand it, have called for an interim report. I think that is perfectly reasonable in the context of everything that committee has heard, the witnesses that committee has heard.

In fact, I would think Canadians would expect at this point an interim report that takes stock in relation to everything that has been heard and learned so far.

Mr. Jason Kenney (Calgary Southeast, CPC): Mr. Speaker, that answer shows just how arrogant the Liberals have become. They think Canadians are naive enough to believe that, when a Liberal member of the committee, the minister for P.E.I., said that an interim report would make it easier for the Prime Minister to call a spring election.

Is it not true that the reason the Liberals are jamming out an interim report this week and shutting down the committee before it has heard from 90 witnesses is that they do not want Canadians to know the truth about where the millions went before we go to an election?

● (1420)

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, no one has done more than the Prime Minister to get to the bottom of this matter, to learn the truth. He was the person who called for a public inquiry. He was the person who asked the public accounts committee to sit early so it could begin its hearings.

I think it is really unfortunate that members of the opposition choose to play politics with the committee. The public is watching. The public, I can assure every member of the House, is not impressed with what it is seeing. It wants to get to the bottom of this matter. I call upon the public accounts committee to continue its work.

Mr. Jason Kenney (Calgary Southeast, CPC): What a joke, Mr. Speaker. We have over 90 witnesses on the list yet to be heard from, including people like Warren Kinsella, including many of the major ad scam firm activists, and including the former prime minister.

We have not heard from the key players. We do not know who gave political direction. We have no idea where the money went and they are planning to jam out a report, a whitewashed report, to prepare the way to call an election long before there are real answers to the questions that Canadians want answered.

Why is the government shutting down the only inquiry in town, the only opportunity that Canadians have to learn the truth about Liberal corruption?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, as we know, the public accounts committee is not the only process. In fact, Mr. Justice Gomery has begun his public inquiry into the matter.

Let me return to the public accounts committee. I would encourage members of that committee to get on with their work. I think an interim report makes perfectly good sense in terms of giving Canadians a sense of the witnesses who have been heard to date and what those witnesses have said.

On behalf of the government, I would encourage the public accounts committee to continue its work.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, as regards the sponsorship scandal, charges have been laid today against Jean Brault and Charles Guité—two underlings—just before an election call. So, as we get closer to political leaders, the Liberals want to put an end the proceedings of the Standing Committee on Public Accounts and adopt a partisan report.

Will the government at least have the decency of admitting that Liberal members are currently manoeuvring to spare the political leaders involved in the sponsorship scandal?

[*English*]

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, government members are trying to manipulate absolutely nothing. The public accounts committee has a mandate and I would encourage the public accounts committee to get on with its work.

An interim report to the Canadian public, it seems to me after hearing dozens of witnesses, does make good sense at this point.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, what does not make sense right now is closing the books just before the testimonies of Jean Chrétien and the current Prime Minister. The latter admitted that there was some political direction behind the sponsorship scandal. It was the Prime Minister who said that. We would like to hear him at the Standing Committee on Public Accounts. However, as we head into an election, the Liberals would prefer that only the underlings be singled out.

Why does the Prime Minister want to close the books when even Chuck Guité admitted that, in the sponsorship scandal, the PMO and the ministers not only gave advice, but also made decisions?

[*English*]

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, as I said, the public accounts committee was called early by the government. The public accounts committee has been at work and I thank the members for their work. I hope they continue their work but if someone is suggesting that at this point it is somehow inappropriate to issue an interim report, after hearing dozens of witnesses, to provide Canadians with a summary of that which has been heard to date, I simply disagree.

I think it is very important to inform Canadians as to what the public accounts committee has heard so far.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the charges that have finally been laid today in connection with the sponsorship scandal have targeted individuals actually involved, but not the ones really responsible for it, politically.

Will the government admit that, with today's arrest of Charles Guité, the charges are directed only at the government's henchman, and not at all at the politicians really behind this scandal?

● (1425)

Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.): Mr. Speaker, Charles Guité was arrested this morning on evidence the RCMP saw fit to use. The rest is nothing but gratuitous and totally unfounded allegations, which are part of a vast and totally pointless political dragnet. Frankly, I believe that the Canadian public will be better served by waiting for a progress report from the committee than by listening to allegations of this kind.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, Canadians are entitled to expect some light to be shed on the political responsibility to which the Prime Minister has admitted, as has been seen on television broadcasts from coast to coast.

Will this government admit that an incomplete committee report—when that committee has not had the opportunity to hear Jean Chrétien, and the Prime Minister, with respect to these allegations of political responsibility—has but one purpose: to cover for a little while longer the people responsible for the sponsorship scandal, the ones who approved—

The Deputy Speaker: The hon. Leader of the Government in the House of Commons.

Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.): Mr. Speaker, I really do not understand the question.

Political leaders have appeared before the committee. They were summoned and they came. The committee has, I trust, done a thorough job of questioning both politicians and public servants, as well as other witnesses. It was free to call whomever it wanted. I believe it is perfectly normal for the Canadian public to be made aware of what the committee has done so far. Therefore, it should provide a summary.

[*English*]

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, today two people were arrested and charged with fraud, representing just 2% of the $100 million at the heart of the Liberal sponsorship scandal. Clearly there is more to come given the rush of Liberal members who want to shut down the public accounts committee so the Prime Minister can go to the polls before his hypocrisy on almost every issue becomes clear to the voters.

Is it not true that the Liberals want to shut down the committee because they know that today's arrests are just the tip of the iceberg of Liberal corruption? Is that not what is really going on?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, far from shutting down the public accounts committee, it was the government that asked that committee to sit early. It is the government that has been encouraging that committee to get on with its work. I want to thank the members who have been working very hard.

I think it is appropriate to have an interim report, if that is the decision of the committee this week. I think it is appropriate to let Canadians know about the dozens of witnesses who have been heard and the state of the investigation by the committee to this point.

However let me reassure the hon. member and the House that it was the Prime Minister and the government that said we would get to the bottom of this matter.

* * *

LIBERAL PARTY OF CANADA

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, let us go to yet another fine example of Liberal democracy. There are 14 ridings in which friends of the Prime Minister have been appointed or his opponents miraculously dropped out so a friend could run. Fourteen times Mr. Democracy decided his friends needed to run more than local communities needed to vote. Of course, this goes hand in hand with Liberal patronage, including the joke job of special adviser of the near east and south caucasus, wherever that is.

Could the Prime Minister explain why anyone would believe anything he says, given the gulf between rhetoric and reality on democracy?

Hon. Jacques Saada (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would like to note first and foremost that this is a matter of internal party politics and I do not know whether it is really an involvement of government operations and accountability.

On the other hand, I want to say that in each political party there are ways of proceeding which are dictated by way of the constitution of the party, which is adopted by the membership of the party. It is not for government to dictate what should take place in each one of the political parties.

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SPONSORSHIP PROGRAM

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, the Prime Minister said on national television on February 13 about the sponsorship scandal, "There has to be political direction". He also told the *National Post*, "...that's one of the things we have to find out".

Now in the middle of a parliamentary committee to answer that very question with at least 90 witnesses yet to be heard from, the Liberal majority is forcing a premature report to clear the way for an election.

Why has the Prime Minister decided Canadians no longer deserve to know who gave the orders to break the rules in the sponsorship program?

Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.): Mr. Speaker, as has been said earlier, it was the Prime Minister who asked for the public accounts committee to hold hearings on an expedited basis. There have now been three months of hearings and approximately 40 witnesses, including former ministers of public works. We have had evidence. It is up to the public accounts committee now, in doing its work, to issue an interim report so the public can be up to speed with what has been heard so far.

What could be more reasonable and timely than to have an interim report summarizing the evidence to date?

● (1430)

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, just this past weekend the Prime Minister told the *National Post*, "Do Canadians have all the information? No, they don't", especially on his crucial question of, "Who gave the political direction?" Instead his Liberal majority blocked key evidence and used its majority over and over to keep some witnesses from testifying. It seems he has quit caring about getting to the truth and it is more important for him to toss out a mock report to voters and whitewash the ad scam for election purposes.

Is it not evident that the Prime Minister is very much a part of the Liberal culture of corruption?

Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.): Mr. Speaker, with the greatest of respect, that is absolute nonsense. It was the Prime Minister who demanded we get to the bottom of this and have the public accounts committee proceed on an expedited basis. We have had 40 witnesses and three months of testimony. Let us share that in a synopsis with the Canadian public as the other processes go forward.

The public inquiry has now formally started. The special counsel for financial recovery is about to start lawsuits to recover funds, and more criminal investigations and charges to show that the government has put in place and encouraged processes to get to the bottom of this matter.

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GASOLINE PRICES

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, CPC): Mr. Speaker, one does not get to the bottom of it by shutting down the investigation, shutting down the committee and then calling a snap election. That is not getting to the bottom of it in the way taxpayers expect.

Gas prices across Canada are reaching the $1 mark compared to 72¢ in the United States. About half the cost of a litre of gasoline is taxation. In the United States federal gas taxes are going into roads, but not in Canada.

Will the government either lower gas taxes or keep its word and transfer gas tax points to provinces like it promised to in its supposed new deal for cities?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, there have in fact been no changes in federal taxes since 1995. Generally speaking, across the country the record will show that provincial taxes exceed the federal taxes.

What we are working on now is that new deal for municipalities where both the Government of Canada and the provinces do in fact share a portion of their fuel tax revenue with local communities to enhance local municipal infrastructure and other very worthy endeavours at the local level.

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, CPC): Mr. Speaker, provinces are doing the job but the feds are not. That is the point. As gas prices rise so does Ottawa's GST revenues.

Last year, with gas prices at 73¢, Ottawa received $1.1 billion in GST money, at 87¢ Ottawa would receive another $200 million, and it would jump by another $60 million if prices hit 90¢. Therefore, while the Liberals are gouging taxpayers, they are not giving any money back to infrastructure.

Is the reason the government betrayed its promise to have a new deal for cities that the tax taste on gas tax dollars is just a little too sweet to give up?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, no, the hon. gentleman is completely wrong. In the last budget we transferred $7 billion in federal revenue to the municipalities through the rebate of the GST. We have accelerated our program for infrastructure and we are anxious to work with the provinces to make sure we can find the right mechanism to share a portion of the fuel tax with the municipalities so the communities across this country can properly discharge their responsibilities.

I challenge the opposition to support us in supporting the municipalities of this country.

* * *

[*Translation*]

HEALTH

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, the Prime Minister's real priority is not health but the army. After the budget was brought down, his government quickly announced military spending of $900 million, without even adopting a clear foreign policy. And for health? Nothing. The budget does not include any new transfers to Quebec and the provinces and, according to the Prime Minister, as far as health is concerned—unlike the army—a plan is required.

Can the Prime Minister, who had the means to reinvest immediately in health care, explain to the people why he has chosen the army instead?

[*English*]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, of course Canadians have a number of very important priorities that they wish to see addressed. The Canadian Forces is one of those but so is health care.

In the last budget we transferred $2 billion to the provinces, plus we made provision for another $500 million to launch a new public health agency.

The Prime Minister has started a process to work with the provinces through this spring, leading to the summer where there will be a first ministers summit to devise the sustainability plan for health care, and the Government of Canada will follow that with cash.

● (1435)

[*Translation*]

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, in an interview with the *National Post*, the Prime Minister—who claims he wants to govern—added a little more: he will need a new mandate before he is able to reinvest in health.

Will the Prime Minister admit that he did not think he needed a mandate to spend $900 million on the military, because military armament, after all, is far from a priority for the public?

Hon. Pierre Pettigrew (Minister of Health, Minister of Intergovernmental Affairs and Minister responsible for Official Languages, Lib.): Mr. Speaker, I am very pleased that the hon. member for Québec has given me an opportunity to remind this House that, based on the 2003 accord, we have already worked very closely with the provinces; that we want to go beyond this commitment; that we will have invested $36.8 billion in new money over the next few years; and that the numbers show it is certainly our government's priority.

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, the Minister of Health is trying to fool the public with this $37 billion, because one fact remains: the current federal government has withdrawn from health care funding, and the 16¢ it pays on each dollar spent is not enough. This government is largely responsible for the current problems in the health sector, because it has significantly reduced its share of the funding.

Given that the Prime Minister has admitted that the federal government must reinvest in health, why did it not take the opportunity provided by the recent budget to put more money on the table?

Hon. Pierre Pettigrew (Minister of Health, Minister of Intergovernmental Affairs and Minister responsible for Official Languages, Lib.): Mr. Speaker, that is false. In the last budget, an amount of $2 billion has been confirmed, in addition to the $34.8 billion. So, beyond the figures—

Some hon. members: Oh, oh.

Hon. Pierre Pettigrew: That is what the hon. member for Rimouski—Neigette-et-la Mitis was referring to when she talked about "barking".

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, the federal government's strategy of waiting for the election campaign to announce the reinvestment that it wants to make in health is despicable.

After causing so many problems in that sector, how can this government be so cynical as to run its election campaign at the expense of health? That is disgusting.

Hon. Pierre Pettigrew (Minister of Health, Minister of Intergovernmental Affairs and Minister responsible for Official Languages, Lib.): Mr. Speaker, you know very well that, during an election campaign, a number of themes are debated. Health will be at the core of our program.

One thing is certain: when the time comes to vote, Quebeckers will know that it is time to vote for a government. They will ask themselves, "Who do we want to govern us? Do we want the Alliance to govern us, or do we want a Liberal government in which we can participate?"

The Bloc Quebecois wants to force Quebeckers to remain in the opposition, and therefore to lose by behaving like losers in the opposition. By contrast, we want Quebeckers to win and to participate in government.

Some hon. members: Oh, oh.

[*English*]

The Deputy Speaker: We had better not wait too long because the clock is ticking.

The hon. member for Medicine Hat.

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FIREARMS REGISTRY

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, over the last 10 years the Prime Minister has played a central role in funding money pits like the EH-101 cancellation, the Pearson airport debacle, the firearms registry, the HRDC boondoggle, the Challenger jet fiasco, millions for his friends at Earnscliffe, and of course there was all that money that went to his buddy Chuck Guité.

The Prime Minister says he believes in accountability, so let us see if he will answer a question about his record. Why did this Prime Minister keep writing cheques for the firearms registry when it went 50,000% over budget?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, the government is committed to effective gun control, and in fact, as we well know, the vast majority of Canadians want to see an effective and efficient gun control program put in place.

We are committed to ensuring that we review the operation of our gun control program. We are not, however, reviewing our commitment to effective gun control. We are reviewing this program. We want an efficient, effective program in place to ensure public safety and to be user friendly for legitimate gun owners.

● (1440)

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, we are talking about the firearms registry, not gun control. There is a big difference. In one case, gun control is actually ensuring that we get the guns away from criminals. In the other case, it is about getting money away from taxpayers.

What I am really asking about, though, is accountability. This Prime Minister just revels in any praise that comes his way, but when there are problems, and there were dozens of them under his watch when he was finance minister, he runs away. I want to know why he will not take responsibility for some of the issues I have raised, including the firearms registry. Why will he not take responsibility?

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, this government takes its responsibility very seriously.

The hon. member is referring to the Prime Minister when as minister of finance he tackled a deficit left to us by a previous government. He in fact ensured that we dealt with the deficit and that we put the debt on a permanent downward track. I think that when we look at the record of the Prime Minister we see that he is accountable. He takes responsibility. He delivers on behalf of Canadians.

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AGRICULTURE

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, since the much hailed visit of the Prime Minister and the agriculture minister to Washington, the situation in the cattle industry has become worse. Beef products that were flowing before that meeting with the president have since stopped and will remain stopped until the USDA rule change is implemented.

This step backward and the fact the border remains closed to live cattle clearly indicate the lack of influence the government has when dealing with this file, this crisis. I ask the minister this: What is the next step backward the beef industry can expect from his government?

Hon. Bob Speller (Minister of Agriculture and Agri-Food, Lib.): In fact, Mr. Speaker, we are moving forward on this issue. As the hon. member said, the Prime Minister had a direct talk with the President. We were very pleased with the response of the President of the United States, who said very clearly that he wants these borders open and he wants them open now. He also said very clearly that he wants his decision, or the decision of his government, to be based on science, and that is exactly what we want.

Mr. Rick Casson (Lethbridge, CPC): Mr. Speaker, the facts are that due to a lack of direction from this Prime Minister, the beef industry is struggling to deal with wildly changing markets, and also, Canadians working to stay viable are competing for Canadian feeder cattle, not only against other Canadians but also against U.S. producers who are flush with cash. They are in Canada buying our cattle.

Now this government is pitting one sector of the industry against another at a critical time in the process. How does this government expect the latest strategy of confrontation with the packing industry to help get the border open?

Hon. Bob Speller (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I am not sure what the hon. member is talking about. In fact, it is colleagues on the Standing Committee on Agriculture and Agri-Food who have asked the industry for some information, on which they are meeting this afternoon. This is not the position of the Government of Canada. This is the position of the Standing Committee on Agriculture and Agri-Food. The hon. member may want to put that question to them.

The Government of Canada has worked very closely with all aspects of the industry, including the cattlemen, including the packers, and including the provinces, to make sure we have a unified voice on that. That voice is telling—

The Deputy Speaker: The hon. member for Oak Ridges.

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FOREIGN AFFAIRS

Mr. Bryon Wilfert (Oak Ridges, Lib.): Mr. Speaker, on May 17, the military junta in Burma will hold talks concerning the establishment of a new constitution in which some members of the National League for Democracy, headed by Aung San Suu Kyi, most likely will participate. Since annulling her election in 1990, the military has abused human rights, political detentions have occurred, and torture has been rampant.

Since Canada maintains diplomatic relations with Burma, could the Minister of Foreign Affairs tell us in terms of engagement what useful messages we are sending to indicate our support for the process that must lead to fair and transparent elections?

Hon. Bill Graham (Minister of Foreign Affairs, Lib.): Mr. Speaker, I thank the member for Oak Ridges for his interest in this extremely important issue. We totally agree with the member for Oak Ridges that this new convention, to be effective, must be transparent and inclusive. All parties have to be able to participate and delegates have to be free to participate in political discussion.

We use our representation in Burma, together with our international presence in the Human Rights Commission, in the United Nations General Assembly and in meetings like the ASEAN Regional Forum, to put pressure on Burma and to bring democracy to Burma. We are confident this time that we are moving in the right direction. We will help, with our international partners, to keep this pressure on the Burmese government to do that.

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● (1445)

SPEECH FROM THE THRONE

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, today we learned the Liberals wasted $50,000 trying to name the throne speech, but ended up not choosing a name. That is $50,000 more than was put into health care base funding. Of course they could not come up with a name: it was a say-nothing Liberal throne speech with as much as substance as we have come to expect from the Prime Minister.

After wasting millions of dollars on their friends in the sponsorship scandal, how can the finance minister justify wasting thousands of dollars on trying to find a name for a say-nothing Liberal throne speech?

Hon. Pierre Pettigrew (Minister of Health, Minister of Intergovernmental Affairs and Minister responsible for Official Languages, Lib.): Mr. Speaker, I just cannot believe it. We have $665 million on the public health front, the biggest and strongest investment ever made on the public health front, $2 billion further to the $34.8 billion, in new dollars, on top of what we are already investing on health, and the opposition dares to say that these are not serious dollars in favour of our public health care system?

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NATIONAL DEFENCE

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, my question is for the defence minister. This government is leading this country down a very dangerous path with its ongoing discussions with the United States on national missile defence.

Regardless of that, the three territorial leaders of the Yukon, the Northwest Territories and Nunavut wish to represent their constituents and ask to be at the table of any talks with the United States with regard to national missile defence. Will the government now announce today that the three territorial leaders will have the opportunity to represent their constituents in any talks regarding national missile defence?

Hon. David Pratt (Minister of National Defence, Lib.): Mr. Speaker, it is important to keep in mind that we are still in the process of discussions with the United States at this point. We are interested in the views of the territorial and aboriginal leaders in that respect. However, I think it is also important to keep in mind that we are continuing with these discussions, which we have indicated we hope to conclude by the end of this year.

Having said that, let me say that I am always pleased to go up north and talk to our territorial and aboriginal leaders about defence issues. In the meantime, I am prepared to have our—

The Deputy Speaker: The hon. member for St. John's West.

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FISHERIES

Mr. Loyola Hearn (St. John's West, CPC): Mr. Speaker, during the past 10 years, 300 citations have been issued to foreign vessels that have been in violation of the NAFO regulations on the Grand Banks. These vessels had to be dealt with by the offending country, and over 90% were not dealt with at all. What made the citations issued by DFO last week so different from the others and what special results have we seen from the offending countries?

Hon. Geoff Regan (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I was pleased to hear this afternoon that in fact the Portuguese government has hauled the ship, the *Brites*, back to port in light of the clear evidence in St. John's. Canada is prepared to provide physical evidence of illegal fishing to the EU and we expect Portugal to throw the book at these bad actors.

Mr. Loyola Hearn (St. John's West, CPC): Mr. Speaker, we have vessels out there fishing that have had two, three and four citations issued against them, and no action has been taken by the offending countries. A net retrieved from the bottom from one of the boats, apparently cut loose, showed it had 64% illegal species. Can the minister guarantee that action will be taken against the captain, and the boat, and the owners?

Hon. Geoff Regan (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the government's efforts to stop illegal fishing on the nose and tail of the Grand Banks have resulted in nine boardings in the last week. More important, this pressure from our Coast Guard and navy has driven the foreign fleet into deep water where they cannot fish moratoria species. Officials informed me today that last week where there were 14 Portuguese vessels out there, this week there are only five.

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VETERANS AFFAIRS

Mr. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, I have news for the minister. I think it will take more than warnings to stop this overfishing.

The Minister of Veterans Affairs has now had another weekend to find a way to support our veterans who wish to participate in the fast approaching 60th anniversary D-Day pilgrimage to Normandy, France, and I stress Normandy, not Norway. With only 27 days remaining until the actual anniversary date of June 6, what other "options", as the parliamentary secretary stated on Friday, has the minister come up with for assisting our D-Day vets who wish to go to France? When can they expect to learn the details?

● (1450)

Hon. John McCallum (Minister of Veterans Affairs, Lib.): Mr. Speaker, I have prepared options for consideration by cabinet as quickly as possible. In the meantime, let me just say that this government has shown its respect and admiration for veterans not only by words but by actions. Within three months of assuming office, we committed funds to those subjected to chemical testing. Within five months of assuming office, with the enthusiastic support of veterans associations, we committed to the most fundamental reform of veterans programs since the second world war.

I challenge the opposition to find me a case in the last generation where a government has done so much for veterans in so little time.

Mr. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, this is from the minister who does not know Vichy from Vimy. Sixty years ago the Government of Canada had no problem sending these men to France to fight for our country, yet today it continues to dither on whether or not to provide financial assistance for their return.

How can veterans expect to make their necessary plans for returning to France when they do not even know how much assistance the federal government is going to be providing or when? With H-hour fast approaching, when can these vets expect an answer? What is the minister waiting for? For time to run out?

Hon. John McCallum (Minister of Veterans Affairs, Lib.): Mr. Speaker, this government has the most profound respect and admiration for all of Canada's veterans. That is why, as I said in my earlier answer, we have demonstrated that profound respect and admiration not only by words but by actions unprecedented by governments of the last generation.

In terms of the specific issue, I will have an answer in a matter of days, as soon as possible.

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[*Translation*]

GASOLINE PRICES

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, the Standing Committee on Industry recommended the establishment of a petroleum monitoring agency. Even the oil companies bought the idea and said they would be prepared to live with such a monitoring agency.

In light of soaring gasoline prices, and considering that the committee, consumers and oil companies all want it, why is the government refusing to create a petroleum monitoring agency?

[*English*]

Hon. R. John Efford (Minister of Natural Resources, Lib.): Mr. Speaker, as I said last week, three boards are already set up in Canada: in Newfoundland, P.E.I., and Quebec. As we speak today, the Competition Bureau is investigating and checking to see if there is any price fixing in the petroleum industry across the country. It has received complaints from consumers. Every time it receives a complaint, it does the protocol and checks.

I have agreed to talk to gas consumer agencies in each of the provinces, and I am having further meetings and discussions with the industry. There is no need to go any further than that.

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, we are not talking about the same thing. Even though we know an election will soon be called, why does the government not take advantage of our offer to cooperate and create a petroleum monitoring agency? We could go through all the stages in this House in less than 24 hours and the agency would be created. What is the government's problem with this? When—

The Deputy Speaker: The hon. Minister of Industry.

Hon. Lucienne Robillard (Minister of Industry and Minister responsible for the Economic Development Agency of Canada for the Regions of Quebec, Lib.): Mr. Speaker, what is the Bloc's problem, that it is so worried about an election?

This government is governing as it should for the public good. The Competition Bureau has decided to conduct a close examination of the entire gas and oil market. We will let the Competition Bureau do its job and then we will see whether in fact the gasoline prices are a result of collusion in the marketplace, or reflect the international situation.

[*English*]

EMPLOYMENT INSURANCE

Mr. Brian Pallister (Portage—Lisgar, CPC): Mr. Speaker, last week the government hinted at the possibility of loosening the qualifying rules for employment insurance. Last week Liberal MPs insulted Canadians who struggle in seasonal jobs by calling their EI concerns an irritant.

The HRDC committee recommended changes to modify EI over three years ago, and the government has ignored them. In a show of last minute compassion, the government is now miraculously ready to open the purse strings.

Why would seasonal workers believe a cynical pre-election ploy to try to buy their votes?

● (1455)

Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, I have indicated all along that I would take into consideration all the proposals that come forward. I indicated to the House that the Liberal task force on seasonal workers was in the process of making some recommendations and I would weigh them in the balance and come forward with appropriate measures. I will do that as time will allow.

Is the member opposite aware that in the process we also created some 50,000 jobs last month? I am sure he will want to compliment the government for doing a good job in this regard.

Mr. Brian Pallister (Portage—Lisgar, CPC): Mr. Speaker, I will give credit where it is due and that will be the private sector for creating those jobs, not the government.

The fact is it is no coincidence that swing voters in a number of ridings across Canada are seasonal workers. The fact of the matter is they are the ones who could make or break the Liberals in the next election campaign. The government has done absolutely nothing but neglect this file for years. Now it throws a Hail Mary pass in the direction of these seasonal workers who are struggling to make ends meet. It is heartless, it is cynical and it is typical Liberal.

Why will the government not admit that this is more an election strategy than it is an employment strategy?

Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, I think the member opposite will find that the general public is a lot more intelligent in its approach than his criticism.

He will know that over the course of the last several years we have already taken appropriate measures to address the issue of seasonal workers. We have entered into agreements with several of the provinces where moneys have been put in for labour market development agreements, for example, in the province of Quebec, with which he might have scarce familiarity. There is some $600 million a year in that regard.

As well, we have put in place additional funds for seasonal workers in the forestry industry—

The Deputy Speaker: The hon. member for Shefford.

[*Translation*]

OLDER WORKERS

Ms. Diane St-Jacques (Shefford, Lib.): Mr. Speaker, we know that older workers can continue to make significant contributions to the labour force and to their communities. The pilot projects have shown us this.

My question is for the Minister of Human Resources and Skills Development. Given the success of these pilot projects, does the government intend to extend them or make them permanent?

Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, indeed, the Government of Canada has invested $45 million since 1999 through the Older Workers Pilot Projects Initiative. We have seen that these investments have been productive. The unemployment rate is declining and more than 175,000 jobs have been created since the beginning of 2003. I have always said in this House that, if there were any way to improve labour force participation rates, we would do what it takes to help everyone to participate fully.

* * *

[*English*]

PUBLIC SERVICE

Mr. Bill Casey (Cumberland—Colchester, CPC): Mr. Speaker, every time we raise questions about the Liberal policy of discrimination by postal code for jobs in Ottawa, where Canadians cannot work here unless they have a certain postal code, the government says that it wants to fix it. This morning the President of the Public Service Commission said that Treasury Board would not release the money to even develop a plan to fix it.

Will the President of the Treasury Board announce today that he is releasing the funds for the study, or explain to Canadians outside of Ottawa why Liberals do not want them working in Ottawa?

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, I certainly will not accept any of the preamble. I will look into the matter in question.

I met recently with the head of the Public Service Commission and she did not raise this item with me. In fact, they have a proposal and are working on e-recruitment. They are willing to meet with the member and any member of the House who wishes to talk about the policy at any time.

Mr. Bill Casey (Cumberland—Colchester, CPC): Mr. Speaker, I do not want to talk about the policy. We want the funds released, as the President of the Public Service Commission asked for today.

The government has a new twist on this job discrimination. Under the federal student work experience program, there is a program to help full time students with summer jobs. The students are told that the program is only geared for students in the Ottawa area. The justice department is telling applicants that students from the capital region are placed first.

Will the government stop this offensive favouritism policy and open up all student jobs, all summer jobs, to all Canadians in Ottawa?

● (1500)

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, the second item was raised with me about a week ago. We are investigating right now, again to determine the veracity of it. One does not necessarily want to accept the first offer that comes across the floor.

* * *

[*Translation*]

AGRICULTURE

Mr. Roger Gaudet (Berthier—Montcalm, BQ): Mr. Speaker, the Food Inspection Agency recently decided to reinstate a rule on transporting compromised animals and did not bother to notify hog producers about it. As a result, a number of them were heavily fined and feel they were caught in a trap.

What measures does the Department of Agriculture and Agri-Food intend to take to bring the Food Inspection Agency to order and make it stop this abusive and prejudicial treatment of farmers in my region?

[*English*]

Hon. Bob Speller (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I was in Quebec last Thursday and Friday, where I met with the hog producers in Quebec. They brought this issue to my attention. I told them I would most certainly look into it. I have asked the Canadian Food Inspection Agency to look into this issue.

* * *

HUMAN RESOURCES DEVELOPMENT

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, we continually hear that a skills shortage is looming in Canada, or that employers are competing for skilled workers both within in our borders and internationally.

My question is for the Minister of Human Resources and Skills Development. Would the minister inform the House of the government's involvement in the promotion of skilled trades for the country and for the economy?

Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, the Government of Canada is a full partner with industry, the Canadian Apprenticeship Forum, the private sector and all levels of government in ensuring that skilled trades and technologies are a first career choice for young men and women.

This morning we had an indication of the success of this. We received a call from Hong Kong from the WorldSkills Competition. I am pleased to see that Canada has been acclaimed as the choice of location for the WorldSkills Competition in Calgary in 2009.

ROUTINE PROCEEDINGS

[*English*]

ORDER IN COUNCIL APPOINTMENTS

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I am pleased to table, in both official languages, a number of order in council appointments made recently by the government.

* * *

GOVERNMENT RESPONSE TO PETITIONS

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to one petition.

* * *

COMMITTEES OF THE HOUSE

JUSTICE, HUMAN RIGHTS, PUBLIC SAFETY AND EMERGENCY PREPAREDNESS

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness entitled, "Improving the Supreme Court of Canada Appointment Process".

The report, which responds to the Prime Minister, the government House leader and proposals of political parties represented in the House, presents the views of committee members as we construct an appropriate role for members of the House of Commons in the process of appointments of judges to the Supreme Court of Canada.

* * *

● (1505)

PETITIONS

HEALTH

Hon. Joe Jordan (Leeds—Grenville, Lib.): Mr. Speaker, pursuant to Standing Order 36, it is an honour for me to table a petition today from constituents in eastern Ontario. The petitioners draw to the attention of the House that the new bill, brought into effect in January 2004, that addresses the six week paid leave to caregivers of terminally ill persons should be amended to include a paid leave of absence, either from the same source or another source, to caregivers of critically ill dependants.

They go on to point out that there may be fewer instances of bankruptcies, marital separation, loss of permanent employment, social assistance, et cetera, if an income protection program were put in place that captured this unaddressed area of health care, which can affect many Canadians unpredictably. To provide peace of mind to those affected Canadians, there should be an official program that could protect them, and that would be accepted by all employers, like the current parental leave legislation.

Therefore, the petitioners call upon Parliament to enact legislation to amend the current bill, which went into effect in January, or to pass a new bill that will address this critical area of illness and health care in the country.

[*Translation*]

REFUGEES

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, there are nearly 10,000 signatures on this petition, which reads as follows:

> We, the undersigned residents of Canada, beg to draw the House's attention to the following:
>
> Whereas the situation in Palestine and in the Palestinian refugee camps in Lebanon presents a real danger to the lives of those in these camps or returning to them;
>
> Whereas Canada is a signatory to the convention relating to the status of refugees and thus has international obligations to protect refugee claimants;
>
> Whereas numerous refugee claimants of Palestinian origin have applied for refugee status in Canada;
>
> Whereas a number of refugee claimants turned down by the Immigration and Refugee Board will be returned to refugee camps in Lebanon or Palestine, barring a decision to the contrary by the authorities; and
>
> Whereas three refugee claimants of Palestinian origin, namely Nabi Ayoub, Therese Boulos Haddad and Khalil Ayoub, are at present taking refuge in Notre-Dame-de-Grâce church in Montreal in order to avoid deportation;
>
> Therefore, your petitioners call upon Parliament to intervene with the appropriate authorities to ensure that the three refugee claimants in question are awarded permanent resident status on humanitarian grounds, and that the removal orders for the other refugee claimants of Palestinian origin are suspended and their cases re-examined by the appropriate authorities.

As I said, this petition bears close to 10,000 signatures.

[*English*]

MARRIAGE

Mr. Jason Kenney (Calgary Southeast, CPC): Mr. Speaker, I have a series of petitions to introduce.

The first petition is from 204 of my constituents who call upon Parliament to respect the traditional common law definition of marriage as being a heterosexual union between one man and one woman to the exclusion of all others, and they ask Parliament to pass legislation to recognize that definition.

The second petition is from 44 residents of Calgary who call upon Parliament to, if necessary, invoke the notwithstanding clause of the Charter of Rights and Freedoms to maintain the heterosexual definition of marriage that has been respected by every major culture through all of recorded history.

The third petition is from several hundred residents of Peterborough and the surrounding area who call upon Parliament to take whatever action is required to maintain the current definition of marriage in law in perpetuity and to prevent any court from overturning or amending that definition.

KIDNEY DISEASE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, throughout this Parliament, I have presented petitions on behalf of people suffering from kidney disease, their families and researchers, and practitioners who try to help them.

Tens of thousands of people have exhorted Parliament to improve the situation for those with kidney disease in Canada: the fine work of the Kidney Foundation, the importance of organ transplants, the importance of the bioartificial kidney and the importance of good research in Canada for kidney disease.

In the second petition, the petitioners point out that kidney disease is a huge and growing problem. They know that real progress is being made in various ways of preventing and coping with kidney disease but they call upon Parliament to encourage the Canadian Institutes of Health Research to explicitly include kidney research as one of the institutes in its system to be named the institute of kidney and urinary tract diseases.

● (1510)

IMMIGRATION

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I am pleased to rise in the House today to present a petition signed by a number of people from the Toronto area who call for family reunification. They point out that family reunification has long been and remains a cornerstone of Canada's immigration policy. The petitioners support Bill C-436 that would amend the act to allow a family member to sponsor a family member who would not otherwise qualify under the existing rules.

MARRIAGE

Mr. Rob Anders (Calgary West, CPC): Mr. Speaker, I am presenting a petition signed by 362 people. The petitioners say that basically the elected members of Parliament should be making decisions rather than the unelected judiciary.

The petitioners also believe that the definition of marriage needs to be preserved and protected. They believe in invoking section 33 of the charter, the notwithstanding clause, if necessary to preserve and protect the current definition of marriage as between one man and one woman.

Mr. Dale Johnston (Wetaskiwin, CPC): Mr. Speaker, I have a petition I would like to present in the House. It is from more than the requisite number of constituents in my riding.

The petitioners call upon Parliament to pass legislation to recognize the institution of marriage in federal law as being a lifelong union of one man and one woman to the exclusion of all others.

* * *

QUESTIONS PASSED AS ORDERS FOR RETURNS

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, if Question No. 78 could be made an order for a return, the return would be tabled immediately.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

[*Text*]

Question No. 78—**Ms. Wendy Lill**:

> What funds, grants, loans and loan guarantees has the federal government issued in the constituency of Dartmouth for each of the fiscal years 1999-2000, 2000-2001, 2001-2002, 2002-2003; and, in each case where applicable: (*a*) what was the department or agency responsible, (*b*) what was the program under which the payment was made, (*c*) what were the names of the recipients, groups or organizations, (*d*) what was the monetary value of the payment made, and (*e*) what was the percentage of program funding covered by the payment received?

Return tabled.

[*English*]

Hon. Larry Bagnell: Mr. Speaker, I ask that the remaining questions on the Order Paper be allowed to stand.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

FIRST NATIONS FISCAL AND STATISTICAL MANAGEMENT ACT

The House resumed consideration of the motion that Bill C-23, an act to provide for real property taxation powers of first nations, to create a First Nations Tax Commission, First Nations Financial Management Board, First Nations Finance Authority and First Nations Statistical Institute and to make consequential amendments to other Acts, be read the third time and passed, and of the amendment.

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, for the sake of brevity I will limit myself to saying only that the interventions by the member for Churchill River first, and subsequently by the member for Lac-Saint-Louis which was a particularly learned intervention, are ones with which I find myself in agreement and therefore, in order to facilitate a debate and to move the issue ahead, I would just make a proposition by way of proposing an subamendment. I move:

> That the amendment be amended by adding after the words "the needs of most First Nations" the following:
>
> "in particular, the need to enter into full consultation with First Nation leaders and communities on the benefits and impacts of this new fiscal relationship".

● (1515)

The Deputy Speaker: The Chair has a subamendment tabled by the hon. member for Davenport which is deemed to be in order.

Mr. Clifford Lincoln (Lac-Saint-Louis, Lib.): Mr. Speaker, I support the subamendment by my colleague from Davenport and I want to stress that the government should enter into meaningful consultations with the first nations regarding Bill C-23.

Our first hope, which was the original motion by my colleague from Churchill River, was that the bill would be sent back to committee for further consultation and re-examination on the basis that it is a conviction that consultations have been inadequate and that the bill remains as an imposed solution to a problem that would have far better been addressed by other means, such as going back to the drawing board, going back into a true sense of negotiation, of conciliation and based on sharing of resources, that the first nations own and which have been recognized by treaties that have been enshrined in the Constitution under section 35.

Our feeling is that if we were to pass the bill by using our majority and then send it to the Senate as it stands, in the context in which we find ourselves today, with a great majority of first nations totally opposed to it, we would, yes, obtain legislation, but it would be legislation enacted without consent.

In effect, the bill, if passed, will remain an imposition on first nations. History has shown that first nations are persistent and they will not cede ground regarding their inherent rights under the Constitution. They will continue to oppose the legislation, regardless of whether it is in the short term or the long term, if they truly believe there has been no meaningful consultation on the institutions under Bill C-23. They are in a position to continue in the short term, the medium term and certainly in the long term to oppose the legislation.

Have we progressed that way? Is that what we want or do we seek an avenue of consensus, of conciliation, of listening to the legitimate grievances and opposition by saying that we have heard them? That is our task as parliamentarians. We need to get together with them to frame legislation that will take into account what they seek in respect of their integrity as first peoples and with respect to their right to self-government and self-management of their own affairs. That is really what many of us on both sides of the House want.

I want to quote some of the resolutions passed by the chiefs of the Assembly of First Nations at different points. I think it states very clearly why they are opposed to Bill C-23 in its present form.

One of the resolutions states:

> Whereas the Chiefs-in-Assembly have acknowledged that the First Nations-Federal bilateral relationship and formation of institutions must be based upon:
>
> 1. a pro-active implementation strategy towards a bilateral fiscal relationship; a Nation-to-Nation relationship which shall maintain and protect the collective (Treaty and Aboriginal) rights of First Nations; and the AFN resolution 5/96 and 49/98 and related recommendations of the Penner Report and Report of the Royal Commission on Aboriginal Peoples relating to fiscal relationships including lands and natural resource revenue sharing recommendations; and...

● (1520)

In another resolution passed at Kahnawake, Quebec in July 2002, the preamble starts:

> Whereas First Nations have received from the Creator the Inherent Right to Self-determination, which right is recognized by International law and s. 35 of the Canadian Constitution Act, 1982; and
>
> Whereas First Nations have condemned the consultation process leading to the First Nations Governance Act as unlawful based on the constitutional standard set by the Supreme Court of Canada in cases such as Delgumuukw and Sparrow; and
>
> Whereas in spite of the opposition by an overwhelming majority of First Nations in Canada, the Government of Canada has proceeded with the FNGA by tabling Bill C-61 (FNGA) in Parliament on June 14, 2002, and has referred it to Committee after first reading; and
>
> Further be it resolved that we call upon the Government of Canada to engage First Nations in a respectful bilateral process focusing on the implementation of our Rights, based on the principles of the Royal Commission on Aboriginal Peoples (RCAP) report and the Penner Report; and

Another resolution states:

> Whereas the legal instruments such as the Royal Proclamation 1763, the historic First Nations and Crown Treaties, International Law including recent Supreme Court decisions protect and acknowledge the Inherent Rights of First Nations, and furthermore, section 35 of the Constitution Act 1982 recognizes and affirms Aboriginal and Treaty Rights; and

When I intervened this morning I pointed out that in effect it was a matter of trust and mutual understanding. This is what is at the core of it. The fact is that I have spoken with many Indian people, and I know many of them, Mohawks, Ojibwas, Algonquins and others, and they have all told me, whether they were chiefs or non-chiefs, that Bill C-23, in their eyes, is an encroachment on their inherent rights, that they have not been consulted appropriately and adequately and that they have been imposed upon by this legislation.

My colleague from Glengarry—Prescott—Russell made the point this morning that maybe, if is not 60%, we would accept 50% plus one as a majority. That is not the point. The point is that in a negotiation as between what they consider as sovereign nations and our federal government, which have signed treaties to recognize each other's right to govern themselves, just as we do here, to manage our own affairs on each side, surely then our duty is to respect that right by listening to the genuine concerns of the great majority of these people, regardless of whether it is 60% or 70%. What I hear is that the majority opinion is overwhelming against Bill C-23.

We should ask ourselves if we want a bill, which, in the eyes of the people who would be impacted by the bill, is totally flawed. Do we push it through regardless or do we want to listen, open our eyes and ears and tell the first nations that we have listened to them, that we realize they see a problem in the bill and that we will delay the bill for whatever time it takes in order to enter into meaningful consultation, as was suggested in the subamendment moved by my colleague from Davenport, to produce a bill that respects first nation opinions, rights and concerns and, as a measure of conciliation and fairness, go forward in a new spirit, as our Prime Minister has spoken about?

● (1525)

This is really why I support the subamendment of my colleague from Davenport. I hope the House will give it full support as well and that we will enshrine a new spirit of conciliation, fairness and mutual understanding with our first nations.

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I want to comment on a couple of points the member made, and I appreciate his points. In fact I appreciate all points that have been raised. This is an excellent debate, with points coming out on both sides. I had good meetings with Roberta Jamieson and Chief Paibomsai. They have given me a number of points that I have been researching and answering.

We have been consulting and revising this bill, which started in the 1990s. If the member is saying the consultation has been insufficient, could he outline what that consultation has been? He talked about the votes. I will provide some background on those votes because he might have been alluding to some numbers that I could give some more accuracy to.

I had the department research some information for me. The AFN general assembly voted in Halifax in 2001. General assembly resolution No. 24, 2001 was endorsed 61% to 38%. The recommendation of the AFN's committee on fiscal relations was that four new national first nations fiscal institutions be established through federal legislation. This was not a vote on the legislation but a vote to look at developing it further.

It is true that during the debate at the AFN general assembly the co-chairs of the chiefs committee announced that they would bring the draft legislation back to a national meeting of chiefs for review and input. That commitment was kept.

In August 2002 the national chief of the AFN distributed copies of a consultative draft of the bill and a community guide to every first nations chief in Canada. I do not think we could go much wider than consultation with every first nations chief in Canada.

In the communiqué to the chiefs, the national chief invited all the first nations to attend a national meeting on fiscal institutions and the consultative draft. That meeting was held in September 2002 and provided significant input on the development of the bill.

There are certain first nations opposed to it, but not necessarily a majority, and certainly there has been no feedback since we made the amendments for which the majority asked.

This may or may not be true but I am just giving evidence. The only vote ever taken by the Assembly of First Nations on this bill came in October 2003. That vote dealt with the resolution on all current federal first nations legislation. That was talked about earlier this afternoon. There were three bills mixed in there. It was not just a vote on this bill. The chiefs voted 61% against the resolution, 109 to 65.

The member referred in an earlier speech to 500-odd members that might have been against it, but there were only 109 in that vote out of 633 chiefs. However, taken in the context of 633 chiefs in Canada, only 17% voted against the resolution. Further, the bill now contains amendments that addressed the deficiencies of the bill which were identified by chiefs at that meeting.

To be fair, there have been no votes. Since that resolution, there have been consultations. The draft bill was sent to all chiefs in Canada who made a significant number of amendments as a result of that. Since the amendments, there has been no vote. There is no demonstration, since we made the major improvements asked for, that the numbers the member suggests are maybe 500 against the bill.

● (1530)

Mr. Clifford Lincoln: Mr. Speaker, it seems to me that it is a reverse argument to say that because there have been no votes since previous resolutions, then the resolutions do not have force any more. It seems to me, if there had been a change, surely the first nations would have passed a resolution to say that they accepted the bill today. Everyone I have spoken to, my information is they are totally opposed.

The member mentioned Chief Roberta Jamieson. We can ask her and she will say that she is as vehemently opposed today as she was then. The many chiefs who I have spoken to tell me exactly the same thing. Their minds have not been changed by the amendments. In fact they suggest that the amendments are purely, in their own words, window dressing.

As I see it, the resolutions still stand. There have been resolutions duly passed. The special chiefs assembly on November 19, 2002, and it concerns the draft legislation on fiscal and statistical institutions, not anything else, said:

> 1. the proposed Bill is flawed and cannot be corrected by mere amendments; and—

Those were their own words.

> 2. the proposed Bill is inconsistent with the previous mandates of the Assembly of First Nations, Resolutions 5/96 and 49/98; and does not recognize First Nation Inherent Right to self-government, and the nation-to-nation relationship; and
>
> 3. the provisions contained in the Bill violate and infringe upon Aboriginal and Treaty Rights and will worsen the status quo; and
>
> 4. the proposed Bill violates the historic Nation-to-Nation; Crown-First Nation Treaty relationship; furthermore, it violates the core essence of this relationship...

This resolution was carried 81 for, 10 opposed and 2 abstentions.

There was a further resolution of the Special Confederacy of Nations, Resolution No. 1/2003 on February 20 and 21, 2003. This one carried 37 for, only 2 opposed and zero abstentions. It said:

> FINALLY BE IT RESOLVED that the AFN Special Confederacy of Nations hereby direct the National Chief to make a clear, unequivocal public statement to the media opposing the Fiscal and Statistical Management Act (Bill C-19).

It is very obvious that these resolutions still stand, unless they have been counteracted or withdrawn. They have not been withdrawn.

As I said, I spoke to some of the chiefs who took part in these deliberations, as I am sure my colleagues from Winnipeg Centre, Churchill River and others have done. They say that their minds are still exactly at the same stage as they were when these resolutions were passed.

One of the resolutions clearly said that mere amendments would not fix the problem, that the bill was flawed in its very core and substance. This is how they feel. They are totally and adamantly opposed in their great majority, and we should take this into account. We should renew our negotiations with them. We should speak to them again. We should listen to them more intently. By going ahead regardless, we might have a bill but it will be a bill that will not be accepted by the very people it is designed to impact.

That is totally wrong for us to do as parliamentarians. We do not have the final answers on the rights of people who are not there to speak for themselves. This is why they speak through resolutions and the media. We have to listen to them. I beg my colleagues on all sides of the House to listen and adopt the subamendment presented by my colleague from Davenport.

● (1535)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I welcome the opportunity to join in the debate on the subamendment put forward by the member for Davenport. I am pleased that he moved it because he took the words right out of my mouth. This issue should be re-debated and a new round of genuine consultations should take place if we are to move forward with the so-called new fiscal relationship with first nations and aboriginal people.

The subamendment to the motion specifically speaks to full consultation with first nations leaders. I disagree with the parliamentary secretary who cited some examples. That consultation has not taken place.

The parliamentary secretary said that drafts of what the government was going to do had been sent out to all kinds of first nations leadership. Consultation, in its strictest definition, does not mean telling people what we are going to do to them. The word consultation in Webster's includes some accommodation of what we have heard. It requires an exchange. It would not meet the legal definition. To simply announce to people that this is what we are going to do to them as of April 1 or as of the new fiscal year and then ask them what they think about it would not meet the test of consultation. To be considered genuine consultation, there has to be accommodation of the other party's concerns.

My hon. colleague from Lac-Saint-Louis cited Sparrow, a recent Supreme Court ruling along those lines, that speaks about what full and reasonable consultation is. He also mentioned Delgamuukw, which was another recent precedent setting authority from the Supreme Court of Canada. I for one was very pleased to see the reference to full consultation in the subamendment from the member for Davenport.

To perhaps clarify what the chronology was in the lead up to the introduction of the bill, there seems to be some misunderstanding and I would go as far as to say some misinformation put out by the parliamentary secretary and those promoting the bill. Let us back up a bit and review the chronology. Then people can judge for themselves whether they really consider that true consultation has taken place.

The concept of enshrining these four fiscal and statistical institutions into federal legislation was first considered at the Assembly of First Nations annual assembly in Halifax in the summer of 2001. I was there as was the then leader of the New Democratic Party, the member for Halifax. The draft resolution supporting the concept was voted down at the convention. The idea was floated around and voted down at that assembly. It did not garner 60% of the vote at the time.

The small group of first nations who were in favour of the concept made various procedural threats, and I was there to witness this. They included the removal or the impeachment of the assembly chairperson. They were challenging the chair because they were disappointed that their initiative failed on the floor.

In the interests of good relations, some chiefs generously agreed to let the concept on the institutions carry on, but with a very strict proviso that consent was given subject to the explicit condition that any draft bill had to go back to the Assembly of First Nations assembly for acceptance, rejection or modification.

The idea was voted down. A small group of chiefs felt so strongly about it that other chiefs said that they would take the concept further on the condition that nothing would be put in place and no legislation would be approved until it came before the assembly again and was ratified and approved.

That is an accurate chronology of how it was introduced and how it came about at the Halifax assembly, and I was a personal eye witness to that. Sadly, there has been a marked reluctance to honour that commitment to bring the draft back to the assembly for an up or down vote.

● (1540)

Various procedural moves have been made since the summer of 2002 to prevent first nations from having their say on the bill. The supporters of the bill, who apparently have been financed very well by INAC to promote the bill, have embarked on a cross-country campaign to push the merits of the bill and to make it look like there is broad national support.

I am critical of that. I am critical of the fact that funding has been taken out of the core aid budget of INAC to create these four new financial institutions without the enabling legislation ever being passed. I am further critical of the fact that the employees of those four new fiscal institutions are being paid to travel the country to lobby MPs to support the bill. Talk about the cart in front of the horse in this case.

The enabling legislation was never passed to create these institutions. The Minister of Indian Affairs went ahead and created them anyway. Then he let the new staff of these institutions travel the country promoting the creation of the various institutions. It really is an insult to any kind of due process that one might expect.

Let me talk again about the level of support across the country. We have heard all kinds of statistics and figures about what percentage is in favour and what percentage is opposed. Let us be clear that the hard-core support for this bill is probably in the range of 30 first nations, virtually all from British Columbia.

I was at the Squamish assembly to which the parliamentary secretary made reference. The member for Saint-Hyacinthe—Bagot, the Bloc Québécois critic for aboriginal affairs, mon frère autochtone, as we call each other, and I went to Squamish and attended the assembly with the express request to the assembly to give us some direction. We told the chiefs assembled there to please give us some direction, yes or no, did they or did they not support Bill C-19, as it was called then, Bill C-23 as it is called now.

It came up for debate on the assembly floor. We sat in the observer section and watched a very passionate and fulsome debate. I wish we had that standard of debate in the House of Commons sometimes because there was a legitimate exchange of strongly held views. In the final analysis, for the third time the Assembly of First Nations voted down Bill C-19, which is now Bill C-23. We had our direction.

In October 2003 the Assembly of First Nations met and dealt specifically with this issue and once again rejected it on the basis as cited by my colleague from Lac-Saint-Louis. I have the resolutions here. They are complex and I would be happy to table them to be entered into the record after the fact.

Basically the "whereas" clauses point out that the proposed bill is flawed and cannot be corrected by mere amendments. It is inconsistent with the previous mandates of the Assembly of First Nations resolutions 596 and 4998. These are making reference to previous years when there were efforts to revisit the fiscal relationship with the federal government. These resolutions were still in full force and effect. The bill does not recognize first nations' inherent right to self-government. If anything, it interferes with the unilateral right to self-government and imposes the will of the state on first nations in contrast, we believe, to the inherent right concept of section 35 of the Constitution. The provisions contained in the bill violate and infringe upon aboriginal and treaty rights and will worsen the status quo, in the opinion of the Assembly of First Nations. The proposed bill violates historic nation to nation, and Crown and first nation treaty relationships. Furthermore, it violates the core essence of this relationship, et cetera.

● (1545)

It is abundantly clear that the parliamentary secretary is either mistaken or misinformed about the level of support for this bill and the actual historical fact about how the bill was introduced, debated and rejected summarily, not once but three times, at legally constituted gatherings of the Assembly of First Nations.

Having said that, I can only speak to the subamendment in the context of this speech. Let me make it abundantly clear that there is such misinformation abounding about this bill that it is incumbent on us to send it back for further review and consultation.

There are very serious implications regarding the constitutionality of the bill. What would be the point in our moving forward with the bill if we thought it was going to be challenged and ultimately struck down on the basis of constitutionality?

One of the aspects of the bill that most offends first nations is the alleged optionality of the bill. My colleague from Churchill moved I believe it was no fewer than 72 amendments to the bill when it was Bill C-19. All but two of them were rejected by the House. There were efforts made to remedy and correct the bill by amendment at the committee stage and at third reading stage until the session ended and the bill had to be reintroduced in the new session.

The federal government, or INAC, the government side, made some amendments. One of them introduced a schedule at the back of the bill saying that those first nations who choose to avail themselves of the aspects of the bill may sign on to the schedule. The government thereby tried to imply that this was optional and it would only apply to those who signed on to the back of the bill.

The alleged optionality of these three institutions is completely misleading. In fact, they are statutory national bodies that will affect the rights and interests of all first nations in Canada whether or not they are added to the schedule. If anything, the schedule model makes things worse. It is important that we have a chance to revisit this because the schedule model perversely guarantees that these important national institutions will be perpetually controlled by the small number of first nations who are strongly in support of Bill C-23 and who sign on. It affects all first nations.

Let us not ignore the budgetary aspect of it. The financing of these institutions will come from the A-base budget of INAC. I believe it is $25 million a year to start with. This would come right from money that could have been spent meeting the basic needs of other first nations that are not signatories. Whether or not they are signatories, it is money that would have otherwise been spent, hopefully, improving the quality of life of first nations on these institutions.

Let us look at the tax commission. This federally appointed body would become the czar of all future on reserve property taxation bylaws or laws. In the future, if this bill is passed, all first nations in Canada that want to develop on reserve property taxation laws and systems will have to seek the approval of the federally appointed commissioner.

How can it be said that they are not affected by it? Even if they are not signatories to this bill, any move they make in terms of property taxation will have to be approved by the federally appointed commission. It is a myth to say that it is optional. Whether they choose to stipulate themselves to this specifically by signing the schedule or not, they are certainly affected by this new institution. All such first nations will have to submit their annual property tax budgets to the commission for approval, et cetera. There is no optionality at all. It affects the rights and interests of all first nations.

I hope we are making that clear. I hope the parliamentary secretary is listening and furthermore, that he understands. There seems to be a wilful blindness on the part of the government members to listen and to hear what they are being told not just by me, and I almost expect them to not listen to me, but they are not listening to what they are being told by the very people whose lives will be affected by this bill.

● (1550)

Earlier I said there are none so blind as those who will not see and none so deaf as those who will not hear. There seems to be a deliberate wilful blindness by those who are so determined to ram this bill through that they will not listen to reason, logic and compelling arguments to the contrary. They will not listen to the most compelling argument of all, that first nations people are vehemently opposed to this bill. The overwhelming majority of them are vehemently opposed to this bill.

I cannot express strongly enough how disappointed I am that in this day and age in the year 2004, the House of Commons of Canada is seized of a bill that seeks to impose our will on sovereign nations, or what we view as sovereign nations, independent nations, first nations. This is not the actions of an enlightened House of Commons in 2004. This smacks more of something of the last century and in fact, the century before that.

The most disturbing strong arm component of the amended Bill C-23 is directly linked to the financial management board. This component is found in clause 8 of the bill. Communities that do not voluntarily join the Bill C-23 schedule are not permitted to pass bylaws or laws dealing with the critical area of financial administration.

Again, how is this optional? This is the analogy we used about a driver's licence. A driver's licence is optional until a person wants to drive a car and then it is not optional any more. This bill is optional unless a community wants to pass bylaws and laws dealing with the critical area of financial administration.

Non-believer communities, those that do not sing hallelujah and sign on to this will be restricted to the narrow list of bylaw topics that are currently under section 81 of the Indian Act, which list does not include financial administration.

If a first nation wants to exercise what we believe is a sovereign right as an independent first nation in matters regarding financial administration, it has to join the club. It has to sign on. It has to put its name on the schedule. Where is the optionality in that?

Local financial administration is a matter of intimate local government. We believe it has to be customized from community to community. Communities should have the right to have that local government authority. Yet the effect of clause 8 of the amended Bill C-23 is clear: only opt in or scheduled first nations can pass financial administration laws. These scheduled first nations then become perpetually subject to the federally appointed opt in institutions. First nations that do not opt in effectively forfeit a key area of local jurisdiction, that is, their financial administration. Again, where is the optionality?

One of the fears that has been brought to our attention is we have all been critical of this new burgeoning industry of third party management where Liberal friendly accounting firms get the contracts to handle the affairs of first nations that overspend by as little as 8%. We heard examples today of the gun registry that overspent by 50,000%. Yet, if a first nation overspends its budget, if it runs into financial difficulties by 8% in the deficit, the federal government can swoop in and put it under trusteeship under what we call third party management.

One of the fears now with the establishment of this management board is that the government will assign the third party management duties to the appointed board. A federal government institution appointed by the minister will now be in control of all of those communities that are under third party management. We might as well go back to the days of the Indian agent because the minister of Indian affairs will be the ultimate Indian agent as more and more communities fall into third party management because they cannot meet the basic needs of their constituents with the paltry budgets they get. They overspend. They rob Peter to pay Paul because they are tired of saying no to everyone who comes to them with a legitimate concern for new housing or to send their children to university.

Some chiefs and council do overspend their budget by 8% and boom, down comes the heavy hammer of the government to put them under third party management. Now that third party management can and may be directed to the newly constituted management board, an instrument of the minister.

● (1555)

How fair is that? It is a catch-22 for first nations who will swallow their pride and join the Bill C-23 schedule in order to obtain from Canada the rare privilege of being able to pass their own financial laws.

It is an extension of the Indian Act. It is an extension of the colonialism that we find so offensive to begin with. The acquired jurisdiction will be very restricted. They will still be limited as to what financial administration laws they will be permitted to institute.

All financial administration laws will be subject to the unappealable veto of the federally appointed management board. There is no appeal process. If the federally appointed management board says that it does not think a certain type of financial administration bylaw should be introduced, there is no avenue of recourse. There would be no appeal. It is fascist.

Some of the most draconian measures of Bill C-23 are designed to prop up the credit worthiness of the authority, apparently at almost any cost.

In closing, from a legal point of view, Bill C-23 has fundamental constitutional flaws. From a policy point of view, the tax and borrow obsession of the bill is unresponsive to the fiscal and program reality of all but a handful of first nations. That is why there are only a small number of first nations who wish to avail themselves of these institutions.

Mr. Rick Laliberte (Churchill River, Lib.): Mr. Speaker, I know that a lot of hon. members in the House have served not only in federal politics, in large part, but some have experienced provincial politics and some of us have experienced municipal local governments, and also school boards, health boards or library boards.

I raise this because I come from Saskatchewan which in large part is a have not province when we look at the transfer payments that come from the federal government. Equalization is a high priority for my province, but at present there is a huge debate on school taxes in the Province of Saskatchewan.

Farmers have huge tracts of land and it is assessed for local improvements in rural municipalities but a tax is also levied from school boards based on the assessments.

Basically, everybody knows that in the national debates of the sorry state of the agricultural community, that the family farm has been hit enormously by world trade, the price of fuel, energy and feed. There is now a tax revolt in the Province of Saskatchewan. It is based on school taxes. This is where Bill C-23 is heading.

I would like the hon. member to comment, perhaps share with the aboriginal leaders of the country, on the fact that the municipal type of tax collection on value of land may not be the perfect way of gaining social and economic certainty in the first nations. Perhaps there should be other models that should be investigated. That is why I think the amendment and subamendment would have Bill C-23 go through a consultation process with the first nation leaders and first nation communities equally.

Hon. members here who have school trustee experience will realize that certain communities are not assessed the same as other communities. In large part, a lot of our aboriginal communities are isolated. The property value of an isolated northern community is not the same as an urban reserve in southern Canada. This will create huge differences between definitions of reserves and the fiscal value of land of those reserves.

Could the hon. member speak about the issue of land taxes for local and school improvements, but also the huge disparity of the value of land all across the geographic regions of the country?

● (1600)

Mr. Pat Martin: Mr. Speaker, I thank my colleague from Churchill River for a very relevant question.

Let me start my answer by saying that the unilateral nature of this newly created tax commission is made even more problematic by the many up front restrictions on first nations' property taxation as contained in Bill C-23. I do not think many people realize that first nations will not be free to spend their tax revenue as they please in accordance with the bill. In fact, they will be forced to spend their money on local infrastructure and the like, thereby lightening the burden and obligation on INAC.

Therefore, using the money to fund a land claim against Canada would be unlawful, for example. They will not be allowed to use their revenue for what they choose. They will only be allowed to use it for a very narrow prescribed list of things which take the burden off the federal government and lighten its fiduciary obligation.

If they want to build a sewage treatment, they could go ahead, sign on to Bill C-23 and fund it themselves. They can borrow the money and use as equity their tax revenue if they in fact have any, although in Shamattawa, Pukatawagan, Paungassi, and half of the reserves in God's Lake Narrows and the places that I have been to, there is no tax revenue in any event.

To answer the hon. member's question more specifically, once the tax commission is up and running, it is likely that INAC as a matter of fiscal policy will put more and more pressure on most if not all bands across Canada to develop property taxation regimes. Communities that resist will eventually see their federal contributions reduced based on tax based estimates.

In other words, as INAC is looking at its annual budget for a reserve, if there is an untapped tax base revenue possibility, INAC will simply reduce the annual funding based on what the reserve could have been making had it signed on to this program and generated those revenues in that way. In the end, most first nations will come under the federally appointed tax commission one way or the other. Once again, optionality is a myth.

Subclause 13(1) was an amendment tabled by the minister that may seem to suggest that current property tax provisions in the Indian Act will continue to be available to communities that do not jump on the tax commission band wagon. However, it is obvious that if Bill C-23 is passed into law, the only game in town will be the new provisions associated with the tax commission.

It is delusional to think that communities will be permitted to operate for any length time under the Indian Act regime in relation to property taxation. All first nations interested in taxation regimes will be obligated, we predict, to fall under this new tax commission. Again, the optionality aspect is an absolute myth.

Mrs. Bev Desjarlais (Churchill, NDP): Mr. Speaker, my colleague indicated that these institutions have been up an running for some time, as most of us know. I am sure there must be viewers who are wondering, how on earth can we be debating proposed legislation in Ottawa to give legal right to these institutions where the Government of Canada has been funding these institutions for a number of years? How do we let Canadians know how the Liberal government has gone about doing this?

Mr. Pat Martin: Mr. Speaker, the member for Churchill has a very legitimate and valid question.

It is confusing to me also that we are now debating the enabling legislation to create these four fiscal institutions when we know that these four fiscal institutions are up and running, hiring staff, staffing offices, racking up travel budgets, and burning up money with reckless abandon as far as I can tell. What in fact are their tasks and duties if they do not even exist yet? One of the duties that they have is to travel the country promoting the bill.

All of us who were involved with the bill have had regular visits from funded lobbyists paid for by the tax commission, or the fiscal institution board or whatever. I am out of time, but I would have liked to explain other things. I am very critical that INAC money is being spent on these institutions before they even technically exist.

● (1605)

Mr. Rick Laliberte (Churchill River, Lib.): Mr. Speaker, I have another opportunity to speak to Bill C-23, but more importantly I would like to speak on the subamendment that has been brought forward.

Being a partial author and seconder of the subamendment, I would like to give the House an opportunity and an understanding of why we should enter into consultation with the first nations leaders and the communities on the impacts and benefits of Bill C-23.

In large part, we would be following the leadership and the vision of our Prime Minister. The Prime Minister, just a few weeks ago, hosted the Canada aboriginal people's round table, and said:

> Canada would not be Canada without the Aboriginal peoples.

What that means is that Canada entered into a treaty to create this country. The Crown ascertained these territories by a treaty negotiation, and that process is not finished. There are huge tracts of land in British Columbia and northern Canada that are under negotiation. In light of this, new relationships and opportunities have been negotiated in the interim, but on the understanding that these treaty negotiations will come to a conclusion at some point in time in the future.

However, the Prime Minister understands and recognizes that under section 35 of the Constitution there are the Indians, the first nations of this land, the Métis and the Inuit. At this round table there was full participation of that leadership right across the country. He also mentioned in his speech a premise to ensure success and he set out clear goals: health care, housing, education, business, economic development, accountability, transparency, and capacity building.

Those are very bold and clear goals. In order to succeed, he also said that there has to be a political will. The Prime Minister stated the commitment of his government. This is a new Prime Minister and a new government, with a new agenda, working on a new relationship with the aboriginal leaders. The aboriginal communities and the aboriginal leaders also have an obligation for this new commitment.

The Prime Minister went on to state:

> From our vantage point, we will ensure a full seat at the table... No longer will we in Ottawa develop policies first and discuss them with you later.

That statement is probably the most profound reason why this subamendment is being debated in the House now. Bill C-23 is a new fiscal relationship. At no time in the history of Canada, when reserves were created and lands were set aside for Indians, for first nations people, was there taxation of that land. The Crown and the government never intended to put assessment of value on their lands. That was land set aside for Indians. This bill now revisits that fiscal relationship.

There was a fiduciary responsibility defined for the government's responsibility. A lot of it is fiscal responsibility but more importantly, in my studies of the treaty books and the letters of the treaty commissioners in their reports to the Crown and their officials, a fiduciary responsibility of the Crown meant to respect the sovereign nations with which these treaties were being entered into.

The aboriginal nations as nations have to be respected. There is no evidence in Bill C-23 that these nations would be represented or respected. None. It does not even refer to section 35 of the Constitution. In our Canadian Constitution those historic and treaty rights are recognized and respected. This bill does not even base its policies on section 35 of the Constitution.

● (1610)

Let me go back to this. I say that in January Bill C-23 was brought in. There was a throne speech and I want it recognized that in that throne speech, the House of Commons, this Parliament, said it would recognize a relationship with aboriginal people based on historic agreements. Those historic agreements are the treaties. If that happened in February, this bill came before that statement.

Also, on the round table took place in the past month of April, I say this bill should go back; it should go back in consultation with the first nation leaders of this land. They should look at what relationship it is creating, at what is happening here in relation to borrowing money, to borrowing capital.

Municipal governments and school boards know very well about these borrowing powers. They can borrow money for a new school. They can borrow money for a hospital. They can borrow money for water and sewers for new subdivisions. I dare say our government will also push the housing issue to this. If one wants to set up a whole new subdivision with new housing for development, the government will open up an opportunity for first nations to borrow from the financial institutions. These financial institutions are stated in this bill, but one thing that everyone will understand is that municipal governments and school boards they can borrow money: debentures, securities and bonds. They can go to international markets.

There are limitations in the bill: for Canadian and United States markets. Does that mean the Canadian and United States financial institutions are the lobby behind this? Why is the European financial market is not included in this? How come the Asian markets are not included in this? Some day maybe the United States economy will fall away, as it did in 1930. Maybe the European market will be the only one that is secure. Why was that not considered? Why were European and Asian markets not considered as part of this bill? Why limit this to only the Canadian and United States markets? Is it because that is where the lobby came from?

I want to raise this issue because there are a lot of issues and a lot of explaining to do to first nations. This opens up a whole new relationship, a whole new reality of ascertaining a better quality of life on reserve and also off reserve because some of these investments may well include off reserve development. However, this is very limited in the definition of what a financial institution can do and what a tax commission can do. What it is very clear is that the powers are well defined in this bill, and those powers are the powers of the band council.

The powers of the band council were never defined as clearly in the Indian Act or even in the former Bill C-7. Both were very vague on the powers of band councils and chiefs. However, this bill quickly highlights the powers of these chiefs and councils, because those powers will be delegated to the tax commission, to the finance institute and also, I guess, in large part to the tax collector, so to speak, to the financial institution one is going to borrow money from. There will be a delegation of these powers.

In large part, these powers will be creating a property taxation law. That is first and foremost. These are not independent institutions standing on their own. All of them are connected. Even for the statistical institute, it states the reason it is being contemplated is that "accurate, timely and credible" information is "a key element of sound financial planning, management and reporting".

● (1615)

This all has to do with finances. I would say that statistical institutes should be for cultural knowledge, health knowledge, social knowledge, and education knowledge, so that we would be teaching kindergarten to grade 12 with a curriculum based on a statistical institution, an atlas of knowledge and a traditional land use knowledge. It should be that kind of statistical base.

No, this statistical institute is deemed designed for financial planning, financial management and financial reporting. Money talks. That is what scares me about this bill. Money is dictating the reason for Bill C-23 happening now. It is based on the premise that in regard to the socio-economic disparities of on reserve existence, those opportunities should be equal to other opportunities in other communities in Canada.

However, the municipal and school board structure of this country may not be the panacea for on reserve development. There may be other alternatives. Maybe the alternative is the borrowing powers that a province or a federal government has. Maybe those borrowing powers should be entrenched in this so that the recognition of the nations and the tribes can make the borrowing powers and the credibility to secure those amounts, whatever amount they decide to borrow.

We were told by a speaker earlier this morning that it costs five to six times more for on reserve development. A lot of these communities are isolated, fly-in communities. Hon. members who represent the north know the reality of living there regardless of being on reserve or off reserve. Let us look at the Inuit in Nunavut. Not one permanent all weather road connects that territory, and their costs are 20 times higher than the costs in downtown Ottawa. It costs 20 times more to buy a piece of two-by-four to build their homes, not because they are aboriginal but because of the geographic reality of this country.

As a country we have to address this issue, and not on the finance or the mortgaging of the future of aboriginal children. Why should aboriginal people be paid for the high cost of existence in a country for infrastructure when this country collectively should take that responsibility? This country should be fair and equitable for development in downtown Toronto and also way up in Old Crow, in Inuvik, in Black Lake, and in Ahtahkakoop, a reserve in Saskatchewan.

I want to raise another issue. When the treaty negotiations took place with Treaty No. 6, one of the provisions was a medicine chest. A lot of people say that Tommy Douglas was the father of medicare, but let us correct that. The grandfathers of medicare were the chiefs of Treaty No. 6. They saw a public policy: that the riches of the land would take care of the children of the future. When they secured their treaty by the sacred pipes, they prayed to all four directions and all four races of this country and the nations of this land.

They were not looking at only the children of the Crees, the Dene and the Lakota. They were looking at all the children of this land, and the newcomers' children as well, the children of the settlers. That medicine chest should be afforded to everybody, but in no way did Treaty No. 6 negotiate that there would be land assessment at Ahtahkakoop. At that reserve if we go back and try to push a tax revenue law, I swear that those challenges will take us to the Supreme Court.

I will warn the House that although in the bill there may be an opt-in clause, I know that the opt-in clause is a political ploy. A while back it was used on us as parliamentarians on the issue of pensions. Pensions were "opt in" for certain members, but if we take a measure now of all the members in the House who have full pensions, all of us have signed on, even the ones who resisted. They were challenged on the point that it was an opting in issue. That is what is going to happen to the first nations of this land.

They may not join in. They may resist because of their obligations by treaty or for other reasons, perhaps because of the value of the land or because of their leadership and their vision. But at some point in time, they will be dragged into Bill C-23 and the reference to Bill C-23.

● (1620)

The other issue I raised before was that of consultation. I say that consultation should be with first nation leaders and first nation communities of this land. Proposed section 143 states that a review and evaluation of the bill will take place in seven years. A seven year parliamentary review will come into play. Upon reviewing the bill, the Indian affairs minister will be in consultation with the tax commission, the finance management board, the finance authority, and the statistical institute. Bill C-23 does not provide for any consultation at all with first nations and their communities. So seven years from now when the bill is reviewed, that review will be just a self-analysis of the institutes it has created.

Also, some hon. members have said that substantial amendments have been made to the bill. One of the most substantial amendments brought in by the minister was the inclusion of other aboriginal organizations and aboriginal groups under the statistical institute and the records and data it would keep. Under section 35 of the Constitution, the Inuit and Métis are the only other organizations. There are first nations and then Métis and Inuit. If we are going to have statistical information about the Inuit and Métis included, then why are they not part of the consultation after seven years?

Why can we not consult with the aboriginal groups if we are going to be using this data about them? The data, as pointed out, will be used for financial planning and financial management and reporting. It will not be used for cultural preservation, curriculum development, social analysis or economic comparisons among different communities. It will be specifically for the use and benefit of the financial institutions.

The "national aboriginal institutions" that would be created by the bill "will assist first nations that choose to exercise real property taxation jurisdiction on reserve lands". That is the bottom line. It is open only to people in first nations who want to exercise real property taxation. It means that they are the ones who will be able to borrow money. That taxation will be for the provision of services, and there will be taxation of business activities happening on reserve. It will also impose development costs happening on reserve and provide laws respecting outstanding taxes. A tax revolt is taking place in Saskatchewan with regard to outstanding taxes. Outstanding taxes are a big part of a school board or of the collectible taxes of a municipal council of a rural municipality. There is also enforcement of charges for outstanding taxes.

This will also create liens. A lien is something foreign on a reserve. Tax liens and property liens are incredible tools that are being provided. They did not exist on reserve before now. Also, there will be interest and penalties. If someone does not pay their taxes, interest and penalties will be added on.

There also will be the powers of "seizure, forfeiture and assignment of interests or rights". Along with seizure is the sale of personal property. If someone cannot pay their taxes, powers are included in the bill that would give someone the power to seize personal property for taxes they owe.

These are all new financial relationships and new fiscal powers that do not necessarily exist on reserves right now. There is going to be disparity about the value of land on different first nations reserves from northern Quebec, southern Quebec, northern Canada, B.C., and isolated communities. There will be different classes of first nations based on the value of their land.

Today I submit my support for the subamendment and the amendment. We should not pass the bill at this third reading stage. We should be consulting with first nations leaders and communities. Bill C-23, through the standing committee or through the government, should go back for consultation to set up a fiscal relationship that is equal and fair for all on reserve development in this country. My time has come to a close, but I welcome any questions members may have.

● (1625)

Mrs. Bev Desjarlais (Churchill, NDP): Mr. Speaker, I want to acknowledge my colleague's comments. Initially, he talked about the meeting the Prime Minister had with aboriginal groups some weeks back and how he had indicated there would be a new relationship. I am a bit caught on that. I am of the impression that the legislation before us is the government's legislation, which would be the Prime Minister's legislation. The majority of first nations, 600 plus, do not agree with the legislation. Where is this new relationship about which has spoken?

I seem to get the impression that there was some praise for the Prime Minister. Either the Prime Minister is being dishonest with the aboriginal people he met or he is being dishonest with the legislation that is before us. Which is it?

The Acting Speaker (Mr. Bélair): I would ask the member to please be careful with her choice of words.

Mr. Rick Laliberte: Mr. Speaker, as I mentioned, in December a new government was formed with a new cabinet and a new Prime Minister. The bill, because of the legislative procedure that had taken place last fall, was reintroduced in January. The chronology is that in January the bill was introduced. However, a new throne speech was declared in February and an aboriginal round table took place in April.

The Prime Minister has a vision of creating a new relationship. We have to commend him for that. This is short-circuiting that vision. The bill should be revisited in light of the new statements and new vision that the Prime Minister has stated. He has stated that he wants a new working relationship. He challenges that changes have to happen in government, but changes have to happen within the first nations as well. It takes both sides to make this relationship work.

The capacity building has to have transparency, accountability and self-government. The whole capacity building of first nations is to meet the challenge in view of the socio-economic disparities that have taken place. However, we need to allow this to take place. We need to allow first nations to come together and come to terms with this new challenge.

That is why I ask for the member's support and the support of all members on the subamendment. Let us allow the government and the Prime Minister to have a full consultation with first nations leaders and communities and to bring forward a revitalized fiscal relationship. It may not be taxes on land. It may be a whole new different kind of fiscal relationship.

However, I am seeking support to approve the subamendment. It is time that the government moved forward under the new statements from the throne speech and the new statements by the Prime Minister. Let us not blame him for anything else. He wants to move forward. With the bill, maybe it is time for reconsideration and a new consultation with first nations.

Mrs. Bev Desjarlais: Mr. Speaker, we are talking about a new relationship. I know the Prime Minister indicated numerous times to Canadians over the last number of months that he really did not know what was going on when he was finance minister. However, he is in charge now. If he does not like this agenda, why do we have the legislation before us, unless he is not calling the shots?

Maybe it is the financial institutions that will make interest dollars from the loans that those first nations have to make to get the services the government has failed to give them. Maybe that is the intent. Maybe he is not calling the shots. The reality is, he is in charge. If the legislation is no good, he can pull it off. That is it, end of discussion. We do not have to be rocket scientists to figure it out.

Either the Prime Minister is not being upfront with aboriginals in Canada or he is not being upfront with the legislation. To stand there and talk about the wonderful vision and what a great job he is doing, is absolutely hypocritical. I challenge my colleague from Churchill River to have a bit more gumption in his accounting.

● (1630)

The Acting Speaker (Mr. Bélair): Again, please be careful of the use of the word hypocritical. In the context it is somewhat acceptable, but please, if members can refrain from using it, please do.

Mr. Rick Laliberte: Mr. Speaker, I am not sure there was a question there, but I will search for one. In our work here, our conduct is to give honour as members of Parliament and to create opportunities. Our role is to debate the bill. The parliamentary process has brought the bill to the House and we are here to debate it on its merits. I have debated openly on the merits of the bill, based on my experience as a tax collector in my own community and as a school trustee for the school division in my region.

The bill would create a whole new relationship for first nations in the country. In my experience, with the small powers that we have as members of Parliament, we are able to make amendments. One of those amendments is to not accept the bill at third reading and to have full consultation with first nations leaders and communities on the impacts and benefits of the bill. Maybe the member would like to accept the premise that we are making a bold move to not have this go through the third reading stage. That is what we are debating.

This is my contribution to the bill. That is the message I am sending to our Prime Minister. He is well intended on his vision for a new relationship with aboriginal people of this land, as a new leader and as the new Prime Minister of the country. I am contributing by saying let us revisit Bill C-23. Let us not go forward with it. Let us go back to consultation.

There is nothing else I can do. That is the message. It is plain and simple. I am not hiding or mincing words. This is very clear. It is not easy to tell a prime minister that his or her act is not correct. That is what we are doing.

[*Translation*]

Mr. Marcel Gagnon (Champlain, BQ): Mr. Speaker, I have been listening carefully to the debate so far, because it also affects first nations communities in my riding.

Earlier, you asked my colleague from Churchill to be careful with her choice of words. But some things are hard to explain. We are told that the government wants to do things differently. We are even told that it has changed in the last five or six months, but nothing has changed except for one guy who switched seats. He used to be finance minister and now he is Prime Minister.

The Prime Minister must now prove that he wants to improve relations with the first nations. Their situation is absolutely terrible. We have to stop thinking that first nations need to remain under trusteeship. Aboriginal Canadians are capable of taking care of their own business and they know what they want.

Sixty percent of first nations communities are against this bill; only 40% are in favour. In my area, we have communities like the Attikamek who are going through some very tough time. Along with my hon. colleague from Saint-Hyacinthe—Bagot, I went over there and saw things that should not exist anymore in 2004. With a little help, these people could take charge of their own destiny.

Are we not asking for a new round of consultation and a review of aboriginal issues precisely to try to give them all the tools they want?

● (1635)

[*English*]

Mr. Rick Laliberte: Mr. Speaker, as I said before, the Prime Minister and the government have an obligation to create new relationships. I think this kind of fiscal relationship could be well improved.

The provisions in Bill C-23 are not adequate. It is a whole new relationship of taxation on reserve, giving tools that are similar to school divisions and municipal power to borrow money. However, it limits it to band council recognition. What about the tribes and the nations?

The tribes and nations have responsibility for huge tracks of land. As per the vision in Treaty No. 6, the riches of the land were to take care of the needs of medicine, housing and health. That is a responsibility of provincial and federal powers. That kind of context is not in Bill C-23. It is only limited to on reserve and sometimes those on reserve resources are not enough to help it climb out of economic and social hardships. It should be revisited in a bigger and better picture.

In large part, it may not be a partisan thing. I think it is the relationship with the Crown. That is why we focus it on treaties. It should be based on the treaties and their obligations under section 35 of the Constitution.

The Acting Speaker (Mr. Bélair): It is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the time adjournment is as follows: the hon. member for Davenport, Fisheries.

Mrs. Bev Desjarlais (Churchill, NDP): Mr. Speaker, I will be very cautious in choosing my words. I have a tendency to sometimes get carried away.

I am appreciative of the amendment that has been brought forward. It gives an opportunity to reinforce the objections to Bill C-23.

I want to make a point of commenting on a number of aspects related to Bill C-23.

At first blush, when we look at what these institutions are, anyone would think that these would be great to have. With the statistical information, we would be able to properly fund first nation communities and perhaps do what we should have been doing all along. The bill would give first nations a chance to really look after their financial management. It would give first nations an opportunity to collect taxes. It would give first nations control over their finances. However, the reality is that is not what first nations want. They do not want Parliament in legislation telling them that they have to do these things.

That number one reason alone means the proposed legislation should not be before us. If first nations want to proceed with these institutions, I submit they can do it on their own.

I suggest it is purely the government. We can talk about the Crown in this relationship, but let us face it. We are dealing with the federal Liberal government. It is the federal Liberal government that wants this put in place. It is not the first nations and it is certainly not my colleagues in the New Democratic caucus.

I recognize there are some first nations that like some aspects of this. I believe they should be able to proceed if they so desire. However, the majority of first nations do not want it. As a result, we should not have the bill before us, and not if there is going to be a new relationship with first nations, as we have heard many times. It should not be in the House.

I am increasingly concerned that the bill will put first nations that are already in dire straits in even greater dire straits. There are numerous situations in my riding with huge levels of unemployment. I am talking 90% to 95%.

Go into a community. The school is funded through dollars that first nations get. Those dollars come from the federal government. That is how the government goes about getting the dollars to them. The treaties have a partnership relationship, but the federal government never lets first nations forget that they are getting taxpayer dollars. Somehow the government forgets the fact that it is a partnership in the treaties, that the land and resources will be shared. That part gets left out. They are reminded they are getting taxpayer dollars to fund their education, the school, the teachers and everyone else working there.

They have in most cases nursing stations or a health stations. The odd time they have a hospital or a clinic with doctors. Again, that is funded through Health Canada and through taxpayer dollars.

They might have a northern store or another store in the community and maybe another little store here and there, maybe even a gas station. In all my 31 first nation communities in my riding, very few have more than that. Most do not have other economic opportunities. There might be someone working at an airport which might be funded provincially. Because it is on the non-first nation side, there might be some dollars for funding. The reality is the majority of people in those communities want economic opportunities and income coming in, but nothing is there.

The opportunities that have been there in the past are constantly being stripped away from them; the opportunities for fishing and trapping. The fur trade now is under attack again within those communities. Those are some of their limited resources. I ask my colleagues in the House this. From where do they expect these tax dollars to come?

● (1640)

I find it hard to believe that first nations community members are out there saying that they want to pay taxes with the little bit of money they get to subsist on month after month; assistance dollars that are coming to the first nations through the governments. How on earth does anyone expect them to pay taxes?

It is beyond me where this is coming from. If they want to collect statistical information that is just information on how many people are in a family and those kinds of things, they can do it, but I am increasingly concerned about the financial side of it.

As my colleague from Winnipeg Centre indicated, if this is put into legislation and if they then do not buy into it, even for things such as improving their schools or the roads in their communities, they will have to take out a loan. Where will they get the money to pay the loan? Will they take out a 25 or 30 year loan to build a new school? I find it hard to believe that the loan will be interest free. It may be interest free but I find that hard to believe.

Where will the dollars come from? Either the first nation will have even fewer resources or there will be an increase in the tax dollars required. We will have first nations suffering the consequences of being beaten again over their use of taxpayer dollars when, under an agreement, they were assured of certain services. The government has failed to provide that.

We hear of third party management. A couple of years ago one of my first nations contacted me because it was having a problem with its third party manager. It was kind of interesting that in a short period of time, numerous first nations ended up in third party management. It was no surprise to me that the first nations in Manitoba had objected to the government's legislation en masse. As far as I was concerned this would be their punishment, so numerous ones were put into third party management.

In that case we had first nations that could not get information back from their third party manager. They did not sign the contract for the third party manager, INAC did. I have seen the contracts where $30,000 a month came out of their budgets that should have been paying for recreational facilities, infrastructure and fire prevention in the community which is sorely lacking in numerous instances. The money was taken out to pay third party managers and they could not even find out where the money was going.

I asked INAC where its policy was on third party management and where the tendering process was because I wanted to see how this was done. INAC did not have one. It was literally taking the food off the tables of the people in those communities and the government did not have a tendering policy. It was just being handed out to whomever it thought should get the plum contract. As a result, first nations throughout my riding and throughout this country have suffered.

The government has no conscience when it comes to its treatment of aboriginal people in Canada, and certainly with the first nations in regard to this legislation. If the Prime Minister really meant what he said at that meeting, this legislation should not be before us. I am at a loss to understand how any first nations can accept that the Prime Minister's word can be trusted when this legislation is still before us. It should be removed and removed today. We should not even be spending any more time talking about it if there is any truth in the Prime Minister's comments about a new relationship.

I mentioned the limited income opportunities. Often we go into communities, as persons who have not lived on a first nation reserve, and some of our first instincts are to wonder why the people do not move and find a job elsewhere if it is so bad on their reserve. A lot of people had those kinds of feelings. I would suggest that a lot of first nations people have left and gone into urban areas trying to make better lives for themselves and thinking things would be better only to find out that their conditions are worse. We have the situation where numerous native women have gone missing throughout the country and nothing is really happening to find them. Numerous native children go missing and it is no big deal.

● (1645)

First Nations people are searching for a different way of life but the reality is that when people have gone through decades of not being allowed the same educational opportunities it is a struggle to get things back on track.

In the course of righting those wrongs, we have to put the supports in place that give first nation communities the opportunities to make themselves self-sufficient. That does not mean that they need a huge industry or they need to tax properties because they were self-sufficient before they were put on the reserves. Native people were not starving to death before the reserve system. People lived off the land and had homes that provided the warmth they needed.

A fellow in a community in my riding, which is not actually a first nations community, lives alone in a small log cabin. His family has moved on. I would guess that he is in his late seventies or early eighties now but he still chops the wood he needs to keep his cabin warm. However things have changed. I expect all individuals living in first nation communities have the same amenities of indoor water and sewer. If they want to have a furnace in place instead of having to go out and chop wood, that should also be there.

However we have seen very limited resources going in, so it could never be a real effort to improve overall. I want to give people an idea of what it is like in some of these communities. Their water and sewer is a tank that sits out on the lawn. In the house there might be a furnace for people to keep warm. Even though hydro is available in some cases, people cannot afford hydro because they have limited incomes. They do not have the money to pay the taxes or the hydro so they try to keep things down to a minimum by using their ovens to keep the room warm and then they do not have to worry about everything else. For the government to suggest that there are dollars there for them to pay property taxes and it will make life all better, is just not real.

I suggest to the government that if the Prime Minister has any credibility left he would withdraw the legislation. Those first nations that want to proceed should be given the opportunity to proceed. Quite frankly, I think there is an absolute demand that the government account for the $20 million that it has already been spent on these institutions. Twenty million dollars would go a long way in first nations communities. The government has already implemented these institutions without the consent of the first nations and without the consent of the Parliament of Canada. I think it is time the government came clean with everyone.

● (1650)

Mr. Rick Laliberte (Churchill River, Lib.): Mr. Speaker, I want to share some statistics with the hon. member. I know she was a former school trustee, as was I, so borrowing money is not new to either of us.

These statistics come from a recent publication entitled the *Finances of the Nation* dated 2003. It states, "The consolidated net debt for Canadian governments, federal, provincial and municipal, on March 31 of the year 2000 amounted to an estimated $830.4 billion". It is up from 20 years ago when it was $130 billion. Imagine what the public debt would be in this country if the first nation governments fell under this category. The ones that stand to gain are the financial institutions that will collect the interest because prime plus interest rates are what the financial institutions are all about.

I want to share one other thing with the hon. member. I was very adamant in defining that the Crown has to declare the proper relationships with the aboriginal nations. We have to be suspicious about governments, regardless of what political stripe. In the province of Saskatchewan, an NDP government instituted tax exemption treaties, which used to be tax exempt right across the province. It was an NDP government without consultation that revoked that tax exemption, so any government could pull this off.

That is why I am adamant that this consultation take place with first nations leaders and their communities and that any financial institution, any fiscal relationship should be based between the Crown and the original nations. That is why I raise that issue.

Mrs. Bev Desjarlais: Mr. Speaker, from the member's comments on taxation, he has reinforced my point that the only ones who would benefit from the first nations being able to get loans would be the financial institutions. Ultimately, the taxpayers would have to pay the additional cost because there is no property tax base from which to get the taxes.

There is no question that as school trustees we might know about borrowing money, but I also know that where I come from we often did not have to borrow money in a sense because we had a property tax base. We probably had an average income of $45,000 to $50,000 within the area I represented. We could afford to pay taxes. I do not begrudge my taxes. I receive great benefits. My water and sewer are provided. I have fire and ambulance service. I have the services of a hospital. The roads are cleared. All three of my kids received schooling for 12 years.

First nations, in most cases, do not have the incomes coming in but they do have treaties in which the government said that they would have certain services. As I have said before, if the government could get out of the treaties, the Progressive Conservatives and Liberals would have done it a long time ago. The reality is that the treaties are there and the government will have to own up to them. The sooner the government owns up to them the less cost it will ultimately be from taxpayers dollars but less cost to the destruction of first nations people as well.

I will not try to hide from the fact that the provincial tax was brought back into place in Saskatchewan. I am originally from Saskatchewan. I know that the provincial government struggled. We had discussions with different people because we knew it would have an impact. As politicians we all got together to discuss these things.

However the reality is that the federal government cut dollars to the provinces and the provinces, in trying to maintain their health services and other services, felt that they had no obligation to exempt first nations from provincial sales tax. They are exempt from GST.

Consultation did not take place initially but I am happy to say that there was some consultation after as to how the whole thing would proceed. It was not something they did lightly but I know it was done because of a lack of resources and they wanted to ensure that services were maintained.

● (1655)

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, it is my pleasure to rise and speak in support of Bill C-23, the first nations fiscal and statistical management act. I have spoken on this bill before. In fact, I even had comment from people who are supportive, who are in the aboriginal community, and who want this bill and the tools that it offers. Not every aboriginal person has the same opinion, but that flexibility is introduced here.

The Prime Minister has talked about a new and strengthened relationship with aboriginal people, and a new approach to resolving the lingering and unacceptable disparity, the disparity described by members opposite and on this side that we are all trying to address. There is an unacceptable disparity between the quality of life of aboriginal people on the whole and other Canadians.

On April 19 we witnessed in the country an important milestone in our relationship with aboriginal people with the Canada aboriginal peoples round table. It was a gathering which was called by the Prime Minister. It brought together elders, the Prime Minister himself, aboriginal leaders, cabinet ministers from this government, and distinguished representatives from various aboriginal organizations in a forum to renew and strengthen our relationship with first nations people, Inuit and Métis. It laid the foundation for a new plan that would see, once and for all, aboriginal people enjoying a quality of life equal to that of their fellow Canadians.

The Prime Minister said at the time, and has said repeatedly, that Canada faces no greater challenges than those that confront aboriginal Canadians and that aboriginal people must participate fully in all that Canada has to offer, with greater self-reliance and an ever-increasing quality of life.

Bill C-23 is about fulfilling the government's commitment to aboriginal people. It is about working in partnership to remove obstacles to growth. It is about working to ensure that first nation people would have access to the tools for economic growth and prosperity, the same tools that my municipality would have that perhaps would not be taken up by the member for Churchill's municipality or your municipality, Mr. Speaker.

Different communities use different tools at their disposal, but they must have the range of tools to be considered truly equal to get the quality of life that is appropriate to all Canadians as well as the ability to select and not be prescribed to by any government. It is about respecting the ability of first nation people to find their own solutions and apply them in ways that make sense for their community.

Bill C-23 would offer to first nations many of the practical tools that are fundamental to fiscal growth, economic growth and self-reliance. It would offer investors the certainty they need to invest in first nation communities. The larger objective is to close the socio-economic gap. It makes sense to see that first nation people have the same potential to capture economic opportunities as other Canadians.

Overall, the bill would assist first nation communities to borrow on financial markets, facilitating access to low cost capital for investments in local infrastructure, and thereby attracting needed investment to first nation communities, the same kind of investment that my community has access to attracting and that competes with other communities.

The member from Scarborough is here. His community competes with other communities in Canada for investments. This ability to find the right tools and the right investment opportunities is something that is required by our communities and first nation communities.

Bill C-23 is part of a new approach which holds that first nations must be able to plan and direct their own economies for there to be real economic opportunity and lasting prosperity. The bill would establish four national institutions that would improve the quality of first nation government to address the social and economic well-being of their communities.

The first nations financial authority would provide the same access as non-aboriginal communities enjoy to sources of low cost capital such as through the bond market.

● (1700)

I would like to point out to hon. members that the proposal has been endorsed by major bond underwriters and credit raters. It is expected to allow first nation communities to raise $125 million in private capital over the first five years. In fact, it is based on the model that has been used in British Columbia whose debentures credit rating has surpassed even Canada's for some time now.

Gaining access to the bond markets would lower the cost of borrowing for first nations by 30% to 50% leaving more money in the community. More money, as the member for Churchill said, which is needed for the priorities of the community. It would leave more money in the community to pay for much needed capital infrastructure instead of paying higher interest rates.

The second institution, the first nations financial management board, would certify the credit worthiness of communities interested in gaining access to the investment pool. In fact, it would ensure and encourage adherence to sound financial management standards by participating first nations governments as would be expected by any other government.

The third institution is the first nations tax commission. This body would expand the role currently performed by the Indian taxation advisory board. It would allow first nations to strengthen their property tax systems.

Just as important, the bill would provide for greater input into rate setting and related issues for those who pay property taxes. Not everyone needs to pay property taxes. It would be a choice that communities would decide. Communities would make their own decisions. It would not be imposed by anyone. It would be a choice. Bill C-23 would offer options to communities.

Among the approximately 100 first nations that already have tax regimes in place throughout the country, we have seen how much can be accomplished with the development of a stable tax base.

Let us look at a few examples. The Millbrook first nation in New Brunswick has used its property tax powers to become one of the fastest growing economies in that province. The Squamish first nation used property tax revenues to build recreation facilities that are creating a very positive environment for children and youth. This is surely something that all of our communities desire. A new purification system at Westbank first nation is supporting both commercial and residential needs of first nation people and non-first nation people alike. Of course, there are many similar outstanding examples.

Moving on to the fourth institution, the first nation statistical institute, this institution would not only help improve the quality and relevance of information available to address aboriginal issues, it would also ensure that first nation decision makers could have access to the information. This would support decision making, make governments more accountable, and help ensure that resources go to where they are most needed.

I know my own community has talked about the importance of having accurate statistical information and ensuring that it is meeting the priorities of the community into the future.

Currently, first nations do not have at their disposal the basic statistical information available to the majority of Canadians, a situation which hinders their planning and the ability of first nations to make the most of economic opportunities. The statistical institute would collect existing data from a variety of sources to develop a complete, relevant and accurate statistical profile of first nations across Canada.

There is nothing in the bill that would oblige a first nation to participate in the new data collection activities. The institute would support first nations that wish to avail themselves of this service in building their capacity to understand and utilize the statistical information, in planning, decision making and negotiations. With that, first nations would have the necessary statistical information and management skills to help build a more certain future.

The four institutions established by Bill C-23 would offer first nations the tools they could use to attract investment, build infrastructure, create jobs and address social issues.

It is imperative that we address one extremely important issue. First nations would be accomplishing these goals on their own terms. The proposed legislation is a first nations' initiative. Its development has been led by first nations. The institutions that they would help create would ensure that first nations would play a lead role in long term development efforts.

● (1705)

Just as we see in the House different political parties that are supported by Canadians in my community and in communities right across this country, I am sure there are first nations people who disagree with the bill and disagree with the leadership that has worked to put it in place. That is the nature of Canada and the nature of democracy.

There will be first nation communities that choose not to use the institutions that are available because of the bill and that is okay; however, for the ones who wish to have these systems put in place, surely it is important that we allow them these tools.

The bill would mean that first nation communities would be able to develop partnerships with other governments and industry in order to strengthen their economies and to improve the quality of life for all of their members.

While the proposed legislation creates institutions, participation in them would be optional. Nobody is forcing any first nations to take part in something, for whatever reason, they may choose not to participate. This allows me to clarify other important principles behind the bill and to address legitimate concerns that have been raised in the House.

Bill C-23 does not in any way change the fundamental, historic relationship between the Government of Canada and first nation peoples. The intent of the bill is, first, to provide first nations with the opportunity to use the fiscal and statistical tools that are available to other governments in Canada in support of their efforts to improve the quality of life on reserve.

Second, the bill does not force first nations to tax or to borrow. First nations property tax powers have existed in the Indian Act since the 1988 amendments. Just as there are no directives to make taxing or borrowing mandatory now, there would be no directives issued in the future.

The development of the proposed statistical institute has been undertaken jointly with Statistics Canada. The institute would not duplicate or complement the excellent and world renowned work done by Statistics Canada. In fact, the institute would assist first nations with statistical information. First nations would be encouraged to participate more in the national statistical programs of Statistics Canada.

The Speech from the Throne identified the horrible conditions faced by many aboriginal communities as one of the most pressing issues facing our country today. The Prime Minister, in calling on April 19 the round table, reaffirmed the government's commitment to address those issues. The bill is about living up to our responsibilities, but responding with specific actions to match the expressions of common cause and goodwill that were expressed by many people at the round table.

We have a long road ahead, but we are confident that we are on the right path. The important thing is that we are on this path together with first nations, Inuit and Métis. We are mindful of the mistakes of the past but full of hope, goodwill, determination, and concrete action to arrive at a new destination and a better future for all.

[*Translation*]

Mr. Marcel Gagnon (Champlain, BQ): Mr. Speaker, I listened carefully to my colleague's speech and there is one flagrant contradiction in what we are hearing.

The hon. member for Saint-Hyacinthe—Bagot, who has followed this file very closely, has pointed out a long list of contradictions. The hon. member opposite has just told us that it is very important to work with the first nations. Indeed, what we object to—and I think it is our major objection—is that the first nations are afraid the government is trying to impose its will on them. There is an impression that the government is increasingly paternalistic, and that is not what the first nations want.

My colleague just expressed the opposite of what everyone fears. Who is telling the truth? It is like that old television show called *To Tell the Truth*.

If what I have just heard is true, if the hon. member really does understand this correctly, would it be so bad to take a step backward, to do what they are asking, that is, not to pass this bill right away and go back to consultations? There has been a misunderstanding on this, since 60% of aboriginal peoples oppose this bill, and say they have not been sufficiently consulted, and now I hear that it is necessary to work more with the native people in particular. I would like her to clarify this for me.

Why are people objecting to what she says is being done? Can she explain this to me in a way I can understand?

● (1710)

Ms. Paddy Torsney: Mr. Speaker, let me point out that first nations communities do not have the duty or obligation to agree with each other. Different people can have different views. Some reserves have serious problems; others are doing better.

Some aboriginal groups in some reserves want the institutions provided for in this bill. According to the hon. member, further consultation is needed. It might be useful for those who do not agree with the bill, but for the people who want to bring about changes, start using statistics and change the ways things are done, and who need the tools mentioned in the bill, it is important to pass this bill.

We can take a look at what is going on in these reserves and see if amendments need to be made for certain aboriginal groups. As for the others, perhaps we can provide them with this tool.

[*English*]

One size does not have to fit all. It is possible that there are some reserves or some bands who wish to have the tools that are here and others who disagree. But as for further consultation and not passing this bill, consultation is always wonderful, but by not passing this bill we deny the first nation peoples who want these tools the possibility of having them. Who are we to say that those people are wrong? Who are we to say that they are not representative of their band or their reserve?

They are empowered to lead. They have asked us to do this. We have consulted. We should get on with passing this bill and give the tools to those individuals. We should see how they work for those people who wanted them. We should see how they work and if further improvements are needed. That is fine. As for the groups that do not want to use the tools that are in this bill, that is fine too. They do not have to. There is no obligation to use the tools that are here.

Just as the municipality of my colleague opposite uses the different tools it has at its disposal, my community uses others. We have specific plans to create sports clubs in my community. They are different from plans in other communities, but we are working within the framework of a municipal act. That is exactly what there would be here. Different tools would be available to our first nation peoples.

And there are leaders, representatives and individuals in the first nation community who absolutely support this bill. They have called me. I have spoken to them. They have stopped me in the street. There are people who want these tools. We should not be in a position to deny them, because others disagree, to those groups who are ready, willing and eager to get on with it. We are not forcing anything on the people who disagree. We are allowing something for the people who agree and who in fact have led the way on this bill.

● (1715)

Mrs. Bev Desjarlais (Churchill, NDP): Mr. Speaker, I have a comment and then a question. The member mentioned how municipalities can do their business. Municipalities have a municipal act and they can do business and fall under provincial guidelines.

In the year I was first elected, I met a fellow from one of the first nation communities. He was 107 years old. I was absolutely honoured to meet him. He told me about when the police came into town with the representative of the Crown and the chief of the first nation signed on to the treaty. He did not tell me about a municipality making a representation to government as to whether or not they should do anything. It was the first nation on the same ground as the Crown. This is what we are talking about here.

The member is quite right when she says that first nations can go ahead and do this. I say to the member that they are doing it already and they do not need this bill. However, there is a very big risk that this bill will jeopardize other first nations who do not want it. There are 600 and some first nations that do not want it. How in good conscience is the member able to support a bill when 600-plus first nations have said they do not want it? Who is it we are representing here?

I suggest to the member that there is no need for the bill. First nations who want this can go ahead and do it. I would like her to tell me why they are not able to do this right now.

Ms. Paddy Torsney: Mr. Speaker, I certainly cannot speak for each and every one of the groups that does not want the bill. I certainly am not able to delineate every single one of their objections or why I would think that there are others who could disagree. I think the most important thing is that no group is going to be forced to do anything as a result of this bill. I appreciate the risk that some perhaps feel. That happens whenever we pass a bill in the House. Some groups disagree. That is the nature of a democracy. I think it is reflective of the differing positions that many of the first nations communities find themselves in. There are some who are doing quite well economically and there are others, frankly, who are living in shocking conditions, which I know the member opposite has identified. I have been there and I know as well.

We have to be able to provide tools. We have to be able to provide the flexibility to enable people who want to negotiate, who want to be able to do the things they want to do, without obligation on the others who do not want to participate or who do not want to get there.

Surely in this day and age when we have complicated problems, if we do not have simple solutions, if we cannot wave a magic wand and solve everything for everybody, we had better be offering people flexibility. We cannot even provide a magic wand that will help some people fix their own situation, because that is important. We had better be offering people flexibility and we had better be offering innovative solutions to individuals and working together on innovation. Otherwise we are doomed to just continue on as in the past. That is not good enough. We have an obligation to right the wrongs, to allow people to solve their own future, and to create the real economic prosperity that first nations, Inuit and Métis people deserve.

We can disagree about whether this bill will allow people to do that. Ultimately it comes to a vote and we have to make decisions. We can revisit them later if they are seen to be not working as effectively as we wanted. We can amend bills. But to not to pass this is a tragedy when there are many first nations people who do want this bill.

● (1720)

Mrs. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, I rise today to oppose the motion of the hon. member for Saint-Hyacinthe—Bagot. I am convinced that Bill C-23 is supported by the majority of first nations. The bill is a direct result of efforts made by leaders of the first nation communities and organizations.

First nation leaders have worked for many years to find ways to remove the considerable barriers to economic development that are faced by first nation communities right across Canada. It is difficult for first nations to improve community infrastructure such as roads and sewers without access to long term capital instruments such as government debentures.

Infrastructure projects are prohibitively expensive. The lack of such infrastructure means that investors look to non-first nation communities with existing infrastructure for development opportunities. First nations find it very hard to compete under these conditions.

Also hampering development in first nation communities has been the lack of relevant and accurate information. For decades, various government departments and agencies have collected data about and from first nation communities, but it has been difficult for first nations to access the related statistical information and often what is available is incomplete.

A few years ago, the Auditor General estimated that each first nation community in Canada annually provided the government with information about more than 150 aspects of community life and data that concerns school enrolment and employment as well as population.

Collection agencies such as the Canada Mortgage and Housing Corporation, Health Canada and the Department of Justice used this information for a variety of purposes. Some information was incorporated into official records such as the Indian register, the nominal roll student census report and the health services Canada transfer agreements. Other data was used to track projects related to the aboriginal justice strategy, on reserve housing programs, and dozens of other initiatives.

Statistics were gathered for specific purposes and there was very little effort made to share them with other agencies. Even less effort was made to gather data together to make a complete and accurate statistical profile of first nations across Canada.

All planners know that access to accurate data is essential. Whether a plan involves renovating a building such as a community recreational facility or relates to delivering social services, access to comprehensive and reliable information is absolutely critical, yet the information collected from first nations communities has rarely been provided to band councils and first nation leaders. This impaired their ability to plan effectively. As a result, few first nations have developed the needed familiarity or the expertise to utilize statistical information in order to do their planning, make decisions and carry on negotiations.

The proposed statistical institute would collect existing data from a variety of sources to develop a complete, relevant and accurate statistical profile of first nations right across Canada. The institute would also support first nations who wish to build their capacity in understanding and utilizing statistical information for planning, decision making and negotiations. In this way, first nations would have the necessary statistical information management skills that would allow them to do long term planning and mapping for their communities.

A few determined first nations have managed to overcome some of the barriers to development by working with partners in both the private and the public sectors. Westbank First Nation, for instance, negotiates lease agreements and collects property taxes from non-members who live or operate businesses on its land. With the revenues generated, Westbank is now able to operate its own day care centre and a seniors' residence, along with developing educational and recreational facilities that benefit the entire community.

● (1725)

Leaders of first nations that collect property taxes have long recognized that tax revenues might also be valuable in other ways. Municipal and provincial governments, for instance, often use tax revenue as a form of collateral to secure long term financing for infrastructure projects. Some first nations wanted to do the same thing with their tax revenue.

Several years ago, aboriginal leaders established the First Nations Finance Authority Inc., an independent body that enabled member communities to undertake pooled investments. As the number of first nations participating in the authority grew, so did the desire to issue first nation pool debentures to access long term money at lower interest rates. These are sound business principles. This concept attracted the support of a key partner, the Municipal Finance Authority of British Columbia, which had 30 years of experience and a triple A credit rating.

Bill C-23 will establish four distinct yet complementary institutions: a finance authority, a tax commission, a financial management board, and a statistical institute. Once these institutions are established, first nations will have many tools long enjoyed by other levels of government.

The concepts reflected in Bill C-23 have been refined through several years of continuous interaction with first nation governments, with taxpayer groups and technical experts such as the Royal Bank, Dominion Bond Rating Service, and Moody's Investors Service, all key players in Canada's financial markets.

Bill C-23 will establish the first nations finance authority. This will enable first nations to raise private capital at preferred rates to do such things as to build roads and undertake other infrastructure projects. Analysts estimate that within five years first nations will raise $125 million in debenture financing by pledging as security their real property tax revenues. An investment of this magnitude will impact first nation communities in a very significant way.

To ensure that first nations create and maintain tax regimes that are both fair and representative, Bill C-23 will establish the first nations tax commission. This commission will ensure that the interests of first nation communities and taxpayers are balanced.

For this environment to thrive over the long term, it is imperative that first nations have access to professional financial management advisory and review services. Lenders must have a clear and accurate picture of the fiscal health of borrowers, and independent assessments must be readily available. The first nations financial management board will help meet these important aspects of a good financially sound arrangement.

The management of the financial board will have two components. The first will focus on first nations that collect property tax and seek to borrow against these revenues. The board will certify that the financial management system, the practices, and the standards of these first nations are adhered to. They will also be able to intervene promptly when required. Under the second part of the mandate, there will be a provision for a range of technical services to first nations. They will assist in research, in advocacy, in financial management policy, as well as capacity development. These activities will help first nation communities make the most of their financial resources.

The fourth institution included in Bill C-23 will resolve problems related to the collection and the analysis of first nation data. The first nations statistic institute will create a common database of information that will be accessible by all first nations. The database will provide first nation leaders with the accurate statistical information that they need in order to make sound decisions. In short, it will enable first nations to become information users rather than merely information providers.

● (1730)

The first nations statistics institute will work directly with first nation governments and with organizations to help first nations identify as well as to meet their information needs. Communities seeking to design and implement housing and health initiatives, for example, will be able to access information about population growth and the effectiveness of the service delivery mechanisms. It is this kind of feedback that is so important to make sure that institutions we develop are relevant to the people for whom we are providing them.

Access to information will also enhance the ability of first nation governments and organizations to collaborate effectively with all levels of government. Vast amounts of information about first nations are currently held in dozens of separate databases. The information institute will see that this valuable information is put to use. This will make possible the more effective and efficient sharing of current, complete and relevant statistical information among first nations and other levels of government, as well as statistical agencies. This will also ensure that the Government of Canada has available the statistical information needed to develop and implement effective policies.

Bill C-23 also includes several safeguards to protect the security and privacy of the data that is held by the statistical institution. It will play a vital role in building the capacity of first nations to utilize statistical information. This institute will provide access to accurate information that will improve accountability and the decision making capacity of band councils and first nation governments.

Not all first nations are interested in statistics. Not all expect to participate in the opportunities created by Bill C-23 and there is no requirement—I repeat, no requirement—for them to do so. Any first nation that does not wish to provide information to the new institute will not be obligated to do so under Bill C-23. There is nothing in this legislation that limits the ability of first nations to collect property taxes and borrow money under the current provisions of the Indian Act.

Today it is our duty to ensure that this first nation led initiative takes the next step. We must ensure that Bill C-23, which now contains numerous improvements added during report stage, is given third reading. A great deal of consultation has gone into this very important piece of legislation and it is up to the House to act upon those wishes.

[*Translation*]

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, I was listening to the hon. member's speech on the bill before us. It is the same bill that we studied before the House prorogued. I heard almost nothing but statistics. We are not talking about a uniform group of nations from coast to coast. We are talking about different first nations.

Some 60% of first nations reject this bill while only 40% approve of it. How useful will this bill be? I do not think it will be useful and I think it should be dropped. I think the government must first recognize the first nations and the differences between them. As for all the services that were mentioned, the first nations already have access to them.

In my view, self-governance should be negotiated with each group, each first nation. That is the crux of the matter. Do we as a state want to recognize the power that belongs to the first nations, the power to govern themselves and make their own laws and regulations on their lands, just as we do for other groups?

That is the flaw with this bill and the reason for my question. Can the hon. member explain why the government is not making more of an effort to negotiate self-governance with each group? When asked, the deputy minister said, "We do not have the necessary resources or the necessary funds at this time to negotiate with each group".

● (1735)

[*English*]

Mrs. Karen Redman: Mr. Speaker, clearly, the blueprint and the dynamics of this piece of legislation before us is not a one size fits all proposition. As a matter of fact, it actually recognizes that first nations are very diverse in nature and that they have different opportunities. It will be up to each first nation to decide if and when it will make a law in order to exercise the powers pursuant to this bill when it is passed and whether it will request service from an institution. Clearly, we are putting the decision making where it rightfully belongs, in the hands of the leaders of the first nations.

It is incumbent on members of the House to recognize how very diverse first nations are. Some have very large tax bases while others have extremely limited ones. In either case, they will have the opportunity to access the specialized advice, training and support services they require in order to succeed.

The very issues that my hon. colleagues raised are actually entrenched in this legislation.

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, there are two things I would like to point out to my colleague from Kitchener Centre.

First, with all due respect, the alleged optionality of these institutions is completely misleading. I wish I had more time to explain to the hon. member some of the points I made earlier in my speech, but the fact is they are statutory national bodies that would affect the rights and interests of all first nations in Canada, whether or not they are added to the schedule. I will have to stop there because there is no time to elaborate on it, but I would like to emphasize that point to her.

Another point I would like to make is she mentioned that optimistically they hope to free up about $125 million over five years in venture capital or private financing for projects. Does she not find it odd that the budget for these four institutions is $25 million per year? In other words, it will cost $125 million to run these four new institutions for five years, and that is the exact figure they are optimistically hoping to free up from private sources to promote initiatives. To me that adds up to a recipe for failure. I would like her comments on that.

Mrs. Karen Redman: Mr. Speaker, I would tell my hon. colleague that he is viewing this piece of legislation as limiting instead of empowering. Indeed what this would do is provide the tools so that first nation leaders could exploit the potential for their constituents in a way that is most appropriate for them.

We need only look at the variety of first nation peoples across Canada to see some best practices and some examples where there has been extremely fine leadership and where first nation bands have been able to utilize the resources at their disposal in order to see great benefit throughout the people they represent.

This is not a limit. This is offering additional tools for first nations, somewhat like what my hon. colleague from Burlington spoke of earlier, the variety of tools that municipalities have. First nations can look at a variety of tools, pick the ones that are most appropriate for them and the government will partner with them and try to facilitate the kind of infrastructure needed so they are able to make local decisions that fulfill local needs in a way that is appropriate for them as an individual band.

[*Translation*]

Mr. Marcel Gagnon (Champlain, BQ): Mr. Speaker, I am somewhat shocked to hear some of the answers being given today. We are told, for instance, that the first nations will not be forced to use this tool.

However, first nations need tools to develop. Should we provide tools to only 40% of our first nations communities, when we could take a little longer, say a few more weeks, to truly consult with them in order to provide tools that 100% of these communities could use?

In Quebec alone, 8,400 dwelling units are needed. The housing situation in my area is absolutely terrible. No one could live in such poor conditions, and only about 400 to 500 units will be built. These people do not need optional tools; they need tools everybody would be able to use, because it is their right.

My hon. colleague mentioned self-government. That is probably the most important tool first nations communities need.

● (1740)

[*English*]

Mrs. Karen Redman: Mr. Speaker, I certainly do not question the passion of my colleague opposite, but I scratch my head a little. I reiterate that Bill C-23 provides those tools, after years of continuous consultation. What I understood from his comments is that he would rather see us come in with prescriptive legislation that would be forced on all bands.

Clearly the bill is not that. The bill is not an assumption that one size fits all. Whether we look at first nations or any legislation, I personally do not believe that one size fits all. If we provide the kinds of planning tools the municipalities have and the kinds of statistical information that is the bedrock of good planning, I believe first nations will take advantage of those tools which will lead to better housing, health care and a brighter tomorrow for all first nations people. However, I do not believe it needs to be prescriptive.

I believe first nations, given the partnership and the kind of tools provided in the bill, will find their way forward to a brighter future with the assistance of the government, not having it imposed on them, as sometimes has happened historically.

[*Translation*]

Mr. Marcel Gagnon (Champlain, BQ): Mr. Speaker, I would like to take a few minutes to add my voice to this debate. I had the opportunity to do so by asking questions.

First, I must tell you that this is not the first time that I am interested in the issue of the first nations. I was a member of the Quebec National Assembly under René Lévesque, who was the first premier to recognize the first nations and their autonomy. Each year, Mr. Lévesque would oblige us to spend at least one evening—more, if possible, at a large convention held by the first nations in Quebec City—discussing with them to try to understand their problems and also try to ensure that they were increasingly recognized in Quebec as full-fledged nations, with whom we could discuss as equals.

It is quite deplorable to see how the federal government has always treated the first nations. It is as though it were the superior government and they were inferior minorities, underage people, and it had to take responsibilities for them, make decisions that they would be fully capable to make themselves, if they were given the opportunity.

I had the opportunity to visit aboriginals in my riding several times, and it is disturbing to see how they live. They are surrounded with wealth, but they have no right to develop themselves, since they are still under trusteeship.

When I saw the state of their housing units, I asked some Attikamek why they did not renovate or repair them. They told me that they did not own them, that these units did not belong to them, they belonged to the federal government. They said that they had been put on a reserve. They were very upset that, because they could not develop their abilities and skills, and considering the right to self-government enjoyed by all nations of the world, they had major problems, including health problems and problems with suicide.

Last summer, I visited an aboriginal community. During the first month of the summer, in June, three young women aged 14 to 18 had committed suicide. Three suicides in a community of 2,000 people is quite dramatic, considering that these are very talented people. There is nothing they would love more than to develop their talents, to make a contribution and to prosper.

For example, in a community like Weymontachie, which has no more than 2,000 people, I found out that there were two hockey players aged 19 and 21, who were of professional calibre. I worked with them to try to get them to play in Europe. So, these are two players in a population of less than 2,000.

These people are full of talent. It is simply a matter of allowing them to develop their talents. It is not true that these people still need to be under the trusteeship of the government, under the Department of Indian Affairs like in the old days. These people simply need to be treated like adults.

I am told that the bill before us will be good for those who want to use it. The hon. member who just spoke said that people have been talking about it for years. Another member said that, if this legislation does not do the trick, the government will amend it. As we know, it takes years to change things, particularly with this government.

If we are taking the time to give people the tools they need, why not take the time to give them what they truly want and to adequately consult them?

● (1745)

That was not done. My colleague from the New Democratic Party has just said that it is wrong to say it is voluntary. They are afraid. Moreover, the law will make certain things mandatory, and those are not the things people want to be mandatory.

My colleague from Saint-Hyacinthe—Bagot suggested that we take a few weeks more, but that the results would have to be unanimous, or at least a very broad consensus. So, it is not a big deal. He told us that if this bill had been presented to the Assembly of First Nations, the attitude would have changed completely. These people simply want to be consulted and listened to, like competent adults, individuals who have the right to develop as they choose.

Having had my political education under the watchful eye and tutelage of a man like René Lévesque, I find the attitude of this government scandalous from all points of view, and that is not all. In fact, they take themselves for superior beings. They believe they possess the truth. That is the defect of the Liberal government opposite. It is at the point where all kinds of things are popping up. Scandals are everywhere. Almost nothing is working normally, but they still possess the truth. In fact, they have the truth and, since they are a federal Liberal government, they have the talent, the will and the attitude of superior beings who are capable of telling the first nations what they need in order to develop.

I do not believe that. I invite anyone at all from the government to come with me to visit the aboriginal people, the first nations, in my riding. I am sure it is the same all across Canada. In any case, it is like that all across Quebec; that is certain. These people have the right and the duty to develop—according to their own desires.

When I went to meet with the first nations, including the Attikamek, I wanted to find out about the guaranteed income supplement. I had been told that the first nations were one of the populations that had been deprived of the supplement and needed to be targeted. To my great surprise, I found virtually no senior population worth mentioning among the Attikamek. In the white community, there is about a 15% senior population; there were three Attikamek over the age of 65 in a village of about 2,000.

If their life expectancy is no better than that, does this indicate good living conditions? Does this show that they have everything required for development? I was told "Don't bother looking for seniors. Nobody here gets the guaranteed income supplement, because we have no seniors".

For us, the average life expectancy is 79 years for men and 82 or 83 for women, yet their community of about 2,000 had only three seniors. This raises questions about their living conditions and their development.

When we hear, on the other hand, about three suicides and suicide attempts by girls between the ages of 14 and 17 in a single month, we need to ask ourselves some questions, as the reasonable people we think we are. We must stop imposing our way of thinking on others, and we must listen to them to find out their needs and provide the opportunity to develop to which they have a right.

● (1750)

I agree with the member for Saint-Hyacinthe—Bagot and the hon. member from the NDP. It is wrong to say that the 60% who do not want this legislation simply do not have to use it. We will pass this bill for those who like it and think they need it and the others can just ignore it. That is wrong. We have been told that there are requirements in the legislation that the first nations do not like.

As citizens, as a government, it is our duty to ensure that the tools in this legislation are accepted by the entire community and that they obtain the broadest consensus possible, as the member for Saint-Hyacinthe—Bagot says.

The first nations are not here to represent themselves. That is why I would be remiss to pass up the opportunity to vehemently denounce this paternalistic attitude of the federal government toward the first nations of Quebec and Canada. The government must agree to go back to the table, to negotiate, to ask them what they want and, above all, to tell them the truth. If, in fact, $150 million a year is available under the legislation, yet the government knows there is only $25 million, then now is the time to say so. They need to be told the truth. It must be possible to get at the truth in this House. That is essential.

They have to be told the truth about what this legislation will mean for them. In turn, they have to be honest about what they want in order to be considered adults and equals so that they can develop as all peoples in the world have the right to develop.

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, you understand that this is a good speech from a member of Parliament who had the privilege to sit both in the National Assembly and in the Commons. Thus, he has a wide experience. I cannot remain insensitive to the many references that he made to the former member for Taillon and premier of Quebec, René Lévesque, who was said to be part of a much too short list of liberators of the people. Of course, as you know, our liberation will come soon.

I would like to ask this question to the member. If Mr. Lévesque were still alive today, would he find any inspiration in this bill? Is it appropriate that Bill C-23, which we are debating, is totally at odds with the principles that René Lévesque defended throughout his political career?

● (1755)

Mr. Marcel Gagnon: Mr. Speaker, I thank you for giving me the opportunity to speak about him also. Indeed, talking about him brings back excellent memories.

As a political mentor, there was none better than him. I heard someone say that a people produces a man of René Lévesque's calibre once every hundred years. I had the chance to work with him.

Mr. Lévesque would say, "When things are not going well, shut down your office and go see the people; there lies the truth". I remember that, in 1981 or 1982, following his second election, we were in the middle of an economic crisis, things were going really bad and everyone was totally depressed. Mr. Lévesque said, "We shut down Parliament, and I ask all members, no matter what party they represent, to go back in their regions, in their ridings, to meet the people and come back with solutions". This, in my opinion, is well applied democracy.

I will answer the hon. member's question by saying that if Mr. Lévesque had this legislation before him, he would go back to the first nations and say "Here, in my generosity I drafted a nice piece of legislation. Tell me what does not work in it and what could be done to improve it". We have to work together. We do not work for the sake of saying that we were a member of Parliament for x number of years, or that we are part of an invincible and extraordinarily bright government. We are here to serve people who want to develop.

Here is a little story. One day, I was driving back from La Tuque and I saw someone wearing a poncho who was hitchhiking along the highway. I stopped and told the person to get in the car. This was in the seventies. I saw that the gentleman, who was about 30 years of age, was a little sad. I tried to get him to talk, but he was reluctant to do so. Finally he told me that his country was located around Lake Gagnon, in northern Mauricie. He was the last one left; his people were all gone. That morning he was coming from his country. He had buried his father the day before. His father desperately wanted him to stay with him, so that his remains could be buried with those of his ancestors, on the shores of Lake Gagnon.

I began to draw him out about his people and I realized that they had all been exterminated. That community, which he called his country and which was located on the shore of Lake Gagnon, did not disturb anyone. On the contrary, it was developing that region of Quebec. Finally, I looked at him and said "It seems to me that you might resent me". He wondered why he should, since it seemed that such was their fate. I told him that it was not true, that if I were in his shoes, I would not accept this as my fate or that of my community.

These people have a right to be respected like anyone else. They have a right to live and to develop like everyone else. Their aspirations are as good as mine. We have a right, a duty to give these people the tools they need to develop.

In one of his songs, Gilles Vigneault says "Ask the stones, ask the kings. No one is a stranger on this earth. Everyone has rights".

There has to be a minimum of respect. It is not true that it would cost too much, that we would lose a degree of autonomy, or that we would be diminished if we respected others more.

● (1800)

[*English*]

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, before I comment on the member's speech, he took a gratuitous shot at our party in the early part of his speech. He suggested that we had all the truth.

I would suggest that it is the Bloc that thinks it has all the truth. It always votes the same way. Bloc members are never thoughtful on different positions. They always think that sovereignty is the only way. The Bloc thinks it has the truth, whereas on this particular bill, when first nations brought it forward, Bloc members did not make one point in favour of the bill.

On our side of the House, we have members speaking on both sides of the bill. We are not saying that we have the truth. A number of Liberal members have spoken against the bill. I have mentioned that Chief Roberta Jamieson and Chief Paibomsai have approached me and that they are against the bill. I have tried to discuss issues that they have brought forward. I do not think the member should be suggesting that we are the ones who think we have all the right answers.

The member brought up the issue of optionality and mentioned that the NDP member had said that it was not optional. I will make it quite clear to everyone that this bill is totally optional. If first nation people want to buy into one of these financial institutions, they sign up. No first nation has to sign up. No first nation has to collect property taxes. There are already roughly a hundred or so that are collecting property taxes. They have chosen to do so under the Indian Act. They have that power under the Indian Act.

They can stay under the Indian Act and continue to collect taxes. They could stop collecting taxes, or they could collect taxes under this particular bill. The purpose for that or the reason why the first nation approached us and asked us to do this is to help them get some financing that they could not get before.

All this does is gives them that tax collection ability, which they have had for many years, in a structure that would help them get bonding. It is totally their—

The Acting Speaker (Mr. Bélair): Order. Please direct your comments to the Chair. The hon. member for Champlain.

[*Translation*]

Mr. Marcel Gagnon: Mr. Speaker, I do not know whether or not there was a question in the member's remarks. In any case, if he thinks that the Bloc Quebecois is the holder of the truth, he is totally wrong. I hope that this is not the impression we give. On the contrary. I mentioned the statements made by the member for Saint-Hyacinthe—Bagot, among others, who worked on this issue with the aboriginals. He went as far as Vancouver with our colleague from the New Democratic Party. They both received the eagle feather because of the good job they did on this issue and because they consulted with first nations.

This is exactly what must be done. We must consult with the first nations. The member for Saint-Hyacinthe—Bagot has some experience in this place. He says that, if we took a few more weeks—a few weeks is nothing compared to years—we would have unanimity, or at least a very broad consensus. We are not saying that we are the holders of the truth. The truth lies with the first nations peoples. That is where the truth lies.

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, I, too, have a story to tell my colleague. It is a short story, and it is rather sad.

About a year ago, an aboriginal leader from the riding of Matapédia—Matane, who shall remain nameless, came to see me. We had talked on several occasions. His problem was that the beginning of the school year was approaching and he was ready to hire teachers. However, he had received no guarantee from the federal government that he would be able to hire the teachers that were needed to teach aboriginal children. He met the official responsible at the Department of Indian Affairs and Northern Development, but I had to intervene because things were moving too slowly. Then, he was told that he was going to get his damn cheque. This aboriginal leader was treated with total contempt.

I would like to know from my colleague if he thinks that this kind of attitude is acceptable.

Mr. Marcel Gagnon: Mr. Speaker, of course, when you have paternalistic laws, when you make regulations from a so-called superior vantage point for the people that you want to administer, you risk developing attitudes such as this. It is relatively common to see people who think that we give everything to the first nations, when in fact we took everything from them, they were here before us, and they developed before us. That is why we must stop being paternalistic.

We must give them the tools to ensure that they will develop according to their abilities and their aspirations, but without thinking that, when we give them a cheque, we are giving them a gift. That is not true. It belongs to them. This country was theirs before we came. They certainly have aboriginal rights going back at least 10,000 to 12,000 years in certain parts of Quebec.

● (1805)

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, I have the pleasure of taking part in the debate on the old Bill C-19, which is now Bill C-23. I am doing so because I know that, when in the federal Parliament, one must be concerned with the first nations.

This is first and foremost the federal government's responsibility, since, under the Canadian Constitution, it is the trustee of the aboriginal peoples, which, as everyone knows, are not only nations, but the first nations.

When we say that the aboriginal peoples form the first nations, we are referring, of course, to two realities. We are saying that they are among the first occupants of this part of America, and that they form a nation. However, forming a nation means something on both the sociological and the political level.

What it means is that they have cohesion as a group, a desire to live together, the control of a territory, a common history, traditions and symbols, an interpretation of the world that gives them cohesion as a group, which confers great legitimacy to their claims, that is, that we have a different relationship with them.

I believe that is what our aboriginal affairs critic, the likeable member for Saint-Hyacinthe—Bagot, has said. Everyone knows that his primary virtue is his ability to keep cool under all circumstances. He is a man who is calm and serene, a man who exercises great self-control in his day to day life. His cardinal virtues are, if I may say so, a great inspiration to our caucus.

The member for Saint-Hyacinthe—Bagot has, on several occasions, expressed regret that a number of bills have been submitted to members which could have been an opportunity, as the member of Champlain has said, for the federal government to put an end to this guardian mindset, this colonialist philosophy, this philosophy of control, assuming that the federal government knows best what the first nations need, within a context of domination.

There are certain things we as parliamentarians cannot forget. I was a member of this House, as was the member for Champlain, when the Erasmus-Dussault Commission tabled its report in 1999. No, he was still an MP in waiting, Mr. Speaker, and we all know that distance makes the heart grow fonder, do we not? That is a known fact.

When the Erasmus-Dussault commission tabled its report, the minister of the day, the former Minister of Human Resource Development, apologized to the first nations because it had to be acknowledged that there had been a number of public documents between the time of the Laurendeau-Dunton commission and the Erasmus-Dussault proving just how badly the federal level had acquitted itself of its responsibilities to support the development of the first nations.

Regardless of the aspect considered, be it housing, employment, early childhood development, occupational mobility, or any aspect of aboriginal health, if a comparison is made, it is obvious that all indicators point to their being more stigmatized and less prosperous than other groups as far as development is concerned.

This was what lay behind the apology by the then Minister of Indian Affairs and Northern Development to the first nations. We thought the Erasmus-Dussault report provided the basis for a new partnership, a new dialogue, a basis for a nation-to-nation relationship. This was not the first instance of a government apology, as my friend from Berthier—Montcalm knows. The Prime Minister made an apology to the Japanese-Canadian community, for example.

● (1810)

In the House, we voted on a motion to apologize to the Armenians. We also came very close to voting on a motion deploring the behaviour of the British Crown—for the constitutional reasons we all know—with respect to the Acadians, who were unjustly deported.

As parliamentarians we recognize that we have responsibilities toward particular groups, in this case, the first nations, the aboriginal people. In 1982, when I was in the full flower of youth and energy, I was still in school.

An hon. member: A long time ago.

M. Réal Ménard: It was not so very long ago, despite what my colleague may think. Still, it was a good 20 years ago.

In 1982, it was said to be the time of the aboriginal people. There was the sad patriation of the Constitution, with the well-known consequences for Quebec. Nevertheless, it had a positive side for the native people who had been invited to the negotiating table. At that time, the big term was "constituent". The provinces and the federal government, along with representatives from the various groups, formed a constituent assembly. The plan was to rewrite the constitution. Of course, once again, the legitimate aspirations of Quebec were lost to view, and we all know about the patriation context, and the night of the long knives.

The fact is that section 35 of the Constitution, 1982, generated a great deal of hope among the aboriginal peoples looking for real development, the right to self-government, the right to have original institutions and the ability to have a development model that would strike a balance between their ancestral hopes and their future challenges.

I remember reading some important chapters from the Erasmus-Dussault report. One interesting thing, for example, is that the concept of leadership is not the same among the native peoples. Leadership is much closer to a consensual model. The relationship with wisdom is not the same. Elders, knowledge and tradition are highly valued. Those things are very highly valued.

When the minister responsible for Indian Affairs apologized to the first nations, it would have been appropriate for the government to introduce some legislation to respect the development of the first nations.

My friend, the parliamentary secretary, cannot deny the fact that in this House there was an unprecedented mobilization against the First Nations Governance Act. All the opposition parties are still opposed to that law. We spent hours in committee, with the hon. member for Saint-Hyacinthe—Bagot, as always. My hon. friend from the NDP was also on the committee.

I will never forget how cavalier Liberal members were with the opposition. We were very close. The Liberals displayed lack of respect for the opposition parties and the first nations. On the last day of work of the committee, aboriginal women came and formed a circle around the committee. Aboriginal people have a matrilineal tradition. Women play a much more prominent role in some communities. This is not the case everywhere, but it is in certain communities. Women formed a circle around the committee to express sadness with the unfortunately irremediable character of the governance act.

Why did the government not learn the lesson we wanted to teach it and introduce bills to ensure that another report, much more respectful of the first nations and consistent with the Erasmus-Dussault report, was prepared? It is all the more inconceivable not to have done so, considering that the Supreme Court had issued a number of rulings recognizing the aboriginal rights of first nations.

What is wrong with the bill before us? First, there is an important consideration in this debate.

● (1815)

The government is trying to reject this fact out of hand, as if it were insignificant, but 61% of the first nations leaders are opposed to the bill. If 61% of the first nations leaders, who are authorized spokespersons for their communities, are opposed to this legislation, it must mean something.

I hope that the parliamentary secretary will rise later on and tell us how his government feels about disregarding the legitimate authority of first nations leaders. We are not talking about members of the Bloc Quebecois, the NDP or the Conservative Party of Canada. We are talking about 61% of the leaders elected by their peers under a democratic process, who are opposed to this bill. The government will have to react and show a little more respect for first nations.

The first nations need resources of course, but as the member for Champlain was saying, they really need to have control over the resources on their own land. When we studied the bill on first nations, I recall that we wanted to transfer them some control over resources. We said the first nations could develop some of the resources and decide how to use them. Yet, for more significant resources, the fiduciary responsibility would remain, thus denying the first nations the ability to decide their future by creating their own development plans that are respectful of who they are.

Questions come to mind. For the first nations that do not avail themselves of the right to use financial institutions or the option to borrow through bond markets—and these are legitimate concerns—will there be no reprisals? What is to say that they will not be penalized in their development? These are legitimate questions that we must ask.

It would have been nice if the federal government had drawn from René Lévesque's legacy. I think the people in English Canada know a little bit about René Lévesque. It would be difficult to have lived in this part of the world and be over the age of 15 and not know René Lévesque.

Let me tell you about the man. René Lévesque was one of the first sovereignist leaders to be elected to the National Assembly, something that we as sovereignists are very proud of.

In the history of the sovereignist movement in Quebec, there have been three political leaders who formed political parties. Our party, our sovereignist plan, has always had extremely important democratic roots. Of course I am thinking of Pierre Bourgault, who founded the RIN; René Lévesque, who founded the sovereignty association movement and the Parti Quebecois; and, more recently, Lucien Bouchard, who founded the formidable force of social progress and change that is the Bloc Quebecois.

René Lévesque was an MNA and the minister responsible for the nationalization of electricity under Jean Lesage. Afterward, as we know, he left the Liberal Party when it became thoroughly dogmatic and wanted to hold up the future of Quebec.

Is my time up, Mr. Speaker? No, not at all. I feel like I still have at least fifteen minutes left. Am I wrong, Mr. Speaker? I have five minutes left?

● (1820)

The Acting Speaker (Mr. Bélair): No, I was signalling that I was having doubts about the relevancy of your remarks. I am eagerly waiting for you to tie in your remarks on your former leaders with the bill at hand.

That being said, you have five minutes left.

Mr. Réal Ménard: Mr. Speaker, I will explain to you the link between the creation of sovereignist parties and this bill. The link is that Quebec has a bright future. If the first nations are given the means to achieve their own development, they will also have a bright future. That was the link. I am surprised it escaped you, but you have been kind enough to allow me to spell it out clearly.

In the 1980s, René Lévesque introduced a motion recognizing the right of 11 native communities to their own development. That was unusual. Few politicians were concerned with the future of first nations. It began in the 1980s. I said earlier that when the Constitution was patriated in 1982, the first nations were invited. Clause 35 of the bill, in 1982, recognized a number of rights for first nations.

We have to admit that this bill, like the bill on self-government and the last two or three bills introduced by the ministers responsible for first nations in Canada, is not respectful of what first nations are, and it is not worthy of the René Lévesque heritage or the Erasmus-Dussault commission.

We are concerned about the fact that 61% of first nations chiefs said they were not comfortable with this bill. I wonder if it is not our duty, as parliamentarians, to recall the bill in order to take some time to listen to what these people have to say. This is not something we should rush into.

A German philosopher once said that speed is the enemy of intelligence. I thought that would be of some interest to you, Mr. Speaker. Every time we, as parliamentarians, have rushed into things, we have failed to fulfill our responsibilities. Aboriginal issues are much too important for us to rush into anything. The hon. member for Quebec, who has looked into those issues, will ask me a question.

In conclusion, I will say that we, in the Bloc Quebecois, look forward to creating a real partnership that will give our first nations control over natural resources and development tools. During the economic crisis in the 80s, our communities were given development tools. At the time, the hon. member for Champlain was sitting in the Quebec National Assembly, under René Lévesque. In Montreal, these tools were called the Corporations de développement économique et communautaire.

What we must provide the first nations with are development tools tailored to what they are and what they need. Making the bill optional is not enough. This is not what they need. The bill does not recognize that aboriginal peoples are first nations. There is a significant test in the fact that 61% of first nations leaders, who are elected by their peers and who are authorized spokespersons for their community, do not support the bill. Earlier, the parliamentary secretary wanted to hide this fact. I am sorry, but when something leads the first nations to mobilize to the extent that I mentioned, it is not true that opposition parties do not have a responsibility to echo this in the House of Commons.

We believe that, if René Lévesque were with us, he would oppose this bill. We believe that, if Lucien Bouchard were with us today, he too would oppose this bill. Indeed, in every action that we took as a caucus, each time that we analyzed the needs of the first nations, we have endeavoured to consider them as full-fledged nations, capable of choosing their development. It is not true that this is what the bill is proposing. The best thing we could do is to recall this bill.

● (1825)

Mr. Jean-Yves Roy (Matapédia—Matane, BQ): Mr. Speaker, I would just like to make a correction to what my colleague from Champlain said a few minutes ago. He is in fact the one who provided it. He was quoting a song by Gilles Vigneault, and the words are:

> Ask the rocks
> Ask the woods
> Everyone is home
> On the Earth.

My hon. colleague for Hochelaga—Maisonneuve has just given an excellent speech, with his usual humour, although the topic was an extremely serious one. It reflects a part of this country and this government. It must be kept in mind that, as far back as 1867, after the Conquest, and as soon as the first Parliament was formed, management of the aboriginal people was made a responsibility of the federal government. We can see what has happened since 1867. Yet here it is in 2004, still trying to impose its own views and its way of solving problems on the aboriginal nations

History cannot be rewritten and changed. All we can do is change the present, and try to influence the future. I think that is what my colleague wanted to show us. Yes, I have a question for him.

At this time, as he requested, would it be possible for this government to react and take steps to ensure that most aboriginal nations agree with the bill, by taking it back and amending it? This would require true consultation, not just the kind of consultation conducted in the past, but real consultation taking heed of what the first nations have to say.

Mr. Réal Ménard: Mr. Speaker, I thank the hon. member for his question and his literary correction. I know that he loves literature. He is a scholar. He is the mind of the Enlightenment. I thank him for making these corrections.

That having been said, there is no shame, as parliamentarians or as a government, to admit to making a mistake. One can grow by learning from one's mistakes. Today, if the government asked for the support of parliamentarians to recall this bill, we would give our unanimous consent. I know that we have with us today the Chief of the Mohawks of the Bay of Quinte, Donald Maracle, who is opposed to this legislation. When such eminent people are opposed to a bill, this should alert us. It should be like a yellow card, a warning.

It saddens me to see this kind of perseverance or unhealthy stubbornness in the government. I am saddened by the complicity of the parliamentary secretary because this is a man who had been somewhat flexible in the past. He was able to criticize his own government. I must say that these qualities are seriously lacking in the man today. He is still my friend—there is no need for hard feelings about this—but I think he ought to rise and ask for unanimous consent to have the bill withdrawn. We will give our consent. We will return to the Standing Committee on Aboriginal Affairs, Northern Development and Natural Resources. We will be able to count on the wisdom and erudition of the hon. member for Saint-Hyacinthe—Bagot to improve the bill and, especially, to lay the groundwork for a true nation-to-nation dialogue with the first nations. This dialogue must be respectful of their development.

I do not know if I have already said this, but the reason we oppose this bill is that we do not think it provides the tools that can ensure real development of the first nations. Remember that all indicators, from the Laurendeau-Dunton report to the Erasmus-Dussault commission, tell us that whatever sector of activities is considered, whether it be health or any other, the first nations have not enjoyed the development corresponding to their legitimate aspirations and expectations.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

● (1830)

[*English*]

FISHERIES

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, on May 3, I asked the Minister of Fisheries and Oceans why he requested a nine month suspension of the scientific panel's recommendation to protect 12 marine species, including 4 Atlantic cod populations? In doing so, the minister delayed the necessary and urgent action to protect these endangered species.

The minister's reply was contradictory. He listed conservation and the sustainable use of all marine resources as his first priority, but then went on to suggest that if these species were protected such action would have a significant impact on coastal communities. He also recommended a nine month consultation process on species, the very same scientists had declared endangered, threatened or of special concern. To make things worse, the minister allowed for 6,500 tonnes of Atlantic cod to be commercialized.

Given the strong message by the scientific community recommending an endangered species status, the consequences of the nine month delay plus the permission to catch some 6,500 tonnes of Atlantic cod will jeopardize the species identified as endangered, threatened or of special concern.

Let me bring to the attention of the House what scientists are saying. First, of the 12 aquatic species placed on the extended list in process, 9 have been given the designation of threatened or endangered, with the remaining 3 species being of special concern. Atlantic cod from Newfoundland and Labrador have been given endangered status because their population has gone down 97% since the early 1970s and 99% since the early 1960s. Scientists point to the fact that there has been virtually no recovery in their numbers. Scientists also point to fishing and fishing induced changes as two main threats to the cod population.

Second, statistics confirm Atlantic cod in the northern gulf of the St. Lawrence is also at a population low. It has declined by 80% over the last 30 years and has threatened status because of overfishing. Atlantic cod in the Maritimes is also in decline, also because of overfishing.

Third, the announcement by the Minister of Fisheries and Oceans to lift the moratorium on cod and reopen fisheries is evidence that commercial interests are given precedence over the Species at Risk Act that gives the government powers to protect all species, including cod, which become and when they become endangered.

Scientists say fishing is the primary factor responsible for the Atlantic cod becoming endangered. Why then reopen the cod fishery, thus flying in the face of well researched recommendations by scientists?

Therefore, tonight I urge the Parliamentary Secretary to the Minister of Fisheries and Oceans to reconsider the decision to suspend the scientific recommendations and instead allow the recommended inclusion of the 12 marine species, under the Species at Risk Act, to become law.

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I would like to pay tribute, as I have many times before, to the member. I have listened carefully to his words and have appreciated his tremendous contribution to the House over the years.

I appreciate the opportunity to rise in the House to address the concerns raised by the hon. member for Davenport. At the centre of this evening's debate is the member's concern with the extension of the consultation process period around the designation of certain species under the Species at Risk Act, SARA, specifically as it relates to the gulf cod.

We all recognize that the gulf cod needs strong conservation measures. We also recognize that listing under the SARA could have significant and widespread impacts on the activities of aboriginal peoples, commercial and recreational fishers and Canadians at large.

Our government strongly believes that concerned citizens need to be informed of the potential impacts of a listing decision under SARA and be given the opportunity to express their opinions and share their ideas on how to best protect and recover the species.

That is why the government decided to extend the consultation period by nine months. This time will allow for additional consultation with affected stakeholders and will allow for more research and greater assessment of these stocks.

Although the gulf cod will go through an extended consultation process, it is important to note that the valuable work to the conservation of the stock is ongoing. For example, work is underway to rebuild these stocks to implement the recovery measures of the federal-provincial cod action recovery teams.

Fisheries and Oceans Canada and the industry are also working together to develop shared stewardship in the management of the gulf cod fishery. By shared stewardship I mean that participants in the fishery will be more involved in fisheries management decision making, will contribute to their specialized knowledge and experience, and will ultimately share in the accountability and outcomes of those decisions.

The Minister of Fisheries and Oceans is supported by the Fisheries Resource Conservation Council as well as by the department in his belief that this cooperative approach is the best way to protect and conserve this resource for future generations.

The Prime Minister has made a clear commitment to re-engage Canadians in the political life of the nation. The Minister of Fisheries and Oceans shares this commitment to cooperation and applies it diligently to the fisheries. The extended consultation period that we are discussing this evening is further evidence of this commitment.

Finally, it is important to remember that the COSEWIC assessment is the beginning of the listing process and that the final decision lies with the governor in council.

It is essential for the governor in council to fully understand the impact of listing the gulf cod species on people's lives and livelihoods before making a final decision. Therefore the proper amount of consultation and research is required not only on the species but on the effect of such actions on the communities.

This is the intent of these additional consultations. It is for this reason that I fully support the government's decision to extend the consultation period.

● (1835)

Hon. Charles Caccia: Mr. Speaker, I would like to thank the parliamentary secretary for his very comprehensive reply. I must confess that I do not envy his role in trying to defend the indefensible because in his presentation he fell into the same trap as the minister did, namely by saying that the cod needs strong conservation measures but at the same time we allow the catching of some 6,500 tonnes of the same species which is endangered. At the same time, while the species is endangered, a consultation process is launched.

All these decisions seem to conflict with each other, to move in opposite directions. All I can say in conclusion is that this is a form of unsustainable development which requires attention and reconsideration.

The scientists make recommendations based on facts and data and not on political consideration. When it comes to endangered species we should listen more to the scientists than to pressures by interested groups.

Hon. Larry Bagnell: Mr. Speaker, as I only have a minute, I will speak about the northern gulf cod. Of course, the SARA does allow for some harm to protected species so long as it does not jeopardize their survival or recovery. The northern cod fishery is being reopened at a very low level of 3,500 tonnes. Our fisheries management plans have built-in conservation measures to help ensure that these fisheries will continue to be sustainable and preserve the resource for future generations.

While the COSEWIC has assessed the Laurentian north population of Atlantic cod as threatened, it is important to remember that this is only a recommendation. The Government of Canada must ultimately decide when and where this protection will take place.

[*Translation*]

The Acting Speaker (Mr. Bélair): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:39 p.m.)

CONTENTS

Monday, May 10, 2004

ROUTINE PROCEEDINGS

GOVERNMENT ORDERS

ADJOURNMENT PROCEEDINGS

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