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Monday, May 2, 2005

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, May 2, 2005

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

•(1100)

[*Translation*]

KYOTO PROTOCOL

Ms. Meili Faille (Vaudreuil-Soulanges, BQ) moved:

That, in the opinion of the House, the government should cede to the Government of Quebec, with full financial compensation, complete responsibility for implementing the Kyoto protocol within its jurisdiction.

•(1105)

She said: Mr. Speaker, the Bloc Québécois is concerned about the ineffective approach taken by the government. On many issues, particularly with respect to the environment and the Kyoto related measures, the situation is catastrophic. Project Green, introduced on April 13, lacks credibility and will not allow Canada to honour its commitments for the first reference period, from 2008 to 2012. There is no question that this is an urgent situation. A real policy is needed to quickly and fairly achieve the Kyoto objectives, and Quebec is in a better position to determine which measures are the most appropriate to reduce greenhouse gas emissions within its jurisdiction. The government must understand that it has to move quickly on this issue.

The federal government plan's lack of efficiency and credibility reinforces our position. This is why I am putting Motion M-162 before the House. We are calling for a territorial approach and for a special agreement with Quebec. We are demanding full financial compensation and complete responsibility for implementing the Kyoto protocol within Quebec's jurisdiction.

The federal government recently released its new 2005 climate change plan, which will be under the responsibility of the environment department. However, the measures announced will not be in place for several years, and almost everything has yet to be finalized, even though the protocol has been in force for over two months. We have to ask ourselves what the government was doing in the past few years.

I could go on and on. The plan does not require a sufficient effort on the part of polluting industries, which are responsible for half of

the emissions; this unfairly shifts the financial burden of emissions reduction onto the taxpayers, and the measures announced will take years to be implemented.

The situation is urgent, and the major implementation measures will take a long time to produce the expected positive effects, too long for Canada to honour its commitments for the 2008-2012 reference period.

It is inconceivable that, after so many years, we are still at the stage of broad principles and consultations. The government has announced that the targets for large emitters and the terms of the permit trading system will be set by regulation under the Canadian Environmental Protection Act following consultation with the provinces, territories and industry stakeholders this spring. The same is true of the climate fund mandate and the rules of the offset credit system. In fact most of the plan has yet to be completed.

The government is using this plan to create a permit trading system and set targets for large emitters by means of regulations not subject to parliamentary or public scrutiny. This is unacceptable and perpetuates the very democratic deficit the government once promised to attack.

The Liberal Party made a promise in its 1993 red book to reduce greenhouse gas emissions in Canada by 20% as of 2005. This is 2005. After 12 years, greenhouse gas emissions in Canada have increased by 20%. The OECD recently revealed that Canada is the western country with the greatest increase in greenhouse gas emissions since 1990. Despite this fact, the federal government persists in its inappropriate strategy, subsidizing the oil and gas industry, failing to demand sufficient effort by polluting industries responsible for half of the emissions, and unfairly transferring the financial burden for reductions onto the shoulders of the taxpayers.

The government's latest plan is a miserable failure and will not allow us to meet our Kyoto commitments. For these reasons, the federal government must cede to Quebec and to the provinces wishing it responsibility for managing the implementation of the Kyoto protocol. The federal government cannot manage the protocol on its own, and it is time for solutions.

•(1110)

The one tonne challenge is a perfect example of how important it is for Quebec to assume complete responsibility within its jurisdiction. The program is inappropriate for Quebec, where most people have been using hydroelectricity—a clean source of energy—for many years to heat and light their homes. The federal government must allow Quebec to opt out of this program with full financial compensation if it so decides.

Private Members' Business

Even the Quebec government is speaking out about this. According to Quebec, the federal government's Kyoto implementation plan is unacceptable. The Quebec minister of sustainable development, environment and parks, Thomas Mulcair, has condemned the fact that the plan does not include any compensation for Quebec, which produces the least amount of greenhouse gas per capita of any province. He has said that efforts to meet Canadian greenhouse gas reduction targets are not fair to Quebec. He has accused Ottawa of introducing a plan that strongly favours western Canada.

According to Mr. Mulcair, his federal counterpart has already hinted at the possibility of a bilateral agreement, which the Quebec minister intends to demand. He has said that Quebec will not give up and calls upon his federal counterpart to sit down with him and negotiate in all seriousness.

We are offering to do the environment minister's homework by proposing a three-point solution in Motion M-162: a territorial and bilateral agreement that respects the jurisdiction of each party.

Currently, Canada's 2005 plan to honour its Kyoto commitment undermines Quebec's efforts to reduce greenhouse gas emissions and seriously hinders its development by making Quebec pay for the others.

It is important to remember the specific and historical choices Quebec made with regard to energy development. Quebec produces the least amount of greenhouse gas emissions per capita in Canada; in the past, it invested heavily to reduce emissions within Quebec without Canada's assistance and, as long as this territorial approach is not applied, it has to bear the cost of reductions for western provinces such as Alberta.

Under the federal government's current strategy, Quebec will have to contribute approximately \$1 billion toward the cost of implementing the Kyoto protocol. Using the territorial approach the Bloc Québécois is demanding, Quebec's contribution would be less than \$400 million.

We therefore call for all efforts to reduce polluting emissions to be assigned according to territory, with the reference year being 1990, as required by the signing of the Kyoto protocol. Quebec would then be required to make a fair effort at reduction that would recognize its past pro-ecology choices while including it in the joint effort.

Since the fall of 2002, the Government of Quebec has been calling upon the federal government to enter into a bilateral agreement on application of the Kyoto protocol in Quebec. On October 24, 2002, members of the National Assembly adopted a consensus position calling upon the government to start negotiating a bilateral agreement on the funding and implementation of the greenhouse gas reduction strategy. At that time, the National Assembly called for the allocation formula to take into account the reductions achieved since 1990. Discussions have been held between representatives of both governments on the administrative level, but the necessary political support was lacking at the federal level.

In February 2003, Quebec environment minister, André Boisclair, again called upon the federal government, this time demanding that it mandate an official negotiator to initiate the negotiations.

In November 2004, we learned from media reports that Thomas Mulcair, Quebec's minister of sustainable development, environment and parks, had received a letter from his federal counterpart in which he made a commitment to step up the pace of negotiations, with a view to concluding a bilateral agreement on application of the Kyoto protocol in Quebec. We will not dwell on the comments made by the Minister of the Environment when he was asked about the progress of these negotiations, except to say that he noted that "negotiations with Quebec are progressing very well". Yet we are still waiting.

On April 20, 2005, the Parti Québécois presented a motion calling for the signature of a bilateral agreement between Quebec and Ottawa that would allow Quebec full jurisdiction over the administration of the Kyoto protocol within its territory. That motion, which was passed unanimously by the National Assembly, read as follows:

That the Quebec National Assembly restates its desire to respect the Kyoto agreement and objects to the federal Green Plan which does not reflect the economic, energy or historic characteristics specific to Quebec, and calls for a bilateral agreement which does recognize these specific characteristics.

• (1115)

Even Quebec Liberals are in favour of the principle of this motion. It is time for Ottawa to keep its promises and reach a real agreement with Quebec that goes beyond the agreements in principle signed with Ontario, Manitoba, Prince Edward Island and Nunavut. Those agreements are nothing more than an aggregate of good intentions to cooperate, explore ideas, and improve awareness and recognition of the importance of fighting climate change; they do not offer anything concrete.

There are a few items the government should address and soon. The purpose of the motion is not to say that Quebec will take care of things and the federal government has nothing more to do. On the contrary, we must all contribute. Some of the most important measures can only be carried out by Ottawa and it is essential that the government take action.

The federal government must respect the territorial approach and give top priority to making public transit passes tax deductible, setting up a regulatory framework with heavy fines for non-compliance, eliminating tax incentives to oil and gas producers, and offering tax deductions for purchasing environmental vehicles.

In short, what we are asking the government to do is to put its words into action. Everyone knows this is urgent. It is time for the Minister of the Environment to stop making speeches and to start taking action.

The motion I am introducing in the House will help the country to take action, finally. Quebec would immediately have the tools it needs to respect the spirit and the letter of a protocol in which it strongly believes.

For now, it is Canadian inertia that is preventing us from taking action. It is the responsibility of the Minister of the Environment to act for the environment and we are offering him a solution to end his inaction.

It is his duty to be in favour of the motion, as it is the duty of every member sitting in this House.

Private Members' Business

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, it is a great pleasure for me today to speak during the questions and comments period on the motion introduced by my colleague from Vaudreuil-Soulanges.

My colleague has very eloquently shown how the federal government's approach to implementing the Kyoto protocol has been unsuccessful to date. Companies evaluate how effective measures are based on their results. It is clear that the targets have not yet been reached. Instead of moving toward a 6% reduction in greenhouse gas emissions between 2008 and 2010, the government has increased these emissions by 20%. So it will have to reduce them by 30% to meet its Kyoto commitments.

Overall, as my colleague indicated earlier, this has been a huge failure, both in terms of results and equity. The plans implemented by the federal government between November 2002 and April 13, 2005, are based on the polluter-paid principle instead of the polluter-pay principle.

Since 1996, various tax measures have resulted in a 33% increase in tax incentives for the oil and gas industries in Canada. How is it possible that, although the government wants to implement the Kyoto protocol, incentives for those responsible for 55% of greenhouse gas emissions have increased? As a principle, this is not equitable.

Furthermore, the federal government prefers the voluntary approach. Not once since 1997 has the government implemented mandatory measures. This was the preferred approach in December 2004, when the government set targets in cooperation with the various industries. Only the steel and the pulp and paper industries signed a voluntary agreement. Naturally, an agreement has been reached with the auto industry, but it is a far cry from what this industry could have done.

The government is extremely proud of its so-called green plan, which was tabled on April 13. Can my colleague tell us which partners oppose this plan, which not only spares the major polluters and the major industrial emitters, but which also does not promote the reduction of greenhouse gas emissions as set out in the Kyoto protocol?

• (1120)

Ms. Meili Faille: Mr. Speaker, I would like to thank my colleague from Rosemont—La Petite-Patrie for his question. I know he has done a huge amount of work in this file to fine-tune the Bloc's position.

Environmental groups are in fact urging the government to increase the overall target for the large emitters, eliminate the possibility of their using the technology investment fund, establish transparent mechanisms to guarantee results and set deadlines for each section of the plan.

These groups include the Pembina Institute, Greenpeace, Équiterre, Vivre en ville, Québec vert Kyoto coalition, David Suzuki Foundation, Sierra Legal Defence Fund and Canadian Environmental Law Association. These are credible organizations, whose support is important in this matter.

I would like to remind the House that Quebec must manage matters relating to Kyoto within its jurisdiction. We provided the background earlier. The Bloc Québécois supports imposing strict standards on the large emitters, on the condition that the targets are fair for each sector and that the government agrees to drop the extremely unfair reference year of 2010.

The federal government should also cede to Quebec and to the provinces wishing it responsibility for managing the overall target for industries within Quebec.

[English]

Hon. Bryon Wilfert (Parliamentary Secretary to the Minister of the Environment, Lib.): Mr. Speaker, there is no question that climate change is one of the most significant environmental and sustainable development challenges that we face as a country. Certainly the establishment and ratification of the Kyoto protocol is the only global mechanism with targets to reduce GHG emissions. That is why we signed it and that is why we ratified it in December 2002.

I have listened to the member, who does not reject categorically the role of the Government of Canada in dealing with the province of Quebec, nor should she. Clearly the government cannot and does not support this motion, for a number of reasons. Our climate change plan is fair and equitable and we will implement it in a manner that is clearly fair and equitable for all Canadians.

I am pleased to debate this motion because it provides me with an opportunity to encourage the active engagement of the province of Quebec and other provinces and territories in the implementation of a national plan to honour our Kyoto commitments and address climate change over the long term. We will not advance our economic and environmental agenda by arguing over compensation for resource endowments and past investment decisions that were taken in a highly different context; this only stands to benefit adversity.

Canada's Kyoto target is challenging. However, we have many advantages that will help us rise to this challenge. The Government of Canada is committed to the transformative, long term change required to make deep reductions in GHG emissions while ensuring continued economic growth. In achieving that transformation, we believe we must meet our Kyoto target while maintaining a productive and growing economy. I do not think anyone in the House would disagree with that.

Our 2005 climate change plan, "Moving Forward on Climate Change—A Plan for Honouring our Kyoto Commitment", was announced on April 13. It is built on six key elements: competitive and sustainable industries for the 21st century; harnessing market forces; a partnership among Canada's governments; engaged citizens; sustainable agriculture and forest sectors; and sustainable cities and communities.

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Our climate change plan will also contribute significantly to cleaner air for Canada's cities. It will enhance biodiversity. It will help preserve wild spaces and generally improve the quality of life for all Canadians. It is estimated that the approaches outlined in the plan, with an associated federal investment in the range of \$10 billion through 2012, could reduce emissions to the level to meet Canada's Kyoto commitments.

Budget 2005 laid the foundation for our plan and took an important step in providing the resources to it. In fact, some said it should have been announced on St. Patrick's Day because it is the greenest budget in Canadian history. I am surprised that members of the Bloc are not supporting the budget given the fact that they continually talk about the need to address climate change. We have a budget that has those economic instruments to deal with it and yet they say they cannot support the budget. They cannot have it both ways.

Clearly the funding in budget 2005 proposes: a minimum of \$1 billion for the climate fund; \$250 million for the partnership fund, with the possibility that the funding could grow to \$2 billion to \$3 billion over the next decade; \$200 million for the wind power production incentive; \$100 million for the renewable power production incentive; \$300 million for tax incentives for efficient and renewable energy generation; and \$2 billion for the existing climate change programs.

The climate and partnership funds will be central elements for the emission reduction approach. Some of my colleagues in the conservative alliance of course do not believe in climate change and therefore clearly do not support it, but then again, some of them do not know that the ice age occurred so I am not surprised that they do not support climate change. The reality is that Canadians know about climate change. No matter what heckling I get from that side, the reality is that Canadians support the government on this very important issue. Clearly the hot air coming from that side does not make it any less important for Canadians.

• (1125)

Both funds will be geared toward leveraging good ideas and providing targeted support to projects that achieve verifiable emission reductions. The climate fund will operate on a competitive bid basis and will pay for actual reductions achieved. It will operate and encourage emission reductions in all sectors of the economy. The partnership fund will be tied to the negotiation of memoranda of understanding with provinces and territories and actions that are agreed to will be cost shared. This is something I am sure will be of interest to our colleagues in the Bloc.

Negotiations on a memorandum of understanding have started with the Province of Quebec and I want them to proceed as expeditiously as possible. The Minister of the Environment is keenly committed to achieving a successful outcome in that regard.

The large final emitter system will enable Canada's largest emitters to contribute to national climate change objectives in a manner that facilitates growth and competitiveness. An agreement with the automobile manufacturers and importers will see technological advancement realize substantial emission reductions from that sector.

The one tonne challenge will build on work to date to increase awareness, knowledge, commitment and action by Canadians and will actively promote opportunities presented by the climate fund and other initiatives in the plan.

The 2005 plan builds on the 2002 climate change plan for Canada and the \$3.7 billion investment to address climate change that the Government of Canada has made since the Kyoto protocol was concluded in December 1997.

The technology investment fund will be self-funded by large final emitters as one of the means of meeting their emission reduction targets. The fund will be used to develop and commercialize Canadian technologies to enable substantial emission reductions over the long term.

The partnership fund will support the development and implementation of effective greenhouse mitigation projects between all orders of government across this country. We recognize that provinces, territories and communities must play a central role if we are to meet our national objectives.

To this end, the government will reach new agreements and strengthen existing memoranda of understanding on climate change with each province and territory in determining strategic investments for emission reductions and economic growth, which I think again addresses some of the issues that have been raised by members of the Bloc.

The partnership fund will support cost-shared investments between orders of government for major technology and infrastructure investments. These projects could include clean coal, carbon dioxide capture and storage, cellulosic ethanol, extending the interprovincial electricity distribution network to liberate new hydro electric investments, which we have talked about in the House before, Quebec, Ontario, Manitoba being examples, and green municipal infrastructure, including better public transit. Smaller investments in energy efficiency and energy conservation could be equally included in the scope of investment criteria.

The memoranda of understanding will be the basis for cooperative action to reduce emissions within the Kyoto timeframe as well as in the medium and longer terms.

Having each province pursue its own climate change strategy would lead to higher overall costs for compliance than a nationally led strategy, misplaced and underperforming GHG mitigation investments, and would unnecessarily create a large degree of uncertainty for the private sector, which would further reduce levels of investment, employment and a deteriorating degree of competitiveness among advanced economics.

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Quebec, given its relatively low greenhouse gas emission rate per capital, would have less mitigation burden than many other provinces. Quebec would be treated fairly and equitably in the process.

There are no doubt opportunities for Quebec, in partnership with the Government of Canada, to reduce energy and environmental costs through smart investments that result in improved levels of competitiveness, greater levels of consumer and investor confidence and enhanced levels of comfort and security.

• (1130)

Mr. Bob Mills (Red Deer, CPC): Mr. Speaker, it is my pleasure as well to speak about Kyoto. I have been doing that for a number of years now, and I need to refresh everyone's mind in terms of the Kyoto protocol.

Climate change was recognized in Rio in 1992. All countries signed on stating that this was a problem with which we needed to deal. Many countries immediately took up the challenge and started work on it. For example, countries like Germany, Denmark and et cetera asked what they could do to develop new technologies. Unfortunately, at that point Canada did nothing.

Then 1997 came along and the Kyoto meeting was held. A week before Kyoto a meeting was held in Regina where all provincial premiers and environment ministers met. The government said that it would not sign anything until it came back, had a full discussion and developed a full plan. Then it would look at the economic costs and impacts to the country.

The environment minister of the day, Christine Stewart, got wound up in the excitement of Kyoto and signed on to it. Again, there was no consultation with the premiers. The main motive seemed to be the fact that the United States said it could achieve 5% below 1990 levels, so the prime minister of the day, Mr. Chrétien, decided to do one better and made it 6%.

On the other hand, the Australians had a plan and costed it out. They said that they could only achieve 8% above 1990 levels. Subsequent to that, they found they could not achieve that so they opted out. The Americans found that the economic impacts would be too great and they opted out. Many European countries are also saying that they cannot achieve their targets. Japan has said that it would be 6% above its target, and so it goes.

Here we have a government which still says it will meet its targets. However, I guess we should expect that kind of misleading of the Canadian public. It seems to be the modus operandi of the government.

We still do not have a plan. Nothing much was done after 1997. Then in 2002 in Johannesburg the prime minister of the day decided to ratify Kyoto. The government did not know what the cost would be nor did it have a plan. It did not recognize the fact that Canada has a cold climate. It is a huge country with not much transportation infrastructure and it does not have many people. The government did not want to bother with those details or to develop a plan with realistic targets and realistic costs.

In the meantime the U.S. and the Australians have dropped out and the EU has admitted now that it is having difficulties. The

developing countries of China, India, et cetera are not part of it. Therefore, we have a plan that is not likely to work globally and certainly will not work in Canada.

In 2002 the government came out with a plan. It was less than 100 megatonnes, but the target at that point was 240 megatonnes. Therefore, we had a piecemeal plan.

Now the government has gone one step further and has come out with a new plan, the 2005 plan, which is even more vague than any of the non-plans it had before.

Let us look at the numbers because we can translate these. We are now some 30% above 1990 levels. We have spent over \$2 billion and we have gone up in terms of CO₂ greenhouse gas emissions. Something is wrong.

Now we have this so-called plan about which the parliamentary secretary brags. Let us look at the numbers. The auto industry will be five megatonnes. The Rick Mercer all-Canadian fund may be 20 megatonnes if everyone does what Rick Mercer says, which is not to idle our cars, do not heat our homes, wear sweaters, et cetera.

• (1135)

Then we have the large final emitters that have gone from 55 megatonnes in the 2002 plan down to 36 megatonnes. We have sinks, which were agreed to in Bonn in 2003, a giveaway to keep us onside, at about 30 megatonnes, maybe only 20.

We are under 100 megatonnes in this plan, yet our target now is between 270 and 300. The simple mathematics would tell anybody with any sense at all that we will not hit our targets. It is time for the government to come clean with Canadians and say that it recognizes climate change and that it will act on it but with a realistic, long term, made in Canada plan.

What has the government in this plan really offered Canadians? Other than no plan at all, and I emphasize that, it has given industry and Canadians four choices.

The first option is to modernize technology or reduce production. What does that mean? A fertilizer plant making nitrogen fertilizer is using 21st century technology. On the other hand, China is using 1940s technology and the greenhouse gases produced from the production of that nitrogen is tremendous. We can look at the coal industry, which has moved a long way and in fact is now in the early stages of developing coal gasification. What is happening in China and in India? They are introducing 1950s technology and are building 500 plants, where we are talking about building one or two.

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I think members get the point that to modernize technology, option one, is pretty difficult when using 21st century technology. The gains we could possibly get are pretty minimal. However, if we could develop the technology in Canada and transfer that technology to the Indians, the Chinas, the Brazils and the Mexicos, then we could make a real environmental impact. That is if Kyoto was about the environment, but it is not. Let us go further to develop that point.

The second choice is to donate money into a technology fund. That is just great. We have not seen the targets yet. When there is no plan, how can anybody be given targets? They will come later some time, maybe. We now have these mythical targets out there. If a company is over those targets, company A can transfer money into company B. Company B is a competitor, but it has developed some technology that we decide to fund. I cannot help but believe that with the board that does this, the 12 member board that will be created by the government, will we not simply get another Gomery inquiry down the road? Who will these 12 members fund? They will fund the company that is Liberal-friendly. How can we expect anything else from a dishonest government like that? This is option two. Company A transfers to company B to develop technology projects chosen by a government board.

What is option three? Option three is even more dramatic. It says that if companies are over their targets, targets which have not been set yet, they can buy credits. Where do they buy the credits? They could buy them from some countries at a cost of \$30 a tonne, but the minister has said that they will buy them from poor countries, from developing countries. Poor Zimbabwe, we will keep it non-industrial forever. That is not a very liberal philosophy.

The fourth option is we will implement CEPA, the Canadian Environmental Protection Act, and fine companies \$200 a tonne when they are over their targets, the targets that have not been set yet. How can industry plan anything?

• (1140)

What will it do to jobs and our economy when there is that kind of lack of planning from the government? Obviously, the provinces are frustrated and would like to take over. Who could blame them?

[*Translation*]

Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ): Mr. Speaker, I am very pleased to speak today on Motion M-162 introduced this morning by my hon. colleague from Vaudreuil-Soulanges. The motion reads as follows:

That, in the opinion of the House, the government should cede to the Government of Quebec, with full financial compensation, complete responsibility for implementing the Kyoto protocol within its jurisdiction.

First, I would like to briefly review the approach taken by the government since 1997, that is, since this protocol was signed and later ratified by Canada. This approach has led to the collapse of Canada's response to climate change, but in more practical terms, it has set Canada back, and significantly so, in terms of meeting its international commitment to reduce emissions in Canada to 6% below 1990 between 2008 and 2012.

This approach failed because, since 1997, the measures put in place by the government were voluntary measures based on the goodwill of the industry and its willingness to reduce greenhouse gas emissions. The reality is, however, that the emissions produced by

these industrial sectors and particularly those called large industrial emitters, which will account for 55% of overall emissions in Canada within a few years, have increased substantially. We will have to make sure that the federal government's preferred approach reflects the effort asked of large polluters toward achieving the Kyoto objectives.

I will remind the hon. members that the government had set for itself the target and deadline of December 2004 to come to agreement with all industrial sectors. Yet, by then, only two voluntary agreements had been signed with industries, namely the pulp and paper industry and the steel industry. Granted, another voluntary agreement has just been signed with the automotive industry. But, between you and me, the effort asked of that industry represents approximately five megatonnes, while the automotive population accounts for 16% of all greenhouse gas emissions in Canada.

In the past, this meant major industrial emitters were spared the effort the federal government is now requiring of them. The government has been very kind and conciliatory toward the automobile industry. I would note that the government has been conciliatory with the oil and hydrocarbon industries, which are the economic drivers of western Canada. Two weeks ago, the government was once again conciliatory and generous with the automobile industry and offered a voluntary conditional agreement, which the industry could opt out of at any time should the industry or the federal government decide no longer to apply the agreement.

Quebec's manufacturing industry managed to reduce its greenhouse gas emissions by 7%. However, it will be penalized by an approach that spares the major industrial emitters and polluters. The companies and industrial sectors that make up Quebec's economic base will be penalized. Accordingly, the preferred approach by the federal government since 1997 is based not on the polluter-pay principle, but rather the polluter-paid principle. Between 1996 and 2002, tax incentives for the oil and gas industry in Canada increased by 33%.

How can we give tax incentives to industrial sectors that refuse to do their share in reducing greenhouse gas emissions?

• (1145)

How can we give tax incentives to businesses and industrial sectors that want Canada to withdraw from the international consensus with respect to climate change? What the government should do instead is to compensate those sectors of industry that have been making an effort since 1997. Quebec needs to be compensated, as does Manitoba, these two having been the first to implement plans to deal with climate change.

Quebec governments, starting with the Bourassa government and including the PQ governments, have decided in the National Assembly on active measures which have resulted in Quebec's having the best per capita performance as far as greenhouse gas emissions are concerned.

What we are calling for is, of course, international commitment, but on an equitable basis which would ensure application of the polluter-pay principle, rather than the polluter-paid principle. The government must therefore be aware that a national climate change strategy cannot be applied coast to coast. The reason it cannot is that this strategy and approach have proven that they do not achieve the objectives, no matter how much federal goodwill lies behind them.

Since 1997, the government has put \$3.7 billion into its efforts relating to climate change. Have there been any greenhouse gas reductions? No, they have gone up 20%, and Canada will have to cut its greenhouse gas emissions by 30% if it wants to meet its commitments under the Kyoto protocol.

What must be acknowledged is that Canada cannot achieve greenhouse gas reductions to the desired extent. The economic structure of Canada varies from province to province. Energy efficiency and the natural resource situation varies according to geographic location. Gains in efficiency are not identical. Quebec's energy position differs from those of other provinces in that 95% of its electricity is hydro-electric. This is absolutely the opposite of the energy realities in the rest of Canada.

There must, of course, be a common commitment in Canada, but there must also be differentiations in objectives and commitments that reflect the energy reality, the positioning and the economic structure, as well as the demographic reality of Quebec and the rest of Canada. As a result, we will be able to plan and achieve greater efficiency as far as meeting our greenhouse gas reductions are concerned,

How does this relate to the motion introduced today? It is all there. What is this motion calling for? It is calling on the federal government to commit to signing a bilateral agreement giving Quebec full responsibility for implementing the Kyoto protocol within its jurisdiction. Quebec has had a plan in place since the 1990s and the results prove it. This approach has allowed us to work toward the goal of reducing greenhouse gas emissions.

This model should be implemented across Canada. We could conclude formal agreements with the provinces, not agreements in principle such as the one on climate change that the federal government just signed with Ontario. There should be a bilateral agreement allowing Quebec to assume its responsibilities, but there should also be a commitment for full financial compensation when federal climate change programs are announced.

Perhaps, instead of funding projects by the oil and gas industry, to reduce greenhouse gas emissions by major industries, Quebec would prefer to invest these funds in transportation, where significant initiatives are essential. Quebec and the rest of Canada do not see this the same way.

• (1150)

Quebec needs to work on different sectors than the rest of Canada. That is why we must vote in favour of Motion M-162, which states

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that Quebec must assume complete responsibility for implementing the protocol in its jurisdiction and receive full financial compensation.

[English]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is a pleasure for me to speak to Motion No. 162. I am not surprised that we are debating a motion like this one in the House of Commons, because there has been a lack of leadership on this file. It really is unfortunate.

A groundswell of Canadians support the Kyoto accord. It is one of the first times there has been a major environmental initiative across the planet to deal with climate change. It is an environmental issue that could turn the world around in many respects. It shows that nations can work together and that there is a collective responsibility for our precious planet. We as humans sharing the planet with other species have a responsibility to ensure that as the custodians we will pass on a legacy better than the one we are dealing with right now.

This lost opportunity is a black mark on Canadian diplomacy, not only abroad but also at home. That is why a motion such as Motion No. 162 is before the House of Commons. The motion states:

That, in the opinion of this House, the government should cede to the government of Quebec, with full financial compensation, complete responsibility for implementing the Kyoto Protocol within its jurisdiction.

It comes at the end of a decade of Liberal promises to deal with climate change, to invest in the environment. They have not done so adequately to the needs of Canadians. I must say to the people of Quebec and to the Quebec government that they have actually been in the forefront in many respects in dealing with climate change. They have more progressive policies related to the environment and more progressive policies related to energy. They have more progressive policies in engaging their own constituencies on how to solve this issue. This is something which shows the weakness of the current federal government. The politics of divide has resulted in more complications with regard to provincial and federal issues because of the mismanagement of this file.

Let us look at the role of the nation on this file. Canadians were very proud that not only were we participants in the Kyoto accord but we talked about how it could affect the net benefit of changing economies and also the health and welfare of Canadians. That relates also to our revenues. It relates to everything, from being at the forefront of creating new technology which creates jobs, to being at the forefront of other nations, to making sure that the air we breathe is cleaner, that the water we drink is safer, and that our food production and distribution practices make for a better quality of life for Canadians.

Private Members' Business

It is really sad that for a decade we have watched greenhouse gas emissions go up, despite the Liberals' promises in the red book. The Prime Minister promised to reduce greenhouse gas emissions but they have gone up significantly on his watch. It has been very difficult to get the Liberals to bring forward a policy that Canadians could understand and buy into and one which they would actually respect.

The New Democrats are concerned that the Kyoto plan the government has brought forward is so late in the day that it requires us to purchase credits from abroad. That is irresponsible. In the last decade we have had plenty of opportunities to invest in cleaner technologies, to make sure that the jobs are going to be here, that the finances in the nation stay here so that we have the best of both worlds. It has been very difficult for Canadians to see what is happening on the one tonne challenge. The onus is being thrown back on them as individuals because no constructive plan has been brought forth. The one we have right now is certainly deficient.

I want to briefly touch upon the auto industry. Voluntary and mandatory emissions have been mentioned numerous times. For a number of years we have been asking the government to bring forward a national auto policy. Canada was very successful in negotiating the auto pact. It was collapsed under NAFTA. The auto pact was something that brought a lot of Canadian jobs, a lot of Canadian skilled work, a lot of pride and a lot of tax revenue. A lot of Canadians may not recognize that we export to the United States and abroad, but particularly to the United States, approximately 80% of the vehicles that are manufactured and assembled here in Canada.

• (1155)

Our success in this industry has led to a lot of wealth. Individuals who have decent paying jobs contribute back to the economy at a significantly higher rate than those in other professions. They also provide for good working conditions. Some of the issues related to worker health and safety have been led by unions to ensure that people are protected when they deal with chemicals and other types of substances in their work.

We have literally had to continually beg the government to bring in an auto policy. We were promised that a policy would be brought to cabinet by Christmas and the Minister of Industry has not done so. We have not seen it. Nothing has come out. Despite the Canadian Automotive Partnership Council tabling its report, a national round table that was set up about a year and a half or two years ago, it still has yet to see the light of day in terms of specific action.

Specific to this file there is an issue. We are losing out on opportunities to renew the auto industry, which can do two things. First, it can provide for the production and manufacture of cleaner vehicles that will hit our streets a lot quicker and we could become a world leader ensuring that emissions are reduced significantly.

Second, it can protect us from losing jobs, jobs that have basically been stolen and have gone to China, Alabama and Mississippi. The United States has massively subsidized its industry, as well as Mexico, to procure Canadian jobs away from us. That loses very important tax base revenue. Speaking from an auto sector viewpoint in an auto town, I can say that workers would be able to afford to fix their homes and contribute to the economy through taxation which

would provide for incentives and other necessary measures to meet our international obligations on climate change.

One of the recommendations that CAPC made is very specific to this. The third recommendation in the report states:

—auto-focused innovation incentives such as early commercialization tax credits, consumer supports to encourage the purchase of environmentally friendly vehicle technologies and more effective supports for manufacturing process innovation.

We know the auto industry has a lot of challenges with regard to greenhouse emissions and pollution in our society because of the way we have chosen to use vehicles and the way they have been part of our economy. At the same time, the new biodiesel fuel, the new hybrids, and the Canadian biotechnology are real solutions that are going to reduce greenhouse gas emissions. If those plants are in our communities and in our country, we are going to be successful.

Instead, what the government has done is turn its back on the auto industry in many respects and has tried to save jobs on an ad hoc plant-by-plant basis at the last minute. We are witnessing many of them now going not only to the United States and Mexico but also to Pakistan and China.

The worst recipe for all of this is the fact that we in Canada may end up producing some of the higher emission vehicles that will find less markets. For example, California is a significant market for automobiles and has standards, rules and obligations. We will be locked out of those markets. If that is the case, we will have less opportunities to compete as other states like New York and a lot of the eastern seaboard states move to mandatory auto emission regulations. I do not want to see production facilities in this country that meet partial parts in the market.

Canadians could certainly support the auto industry moving to those greener technologies and at the same time protecting their jobs. It is unfortunate that this gem of an opportunity has been lost. It really comes at a time when we are going to lose those investment opportunities to other nations.

I want to touch on another issue, which we are finally seeing the government being dragged into, kicking and screaming. We are one of the few nations until recently, and the budget has to be passed first, that does not support mass public transit. In fact, we are the only G-8 country that has not been participating on mass transit on a regular basis. This is another issue where we are going to see some reservations from different provinces and some hesitation about the overall plan. They have witnessed opportunities the government could have had to invest in the actual applications that affect many of the citizens of our communities.

• (1200)

In the province of Ontario we have literally thousands of people who are affected by smog every summer and some die. Smog is something that we can control. We can improve the air quality. It is a controllable factor. Other nations have taken responsibility and shown due diligence and an interest to be part of the solution.

I have concerns with the insinuation that we are moving to cleaner coal. This reminds me of those commercials where they say to buy fresh frozen vegetables. This is not consistent.

We must ensure that we take control of our environmental participation. The Kyoto accord is something that should have galvanized Canadians instead of dividing Canadians and that is what is happening because of the irresponsibility of this government for not having a plan.

• (1205)

[Translation]

The Acting Speaker (Mr. Marcel Proulx): The time provided for the consideration of private members' business has now expired, and the item is dropped to the bottom of the order of precedence on the order paper.

GOVERNMENT ORDERS

[English]

CIVIL MARRIAGE ACT

The House resumed from April 21 consideration of the motion that Bill C-38, an act respecting certain aspects of legal capacity for marriage for civil purposes, be read the second time and referred to a committee, and of the motion that this question be now put.

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I, like most of my colleagues on this side of the House and many on the other side as well, believe in the traditional definition of marriage as the union of one man and one woman to the exclusion of all others.

However, in the course of this debate those of us who support the traditional form of marriage have been told that to oppose Bill C-38 would be a violation of human rights and an unconstitutional violation of the Canadian Charter of Rights and Freedoms. This is an attempt by the government to shift the grounds of this debate. The government does not want to debate the question of traditional marriage versus same sex marriage. It would rather focus on attacking its opponents as opposing human rights and the charter. This debate is not about human rights. It is a political, social policy decision and should be treated in that light.

Let me present several reasons why the issue of same sex marriage is not a human rights issue, and why defining the traditional definition of marriage would probably not violate the charter or require the use of the notwithstanding clause.

First of all, no internationally recognized human rights document has ever suggested that there is a right to same sex marriage. For example, in the universal declaration of human rights, the foundational United Nations human rights charter, almost all the rights listed are worded as purely individual rights, rights which everyone shall have or no one shall be denied. When it comes to marriage, the declaration says:

Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family.

Government Orders

The use of the term “men and women” rather than “everyone” suggests that only traditional opposite sex marriage is contemplated. The subsequent international covenant on civil and political rights contains similar language. Attempts to pursue same sex marriage as an international human rights issue have failed.

In 1998 the European Court of Justice held that “stable relationships between two persons of the same sex are not regarded as equivalent to marriages.” In 1996 the New Zealand Court of Appeal rejected the recognition of same sex marriages despite the fact that New Zealand's bill of rights explicitly listed sexual orientation as a prohibited grounds of discrimination.

When the New Zealand decision was challenged before the United Nations Human Rights Commission as a violation of the international covenant on civil and political rights, the United Nations Human Rights Commission ruled in 2002 that there was no case for discrimination simply on the basis of refusing to marry homosexual couples.

In fact, to this date no international human rights body and no national supreme court has ever found that there is a human right to same sex marriage. The only courts that have found in favour of a right to same sex marriage are provincial courts in this country or state level courts in the United States.

If same sex marriage is not a basic human right in the sense of internationally recognized human rights law, is it a violation of Canadian charter rights? Several provincial Courts of Appeal such as the Court of Appeal in my province of Ontario have said that it is, and we still have not heard from the highest court in the land.

In the same sex reference case the Supreme Court of Canada declined to rule on the constitutionality of the traditional definition of marriage despite a clear request from the Liberal government to answer that question. All of the lower court decisions in favour of same sex marriage were dealing with common law, judge made law from over a century ago, not a recent statute passed by a democratically elected legislature.

It is quite possible that those lower courts may have found differently if there was a marriage act passed by this Parliament defining marriage as the union of a man and a woman. So the whole discussion of the notwithstanding clause is an irrelevant distraction in this debate. There is simply no reason to use or discuss the use of the notwithstanding clause in the absence of a Supreme Court decision which indicates the traditional definition of marriage as unconstitutional. The Supreme Court of Canada has not done so. The Supreme Court has also said in various cases that statute law requires greater deference than common law.

• (1210)

Should legislation upholding the traditional definition of marriage be passed, a good argument can be made that the Supreme Court would give it considerable deference.

There are several examples of Parliament having passed statutes without using the notwithstanding clause that effectively reversed judicial decisions, including Supreme Court of Canada decisions, under common law. The courts have accepted these exercises of parliamentary sovereignty.

Government Orders

In 1995, Parliament passed Bill C-72 reversing the Supreme Court's decision in Daviault, which allowed extreme intoxication in a criminal defence.

In 1996, Parliament passed Bill C-46 reversing the Supreme Court of Canada's decision in O'Connor, which allowed the accused to access medical records of the victims in sexual assault cases. When this new law was challenged in a subsequent case, Mills, the Supreme Court wisely ruled, in a decision by Justices McLachlin and Iacobucci, that:

It does not follow from the fact that a law passed by Parliament differs from a regime envisaged by the Court in the absence of a statutory scheme, that Parliament's law is unconstitutional. Parliament may build on the Court's decision, and develop a different scheme as long as it remains constitutional. Just as Parliament must respect the Court's rulings, so the Court must respect Parliament's determination that the judicial scheme can be improved. To insist on slavish conformity would belie the mutual respect that underpins the relationship between the courts and legislature that is so essential to our constitutional democracy....

There is good reason to believe that the Supreme Court of Canada, if it were eventually asked to rule on a new statutory definition of marriage combined with a full and equal recognition of legal rights and benefits for same sex couples, might well accept it.

The Conservative Party of Canada's position that the use of the notwithstanding clause is not required to legislate a traditional definition of marriage is supported by law professor Alan Brudner of the University of Toronto who recently wrote in the *Globe and Mail*:

For all we know, therefore, courts may uphold opposite sex marriage as a reasonable limit on the right against discrimination when the restriction comes from a democratic body.

The notwithstanding clause should be invoked by Parliament only after the Supreme Court of Canada has ruled on the constitutionality of a law. As yet, there has been no such law for the Supreme Court to consider, so there is no need to use the notwithstanding clause.

My leader has undertaken to bring in a reasonable, democratic compromise solution, one which is defined in statute that marriage remains the union of one man and one woman to the exclusion of all others, which extended equal rights and benefits to couples living in other forms of unions, and which fully protected freedom of religion to the extent possible under federal law. I believe that the Supreme Court of Canada would honour such a decision by Parliament and therefore I will be supporting the traditional definition of marriage.

Mr. Peter Goldring (Edmonton East, CPC): Mr. Speaker, I am pleased to speak on behalf of the constituents of Edmonton East to this vital social issue of redefining marriage. I wish to make it very clear to my constituents that I oppose Bill C-38 and I will be voting against it.

In his January message to the Calgary diocese, Bishop Henry made some controversial statements that were subject to much criticism. This speech shed light on the interplay between constitutional law, religious tradition and judicial interpretation. Bishop Henry's recent pastoral letters to his Calgary diocese have been controversial in the eyes of some. These pastoral letters are grounded in the broadly held belief that marriage, as traditionally defined and the family as traditionally understood as two opposite sex heterosexual, married and most living together with children, remains the cornerstone of society. A principal reason for this is because it is through this form of family unit that children are

naturally brought into this world and nurtured as they grow to adulthood.

His further view is that the family, as traditionally understood, is a more fundamental institution than the state and that marriage, as traditionally understood, is rooted in natural law, particularly relating to procreation.

All of these perspectives are debatable but are nonetheless phrased in such a way as to invite reasoned debate. It so happens that I agree with these particular views. Others may not, pointing to the number of single parent families or other forms of supportive relationships between adults and children. Others may wish to debate approaches to procreation through artificial means.

Underlining all debates are various perspectives as to how a healthy future for Canadian society is best assured. For those who advocate alternatives to the traditional family and traditional marriage, there is much evidence that both adults and children in society are not better off as a result of moving away from these models. Many breakdowns in social order that have been encountered over the last 30 years are traced by many to the breakdown through divorce in the security and stability once commonly associated with Canadian family life.

For example, the vast majority of divorces involve erosions of the wealth and lifestyle position of all parties, particularly children, since it is economically impossible for most people to maintain the same lifestyle when there are two homes rather than one. The astounding increase in the number of single parent families is directly correlated to increases in child poverty.

The vast majority of young persons in trouble with the law do not come from stable traditional family relationships. My point here is that it is one matter to advocate alternative to tradition but it is quite another to be able to provide empirical support that the erosion of tradition has made most people, and hence society, better off. I would like to think that this is what Bishop Henry's principal sentiment is.

It is against this backdrop of challenges to tradition, absent of empirical support as to overall societal betterment, that we might best examine the debate over same sex marriage. What we see time and again is the challenges to the long held traditions and beliefs, traditions and beliefs that have been shown over long periods of time to have benefited most people, lead to further questions and further challenges and less well-being for all.

For example, we now live in what may be regarded as an unacceptable age of moral relativism where the term "judgmental" is regarded as describing the heinous behaviour of expressing an opposing opinion. What is refreshing about Bishop Henry's views is that he reminds us that we do live in a world where moral choices are made and where some choices involve or should involve general acceptance as to the rectitude. In some areas there are no shades of grey in relation to what is right.

Government Orders

With the possibility of the opening up of the traditional meaning of the word marriage to include same sex couples, many consider that there is now a conflict between globally shared values and values that have been effectively legislated by Canadian politicians or judicially determined by persons with no accountability for the social consequences of such determinations.

One issue of moral relativism that has now risen in the context of the debate over the same sex marriage is that of the potential for Canadian constitutional protection for polygamy.

•(1215)

In another time and place, such an issue being raised would be regarded as comical, and surely the parties cannot be serious. Right now in Canada the parties are so serious that the federal Department of the Status of Women has issued an urgent call for persons interested in receiving funds to research and make recommendations on the issue of polygamy. One does not have to be a nationally or internationally respected scholar to receive such funding, though in these relativistic times it appears that one person's opinion is just as good as another's, particularly if an agent has funded one opinion and not the other.

Muslims in Canada, many of whom are opposed to same sex marriage on religious grounds, are less opposed to legislative recognition of polygamy since polygamy is permitted in Islamic law. Old-order Mormons are similarly supportive, as some may recall from news reports relating to the Mormon dominated town of Bountiful, B.C.

It is in the court of international opinion that Canada may find itself subject to a rather rude awakening. Already the Prime Minister was surprised to find that when trying to discuss trade relationships in India, he was compelled to first explain to the Indian population why Canada supported same sex marriage, a concept that again is contrary to the teachings of many Indian religions, such as Sikhism.

The Netherlands has encountered similar difficulties, being one of only two countries currently recognizing same sex marriages. The Netherlands has recognized same sex marriages since 2001. The other country that has recognized same sex marriage is Belgium. The Swedish government is preparing legislation to legalize same sex marriage, as is Spain, where same sex marriage is expected to be legalized as of 2005.

Like Canada, the Netherlands has many historic ties to other parts of the world, such as Aruba in the Caribbean which, since 1986 has been a separate entity within the Kingdom of Netherlands. After a Dutch lesbian married an Aruban lesbian in the Netherlands, they moved to Aruba and expected their marriage would be recognized there. Instead, their application to register their marriage was denied amidst significant degrees of social pressure that ultimately compelled the couple to return to the Netherlands.

Often forgotten in these relativistic debates is that there are globally held moral views that are broadly shared and that it is the height of arrogance to assume and presume that changes to these long held views would be accepted based on some sort of subservience to the enlightened thought of industrial nations. Imposing a relativistic view of marriage on such countries is certainly little more than the folly and fancy of those whose sense of

moral self-absorption leaves them blind to the morality of the rest of the world.

I believe that Bishop Henry continues to have much of importance to say on the issues of marriage and family traditions. Perhaps the real issue prompting so many to comment concerns an interpretation of Canada's Charter of Rights and Freedoms that is far too liberal for the majority of society to comfortably accept.

With Bill C-38 now before Parliament, the Liberals have decided not to have a free vote with the members and the NDP have decided not to have a free vote at all. Without a free vote in Parliament, the only way all Canadians will have the opportunity to have a say in the issue is in a national referendum.

I want to read again from a brochure that I issued in the last election which really confirmed my feelings since I was elected in 1997. I believe a person should put his or her principles and beliefs in writing. The brochure reads:

This election, you have the opportunity to end more than a decade of Liberal scandal, waste and corruption. I've been fighting for a more honest and accountable government since you first elected me as your Member of Parliament in 1997. There is much more to fight for now, including more secure health care, better living conditions for the less fortunate and for the preservation of traditional family values, including the definition of marriage. I pledge to keep up the fight.

At the same time, during that period we demand better for accountable government, better for access to health care, better for crime control and taxation relief, better for low income families and the homeless, and better for traditional family values.

•(1220)

[*Translation*]

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I have listened attentively to the hon. member's comments and I feel therefore I should react to them.

I will, of course, avoid discussing the Conservative Party's policy on health care. I think it is widely known and is distressing enough to many Canadians at the moment, so there is no need to frighten others. The same thing may be said with respect to their newly felt apparent affection for those less well off. That too is frightening enough already, so I will not discuss it further.

I do, however, want to come back to the other points the member raised. He seemed to say that the government was, in a way, redefining marriage on its own, assuming that civil marriage—only civil marriage, in fact—of same sex partners does not already exist, which we know to be incorrect.

That may be the case in Alberta, Prince Edward Island or New Brunswick at the moment. However, on the weekend, I read a document by a professor from the University of Ottawa, which said that the remarks just made by the member are incorrect with respect to 90% of Canada's population.

Government Orders

In my province of Ontario, these marriages are currently taking place and have done so for a year or even more. As I said in the context of another debate, I have been invited to some of these weddings but have not attended. Would I be prepared to attend one some day? I do not know. That is not the issue, in any case. It does not matter whether the member opposite or I are prepared to endorse this type of union. The issue is to determine whether it is a right. That is the important part.

The courts in seven provinces have held that it is. The language used in most cases indicates that it is a fundamental right under the Constitution.

• (1225)

[*English*]

The hon. member across said that we could have gone to the Supreme Court to see whether that is in fact the case, but wait a minute. In seven provinces it has been decided that it is the case. That is seven, not one, not two and not three. In seven provinces it has been decided, and as a matter of fact, in every single province where the case was heard it was determined to be that way. It was determined to be a right, a fundamental right.

There is another thing that the member fails to tell us. He seems to suggest that there is such a thing as a right of appeal to the Supreme Court. As he knows, that does not exist in law. Once the superior court has heard the case at its appeal level, that is the end of traditional appeal processes. Of course one can seek leave to appeal, but that does not suggest that there is a right to appeal. That does not exist. Of course, when one seeks leave to appeal—a government does and I sat in cabinet for seven and a half years—one receives the advice as to whether or not, if the government wants to, it can then seek leave to appeal.

The hon. member does not say so, but there is almost no expert who would agree with him that the leave to appeal not only would have been granted, which is the first step, but that the courts later would have given the decision which he says hypothetically would have occurred had the first case happened, which is not even sure at all. When the hon. member makes all these allegations, they are not factually correct. He cannot start with a supposition, get the conclusion of it and use that conclusion to go to the next step of the argument when the first one is not at all the case.

What we have before us are the decisions that have been made in those seven provinces. They are the rights that have been established in those provinces. There are people being married now in those provinces. Why did the hon. member not mention that in his remarks? Is he leading Canadians to believe that this is not true now and would only be true with this bill? That is false: it is the case right now in those seven provinces.

I have no idea how many have been married, but I do know that it is a right they have. It has been decided in their favour in every single case where it was adjudicated in all seven provincial jurisdictions. Why are they not saying that across the way? I think I know. It is because they are trying to make Canadians believe something that is not factually correct. They are trying to make Canadians believe that if this bill is not passed then in fact in those seven provinces those who are married may somehow be unmarried,

or that the rights they have now would be revoked. That is not true. We all know it is not true.

Here is what would be necessary if the hon. member is serious. I would disagree with him on doing so, but it should at least be said. What he really means to say is that to change what is there now, he would have to invoke the notwithstanding clause. He would have to revoke the marriages that have been performed ever since that first right was granted some years ago and then legislate to do the opposite. I would disagree with him, but at least in my mind that would be the honest position: to state to Canadians that this, and not something that has been invented this morning, is the issue before us.

On the issue of the bill itself, the hon. member might say as others have that the religious protections are not sufficiently taken care of, but there are none right now. There is nothing in any law now that protects the ministers of the church. The bill wants to do that so they will not be sued if they do not want to perform such marriages. I am all in favour of having that protection. I say that as a practising Roman Catholic. I do not want my priest to be sued. That is nonsense.

If the hon. member is saying, as some of his colleagues said the other day, that it is not sufficient, why then do they not let the bill go to committee to increase whatever they perceive as that shortcoming in religious protection, if they see one and if that proposition is honest?

They are not allowing the bill to go to committee. They are stalling it. We have had everybody speak on the other side. We have had an amendment. Everybody spoke again. Then we went back to the main motion. We know what that is: it is a filibuster. I was the House leader around here for over six years and I know what a filibuster looks like. I have had to put an end to a number of them in the past. I know what they are and the hon. member knows what they are too. It is a filibuster that is not designed to improve the bill; it is a filibuster that is not designed to do anything else but to try to stir up Canadians against a right that has been granted to them by the courts. That is why it is wrong.

It has nothing to do with whether any single one of us, least of all me, agrees or does not agree that there should be civil marriages for people of the same sex. This is an issue that the courts have decided, at least in my province. In six more provinces and one territory that has been the consistent case. We know that. I think the Canadian public knows that too. That is why this desperate attempt on the other side to try to stir up public opinion against it is not flying. Canadians cannot be fooled. They know the truth. They know what it is like. To pretend this in what is being said today does not make true something that is untrue just because several opposition members are filibustering and have done so several times in order to try to convince the Canadian public.

• (1230)

[*Translation*]

This is why I support the government. It is a free vote, contrary to what the member has said. That is another incorrect statement. It is a free vote. No one is telling me to vote on one side or the other in this matter. It is, in my opinion, a matter of protecting the rights accorded by the courts and I will do so.

Government Orders

For this reason, I will vote in favour of this bill.

• (1235)

[*English*]

Mr. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, before I get to my notes I want to rebut a couple of points we heard in the impassioned speech made by the member for Glengarry—Prescott—Russell.

The member said there was no ability to appeal. We know that is not true. When the first lower court ruled, the Liberal government at the time had the ability to seek an appeal of that decision. The government chose not to. We are talking about choices. The member needs to be clear and completely truthful with the Canadian people. He says that the government wants to be respectful in this debate, so he needs to tell Canadians that the government chose not to seek to appeal those lower court decisions.

Further, I submit that there is no evidence, none, that if Parliament had indeed drafted, introduced, debated and passed legislation to protect the traditional definition of marriage the Supreme Court would not have upheld it without resorting to the notwithstanding clause. There is no evidence that this scenario would not have taken place. I want refute the hon. member's assertions while I appreciate the member jumping into the debate and adding to what he calls a filibuster. We have enjoyed the debate from all sides of the House.

I consider myself very fortunate to have a further opportunity to debate Bill C-38, legislation with such far-reaching implications for the institution of marriage and all of society. As the elected representative for Prince George—Peace River, I believe it is my responsibility and duty to clearly state my opposition to this legislation and my support for the traditional definition of marriage. Whenever possible I will continue to defend this position I have taken on behalf of my constituents.

We must be conscious that the actions we take with regard to this legislation to expand the definition of marriage to include same sex couples will have a tremendous impact on the future of Canadian society. We do not fully understand the magnitude of what this legislation will have done to our society 10, 15 or 20 years from now. What will we have left future generations to deal with? We do not have all the answers. Certainly there are many theories about how same sex marriage will or will not affect the future of our nation. We have heard many of those theories laid out here in this chamber in great detail during this debate.

However, what I would like to discuss today concerns what we do know. What we know is that this legislation poses a serious threat to religious freedoms in our country. Why do I know this? Because we have already seen it happen as a consequence of other legislation pertaining to homosexual rights.

Before I continue, I would like to unequivocally state that I believe homosexual couples should be afforded the same rights and privileges enjoyed by heterosexual couples. Of that, there is no doubt. However, same sex marriage is not a rights issue, despite what the hon. member for Glengarry—Prescott—Russell has just said.

I will elaborate on this point later, but first let me say I am concerned that in its rush to address what it mistakenly calls a right,

the federal Liberal government is placing in serious jeopardy the right of religious freedom, not that the government has not exerted great efforts to convince Canadians that priests, church ministers, rabbis or imams will not face prosecution or other legal sanction for the refusal to conduct marriage ceremonies for same sex couples.

This government and this justice minister emphatically deny that the congregations or members of churches, synagogues, mosques or other institutions of religious worship will find the activities of their place of worship beholden to this legislation. The government and some supporters of this legislation have dismissed these concerns as being driven by fearmongering, hatred and even homophobia. They allege that raising the possibility that religious freedoms would be compromised by the extension of marriage to same sex couples is a scare tactic on the part of those of us opposed to the legislation.

The justice minister has assured us that Bill C-38 will sufficiently protect religious freedoms. With all due respect, we have heard similar assurances before, most recently when Bill C-250, legislation designed to include sexual orientation under hate crime laws, was debated before this House during the last Parliament. At that time, many of us feared that priests, rabbis, imams and other religious officials would face accusations of spreading hatred or contempt simply by quoting from the Bible or the Koran, for example. At that time, this government told Canadians that would never happen.

• (1240)

The government claimed that a clause in Bill C-250 would afford sufficient protection to religious organizations and leaders and that they would not be punished simply for following or repeating the words of their faith. Bill C-250 received royal assent on April 29, 2004 and now, a little over a year later, Calgary Roman Catholic Bishop Fred Henry is facing two complaints filed with the Alberta Human Rights and Citizenship Commission for publishing statements which are “likely to expose homosexuals to hatred or contempt”.

When this same government tells us that a religious leader like Bishop Henry will be sufficiently protected under a clause in Bill C-38 that is similar to one that was supposed to protect him under Bill C-250, one could understand that we are extremely doubtful of that protection. Bishop Henry is not alone. In my home province of British Columbia a Catholic church congregation faces a complaint before the B.C. human rights commission because it refused to allow a lesbian couple the use of its parish hall for the couple's wedding reception. This is not fearmongering; this is reality.

I would like the justice minister to meet Bishop Henry face to face, or stand before the congregation of that B.C. church and attempt to reassure its members that Bill C-38 will adequately protect them. In fact, it is not only misleading to claim that religious freedoms will be protected under Bill C-38; these claims are not even supported by the Supreme Court of Canada.

Government Orders

At this juncture I would like to take the opportunity to remind members of the House and all Canadians that contrary to what the government would like the country to believe, the Supreme Court did not make a determination on the definition of marriage. The court not only refused to decide whether the traditional definition of marriage was a violation of the equality provisions of the Charter of Rights and Freedoms, it made it perfectly clear that it is up to Parliament to decide. The Supreme Court told members of Parliament, our constituents' elected representatives, that we were to choose in this important social policy matter.

Further, the Supreme Court also ruled after examining the federal government's draft legislation, that its provision claiming to protect religious freedoms was outside the jurisdiction of the federal Parliament. In essence the Supreme Court said that the same clause the government is using in its attempt to reassure Canadians about their religious freedoms is in fact useless.

On that note, I would again like to emphasize the need for respectful and honest debate as we proceed debating Bill C-38. It is more than a little misleading for the Prime Minister and the justice minister to tell Canadians that the Supreme Court or the charter left them with no choice but to introduce this legislation to extend the definition of marriage to same sex couples. This is simply false. In fact, since our own Supreme Court has refused to rule on the definition of marriage, let us take a brief look at court rulings that have actually been made throughout the world in terms of same sex marriage.

In 1998 the European court of justice ruled "stable relationships between two persons of the same sex are not regarded as equivalent to marriages".

In 1996 the New Zealand court of appeal rejected the recognition of same sex marriages despite that country's bill of rights which lists sexual orientation as a prohibited grounds for discrimination. The New Zealand ruling was appealed to the United Nations human rights commission. The commission ruled in 2003 that there was no case for discrimination simply on the basis of refusing to marry homosexual couples.

To date, no international human rights body and no national supreme court, including the Supreme Court of Canada, has ever found that there is a human right to same sex marriage. Same sex marriage is not a right. Freedom of religion, however, is a right, a right which I believe is very much in jeopardy. I am very dismayed that the government will not accept what is going on in the real world, that it will not accept the reality faced by Bishop Henry in Calgary and the very real fear of prosecution of religious leaders for whom performing same sex marriage is a violation of their faith.

I repeat that the Supreme Court indicated that the federal government's legislative assurances that priests, rabbis, imams and other religious leaders will not face prosecution are very empty assurances indeed. What will religious leaders face 10 or 20 years from now as a result of the actions we are taking today?

No matter how MPs choose to act, I ask that they follow their consciences and those of their constituents. I would also ask that they do not base their decisions upon the government's false claims that the legislation sufficiently protects religious freedoms. It does

not, and that is one more reason why I remain vehemently opposed to Bill C-38.

• (1245)

Mr. Charlie Penson (Peace River, CPC): Madam Speaker, I am pleased to have the opportunity to speak to Bill C-38 and to be part of this historical debate.

This bill, which threatens to change the traditional definition of marriage, has sparked an overwhelming response in my riding. Without a doubt it has been the single most important issue that has come up in my riding during the 12 years that I have represented the Peace River constituency.

Peace River constituents feel passionately about this issue. Of the hundreds of letters and calls that I have received from constituents on this bill, over 96% have been against changing the definition of marriage. As well, over 450 constituents have signed petitions calling on the government to preserve the traditional definition of marriage. Every day more people come forward to express their outrage that changes to the definition of marriage are even being contemplated.

Peace River constituents are not opposed to equal rights. In fact, the majority support the legal extension of rights and benefits to same sex couples. However, most are opposed to changing the historical term "marriage" to include these unions. Many have strongly held religious views and are extremely worried that their long-held beliefs are being threatened by Bill C-38. I do not think these views are limited to my riding; I believe they are shared by a majority of Canadians.

The debate is about basic social values in our country. I, along with many Canadians, support the traditional definition of marriage as being a union of one man and one woman to the exclusion of all others as expressed in our traditional common law. This common law has been developing for centuries in our country and before that, in the modern western world for several thousands of years. This definition has served society very well and has stood the test of time. It has been the fundamental cornerstone of our society, the bedrock of our society. My question is, why do we need to change it?

In my view, MPs opposing this bill should not have to defend what has been historically accepted. It should be the responsibility of those who want to overturn such a fundamental social institution to prove that it is absolutely necessary, that no other compromise could be expected to respect the rights of same sex couples while still preserving one of the cornerstones of our society and its many cultures. So far, in my view, the government has failed to do that.

One serious concern I have with the bill is that it does not provide protection for religious freedom in this country. There has been no specific statutory protection for religious freedom in areas falling under federal jurisdiction. This needs to be addressed and included in the legislation.

Government Orders

The preamble to the Charter of Rights and Freedoms, and we often hear it referred to from the other side of the House, states that "Canada is founded upon principles that recognize the supremacy of God and the rule of law." Many believe that the acknowledgement of God and the values that flow from a spiritual conception of law and morality is also a founding principle of Canada. Therefore it should be recognized and applied to the realities of modern life, including marriage.

The Supreme Court of Canada has never indicated in any ruling that the traditional definition of marriage was unconstitutional. To the contrary, in many cases the court has supported the definition. For example, in the Egan decision on marriage, former Supreme Court Justice La Forest addressed the definition directly when he stated:

Marriage has from time immemorial been firmly grounded in our legal tradition, one that is itself a reflection of long-standing philosophical and religious traditions. But its ultimate *raison d'être* transcends all of these and is firmly anchored in the biological and social realities that heterosexual couples have the unique ability to procreate, that most children are the product of these relationships, and that they are generally cared for and nurtured by those who live in that relationship. In this sense, marriage is by nature heterosexual.

Another example can be cited in the Halpern decision. In that case the Attorney General of Canada submitted evidence to support the traditional definition of marriage. His *factum* read:

• (1250)

Marriage has always been understood as a special kind of monogamous opposite-sex union, with spiritual, social, economic and contractual dimensions, for the purposes of uniting the opposite sexes, encouraging the birth and raising of children of the marriage, and companionship.

The decision we make on this legislation as a Parliament will have a profound impact on the country and the rights and freedoms that we so cherish. In 1999, which is not that long ago, only six years, I was in the chamber when the Liberal government pledged to use all necessary means to defend marriage. How quickly things change. Now it has made a complete U-turn and argues that the definition is unconstitutional. What will be next?

About one year ago Australia was facing the same crossroads with regard to marriage laws. The government there took a completely different approach than this Liberal government is taking. Despite pressure from those in favour of legalizing same sex marriage, Australian Prime Minister John Howard said he was going to push to define traditional marriage in law and prohibit same sex marriage in order to protect, as he put it, "a fundamental bedrock institution of our society which has contributed massively to our stability and to our success".

In Australia the legislation passed, with the support of the official opposition, defining marriage as only the union of a man and a woman. In contrast, this Liberal government has decided to go down a different road which I cannot support. I will be voting against Bill C-38 in its current form. I hope all members of Parliament will think very carefully about what is at stake before they vote. Our collective decision may have very serious implications for future generations.

Should this legislation pass without amendments, we will redefine marriage in a way that most Canadians do not want in order to address equality rights. There is a much more reasonable approach that we should choose in order to address this issue. I will not be

supporting Bill C-38 in its current form unless it is severely amended.

Mr. Dale Johnston (Wetaskiwin, CPC): Madam Speaker, marriage is a time honoured institution that has stood the test of time and is one of the key foundations on which our society has been built. For thousands of years, marriage has been recognized as the union of one man and one woman. Since Confederation, marriage in Canadian law has been defined as the voluntary union of one man and one woman to the exclusion of all others. I believe that this definition of marriage has served society well and should be retained.

Since I was first elected here in 1993, Parliament has passed legislation to provide benefits formerly available only to heterosexual spouses to common law partnerships and same sex couples. These initiatives were designed to bring equality into the system and we were assured time and again by the Liberal government that these changes would not affect the definition of marriage.

Canadian Alliance MPs were concerned that our constituents wanted more assurances that there would not be a change, so in June 1999, as my colleague just referred to, we proposed a motion that said:

That, in the opinion of the House, it is necessary, in light of public debate around recent court decisions, to state that marriage is and should remain the union of one man and one woman to the exclusion of all others and that Parliament will take all necessary steps...to preserve this definition of marriage in Canada.

Liberal MPs, cabinet ministers, the prime minister of the day, the current Prime Minister and the former justice minister, who today is the Deputy Prime Minister, all voted to reaffirm the traditional definition of marriage and to take all necessary steps to preserve that definition.

Here is what the Deputy Prime Minister, the only Liberal serving in Alberta in Edmonton at the time and right now, had to say about the government's intentions, "Let me state for the record that the government has no intention of changing the definition of marriage or legislating same sex marriages". She went on to confirm her support when she said:

I support the motion for maintaining the clear legal definition of marriage in Canada as the union of one man and one woman to the exclusion of all others.

I fundamentally do not believe that it is necessary to change the definition of marriage in order to accommodate the equality issues around same sex partners which now face us as Canadians.

With the full support of the current Prime Minister and the key players on the government frontbench, the motion passed overwhelmingly: 215 to 55.

In September 2003 we proposed a motion to reaffirm that marriage is and should remain the union of one man and one woman to the exclusion of all others, just four years after the first time. This time the Liberals did an about face and the Prime Minister and the Deputy Prime Minister voted against reaffirming the traditional definition of marriage. What a flip-flop. When they do not dither, they flip-flop.

If Canadians cannot trust the Prime Minister's word on this, how can they be expected to trust his word on anything?

Government Orders

Conservatives believe that the vast majority of Canadians believe that marriage is a fundamental distinct institution, but that same sex couples can have equivalent rights and benefits.

The Leader of the Opposition, my leader, has tabled reasonable and thoughtful amendments to the bill. We believe the law should continue to recognize the traditional definition of marriage as the union of one man and one woman to the exclusion of all others. We would propose that other forms of union, however structured by appropriate provincial legislation, whether they are called registered partnerships, domestic partnerships, civil unions or whatever, should be entitled to the same legal rights, privileges and obligations as marriage. Where there are issues affecting rights and benefits within the federal domain, our party would ensure that for all federal purposes those Canadians living in other forms of union would be recognized as having equal rights and benefits under the law.

● (1255)

We believe this is what most Canadians want. Recent public polls, and apparently even polls that the Liberals themselves have taken, show that nationally two out of every three Canadians are opposed to changing the definition of marriage.

The issue of same sex marriage may have divided some Canadians, but not in my constituency of Wetaskiwin where there is overwhelming support for the traditional definition of marriage. I did a survey and I received overwhelming support for the traditional definition.

This is what is said by some of the hundreds of letters I received on the subject. These are letters from my constituents. One resident from the town of Calmar, who feels the definition is critically important to the health of our society, said, "I hate to think what will happen to our society if same sex marriage is allowed. "What a disaster", this person writes.

From Wetaskiwin, other constituents voice their opinions:

Marriage is an institution with deep religious, social and cultural significance. I want it to remain as a relationship between a man and a woman. History proves that when the traditional family unit is strong, a nation prospers.

I am not opposed to recognizing contractual relationships between two men and two women, which ensures them the same legal benefits as married couples. However, such a contract should not be called marriage.

Another man from Wetaskiwin wrote:

Marriage is a unique institution and it is not equal to any other form of relationship due to its status and character. Same sex unions should have their own special status and unique character under the law as heterosexual marriages are currently defined by our constitution...

Another person from Ponoka wrote, "I am not opposed to a civil union for homosexuals, but churches should not be forced to marry them and they will be if this law is passed".

A couple from the historic town of Rocky Mountain House wrote:

We seek the preservation of the current definition of marriage. Rights for all individuals in our society are already protected by existing legislation. Any further protection can easily be provided without any need to attempt to change the definition of marriage".

Canadians want to have a say on legislation and we were hopeful when we learned that the Prime Minister promised to expand the mandate of the legislative committee studying Bill C-38, but there is a wrinkle. There is always a wrinkle when we are dealing with the

Liberals. As usual, the promise is not all it is made out to be. I think that is something that the NDP is rapidly learning. So far the legislative committee does not have the authority to hear anything but technical evidence. According to the Standing Orders of the House of Commons, special legislative committees can hear witnesses only on technical matters and, as such, the committee itself has no jurisdiction to change its mandate.

I agree with my colleague from Provencher that the Liberal decision to refer Bill C-38 to such a legislative committee is part of a broader Liberal pattern to ignore the views of Canadians on the legislation.

The Liberals do not want Canadians to know that their government cannot adequately protect religious freedoms in federal legislation. It is troubling that the Liberal bill provides little in the way of assurances that religious freedoms will be protected if the legal definition of marriage is changed. It is bound to be challenged. We already saw some precedents just last week in a court decision when a judge said that the freedom of religion was not absolute.

The Liberals try to assure the public that they will protect religious freedoms, but in reality, the solemnization of marriage is a provincial responsibility. Bill C-38 does not do what the government is promising Canadians it will do.

The problem is the Supreme Court has already ruled that this clause is beyond the federal government's authority because provinces are responsible for performing marriage ceremonies. There is only one clause that protects and it is not a good one. They are not provided any specific statutory protection of religious freedom in the areas of their own jurisdiction.

I know my time is running short and I want to get two more quotes in.

● (1300)

This quote is from Lang Michener and is a legal opinion. It states:

There is little doubt that, if passed, Bill C-38 will be used by provincial governments and others to override the rights of conscience and religion of ordinary Canadians. Public officials will in all likelihood lose their employment simply because of their conscientious convictions. It is our view that your constituents, including religious groups and the members of religious groups, will face expensive and ruinous lawsuits.

I would like to quote a Catholic organization leaflet that I saw the other day which sums this up nicely. It states:

As an institution, marriage has an enormous significance, and has existed for thousands of years. The word we use for this institution—marriage—is full of history, meaning and symbolism, and should be kept for this unique reality.

I oppose this bill at every stage.

Mr. Tom Wappel (Scarborough Southwest, Lib.): Madam Speaker, at the outset allow me to thank my whip for the invitation to say a few words on the bill again. It is very much appreciated. Today, since I only have 10 minutes, I will concentrate on one thing, and that is what in my view is the legal and political fraud being perpetrated on Canadians and parliamentarians by the bill. I want to explain what I mean by that because these are very strong words and I mean them sincerely.

Government Orders

The government made a reference to the Supreme Court of Canada. There were two sections of the proposed legislation. The first one deals with the civil marriage aspect and the second one reads as follows:

—nothing in this Act affects the guarantee of freedom of conscience and religion and, in particular, the freedom of members of religious groups...to refuse to perform marriages that are not in accordance with their religious beliefs...

Section 3 of the act we are debating states the following:

It is recognized that officials of religious groups are free to refuse to perform marriages that are not in accordance with their religious beliefs.

As we can see, those two paragraphs are virtually identical. In the reference, the Supreme Court said this about section 2 which I just read. I will quote it verbatim. This is not me speaking, this is the Supreme Court of Canada speaking. It states:

Section 2 of the Proposed Act relates to those who may (or must) perform marriages. Legislative competence over the performance or solemnization of marriage is exclusively allocated to the provinces under s. 92(12) of the Constitution Act, 1867.

The Attorney General of Canada suggests that s. 2 of the Proposed Act is declaratory, merely making clear Parliament's intention that other provisions of the Proposed Act not be read in a manner that trenches on the provinces' jurisdiction over the solemnization of marriage. The provision might be seen as an attempt to reassure the provinces and to assuage the concerns of religious officials who perform marriages. However worthy of attention these concerns are, only the provinces may legislate exemptions to existing solemnization requirements, as any such exemption necessarily relates to the "solemnization of marriage" under s. 92(12). Section 2 of the Proposed Act is therefore ultra vires Parliament.

That means outside the scope and jurisdiction of this House. I continue:

While it is true that Parliament has exclusive jurisdiction to enact declaratory legislation relating to the interpretation of its own statutes, such declaratory provisions can have no bearing on the constitutional division of legislative authority. That is a matter to be determined, should the need arise, by the courts. It follows that a federal provision seeking to ensure that the Act within which it is situated is not interpreted so as to trench on provincial powers can have no effect and is superfluous.

Those are the words of the Supreme Court of Canada. Given those words, that the section proposed is ultra vires Parliament, that it is of no effect and that it is superfluous, what in heaven's name is it doing in the bill? It has no business being here unless it is here to try to con people into believing that this section will protect religious freedoms, and that is utter legal nonsense.

There are people in the House who are supporting the bill relying on this section. They are saying that they will pass this, but it will protect religious officials. That is absolute bunk. This section will not do that. It may very well be that the religious protection freedoms of the charter may do this, but that is not what this section says. This section says that this section will do it, and this section is ultra vires the Parliament of Canada and should not even be here as a matter of constitutional law. That is the first point.

● (1305)

I want to read into the record, for the benefit of my constituents at least, a letter that was published in the *National Post* last week. It has been referred to by other speakers. It states:

We, the undersigned legal counsel, maintain active practices or academic interest in litigation, human rights, religious, charity or constitutional law. We have reviewed two constitutional opinions provided by the law firm of Lang Michener..., on the subject of Bill C-38, the federal government's proposed legislation to legalize same sex marriage. What follows is a summary of the firm's main conclusions, followed by our own observations.

Question: Does the recent Same Sex Marriage Reference opinion of the Supreme Court of Canada...require Parliament to amend the common-law definition of marriage?

Answer: No.

That is a correct statement, in my view.

Question: Should it be the case that the purpose of the common-law definition of marriage arose out of "Christendom," (as discussed in paragraphs 21 and 22 of the Reference),—

That is the Supreme Court reference and that is the Supreme Court's word, "Christendom".

—is it consistent with constitutional precedent for Parliament to nevertheless define marriage as the union of one man and one woman for life to the exclusion of all others, so long as the purpose is secular and consistent with the Charter?

Answer: Yes. Legislation pertaining to the legal capacity for civil marriage falls within the subject matter of section 91(26) of the Constitution Act..., which pertains to the exclusive legislative competence of Parliament.

Question: Would Parliament be acting consistent with jurisprudence if it justified a statutory definition of marriage to one man and one woman on the basis that it would serve the best interests of children and to create a public institution that makes it more likely that a child will be raised by the child's own mother and father?

Answer: Yes. The Supreme Court has previously recognized the importance of protecting the best interests of children in a variety of contexts.

As has been pointed out, the Supreme Court has already recognized the importance of marriage as a heterosexual institution. Mr. Justice La Forest, in the Egan case, made that observation, but the Ontario Court of Appeal chose to ignore the Supreme Court when it suited its purposes.

Question: Should Bill C-38 be enacted as proposed, does Parliament have the constitutional jurisdiction to protect by statute the freedom of religious groups or officials to refuse to perform marriages that are not in accordance with the group's religious beliefs?

Answer: No.

For the same reasons I just gave.

Question: If Bill C-38 is enacted, could religious groups or officials who refuse to solemnize a marriage become the subject of actions by others?

Answer: Yes. A putative same sex spouse who is refused a marriage licence or a place to hold a wedding—

And, I might add, a reception.

—would have a variety of options to assert his/her rights.

Question: Does Parliament have the power through Bill C-38 or otherwise to protect religious groups or officials from the actions referred to above?

Answer: No. The Parliament of Canada cannot protect religious groups or officials from the actions referred to above because the solemnization of marriage lies within the exclusive competence of the provinces.

The letter then goes on:

In the opinion of the undersigned,—

And, I will add, in my opinion as well:

—Lang Michener has correctly stated the law in Canada today. There is little doubt that, if passed, Bill C-38 will be used by provincial governments and others to override the rights of conscience and religion of ordinary Canadians.

It is already happening. We cannot pretend that it is not happening because there are already cases before human rights tribunals. It goes on:

Public officials will in all likelihood lose their employment simply because of their conscientious convictions.

It has happened.

Government Orders

It is our view that your constituents, including religious groups and the members of religious groups, will face expensive and ruinous lawsuits if Bill C-38 becomes law.

That is my view, too.

If members of Parliament believe in same sex marriage, vote for it, but do not vote for something because they think that section 3 is going to protect religious officials. That is bunk. There are none so blind as those who refuse to see.

● (1310)

Mr. Rob Moore (Fundy Royal, CPC): Madam Speaker, it is a privilege to rise today and speak on behalf of my constituents of Fundy Royal and speak to this very important issue.

I have listened with interest to members' speeches on both sides of this issue over the course of the debate on Bill C-38. One thing that has become increasingly clear is that we would not even be having this debate if the majority of those on the other side had kept their word to Canadians, the word that they gave just a few years ago to take all steps necessary to preserve the traditional definition of marriage in Canada.

I believe that oftentimes we have a short memory. I know I do sometimes, but when they are matters of great importance, it is constructive to remind Canadians what their elected representatives have said, what they have done, and how they have voted. We elect members of Parliament based on what they have said and what they have done in the past, and we would be remiss to forget what they have done when we head into debate on this issue.

We know that a few years ago the majority on that side, the current Prime Minister, the current Deputy Prime Minister, many cabinet ministers and the list goes on, because of the importance of marriage in all societies, in all religions, across the country, and across the globe, voted and told Canadians they would take all necessary steps to preserve the traditional definition of marriage. What we have seen now, as is so often the case, is a promise made and a promise broken. It is a shame that Canadians have been led down this path because Canadians of good will voted for their members based on those statements that were made.

One thing has become increasingly clear. Canadians are divided on this issue. The last speaker went through the scenario of religious freedom and we have heard from respected constitutional experts that religious freedom can be under attack when we change the definition of marriage. We have seen it already. Bishop Fred Henry in Calgary has already been brought before a Human Rights Commission. He has had two complaints lodged against him for speaking out on an issue that is so important to his faith, the issue of marriage. That is just the beginning. The ink has not even dried on this particular bill and we have seen attacks on freedom of religion.

One thing that has become increasingly clear, when we look at Canada in the world context, is that the Liberals have taken an intolerant and divisive approach to an issue that Canadians feel very strongly about. As we have seen with this recent sponsorship scandal, the hardline approach taken by the Liberals, rather than unite Canadians, has divided Canadians.

It is the job of members of Parliament in a country such as ours, when we are debating these issues, to take an approach that can unite

Canadians, an approach that can bring Canadians together in an inclusive manner. As parliamentarians we should be looking for win-win solutions to issues facing Canadians rather than focusing on an approach that splits Canadians. If we look at the polls, and I know those on the other side do, Canadians overwhelmingly support the current definition of marriage.

Canadians are telling us increasingly and overwhelmingly that they support equal rights, benefits and obligations under the law for all Canadians. That is clear. We are a fair people. We support equality for all Canadians. They also tell us that they support marriage continuing to mean the union of one man and one woman, as it does incidentally on the rest of planet Earth. This is why I believe that Canadians overwhelmingly support the approach taken by my leader to continue to recognize the traditional definition of marriage as the union of one man and one woman to the exclusion of all others.

● (1315)

His proposal also provides that those in same sex relationships would have equal rights benefits and obligations under federal law. This is an approach that is fair. It is a Canadian approach to this issue.

We believe this approach will meet the needs of Canadians who believe that marriage is and should remain an institution. Justice La Forest, a Supreme Court of Canada justice, in the Egan decision said that it is a heterosexual institution. This also satisfies those who seek recognition and equality under the federal law of Canada.

This approach is not only consistent with the beliefs of the vast majority of Canadians, it is also instructive to learn, as we research this, it is consistent, as we heard in the recent opinion, with the Canadian Charter of Rights and Freedoms. It is certainly consistent with the emerging practice of countries across the globe. In the entire industrialized world, this is the approach that modern countries are taking.

Around the world there are only two countries that have legislated same sex marriage. They are Belgium and the Netherlands. Those are the only two. By far, the vast majority of jurisdictions have gone the route that Canadians prefer, endorse and are calling on members of Parliament to take, and that is recognizing civil unions and domestic partnerships, benefits and obligations but not abolishing in law what the word "marriage" means.

Countries such as France, Denmark, Norway, Sweden, Iceland, Finland, Germany, Portugal and New Zealand have all maintained the traditional definition of marriage. Recently, Australia also specifically acted to preserve the traditional definition of marriage.

As well, it is important to know that no national or international court, including for that matter our own Supreme Court of Canada, has ruled that changing the definition of marriage is required to accommodate equality rights. As we know, the only thing our Supreme Court of Canada, the highest court in the land, ruled was unconstitutional in Bill C-38 was for the Liberals to state that they could protect religious freedoms. That in fact is what is unconstitutional. That is the great irony.

Government Orders

The court did not say the traditional definition of marriage was unconstitutional. It did not say the federal government had to change the definition of marriage. It said that if that definition is changed, it is beyond the jurisdiction of the House to protect religious freedoms. We have seen that already. We have seen those freedoms encroached by this win-lose approach that the Liberals have taken, rather than a win-win solution favoured by Canadians.

It strikes me as being a perfectly reasonable compromise for Canadian society to accept exactly the same position as the countries I just enumerated. This will satisfy the vast majority of Canadians who are seeking common ground on this issue and a Canadian solution. I do not believe that most Canadians are looking to be more radical than some of the most left leaning governments in the world. They are looking for a reasonable, moderate compromise that respects the rights of those who are in a same sex relationship while preserving the time honoured institution of marriage that is so fundamental to our society and all societies in the world.

This approach is the Canadian way. It is the only option being offered as an alternative and it is being offered by my party. The polls tell us that if the government squarely and honestly put the option forward of preserving marriage while recognizing the rights of those in other relationships, this is the option that Canadians would overwhelmingly choose.

Marriage and the family based on marriage are the basic institutions of society. We should not change these kinds of foundational institutions lightly or easily and I do not believe the government has demonstrated that there is any compelling reason to alter this central, social institution.

• (1320)

A few years ago the Deputy Prime Minister spoke to this. Canadians relied on what she said to support that side. She said:

We on this side agree that the institution of marriage is...central and important... [and it] has been consistently applied in Canada....

What the minister said next is important:

Let me state again for the record that the government has no intention of changing the definition of marriage....

Those are the words of the Deputy Prime Minister, who was speaking for the government. Canadians made the mistake of trusting the Liberals once. I hope they will not do it again.

Mr. Garry Breitkreuz (Yorkton—Melville, CPC): Madam Speaker, I would like to make an observation before I begin my remarks. The Prime Minister claimed this past week that his priority was to pass the budget, but here we are on Monday debating the marriage bill. Why are Liberals so intent on ramming this bill through Parliament? Why is this their number one priority?

Let me proceed to my remarks. The debate around Bill C-38 often reverts back to the rights of Canadians. Proponents of the bill say that partners of the same sex have the right to marry. What seems to be forgotten, however, are the rights of children, who are just as Canadian as we all are. Their well-being seems to have been forgotten.

Concern for our children should be the very foundation of this debate. Critics say that we should not link children to marriage, but we know that marriage is the basis for a strong healthy family. Many

Canadians are referring to Bill C-38 not as the “same sex marriage” bill but instead as the “traditional family” bill. This bill is threatening the very premise of traditional families, of which a mother and a father are at the core. Time and time again, studies have confirmed that our children benefit most when they are raised in a home with both a mother and a father. That fact cannot be lost in this debate.

We are being asked to support the introduction of a law that is against the sanctified ceremony which ultimately tends to the furtherance of life. I, for one, remain strongly opposed to such a law. I was opposed to any change to the definition of marriage when it came before the House in 1999 and my stand is unwavering. I will defend marriage in its true form as the union between one man and one woman to the exclusion of all others.

Transmission of human life has been the focus of much of our societal values. Also, kids want to know who their biological parents are. For example, children in Australia are now arguing that they have the right to know the identity of their parents and to be raised by them if possible.

We are already seeing a deconstruction of the societal institution of marriage. Many youth think marriage is just love and commitment. Bill C-38 is only adding to that thought process. In the Netherlands, for example, expanding the definition of marriage has not encouraged more to marry. It has instead had the opposite effect. In the last three years it has become evident that the change in definition is in fact destroying the stability of marriage and is affecting children. What will the passing of a similar bill in Canada do to the generation ahead of us?

Protection of society should be foremost. Courts are becoming not a shield but rather a sword for this societal liberalism. Liberals talk about purging Canada of these toxic elements. We are now seeing people come before tribunals to have their views examined. This is the new inquisition. We are abandoning traditional liberalism.

That brings us to the battle cry of the Liberals during this debate: that those opposed to same sex marriage are “un-Canadian”. How much more derogatory could they get? What the Liberals are saying to us is that if we do not agree with their bill we are un-Canadian. They say we are un-Canadian because we wish to uphold the traditional definition of marriage, un-Canadian because we wish to see the very unique and religious union of marriage upheld and un-Canadian because we understand the ramifications attached to the passing of Bill C-38.

Information provided by the Evangelical Fellowship of Canada defines those ramifications. Its document states:

Are people of faith un-Canadian? Polls have consistently shown that Canadians are deeply divided on the issue of same-sex marriage, yet the government contends that those who oppose the redefinition of marriage are 'un-Canadian'. Christians who cannot accept same-sex unions as 'marriage' will be forced into the closets recently vacated by gays and lesbians. The people whose values Canada was founded on will be pushed to the margins of society.

If not marriage, what language can we use to promote our beliefs, traditions and religious understanding of the nature of marriage without being silenced by accusations of intolerance? What language can we use to promote the enduring and exclusive sexual bonding of males and females, and the importance of this relationship to the raising of children?

Government Orders

The government is not required to change the definition of marriage. I urge all members to remember that. The Supreme Court of Canada did not rule that the charter requires the definition of marriage to be redefined.

• (1325)

Marriage under its current definition has withstood the test of time. Generations of heterosexual Canadians have had the privilege to be united in marriage, having met restrictions as set out in our laws, those restrictions being: first, it is between a man and a woman; second, it is restricted to those of a certain age; third, it is limited to two people; fourth, blood relatives are restricted from marrying; and fifth, both parties must be in agreement to the marriage; marriage cannot be by force.

These restrictions were put in place to protect Canadians and our society. Having restrictions does not equal a violation of human rights. The current definition of marriage is not a violation of human rights.

I have received hundreds of letters from my constituents in the riding of Yorkton—Melville and from other Canadians adamantly opposed to Bill C-38. For these people, marriage under its current definition is as true as the sky is blue. These letters come from all sorts of Canadians, including newlyweds and those who have been married for decades. They value the meaning of their vows and the recognition of marriage in the eyes of our land and of God. They cannot fathom how a government would take something so sacred and throw it by the wayside.

Among the letters I received was one from Regina. The author wrote that if Bill C-38 should pass she would consider her 35 year marriage annulled. She is certainly not alone in her thoughts.

This is not an issue that needs to be pushed down the throats of Canadians because a single government says so. In fact, just five short years ago, members of the Liberal government declared that the definition of marriage should not be changed. The then minister of justice stated:

Let me state again for the record that the government has no intention of changing the definition of marriage or of legislating same sex marriages...I fundamentally do not believe that it is necessary to change the definition of marriage in order to accommodate the equality issues around same sex partners which now face us as Canadians.

Here is another quote from that same minister of justice in 2000:

We recognize that marriage is a fundamental value and important to Canadians. That value and importance is in no way undermined by recognizing in law other forms of committed relationships.

What has changed since the Liberals assured and then reassured Canadians that they would uphold the traditional definition of marriage? Is this Liberal government under the impression that marriage is no longer a fundamental value and is now unimportant to Canadians? If that is what the Liberals believe, I am more than willing to share hundreds of letters that state otherwise. In fact, I encourage members on the government side to read these letters, because I do not think they comprehend the importance of marriage to Canadians. I urge the government to take this a step further and allow Canadians to speak for themselves instead of assuming it knows what Canadians think. Let us get out there and find out.

As elected representatives of Canadians, we should be representing the interests of Canadians. Bill C-38 is being rammed through so quickly that I believe many members have not had time to truly understand this issue and therefore represent Canadians properly in Parliament.

If we pass same sex marriage legislation we are telling the rest of the world that it is violating human rights, yet attempts to pursue same sex marriage as an international human rights issue have failed. In 1998 the European court of justice held that “stable relationships between two persons of the same sex were not regarded as equivalent to marriages...”.

In 1996 the New Zealand court of appeal rejected the recognition of same sex marriages despite the fact that New Zealand's bill of rights explicitly listed sexual orientation as a prohibited grounds of discrimination. When the New Zealand decision was challenged before the United Nations Human Rights Commission as a violation of the international covenant on civil and political rights, the UNHRC ruled in 2002 that there was no case for discrimination simply on the basis of refusing to marry homosexual couples.

To this date, no international human rights body and no national supreme court has ever found that there is a human right to same sex marriage. What is more, by passing Bill C-38 in Canada, we are taking away the religious rights and freedoms of Canadians. How un-Canadian is that?

In provinces that are allowing same sex couples to marry, mayors and marriage commissioners are obligated to perform official ceremonies or resign. There is no freedom there. In British Columbia there is already a human rights complaint against a Knights of Columbus hall because the members would not rent the facility to a lesbian couple for a wedding ceremony. There is no religious freedom there either.

Sweden and Canada are already creating a chill on expression of concern over same sex marriage. How can we criticize China for imprisoning those who practise their religion when we cannot offer protection of religious beliefs in Canada?

• (1330)

Finally, the underlying truth of Bill C-38 is that it is threatening Canadian families. While that may not be the original intent, that is what is happening. Marriage is the foundation of family, it is child focused and it has served Canadians since Confederation. Bill C-38 does nothing more than minimize marriage to committed adult relationships. Marriage will no longer be about having and raising children, and lost from Canadian law will be the words “husband” and “wife”.

The Liberals are asking us to alter the future of Canadian families. I simply cannot support such a detrimental request.

Mr. Peter MacKay (Central Nova, CPC): Madam Speaker, I congratulate my colleague and all members on their remarks, for I think the tone of this debate has been one of respect and tolerance, which is extremely important. This is a debate that has generated and continues to generate deeply held feelings on both sides of the issue. It is a debate that needs to be approached first and foremost with that tolerance and respect I spoke of, for there is an incredible diversity of opinion on the matter.

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I want to begin my remarks by stating categorically that I am not in favour of changing the definition of marriage. I have been clear and consistent in my statements in the past, and the record will reflect that position. I believe that marriage should remain the union of one man and one woman to the exclusion of all others, and that word should reflect that definition. Marriage is of course and never has been exclusively a form of relationship, or the critical ingredient, I should say, in describing what is a family relationship. Yet I also note that this is my view and it is a view that is not held by all people close to me. Colleagues, friends and loved ones may disagree, yet this debate has been reasoned and, I would suggest, at times dispassionate and on point.

In my view, we in the Conservative Party have done an admirable job in keeping that approach. We will be the only national party having a free vote. I celebrate the fact that our party has been so inclusive, tolerant and respectful. I believe that this is a symbol of professionalism, diversity, discipline and maturity within our caucus.

The key word in this debate, as I have said, is tolerance. While we accept that many may disagree when it comes to the definition of marriage, we must also be cognizant of the fact that we are talking about the lives of families, friends, neighbours and people in our communities. We must express respect for everyone's perspective even if that is a differently held view and one that we may adamantly oppose. Relationships are personal, complex and sacred and the basis upon which we interact. Naturally there will be diversity of opinion on the subject.

I can see both sides of the debate, one side that is based on equality in particular, with legal rights, privileges, responsibilities, benefits and obligations. We believe that they must be extended to all couples. Same sex couples of course must be included. On the other side, there is a deeply held belief that marriage is a fundamental social institution, not only recognized by law but sanctified by religious faith, and that any compromise in allowing same sex couples equal rights and benefits is in some way taking from that. I do not accept that argument, but I do certainly acknowledge that some feel that way.

I also very strongly believe that the real issue, and the issue that I believe we should focus on, is one of practical and meaningful equality under the law, not the semantics or the rhetoric or the inflammatory accusations that come to pass, but treating people the same under the law, with rights, responsibilities, privileges and protection, a level playing field under the law. I believe that most Canadians are looking for that position. They looking for a compromise and looking to Parliament to reflect that in its view.

This is not the first time that we have had this debate in the House of Commons. In fact, I remind members of a supply day motion brought forward by the official opposition on Tuesday, June 8, 1999. That motion read:

That, in the opinion of this House, it is necessary, in light of public debate around recent court decisions, to state that marriage is and should remain the union of one man and one woman to the exclusion of all others, and that Parliament will take all necessary steps to preserve this definition of marriage in Canada.

I would also simply like to reflect some of the comments made by a previous speaker at that time and in that debate, a current member

of the House. I believe they are relevant today, just as they were some few years ago. The comments are as follows:

We on this side [of the House] agree that the institution of marriage is a central and important institution in the lives of many Canadians. It plays an important part in all societies worldwide, second only to the fundamental importance of family to all of us.

The institution of marriage is of great importance to large numbers of Canadians, and the definition of marriage as found in the hon. member's motion is clear in law.

As stated in the motion, the definition of marriage is already clear in law. It is not found in a statute, but then not all law exists in statutes, and the law is no less binding and no less the law because it is found in the common law instead of in a statute.

● (1335)

The definition of marriage, which has been consistently applied in Canada, comes from an 1866 British case which holds that marriage is "the union of one man and one woman to the exclusion of all others". That case and that definition are considered clear law by ordinary Canadians, by academics and by the courts. The courts have upheld the constitutionality of that definition.

The Ontario court, general division, recently upheld in *Layland and Beaulne* the definition of marriage. In that decision a majority of the court stated the following:

—unions of persons of the same sex are not "marriages", because of the definition of marriage. The applicants are, in effect, seeking to use section 15 of the Charter to bring about a change in the definition of marriage. I do not think the Charter has that effect.

One may then ask why are we here today and why are we using the already limited time of the House to debate a motion, on which, I suspect, there will be no fundamental disagreement inside or outside the House.

I am aware, as are other ministers, that recent court decisions and resulting media coverage have raised concern around the issue of same sex partners. It appears that the hon. member believes that the motion is both necessary and effective as a means to keep the Government of Canada from suddenly legislating the legalization of same sex marriages. That kind of misunderstanding of the intention of the government should be corrected.

Let me state again for the record that the government has no intention of changing the definition of marriage or of legislating same sex marriages. No jurisdiction worldwide defines a legal marriage as existing between same sex partners. Even those few European countries such as Denmark, Norway and Holland, which have recently passed legislation giving recognition to same sex relationships and extending some of the same benefits and responsibilities as available to married spouses, maintain a clear distinction in the law between marriage and same sex registered partnerships.

Norway's ministry published a statement in 1994 that makes this distinction clear. Although a same sex relationship may have many of the same needs, the Norwegian government clarified that it, the same sex partnership, can —never be the same as marriage, neither socially nor from a religious point of view. (Registered partnership) does not replace or compete with heterosexual marriage—and the opportunity for homosexuals to register their partnerships will not lead to more people opting for homosexual relationships rather than marriage.

I fundamentally do not believe that it is necessary to change the definition of marriage in order to accommodate the equality issues around same sex partners which now face us as Canadians. The courts have ruled that some recognition must be given to the realities of unmarried cohabitation in terms of both opposite sex and same sex partners.

I strongly believe that the message to the government and to all Canadian governments from the Canadian public is a message of tolerance, fairness and respect for others.

For those who remain concerned, I would point out that recent surveys of young people indicate that marriage has not gone out of style in Canada. The majority of young people still expect to marry. The marriage rate is still similar to that of the 1920s, although a rising number are re-marriages, and that Canadian marriages still on average last longer than those in the United States.

The motion speaks of taking all necessary steps to preserve the definition of marriage in Canada. While I and the government support the motion, I feel strongly that marriage is already very clear in Canadian minds and in Canadian law, and that there is little that the House must do as a necessary step to in any way add to the clarity of the law.

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Marriage has fundamental value and importance to Canadians and we do not believe on this side of the House that importance and value is in any way threatened or undermined by others seeking to have their long term relationships recognized. I support the motion for maintaining the clear legal definition of marriage in Canada as the union of one man and one woman to the exclusion of all others.

As I noted, this particular speech given on Tuesday, June 8, 1999, was given to the House by a person none other than the Deputy Prime Minister of Canada, the hon. member for Edmonton Centre.

I want to note that in my constituency of Central Nova there are many who have strong and reasoned attachment to the institution of marriage. Communities like Antigonish, Pictou, Sheet Harbour and throughout the region and province feel very strongly and have expressed that to me. I must admit that I have received on occasion another opinion. I would state that up until now the courts have been interpreting a common law definition of marriage, not a definition based on statutes reflecting the democratic will of Parliament.

Once again, the question of parliamentary supremacy comes to the forefront. This dry and sanitized forum does not always reflect the true feelings of a nation. No public opinion poll or press release can capture those deeply held sentiments.

The Supreme Court refused to answer directly the constitutionality of the common law definition as posed by the Prime Minister in question four. That has been left for Parliament, and by extension the people of Canada, to decide.

• (1340)

Recently Canadians have become concerned about the appearance that courts encroach on the supremacy of Parliament and read into the law.

It is our belief that if Parliament brings forth a statute defining marriage as the union of one man and one woman to the exclusion of others, which extends equal rights and benefits to couples living in other forms of union and which also protects the freedom of religion, that the Supreme Court would honour and respect Parliament's determination.

In conclusion, I am sure that those rights will be challenged, as they always are before our courts, but I take comfort knowing that there has been a general tone of respect from all parliamentarians and I am at ease with my decision. Parliament is a better place when we conduct ourselves in that vein.

• (1345)

Mr. Jeremy Harrison (Desnethé—Missinippi—Churchill River, CPC): Madam Speaker, it is an honour to rise today on behalf of my constituents of Desnethé—Missinippi—Churchill River to speak to Bill C-38, the same sex marriage bill, the very subject upon which I wrote my thesis in law school.

I, like most of my colleagues on this side of the House, the vast majority of my constituents in northern Saskatchewan and many on the other side as well, believe in the traditional definition of marriage as the union of one man and one woman to the exclusion of all others.

However in the course of this debate those of us who support marriage have been told that to amend the bill to reflect a traditional definition of marriage would be a violation of human rights and an

unconstitutional violation of the Canadian Charter of Rights and Freedoms.

I believe this is an attempt by the government to shift the grounds of the debate. The Liberals do not want to debate the question of traditional marriage versus same sex marriage, so they would rather focus on attacking their opponents as opposing human rights and the charter.

However this debate is not about human rights. It is a political social policy decision and should be treated in that light. Let me present several reasons why the issue of same sex marriage is not a human rights issue and why defining the traditional definition of marriage would not violate the charter or require the use of the notwithstanding clause.

First, no internationally recognized human rights document has ever suggested that there is a right to same sex marriage. For example, in the Universal Declaration of Human Rights, the foundational United Nations human rights charter, almost all of the rights listed are worded as purely individual rights, rights which everyone shall have or no one shall be denied, but when it comes to marriage the declaration says:

Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family.

The use of the term "men and women" here rather than "everyone" suggests that only traditional opposite sex marriage is contemplated. The subsequent International Covenant on Civil and Political Rights contains similar language.

Attempts to pursue same sex marriage as an international human rights issue have failed. In 1998 the European Court of Justice held that "Stable relationships between two persons of the same sex are not regarded as equivalent to marriages".

In 1996 the New Zealand Court of Appeal rejected the recognition of same sex marriages, despite the fact that New Zealand's bill of rights explicitly listed sexual orientation as prohibited grounds of discrimination. When the New Zealand decision was challenged before the United Nations Human Rights Commission as a violation of the International Covenant on Civil and Political Rights, the UNHRC ruled in 2002 that there was no case for discrimination simply on the basis of refusing to marry homosexual couples.

In fact, to this date, no international human rights body and no national supreme court has ever found that there is a human right to same sex marriage. The only courts that have found in favour of a right to same sex marriage are provincial or state level courts in Canada and the United States.

If same sex marriage is not a basic human right in the sense of internationally recognized human rights law, is it a violation of Canadian charter rights? While several provincial courts of appeal have said that it is, we still have not heard from the highest court in the land.

In the same sex reference case, the Supreme Court declined to rule on the constitutionality of a traditional definition of marriage, despite a clear request from the government to answer this question.

Government Orders

Furthermore, all of the lower court decisions in favour of same sex marriage were dealing with common law, judge made law from over a century ago, not a recent statute passed by a democratically elected legislature. It is quite possible that those lower courts may have found differently if there was a marriage act passed by Parliament defining marriage as the union of a man and a woman.

The whole discussion of the notwithstanding clause is an irrelevant distraction to this debate. There is simply no reason to use or discuss the use of the notwithstanding clause in the absence of a Supreme Court decision which indicates that the traditional definition of marriage is unconstitutional, and the Supreme Court has not done so.

The Supreme Court has also said in various cases that statute law requires greater deference than common law. Should legislation upholding the traditional definition of marriage be passed, a good argument can be made that the Supreme Court would give it considerable deference.

There are several examples of Parliament having passed statutes without using the notwithstanding clause that effectively reversed judicial decisions, including Supreme Court decisions, under common law. The courts have accepted these exercises of parliamentary sovereignty.

In 1995 Parliament passed Bill C-72 reversing the Supreme Court's decision in *Daviault*, which allowed extreme intoxication as a criminal defence.

• (1350)

When this new law was challenged in the subsequent *Mills* case, the Supreme Court wisely ruled, in a decision by Justices McLachlin and Iacobucci:

It does not follow from the fact that a law passed by Parliament differs from a regime envisaged by the Court in the absence of a statutory scheme, that Parliament's law is unconstitutional. Parliament may build on the Court's decision, and develop a different scheme as long as it remains constitutional. Just as Parliament must respect the Court's rulings, so the Court must respect Parliament's determination that the judicial scheme can be improved. To insist on slavish conformity would belie the mutual respect that underpins the relationship between the courts and legislature that is so essential to our constitutional democracy....

There is good reason to believe that the Supreme Court, if it were eventually asked to rule on a new statutory definition of marriage combined with a full and equal recognition of legal rights and benefits for same sex couples, might well accept it.

The Conservative position that the use of the notwithstanding clause is not required to legislate a traditional definition of marriage is supported by law professor Alan Brudner of the University of Toronto, who recently wrote in the *Globe and Mail*:

—the judicially declared unconstitutionality of the common law definition of marriage does not entail the unconstitutionality of parliamentary legislation affirming the same definition.

Citing the case of *Regina v. Swain*, where the Supreme Court ruled that it did not have to subject a charter decision on common law to the same “reasonable limits” test as it would for a statute, Professor Brudner writes:

For all we know, therefore, courts may uphold opposition sex marriage as a reasonable limit on the right against discrimination when the restriction comes from a democratic body.

Professor Brudner argues against those who have argued that a pre-emptive use of the notwithstanding clause is the only way to uphold the traditional definition of marriage. He stated that:

These arguments misconceive the role of a notwithstanding clause in a constitutional democracy. Certainly, that role cannot be to protect laws suspected of being unconstitutional against judicial scrutiny....Rather, the legitimate role of a notwithstanding clause in a constitutional state is to provide a democratic veto over a judicial declaration of invalidity, where the court's reasoning discloses a failure to defer to the parliamentary body on a question of political discretion...the notwithstanding clause should be invoked by Parliament only after the Supreme Court has ruled on the constitutionality of a law.

As yet there has been no such law for the Supreme Court to consider, so there is no need to use the notwithstanding clause.

There is every reason to believe that if the House moved to bring in a reasonable, democratic, compromise solution, one which defined in statute that marriage remains the union of one man and one woman to the exclusion of all others, which extended equal rights and benefits to couples living in other forms of unions and which fully protected freedom of religion to the extent possible under federal law, the Supreme Court of Canada would honour such a decision of Parliament.

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Madam Speaker, I am honoured to again join the debate on Bill C-38 on behalf of the residents of Niagara West—Glanbrook. As I have noted previously, the constituents of my riding have made it abundantly clear that they are against the radical change in the definition of marriage which the Prime Minister wants to leave behind as his legacy.

Briefly, I want to remind the members of Parliament, particularly those who feel forced to support Bill C-38 or lose their cabinet posts, how strongly Canadians feel about this issue.

When was the last time, if ever, their constituency or Ottawa offices received feedback from more than 10,000 people on a single issue? That has been the case in Niagara West—Glanbrook, with almost 90% supporting the position that the definition of marriage must be maintained as being exclusively between one man and one woman. If we think that this debate is only for adults and that kids are not engaged, let me tell members about one of my young constituents, a high school student named Nalini Ramaden, who was so concerned that she had petitions filled out and dropped off at my office.

I have been accused by some of being biased in favour of protecting the traditional definition of marriage. Yes, I am. I have always been upfront and transparent about my views. During the election I told voters that my intention was to maintain the institution of marriage as we know it and I asked for their support. They gave me their support and they recently reiterated their objection to Bill C-38 by contacting my office in massive numbers. I am listening to my constituents and I am acting on their directions by voting against the bill. I again ask the members of cabinet this. Are they doing the same for their constituents or are their first loyalties to the Prime Minister's Office?

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I want to dispel the nonsense argument that maintaining the traditional definition of marriage is somehow discriminatory or infringes on human rights. Only two countries in the world have legislated same sex marriage at the national level: Belgium and the Netherlands. Even in these countries there are still some legal differences that make distinctions between opposite sex marriages and same sex unions. The vast majority of the jurisdictions have gone the route of recognizing civil unions or domestic partnerships or similar sounding designations.

We in the Conservative Party are proposing a similar moderate compromise position that would put Canada in the company of some of the most liberal and progressive countries in the western world. We are proposing to preserve marriage while at the same time the rights of same sex couples can be recognized through a civil union or other means. Countries which have brought in laws similar to these are France, Denmark, Norway, Sweden, Iceland, Finland, Germany, Portugal and New Zealand. It seems that Canada's Liberal government stands alone in wanting to abolish the opposite sex nature of marriage.

The Conservative Party's position does not violate human rights as the Prime Minister alleges. Nor is it in any way un-Canadian, as he tries to portray. The only un-Canadian and anti-democratic position on this issue is the position of the Liberal government. By insisting upon an unnecessary and radical approach and ignoring or belittling the views of Canadians on this issue, the government is demonstrating an arrogance that is simply unprecedented, even for Liberals.

The Prime Minister and cabinet are aware of the hypocrisy and the argument that the Conservative position of preserving marriage goes against the Charter of Rights. I remind everybody that on April 12, 34 members of the Liberal caucus voted in favour of the Conservative amendment. If the Prime Minister truly believes that our position of respecting the will of the majority goes against Canadian values, I have to wonder why he has not kicked those 34 MPs out of his caucus. I know the answer. Deep down the Prime Minister knows Bill C-38 really does not reflect Canadian values. It reflects his reluctance to acknowledge that he is out of touch with Canadians.

The Liberals did not campaign on the theme of changing the meaning of marriage. In fact, most Liberal candidates did all they could to avoid even talking about this issue. If the Prime Minister is so convinced of his moral authority to govern and to make such a fundamental change to the enduring and timeless institution of marriage, I would be most entertained to hear further strained arguments attempting to justify his lack of consultation with Canadians

• (1355)

What is the rush to pass this legislation? There are no legal requirements or looming deadlines that must be met. Again, if cabinet is so certain the bill is the right measure, then let us welcome some real public involvement. Canadians have a strong set of principles. The government should trust the public to make the right decision. Leave the legislation alone until Canadians can cast a vote for various candidates of parties based on their position whenever the next election is held.

Perhaps that is where the problem lays. The government does not respect Canadians enough to listen to them. It does not respect how tax dollars are spent. It does not want to hear what people have to say about the government's lack of management and misplaced priorities.

As an example of how much cabinet cares about listening to their constituents, I have had about a dozen constituents from the neighbouring riding of Hamilton East—Stoney Creek call my office to complain that the Liberal MP will not respond to their calls or letters regarding Bill C-38.

I know that cabinet duties can obviously take considerable time, but there is an equally and, in fact, more important duty of all MPs, whether in cabinet or not, to faithfully represent voters in their ridings who have placed a trust in them.

Confidence and trust in politicians is so incredibly low these days. I recently received a letter from a constituent who only half-jokingly suggested, "We need the police force to protect our Canadians from politicians". It is truly sad—

The Acting Speaker (Hon. Jean Augustine): I am sorry to interrupt the member. He will have four minutes at the resumption of the debate.

STATEMENTS BY MEMBERS

• (1400)

[*English*]

ESSAY CONTEST

Mr. Marc Godbout (Ottawa—Orléans, Lib.): Madam Speaker, I am pleased to announce that A&E network recently awarded \$2,500 to Ms. Leah Mooney, an 18-year-old grade 12 student from Orléans.

Ms. Mooney's essay, which was chosen first from more than 1,800 submissions, won because it was "the most persuasive, creative and relevant essay on the individual who made the biggest impact on Canadian society in 2004". For her, this person had to be Captain Americo Rodriguez, the doctor who brought 10-year-old Afghani Djamshid Popal to Canada for a life-saving heart operation.

Leah's school, Colonel By Secondary School, will also benefit. Its English department will receive a \$1,000 prize along with a television, a DVD player and a collection of A&E DVDs. On behalf of the Ottawa—Orléans community, congratulations Leah.

* * *

INFRASTRUCTURE

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Madam Speaker, three months ago concerned citizens sent the Minister of Transport a portfolio with over 60 photographs documenting the deterioration of the 140-year-old stone and concrete CN railway bridge in downtown Napanee. Also included were resolutions of the town and county councils requesting that the minister dispatch someone to take note of the structural deficiencies of the bridge. So far, the minister has failed to even acknowledge receipt of the portfolio.

The condition of the bridge is a serious matter. The bridge crosses a busy street and is located beside a public park. Chunks of stone and concrete have been falling from the parapet of the bridge and from its support piers. I took several of these home and weighed them. The heaviest is over seven pounds and would have killed or injured any person unfortunate enough to be sitting or standing underneath when it broke loose.

Railways and therefore railway bridges fall under federal jurisdiction. The minister therefore has no excuse to ignore the potentially dangerous state of this bridge. I encourage him to turn his attention to this matter as soon as possible.

* * *

ALS SOCIETY OF CANADA

Hon. Bryon Wilfert (Richmond Hill, Lib.): Madam Speaker, I rise today to acknowledge the tremendous work of the ALS Society of Canada. The ALS Society of Canada, founded in 1977, is the only national voluntary health organization dedicated solely to the fight against ALS, amyotrophic lateral sclerosis, also known as Lou Gehrig's disease.

The ALS Society is the leading not for profit health organization working nationwide to fund ALS research and work to improve the quality of life for Canadians affected by this disease.

Imagine not being able to walk, write, smile, talk, eat and sometimes breathe on one's own and yet the mind usually remains intact with senses unaffected. This is what having ALS is like for 3,000 Canadians who live with this disease. Two to three Canadians a day die of ALS. There is no treatment for ALS and no known cure, yet. Ninety per cent of Canadians diagnosed with ALS die within two to five years.

Volunteers and staff of the ALS Society participate in annual fundraising events, including Walk for ALS, Hike for ALS and the Concert of Hope, to create public awareness about the disease and raise funds to find a cure.

I urge all Canadians to donate to their local chapters of ALS so that the dream of finding a cure can become a reality.

* * *

[Translation]

MARGARET HASSAN

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): Madam Speaker, Margaret Hassan, the tireless humanitarian worker in Saddam Hussein's Iraq and director of Care International in that country for 12 years, was kidnapped on October 19 in Baghdad, and presumably killed in cold blood about one month after her abduction.

Her abductors, who were arrested on the weekend, admitted to being involved in the kidnapping and killing of the 59 year old British national, who had married an Iraqi and spent over 25 years alleviating the suffering of the Iraqi people, both during Saddam Hussein's reign and after.

The Bloc Québécois adds its voice to that of the numerous Iraqis who expressed horror and sadness in the face of such a senseless murder. We condemn terrorism, which is even more despicable when

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it targets a person like Margaret Hassan, who was working to ensure that justice be done to the Iraqi people.

The Bloc Québécois pays tribute to the courage and perseverance of this woman, and of those women and men who are continuing her work. Our thoughts are with the spouse and family of Margaret Hassan.

* * *

[English]

EARLY LEARNING AND CHILD CARE

Ms. Anita Neville (Winnipeg South Centre, Lib.): Madam Speaker, Friday was indeed a historic day in Canada. The Prime Minister and the Minister of Social Development signed bilateral agreements on early learning and child care with the provinces of Manitoba and Saskatchewan.

The government has been committed to developing early learning and child care across Canada from the outset. On Friday, Canadians witnessed delivery on this promise. The government knows how important it is that our nation's children have the best possible start in life. Putting these early learning and child care agreements in principle in place with the provinces and territories will ensure our children have access to quality child care that prepares them to enter school healthy, happy and ready to learn.

I was present at the signing ceremony in Manitoba, where those assembled spontaneously began singing our national anthem as the agreement was signed. What a proud moment for all of us there and for all of Canada.

The Prime Minister and the hon. minister are to be congratulated for their vision for Canada's future and for this momentous achievement.

* * *

● (1405)

ACCESS TO INFORMATION ACT

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, CPC): Madam Speaker, if the justice minister's recent Access to Information Act discussion paper was the government's best pre-election effort, then the Prime Minister's Liberals have blown any credibility they may have had in transparency on this file.

The justice minister's access to information discussion paper is heavily slanted on the secrecy side. It was done without any public input but had plenty of special interest inside help. Not one of the numerous existing exemptions and exclusions in the access act are proposed to be dropped. The access act would be left with a general clause for continually adding statutory confidential provisions from other acts that would override it. In addition, dozens of other new secrecy rules are suggested.

Why are the Liberals giving an immense boost to the existing culture of secrecy which is so prevalent in Ottawa already? What have the Liberals got to hide?

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AWARD FOR BRAVERY

Hon. Roy Cullen (Etobicoke North, Lib.): Madam Speaker, I rise today to pay respect to a young hero from my riding of Etobicoke North.

On December 15, 2003 six-year-old Pierce Dundys was tobogganing with his grandfather, Peter Wood, in a local park when Mr. Wood was injured in a fall. As they were in an isolated area, Mr. Wood was forced to send young Pierce for help. This was made more serious because of deteriorating weather conditions.

As a direct result of Pierce's actions, Mr. Wood was rescued and has made a complete recovery. Pierce's remarkable demonstration of bravery has been recognized by local media.

On Sunday, May 15 Pierce Dundys will receive a citation from Toronto Police Services for his bravery.

I would also like to congratulate Pierce on receiving this citation from Toronto police, and commend him on his bravery. Good job, Pierce.

* * *

[*Translation*]

AGRICULTURE

Ms. Denise Poirier-Rivard (Châteauguay—Saint-Constant, BQ): Madam Speaker, on April 29, Quebec's dairy producers gave 25 kilos of milk powder to each Quebec federal member of Parliament to condemn the Liberal government's inaction regarding imports of modified milk products and butter oil.

The import of such products results in annual losses estimated at \$175 million for dairy producers in Canada, including \$70 million in Quebec alone. Moreover, these imports, which are highly subsidized by certain foreign governments, are contributing to the deterioration of the quality of Canadian and Quebec dairy products.

The Bloc Québécois strongly supports this action and urges the federal government to act quickly to stop the silent erosion of the supply management system, by imposing tariff quotas on imports of modified milk products and butter oil, under article XXVIII of the GATT.

* * *

[*English*]

LIBERATION OF THE NETHERLANDS

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): Madam Speaker, the largest official delegation of Canadian veterans ever, representatives of veterans organizations, youth, and War Amps Operation Legacy are in the Netherlands from May 1 to May 10 to participate in events commemorating the 60th anniversary of the liberation of the Netherlands.

Before leaving Canada, the delegation participated in a commemorative service at the National War Memorial to remember those who fought and died in the longest battle of the second world war, the Battle of the Atlantic.

In the Netherlands, Canadian veterans will once again have an opportunity to pay their respects to their fallen comrades, and at the same time renew a very special relationship with the Dutch people.

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● (1410)

ALS SOCIETY OF CANADA

Mr. John Duncan (Vancouver Island North, CPC): Madam Speaker, the ALS Society of Canada is the national voluntary health organization dedicated solely to the fight against amyotrophic lateral sclerosis, also known as Lou Gehrig's disease. The ALS Society works to fund ALS research and to improve the quality of life for affected Canadians.

Imagine not being able to walk, talk, write, smile, eat, or sometimes breathe on one's own, and yet the mind usually remains intact and senses remain unaffected. Three thousand Canadians live with the disease. Two to three Canadians a day die from ALS. There is no known treatment and no known cure, yet.

The ALS Society fundraises through events, including Walk for ALS, Hike for ALS and the Concert of Hope.

I urge Canadians to participate with their ALS Society to turn the dream of finding a cure into a reality.

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NATIONAL FOREST WEEK

Hon. Larry Bagnell (Yukon, Lib.): Madam Speaker, this week, May 1 to May 7, we are celebrating National Forest Week, a time to reflect on the vital role forests play in our daily lives. This year's slogan is "The Boreal Forest: A Global Legacy".

We depend on our forests for the economic, environmental and cultural benefits we enjoy from them. Our forests' health depends on us.

As a northerner representing the riding of Yukon, I am aware that the boreal forest is important to our local economy and Canada's national economy as a source of forest products. It also fulfills important environmental functions by acting as a filter for much of our water, a habitat for wildlife and plants, and a major buffer against greenhouse gases through its role in the carbon cycle.

The boreal forest is home to many communities in Canada, including the vast majority of our aboriginal communities.

This week we should take some time to think about the ways in which we as Canadians can protect our forests' health to ensure a lasting legacy for future generations.

JANET GREENE-POTOMSKI

Mr. Brian Masse (Windsor West, NDP): Madam Speaker, I rise today with great sadness in my heart. Last Tuesday, Janet Greene-Potomski, a dedicated and tireless advocate for underprivileged and disadvantaged women, died after a long battle with breast cancer.

Janet moved to Windsor from Dearborn, Michigan about 20 years ago to live with her husband. She immediately became involved with the Women's Incentive Centre which provides support, counselling and job training for women.

Janet worked to turn this centre into the important community asset it is today, where hundreds of women have been provided with job training to get and keep better jobs. Janet was the executive director of the WIC and worked for others even in her final hours.

To Stan and her son David, I thank them for sharing their wife and mother with our community. She will be missed, but her contributions and work in our community will remind us always of this dedicated, passionate and tireless advocate. Thanks, Janet, and God bless.

* * *

SIKH COMMUNITY

Mr. Gurmant Grewal (Newton—North Delta, CPC): Mr. Speaker, the mudslinging has begun as the Liberals try to change the channel on stories of their own corruption emerging from the Gomery commission.

The Liberal member for Brampton—Springdale joined the fray last week, falsely claiming that the leader of the Conservative Party had never attended Khalsa Day celebrations before and that it was the Liberal Party that had ensured that Sikhs in the RCMP were allowed to wear turbans.

The member should know that the leader of the official opposition attended the Khalsa Day celebrations in the rain last year, while the Prime Minister was nowhere to be seen.

This year the Ontario Sikh societies refused to invite the Prime Minister and his MPs who are against the traditional definition of marriage.

As for turbans in the RCMP, it was the previous Conservative government in 1990 that removed the ban. My party supported the recognition of the five Ks, the removal of the head tax and the recognition of international credentials. The Liberals defeated all of those motions and now are in damage control.

Canadians will not be fooled by the Liberal campaigns of misinformation.

The next time before speaking, the member for Brampton—Springdale should get her facts straight.

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[Translation]

CANADA LABOUR CODE

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, the Bloc Québécois has always defended the rights of workers. Among other things, it has repeatedly introduced a bill to

S. O. 31

include a ban on the use of strikebreakers in the Canada Labour Code.

Earlier in April, we thought we would finally be able to put an end to the discrimination against workers governed by the Canada Labour Code, but seven ministers from Quebec opposed our bill, which was defeated as a result. Each one of them should be held responsible.

The Bloc Québécois is not defeated, though; it will try again, because determination, tenacity and perseverance are the foundation of worker solidarity. Without these essentials, the fights led by Quebecers of decades past would not have resulted in gains for future generations.

* * *

●(1415)

[English]

LIBERAL PARTY OF CANADA

Mr. Rahim Jaffer (Edmonton—Strathcona, CPC): Mr. Speaker, Prime Minister Scrub Brush, Mr. Moral Authority himself, says he is cleaning out the Liberal Party and he is starting by selling out the Fonzie. What does the Prime Minister really think of Alfonso Gagliano? In a birthday tribute to his great friend, he said:

[Translation]

“In Quebec, Alfonso is our leader in cabinet. He is one of the ministers everyone listens to. He is my friend; he is someone I deeply admire and respect”.

[English]

In another video he said:

[Translation]

“Alfonso Gagliano. Who would not be impressed by his commitment to serving our party—”

[English]

That sounds very much like an endorsement of Mr. Gagliano.

It is springtime and many Canadians are thinking about cleaning up the mess in Ottawa. It makes us wonder why there never is a good scrub brush around when we need one.

* * *

CONSERVATIVE PARTY OF CANADA

Mr. Russ Powers (Ancaster—Dundas—Flamborough—Westdale, Lib.): Mr. Speaker, recently Preston Manning and Mike Harris called upon Ottawa to cut the heart out of Canada's health care system by scrapping the Canada Health Act and opening wide the door to privatization. The Leader of the Opposition tried to distance himself from the report claiming, “It's not my position. It's the position of an independent think tank”.

In October 2004 the Leader of the Opposition was a keynote speaker at the Fraser Institute's 30th anniversary celebration. Mr. Speaker, who do you think the other three keynote speakers were? They were none other than Preston Manning, Mike Harris and Ralph Klein.

Oral Questions

The Leader of the Opposition is due to deliver a lecture given annually by an individual who “shares the vision and supports the mission of the Fraser Institute”. It makes me wonder why the Conservatives had a convention at all when they could have had the Fraser Institute write their policy for them.

ORAL QUESTION PERIOD

[*English*]

THE BUDGET

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, I have to note that the Prime Minister sure likes his own private clinic.

Last week, willing to do anything to keep his job, the Prime Minister struck a deal with the NDP. The leader of the NDP said that he had received an explicit promise in writing that student tuition fees would be reduced. The Prime Minister said, “No, we didn't say that”.

Who is telling the truth? The Prime Minister or the new finance minister, the leader of the NDP?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, it is true that we have come to an arrangement with the NDP and we did so in order to further the issues that Canadians are focused on.

Better we did that, than to do what the opposition did, which is to come to a deal with the Bloc to force an election that Canadians do not want.

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, that is pretty rich, coming from a Prime Minister who is sitting right beside a former founder of the Bloc Québécois, somebody who was trying to block the Atlantic accord.

The Prime Minister will say anything to anyone. He promised to remove tax cuts and then puts them back. He promised new spending and then said it may not happen at all.

His own finance minister said of the deal, “Well I would prefer not to have to make these changes. Because I think the configuration that was originally there was the right configuration and the best configuration”.

Why did the Prime Minister completely disregard his own finance minister and his finance minister's configuration?

Right Hon. Paul Martin (Prime Minister, Lib.): First of all, Mr. Speaker, the finance minister formed a very important part of the discussions.

However, let me simply ask the pseudo leader of the opposition this. Post-secondary education, housing, foreign aid or the environment, which of those does the opposition not agree with?

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, I think the real question is this. Why is the Prime Minister willing to sacrifice 340,000 jobs?

The finance minister was blindsided by his own Prime Minister. Here is what the finance minister said three weeks ago:

You can't go on stripping away piece by piece by piece of the budget. You can't, after the fact, begin to cherry pick...If you engage in that exercise, it is an absolute, sure formula for the creation of a deficit.

It sounds like the Prime Minister is willing to risk a deficit to save his own hide.

Having obviously lost the confidence of the Prime Minister, when will the finance minister resign?

• (1420)

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, there is no risk of deficit. The budget of February 23 was moving very well through this House of Commons until 11 days ago.

Eleven days ago the Leader of the Opposition indicated that he was withdrawing his support for the government and for the budget. He was joining hands with the Bloc Québécois to defeat the government and to defeat the budget.

This government wanted to make Parliament work. Canadians elected a minority Parliament. We were determined to make it work and therefore we formed an arrangement which will respect the fiscal fundamentals and advance the priorities of Canadians.

Some hon. members: Hear, hear!

The Speaker: Order, please. We are now ready to move on to the next question. Perhaps we could have a little order so everyone will be able to hear because I anticipate we will not be able to hear a sound with the noise. Hon. members can perhaps restrain themselves a little and dampen their enthusiasm.

The hon. member for Edmonton—Spruce Grove now has the floor.

Ms. Rona Ambrose (Edmonton—Spruce Grove, CPC): Mr. Speaker, Don Drummond, the chief economist for the TD Bank and the Prime Minister's own former deputy minister of finance said today that the \$4.6 billion in new spending will make it harder for Ottawa to offer personal income tax breaks over the next five years.

The finance minister himself has admitted tax cuts mean future jobs for Canadians.

Why are the finance minister and the Prime Minister jeopardizing the economic future for my generation?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, we are not jeopardizing the job creation record of the government. I am very pleased to tell the hon. member that we have in fact the best job creation record of any country in the G-7. That is because of the fiscal policies of the government and that is the record we are going to maintain.

[*Translation*]

Ms. Rona Ambrose (Edmonton—Spruce Grove, CPC): Mr. Speaker, all the expenditures associated with this new deal between the Liberal Party and the NDP have to do with areas of provincial jurisdiction. Yet no one asked the provinces what their priorities were.

Why is the Minister of Finance making empty election promises, instead of giving the money back to the provinces, thereby eliminating the fiscal imbalance?

Oral Questions

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, in the areas of new or reprofiled spending in relation to learning, the environment, housing, foreign aid, all of those have been identified as priorities of this government either in the budget, the throne speech or in the campaign platform. We will make those investments consistent with our own jurisdiction.

* * *

[Translation]

SPONSORSHIP PROGRAM

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, in 1999, at the request of Intergovernmental Affairs, a \$400,000 campaign was launched to promote the referendum clarity bill. Communication Coffin landed the contract, but BCP, a firm close to the Liberal Party, did most of the work.

Since the shady moves surrounding “Projet lumière” illustrate it once again, will the Prime Minister acknowledge that the Liberals never hesitated to use public funds and break the rules when it came to selling federalism in Quebec and to benefiting their friends?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, the leader of the Bloc knows full well that everything was done properly. We are not here to make comments on the testimony. We will wait for Justice Gomery's ruling.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, using public funds for partisan purposes and breaking rules are typical Liberal stunts. Their actions during the referendum campaigns in 1995 and 1980, the sponsorship scandal and the shenanigans surrounding Bill C-20 are perfect illustrations of this.

Will the Prime Minister acknowledge that to sell Bill C-20 to Quebecers, the Liberals broke the rules for granting contracts in order to do business with BCP, the firm that had handled their advertising in previous elections?

● (1425)

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, again, it is very important to allow Justice Gomery to do his work. That is why there is no point commenting on the daily testimony. We must allow the judge to make his report. Only then will we know the facts.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, the Minister of the Environment took great care not to disclose to the Gomery inquiry that the national unity fund had been used to promote the clarity bill, Bill C-20.

How was the minister able to conceal that from the Gomery inquiry when he was required by his oath to disclose everything he knew about this matter?

Hon. Stéphane Dion (Minister of the Environment, Lib.): Mr. Speaker, we will not make the same error as the opposition and comment daily on the testimony at the Gomery inquiry. We have too much respect for the commission.

If, however, my hon. colleague were to ask whether I had a hand in any contract awarded to a communications firm, my answer would be no. Have I always disclosed everything I knew about this matter? My answer would be yes.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, yet the Prime Minister said, when the Gomery inquiry was created, that everyone who knew anything ought to speak out.

How could the Minister of the Environment ignore that appeal by the Prime Minister, not let it worry him, and act as if he had suddenly forgotten that he had made use of the unity fund to hire BCP to promote his clarity bill? How could he conceal that from Justice Gomery when he was a witness under oath?

Hon. Stéphane Dion (Minister of the Environment, Lib.): Mr. Speaker, I have never concealed anything. The Bloc leader has gone to the media with the story that I had fiddled with money from the fund. That is the sort of insinuation that, though meaningless, suggests the worst. It could serve as the very definition of insidious muckraking. He ought to be ashamed. He should behave like a self-respecting member of Parliament.

[English]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Prime Minister and his ministers should be careful with their rhetoric because they are in no position to be an honest voice for federalism at this moment in time.

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Toronto—Danforth has the floor now to ask a question. The House will want to be able to hear his question.

Hon. Jack Layton: Mr. Speaker, last week we tried to get something done for people in the environment, but it all depends on the Prime Minister having respect for Parliament. On four separate occasions Parliament has put forward strong positions on key issues. For example, a motion was passed to set up a special fund for the dirty money.

My question is for the Prime Minister. Will he respect Parliament and agree now to put the dirty money in the trust fund?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Prime Minister has been clear and in fact the party has been clear. If there were funds that were received inappropriately, those funds would be returned to Canadian taxpayers. However, that cannot be done until we have all the facts and Justice Gomery has completed his work.

I know Canadians want to have the truth. The Liberal Party wants to have the truth to do the right thing on behalf of Canadians and on behalf of Canadian taxpayers.

* * *

DEMOCRATIC REFORM

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, that is disappointing because the Prime Minister has promised so much about democracy and we have seen so little delivered. Let me offer another example and ask a question.

When it comes to meaningful voting reform, despite the best efforts of the New Democratic Party, this issue has not moved forward at all.

Oral Questions

Can the Prime Minister explain why after 18 months in office he has done virtually nothing to advance the cause of real democratic reform through voting reform?

• (1430)

Hon. Mauril Bélanger (Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages, Minister responsible for Democratic Reform and Associate Minister of National Defence, Lib.): Mr. Speaker, there have been a number of changes in this very House that have proven to be worthwhile pursuing. Beyond that, there is an entire process that the committee is engaged in, and the government is engaged in as well, a diagnostic about democratic reform.

Tomorrow night we are having a take note debate in this very House. The member and his caucus will have ample opportunity to participate in that debate, so that Canadians can hear firsthand what these members representing them have to say about democratic reform.

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SPONSORSHIP PROGRAM

Mr. Vic Toews (Provencher, CPC): Mr. Speaker, former Prime Minister Jean Chrétien is going to court to shut down Justice Gomery's commission in the same way the Liberals shut down the APEC and Somalia inquiries.

The current Prime Minister claims that his government will defend Gomery, but it turns out Gomery wants his own lawyers because, as Gomery's lawyer said, he cannot trust government lawyers to defend the commission.

Why can Justice Gomery not trust the government's lawyers to defend his commission?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Prime Minister has consistently supported the work of Justice Gomery. Our government has consistently supported the work of Justice Gomery. The only people I know who want Justice Gomery to fail and who want Canadians to make a rash decision based on unproven allegations and not on the truth of the Gomery report are the Conservative Party and the separatists who want this Parliament to fail because the Bloc wants Canada to fail.

I do not know why the Conservatives are supporting the separatists in their desire to make this Parliament fail when Canadians want to—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Provencher.

Mr. Vic Toews (Provencher, CPC): Mr. Speaker, only in public does the Prime Minister say he wants Justice Gomery to continue the work that Mr. Chrétien is trying to shut down. Behind closed doors, the Prime Minister led a standing ovation in applauding Mr. Chrétien for his arrogant behaviour in front of the Gomery commission.

How can Canadians trust the government if Justice Gomery cannot trust it to defend his commission?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, our Prime Minister appointed Justice

Gomery. Our Prime Minister ensured that Justice Gomery had access to the resources he needed to succeed, in fact to provide over 12 million pages of documents to Justice Gomery, including cabinet documents dating back to 1994. We want the truth. We want Canadians to have the truth. That is why we support Justice Gomery.

It is the Conservative Party that is afraid of the truth. It is the Conservative Party that would rather fight the election based on unproven allegations than respecting Canadians and ensuring they have the truth to make a good rational decision.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, the government repeatedly promises to be open and transparent but behind closed doors it is a different ugly reality.

The Prime Minister recently admitted that fellow Liberals pushed to hide the sponsorship scandal. He confessed that he had received “tons” of advice to “put it under the rug”. Who are the tons of people in the PMO and in the cabinet counselling deceit and cover-up?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I am proud to stand by a Prime Minister who is willing to do the right thing and put country before party, to put principle before partisan strategy and to put Canadians first in his support for Justice Gomery so Canadians have the truth.

We are not as interested in partisan strategy over here. We are interested in getting to the truth for Canadians because Canadians deserve the truth.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, the inquiry came about because it was far too late for the Liberals to bury their misdeeds. The Auditor General had already sounded the alarm. The Prime Minister did the next best thing. He tied Gomery's hands.

The terms of reference prohibit Gomery from “expressing any conclusion or recommendation regarding the civil or criminal liability of any person or organization”.

Why is the government hiding from Canadians the fact that Gomery is not allowed to say who the guilty parties are, as the Prime Minister promises?

• (1435)

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the fact is there are criminal charges against some individuals, including Mr. Brault, their much flaunted friend over there. The fact is we have launched civil actions against 19 firms and agencies to recover \$41 million from those individuals.

Beyond that, there is a parallel process to the Gomery commission that is aimed at accomplishing two things: first, providing Canadians with an analysis of what happened in the fact finding part of his work; and, second, prescriptives to ensure it does not happen again.

His mandate is clear and the mandate of all parliamentarians in the House is clear: to make this Parliament work.

Oral Questions

[Translation]

JUSTICE

Mr. Richard Marceau (Charlesbourg—Haute-Saint-Charles, BQ): Mr. Speaker, the chief justice of the Quebec Court of Appeal, Michel Robert, made an unacceptable statement last week on the political opinions of federal judicial appointees.

How could the Minister of Justice not vigorously condemn, here in the House, the chief justice, who has clearly crossed the line separating the legislative and judicial branches with his totally unacceptable remarks?

Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I will repeat what I said last week. The independence and integrity of the judiciary must not be undermined for partisan purposes, above all, to insinuate its guilt by association. It is extremely important for us to respect our judiciary's international reputation for excellence.

Mr. Richard Marceau (Charlesbourg—Haute-Saint-Charles, BQ): Mr. Speaker, it is Chief Justice Robert and the Minister of Justice, who refuses to condemn him, who are tarnishing the reputation of the Canadian judiciary.

Michel Robert, the chief justice of Quebec's Court of Appeal, has made a mockery of the Canadian Charter of Rights and Freedoms by condoning discrimination on the basis of political opinion.

How can the Minister of Justice, who claims to be the great defender of the Canadian Charter of Rights and Freedoms, not support my call to remove this judge, who has crossed the line between the judicial and legislative branches?

Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as I said earlier, I want no part in tarnishing the reputation of the judiciary. I have heard that the member has filed a complaint with the Canadian judicial council. We will await the results of this complaint. However, I do not want to take part in sullyng our judiciary's reputation for excellence.

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EMPLOYMENT INSURANCE

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, the agreement between the NDP and the Liberal Party ignores the unemployed since there is nothing on employment insurance. In so doing, the Prime Minister is continuing down the same path that led him to vote against the Bloc Québécois amendment to the budget on overhauling the system.

How can the Prime Minister brush off improvements to the employment insurance system when he has proven beyond a doubt that he has the necessary financial means to make those changes?

Hon. Lucienne Robillard (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, in any event, the Bloc Québécois is against the budget, regardless of all its good measures, including those to help our workers.

The primary goal is to provide employment for all our workers in Canada. That is why it is perfectly normal to put more money into

providing proper training for people to get competitive jobs in Canada.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, the minister should get her facts straight. The Prime Minister has been cutting employment insurance since 1994 when he was Minister of Finance. He was at the heart of this operation and continues to be now that he is Prime Minister.

How could the Prime Minister make promises directly to the unemployed during the past election campaigns when in reality, he never had any intention of keeping his promises?

• (1440)

Hon. Lucienne Robillard (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, the Bloc Québécois is against the current budget, yet there are four measures in it specifically to help workers. The Prime Minister said the employment insurance program needed to be adjusted and that is precisely what we are doing.

Naturally, the Bloc Québécois could never accept the budget even though there are some very good measures in it for our workers, including in Quebec.

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GOVERNMENT APPOINTMENTS

Mr. Peter Van Loan (York—Simcoe, CPC): Mr. Speaker, Art Eggleton was removed from cabinet for giving his girlfriend a questionable contract.

After losing his cabinet position, and then his seat in the House of Commons, Eggleton is now being rewarded with a comfy seat in the Senate.

Could this Prime Minister's ethics actually be worse than those of his predecessor?

How can we trust this Prime Minister to clean up the sponsorship scandal, if he continues to reward Liberals who break the rules?

Hon. Mauril Bélanger (Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages, Minister responsible for Democratic Reform and Associate Minister of National Defence, Lib.): Mr. Speaker, the method for appointing senators is well known; it is a prerogative of the Prime Minister. The last time appointments were made to the Senate, they were made on the basis of merit.

In fact, for the first time, members of the Senate were appointed from opposition parties, such as the Conservatives and the NDP. I would therefore suggest that my hon. friends welcome their new colleagues as we did, with open arms.

[English]

Mr. Peter Van Loan (York—Simcoe, CPC): Mr. Speaker, the Liberal definition of marriage is different from any I have ever heard.

The biggest difference between the Prime Minister and his predecessor is that the Prime Minister sends disgraced cabinet ministers to the Senate instead of Denmark.

Oral Questions

He has endlessly been saying that Liberals implicated in the sponsorship scandal will be punished. If the Prime Minister awards Art Eggleton with a Senate appointment, is that the kind of punishment Liberal sponsorship offenders can look forward to?

How can Canadians trust the Prime Minister to deal with sponsorship wrongdoing when he rewards those who break the rules?

Hon. Mauril Bélanger (Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages, Minister responsible for Democratic Reform and Associate Minister of National Defence, Lib.): Mr. Speaker, it is the same thing. The prerogative of appointing senators belongs to the Prime Minister. Appointments are done on merit.

In the recent series of appointments, members were appointed from the party opposite as well as the NDP.

I would suggest to the members that they welcome the new members, as we have welcomed them, with open arms.

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[Translation]

GOVERNMENT CONTRACTS

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, a lease contract between Liberal Senator Paul Massicotte and the Liberal government once again turned into a taxpayers' nightmare.

I am trying to understand the logic. The government paid Senator Massicotte's company \$10 million over one year for a building that was serving no purpose, except perhaps that of squandering public funds.

Why did this government pay millions of dollars to the Liberal senator's company to rent a vacant building for no apparent reason?

[English]

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the lease contract was awarded under a fair and open tender process and was overseen by a fairness monitor, KPMG. The winner of the competitive contract on the basis of the least cost was the firm of Alexis Nihon, which is a large, publicly traded firm that owns over 50 commercial properties across Canada.

Occupation of the building took time because of the amalgamation of the National Archives and the National Library into one entity. Because of the fit up requirements to meet specialized technical requirements it did take longer.

However I am pleased to say that the building is 70% occupied and will be 100% occupied by July.

Mr. Pierre Poilievre (Nepean—Carleton, CPC): Mr. Speaker, where I come from people start paying rent when they move into the place.

The government has been paying half a million dollars per month to the company of a Quebec Liberal senator for a building that was totally empty for an entire year, and half empty for the last six months. Only in Liberal wonderland would that be considered a good deal.

Will the Prime Minister stand in the House and explain to us why Canadians paid nearly \$10 million to rent a vacant building from one of his Liberal friends in the Liberal Senate?

Hon. Scott Brison (Minister of Public Works and Government Services, Lib.): Mr. Speaker, perhaps the hon. member is referring to the fact that the building is located in Quebec. It is interesting that he should do that given that his riding is on the border on the Ottawa side, but perhaps it speaks to his opposition to the 75:25 rule where we are working to ensure that 25% of the employees of the federal government are in Quebec.

Why is he attacking our efforts to ensure equity in the national capital region? Why is he playing petty politics with a genuine effort by the federal government to ensure equity within the national capital region and that Quebec is treated fairly on this issue?

* * *

•(1445)

THE ENVIRONMENT

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, in May of last year the Government of Canada in collaboration with the province of Nova Scotia allocated \$400 million for the remediation of the Sydney tar ponds. In the past year a project description has been developed and presented by the province. Today in Sydney it was announced that a full panel review would take place to assess the cleanup process.

My question is for the Minister of the Environment. Will today's announcement in Sydney make certain that the people of Cape Breton will finally see this project proceed in a safe and expedient manner?

Hon. Stéphane Dion (Minister of the Environment, Lib.): Mr. Speaker, I was very proud to be in Cape Breton and Sydney this morning with my colleagues, the Minister of Public Works and the members of Parliament for Sydney—Victoria and Cape Breton—Canso, to announce that the environmental assessment of the remediation of the tar ponds and coke oven sites will be referred to a full panel for review. The panel will report no later than June of next year.

I want to thank the population of Cape Breton and the two members of Parliament.

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HEALTH

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, this weekend the health minister warned Canadians about a hidden agenda for health care, but the only agenda we really have to worry about is the Liberal agenda.

The government waited years to provide provinces with adequate health funding. Meanwhile, privatization exploded under the Liberal watch. In fact, Nova Scotia just announced the opening of a new private clinic. Now the health minister is promising action on user fees.

After 12 years of broken promises, why should Canada believe anything that a Liberal health minister has to say?

Oral Questions

Hon. Ujjal Dosanjh (Minister of Health, Lib.): Mr. Speaker, the fact is that we are enforcing the Canada Health Act across the country. We started the process with respect to New Brunswick. I have written to the other ministers of health across the country on this issue.

Our differences are not with the NDP on this issue. Our differences are with the opposition when the Leader of the Opposition and the opposition House leader are bent upon privatizing health care in Canada, which we will not let happen.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, that is a lot of talk but very little action. We are talking letters here and not concrete action.

On this side of the House we have been demanding accountability for health funding to ensure public health dollars were not paying for private clinics. Now, after the agreement with first ministers has been signed, the health minister is committing to publicly funded and publicly delivered systems.

I want to know, how will the Liberals ensure that the \$41 billion will actually be spent on public health care?

Hon. Ujjal Dosanjh (Minister of Health, Lib.): Mr. Speaker, the fact is that \$41 billion has been provided to the provinces over the next 10 years to make sure we have public health care in Canada with public delivery of that health care. The real danger to health care is from the opposition benches where they want to privatize health care American style.

* * *

NATURAL RESOURCES

Mr. Norman Doyle (St. John's East, CPC): Mr. Speaker, I recently wrote the Prime Minister asking for a separate bill on the Atlantic accord. The Prime Minister wrote me back of course refusing my request.

The Prime Minister was willing to cut a deal with the NDP to save his own job and to put his corporate tax cuts in a stand-alone bill. Why will the Prime Minister not bring in a new bill on the Atlantic accord? Why is he holding the people of Newfoundland and Labrador hostage to his budget requests?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the opposition—

Some hon. member: Oh, oh!

The Speaker: Order. The hon. member for St. John's East asked a question and I know he is trying to get his colleagues to be quiet so he can hear the answer. The Minister of Finance has the floor and we will want to hear the minister.

• (1450)

Hon. Ralph Goodale: Mr. Speaker, the hon. gentleman's party has indicated that they support the tax agenda that the government has laid out. They have indicated that they support the government on the cities agenda and on the child care agenda. They obviously support the government on the provisions with respect to Nova Scotia and Newfoundland.

The simple remedy for all of this is for members of the official opposition to do what they said they would do initially on February 23 and that is to support the budget.

* * *

FISHERIES AND OCEANS

Mr. Loyola Hearn (St. John's South—Mount Pearl, CPC): Mr. Speaker, last year in St. John's the Prime Minister promised to deal with foreign overfishing and give Atlantic Canadians improved offshore royalties. Yesterday he made the same promise, but the foreigners continue to steal our fish and the Atlantic provinces are still waiting for their money.

If the Prime Minister can make a deal with members of the NDP, and I hope they have it in writing, why can he not make a deal with the NAP, the neglected Atlantic provinces, and bring forth stand-alone legislation which they request?

Hon. Shawn Murphy (Parliamentary Secretary to the Minister of Fisheries and Oceans, Lib.): Mr. Speaker, as we speak, Canada is hosting a global convention on overfishing. It opened yesterday in St. John's. I was there, as was the Prime Minister, as was Premier Williams, as was Newfoundland fisheries minister Trevor Taylor, as was our Minister of Fisheries and Oceans. We heard the commitment from all these speakers. I am looking forward to the ministerial declaration.

What disappointed me, what appalled me and what shocked me was that the learned member for St. John's South—Mount Pearl and the learned member for St. John's East were not there for the opening day of this convention.

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FOREIGN AFFAIRS

Mr. Stockwell Day (Okanagan—Coquihalla, CPC): Mr. Speaker, Maurice Strong is the Prime Minister's mentor, long-time intimate friend, long-time business associate at Power Corporation, and special adviser. Cordex Petroleum is now being investigated under the Iraq oil for food scandal for a \$1 million injection from two agents of none other than the former dictator of Iraq, Saddam Hussein. Mr. Strong has stepped aside while this investigation is going on.

I would like to ask the Prime Minister, as Mr. Strong is his special adviser, has he ever discussed with him the possibility of any Canadian implications in the oil for food program?

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, there is an investigation that is being done on the whole oil for food program at the United Nations. I can say that Mr. Strong has absolutely denied these allegations. This country should be very proud of the role Mr. Maurice Strong has played over the years in his work in systematically making progress at the United Nations institutions. We should certainly respect Mr. Strong, who has absolutely denied these allegations and not resonate them across this country.

Oral Questions

Mr. Stockwell Day (Okanagan—Coquihalla, CPC): Mr. Speaker, just this weekend it has come out that Mr. Strong has failed to comply with the United Nations hiring guidelines. It has also come out that Paribas Bank, affiliated with Power Corporation, has made over 400 payments under the oil for food program to companies that are not on the United Nations approved list, including Canadian recipients.

Will the Prime Minister, to clear Canada's name and to fix Canada's international reputation which is being hurt by the sponsorship scandal, ask for an investigation of any Canadian implication in the oil for food program?

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, Mr. Strong has been absolutely clear. He has denied these allegations. We in this Parliament should respect an eminent Canadian who has worked very hard and very well at the United Nations.

There, as in the sponsorship inquiry since the member raised it, we should take allegations for what they are, and that is, allegations which are not proven. Let the people at the United Nations do their investigation, as we are saying that Gomery should be doing his report on allegations here. Let us bring back some sense in this House.

* * *

[Translation]

TRANSFER PAYMENTS

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, after 11 months, we learn that the surplus for last fiscal year totaled \$11 billion, once incurred expenditures were deducted. Even the premier of Quebec has reacted and is calling for lasting solutions to the fiscal imbalance.

Having refused the Bloc subamendment which called upon the government to address the fiscal imbalance, does the Prime Minister intend to change his tactics and address this problem, which is recognized by everyone except the federal Liberals?

• (1455)

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the hon. gentleman is obviously quoting incomplete figures for the past fiscal year. We will have to wait until the end of the fiscal year to see what the final arithmetic is, but all indications are that the numbers are on track with those which I forecast in the budget.

I would point out that in the course of the last number of years, our major transfers to Quebec have been increasing: in 2002-03, \$11.8 billion; 2003-04, \$12.4 billion; 2004-05, \$13.8 billion; 2005-06, \$15.5 billion. We are moving in the right direction.

[Translation]

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, how can the Prime Minister justify his refusal to discuss the Bloc Québécois amendment denouncing the fiscal imbalance, something that is far from being an intellectual conceit, since once again this year the announced surplus will far exceed the Minister of Finance's forecast?

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, that assertion is obviously the hon. gentleman's speculation. As I said in my previous answer, the arithmetic so far would indicate that we are on track with the forecast. What the hon. gentleman is not taking into account are the commitments we made on health care, the commitments we made on equalization, the commitments we made on a whole range of other transfers to the provinces which are not yet booked and come out of the arithmetic that he has referred to.

* * *

NATURAL RESOURCES

Mr. Jim Prentice (Calgary Centre-North, CPC): Mr. Speaker, the Deputy Prime Minister can now add the Mackenzie Valley pipeline to her growing list of mismanaged files. Late last week the proponents of this pipeline, the largest energy project in Canadian history, announced they were putting down their tools because of the confusion surrounding the government's approval process. Everyone wants this pipeline, the producers, the aboriginal Canadians who live there, the market, the first nations who are part of the group, everyone except the Deputy Prime Minister and her bungling colleagues who have ensnared everyone in red tape.

Will the Deputy Prime Minister resign her position as the chair of the—

The Speaker: The hon. Deputy Prime Minister.

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, let me reassure the hon. member that we are working very closely with all interested parties, the Government of the Northwest Territories, the communities along the Mackenzie Delta and the producers.

I had the opportunity to meet with the producers a week or 10 days ago. We are working together in a collaborative fashion. No one denies that north of 60 and the Northwest Territories is a complex regulatory environment, but what we are all working to do, unlike those people, is actually to solve the problem on behalf of all Canadians.

Mr. John Duncan (Vancouver Island North, CPC): Mr. Speaker, the pipeline plan to transport natural gas from the Mackenzie Valley is mired in paralysis by the government. The government has made commitments to regulatory timelines that it has failed to live up to. The Deputy Prime Minister chairs the cabinet committee that was to clear away the red tape and she has failed.

When will the Deputy Prime Minister appoint someone else to save this project from her bungling?

Oral Questions

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, I think that is the same question as we heard before, but let me reiterate in case they did not hear it the first time that the federal government is working with the Government of the Northwest Territories, working with the communities along the delta and working with the producers to ensure that this complex regulatory environment is one that works for everybody, is one that is fair to everybody, is one that is transparent for everybody. That is why we are all working together to reach that shared result of Mackenzie gas flowing south.

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CORRECTIONAL SERVICE OF CANADA

Mr. Charles Hubbard (Miramichi, Lib.): Mr. Speaker, one of the most demanding jobs within our public service is that of correctional officer in our 50 federal penitentiaries. These people meet with some of the most challenging people within our society on a daily basis. These nearly 6,000 workers have not had a collective agreement for some three years.

Could the President of the Treasury Board please inform the House on the status of the problem in dealing with that collective agreement?

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, I thank the member for his question. It is nice to have somebody in the House who is concerned about the employees of the government.

We have been bargaining with the new representatives of the correctional officers for some time now. There are a couple of issues that are outside the normal bargaining process. We are working hard. I would like to see this resolved, but we have a few issues yet to come to terms on.

* * *

● (1500)

HEALTH

Mr. Ted Menzies (Macleod, CPC): Mr. Speaker, while the health minister was playing political games over the weekend, 10-year-old Mackenzie Olsen, a first nations child from my riding, grew weaker by the day. The health minister refuses to pay for treatment for this child. He would rather see the family pay.

The hypocrisy of the minister who tries to sell himself as the grand defender of health care is appalling. Could he explain why he expects this family to pay the cost for their son's treatment?

Hon. Ujjal Dosanjh (Minister of Health, Lib.): Mr. Speaker, of course this is a very serious situation. All governments are struggling with the issue of orphan drugs. I have been dealing with this issue for some time.

The member opposite in fact became aware of this issue just a couple of days ago. That is a matter of shame. This issue is in his riding. I have been struggling with this issue.

I am going to speak to Alberta's minister. I want to make sure that this issue is dealt with. I want to make sure that the young man does not go without medication when he needs it.

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, what is shameful is how the Liberals have dealt with this issue.

This issue highlights the twin disasters which are the Liberal health and first nations policies. In both it is always the same. The Liberals only act when they are shamed into doing so.

The government has known for months that Mackenzie Olsen's treatment would end, yet it shirked responsibility until the media finally forced it to notice.

Why did the health minister refuse for so long to help this boy?

Hon. Ujjal Dosanjh (Minister of Health, Lib.): Mr. Speaker, this is an issue of a drug that is administered in a hospital which is the responsibility of the provincial jurisdiction.

However, I have made it very clear this matter is also before the court and will be heard tomorrow. Regardless of what the results are in the court, we will make sure that a solution is found to the predicament this child finds himself in. He will get the medication that he needs.

* * *

[Translation]

AGRICULTURE

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, on April 29, Quebec dairy producers gave each Quebec MP 25 kg of powdered milk to express their dissatisfaction at the Canadian government's inaction with respect to the import of modified milk ingredients and butter oils.

Why does the Minister of International Trade not invoke article XXVIII of the GATT in order to establish new tariff quotas and prove once and for all his intention to assist dairy producers and truly protect supply management?

Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.): Mr. Speaker, the questions raised by the hon. member for Joliette are very important. We are very interested in the supply management issue.

I know that my colleague, the Minister of International Trade, is currently examining the situation, specific cases cited by dairy producers, and it is his intention to discuss with them in the near future the strategy to be followed in the coming days and weeks.

* * *

TEXTILE INDUSTRY

Hon. Denis Paradis (Brome—Missisquoi, Lib.): Mr. Speaker, the welfare and prosperity of thousands of textile workers in Quebec and in Brome—Missisquoi are of concern to me. Today, the industry is facing new difficulties because local businesses have to compete nationally and internationally with businesses that are much bigger. The government provided valuable support to the industry in December 2004.

Points of Order

Can the Minister of Human Resources and Skills Development tell this House what the government is doing today to help textile workers in Quebec and Brome—Missisquoi?

Hon. Lucienne Robillard (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, I would like to pay tribute to the work of the member for Brome—Missisquoi, who is working very closely with people in the textile industry in the Eastern Townships.

I would also like to thank the member for Ahuntsic, who, on behalf of the Government of Canada, announced \$5.9 million for the Textiles Human Resources Council. The Council brings together employers, workers and unions, everyone at the table, to try to help develop this industry, so important here in Canada.

• (1505)

[English]

The Speaker: The time for oral questions has expired.

Is the hon. member for Macleod rising on a point of order arising from question period?

* * *

POINTS OF ORDER

ORAL QUESTION PERIOD

Mr. Ted Menzies (Macleod, CPC): Mr. Speaker, in answer to a question that I posed to the Minister of Health during question period, the minister suggested that I knew nothing about the Mackenzie Olsen issue. It is rather presumptuous, I would say, to assume what I do not know and what I do know. It has been in the media. It has been well publicized. I have spoken to the chief of the band.

I would like you to rule on this, if you would, Mr. Speaker.

The Speaker: I could rule on the matter, but I think what the hon. member really is rising on is a matter of debate. That is what I would rule.

I know that whether members have a grasp of issues is often a subject of debate. We frequently hear that members do not know what they are talking about in the House. I do not find that statement unusual in the fact that it was made; perhaps it was in relation to the hon. member, who everyone knows is a very knowledgeable hon. member.

Having said that, I cannot go much beyond that. I am afraid he is raising a matter for debate. There will be other opportunities for him to continue that discussion, which we will all look forward to.

Is the hon. member for Lanark—Frontenac—Lennox and Addington also rising on a point of order?

STATEMENTS BY MEMBERS

Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC): Mr. Speaker, this arises from members' statements. I am seeking unanimous consent of the House in this matter. I brought up the issue of the dangerous state of repair of a bridge in Napanee and mentioned that the Minister of Transport had not responded to a

portfolio of photographs that had been sent to him by the municipal council on this matter.

I would like to ask for the unanimous consent of the House to table this portfolio, a copy of what was sent to him by the town fathers, and as well this piece of rock which fell from the pier of the bridge and demonstrates the perilous—

The Speaker: Does the hon. member have the unanimous consent of the House?

Some hon. members: Agreed.

Some hon. members: No.

STANDING COMMITTEE ON FINANCE

Hon. Tony Valeri (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would like you to consider whether the amendment to the concurrence motion on the third report of the finance committee is in fact in order. I would like to lay out a couple of arguments to that effect.

In terms of background, the third report of the finance committee was tabled on December 20, 2004. It was the committee's report on its prebudget consultations, authorized under Standing Order 83.1. It was then the opposition House leader who moved concurrence in the report. Then his party leader moved an amendment, which reads:

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

The Third Report of the Standing Committee on Finance, presented on Monday, December 20, 2004, be not now concurred in,

But that it be recommitted to the Standing Committee on Finance with instruction that it amend the same so as to recommend that the government resign over refusing to accept some of the committee's key recommendations and to implement the budgetary changes that Canadians need.

The government has a number of concerns with the approach taken with this amendment. We have our doubts as to whether or not it is in fact in order.

We are not in any way arguing that concurrence motions cannot be amended. In fact, there have already been amendments proposed to several concurrence motions to refer issues back to committee for further study. Citation 896(1) of the sixth edition of Beauchesne's states:

When the motion to concur is moved, the House may refer the report back to the committee for further consideration or with instructions to amend it in any respect.

A relevant precedent is from December 13, 1985, when there was an amendment to a motion to concur in a finance committee report. The amendment was:

—that it be recommitted to the said Committee and that it be an instruction to the Committee that they have the power to amend the same so as to recommend expeditious passage of legislation to give effect to the budgetary measures providing for an exemption of up to \$500,000 from capital gains for the proceeds of the sale of farm property.

The Speaker ruled in that particular case that the amendment was in fact in order. Referring to the passage from Beauchesne's that I have cited, he stated:

—the House must have the right, in logic, to refer a report back for reconsideration of the report in whole or for reconsideration of any clause, otherwise the House would be bound to deal with only the report the committee submitted. Clearly the House cannot be bound simply to accept or reject a report on the matter. The House itself cannot amend the report. However, it can clearly refer a report back for amendment, either minor or major, or for complete reconsideration. Those are the practices and traditions of this House.

Therefore, I would argue that it is permissible to amend a concurrence motion to refer it back to committee with further instructions.

I would note, though, that the 1985 amendment was a permissive instruction, that is, the amendment provided an instruction to the committee members that they had the “power” to amend the report. I would note that the Speaker's ruling in 1985 also stated:

The committee's right of decision on the matter is by no means constrained, no matter what the House has asked it to reconsider.

The amendment by the Leader of the Opposition, in contrast, is a mandatory instruction, as the amendment states “with instruction” to “amend” the report, rather than giving the committee the “power” to amend the report. The amendment therefore instructs the committee to come to a conclusion rather than giving it the power to amend the report in a particular manner should the committee itself come to that conclusion on its own.

There are precedents for amending a concurrence motion to give a mandatory instruction to a committee. For example, I would like to draw to the House's attention—and for those members across the way who have no interest in hearing what in fact I am saying, I would like to draw it to their attention—that for example on April 1, 1969, the Speaker was asked to rule on whether an amendment to a concurrence motion can instruct a committee to delete a paragraph of its report.

• (1510)

Mr. Knowles challenged this amendment arguing that the House was not allowed “to tell the committee precisely what to do. All that the House has the right to do is to give the committee the power to make any changes it wishes”.

The Deputy Speaker ruled that the amendment was in order stating that it was competent for the House to adopt a committee report, reject it or refer it back to the committee with our without instructions; and that this decision was supported by the authorities which allow that an instruction can be made “to amend [the report] in any particular”.

There is also a precedent from 1919 that supports the same conclusion. At this time there was an amendment to a motion to concur in a report of a special committee on the question of conferring honours. Initially the amendment was that only part of the report be concurred in. The Speaker ruled that:

When a motion is made for the adoption of the report of a Committee, it is competent for the House to adopt it, to reject it or to refer it back to Committee with or without instructions. Or, a motion may be made for the six month's hoist. I do not think it competent to move to amend the report of a Committee.

Following the Speaker's ruling, a further amendment was put and voted on, which stated that the report be referred back to the committee “with instructions to amend the same...” in a particular manner. The Speaker was not asked to rule on the admissibility of this amendment.

Points of Order

Thus, Speakers have ruled, although with some variation, that while it is not possible for the House to directly amend the text of a committee report, it is possible for the House to give instructions, even mandatory instructions, to a committee to amend its report.

However the report we are addressing today is unique with important distinctions from those precedents.

There are two reasons why I believe the amendment is out of order.

The first reason is that the amendment is procedurally inconsistent with the process for the prebudget report set out in Standing Order 83.1.

In the cases I have cited, the amendments were all within the order of reference of the committees.

However the third report of the Standing Committee on Finance is not a routine report carried out under the committee's general mandate under Standing Order 108. Rather, the order of reference of the report was Standing Order 83.1. This is made quite clear by the report itself which states at the outset:

In accordance with its mandate under Standing Order 83.1, your committee studied proposals on the budgetary policy of the government and has agreed to report the following.

Standing Order 83.1 states:

Each year the Standing Committee on Finance shall be authorized to consider and make reports upon proposals regarding the budgetary policy of the government. Any report or reports thereon may be made no later than the tenth sitting day before the last normal sitting day in December, as set forth in Standing Order 28(2).

The committee's authority under Standing Order 83.1 is tied directly to the government's budgetary cycle. The review takes place in the fall of each year as the economic and fiscal outlook is updated and the report is tabled prior to when the government typically begins its detailed preparations for the budget. The fact that the standing order is placed just prior to Standing Order 84, which outlines the procedures to be followed for the budget and the budget debate, underscores the fact that the committee's mandate is tied directly to the budgetary cycle of the government.

In the case of the December 2004 report, the House agreed to extend the reporting deadline of the committee to allow the report to be tabled with the clerk of the House on a day that the House was not sitting in December. I am sure all members recall that the House did extend that reporting deadline.

I would argue that the proposed amendment by the Leader of the Opposition goes beyond the order of reference for the standing committee.

Under Standing Order 83.1 and the special order adopted by the House in December, the committee had until December 2004 to table its report on its prebudget consultations. This mandate has therefore lapsed for the purposes of the 2005 budget and will not be renewed again until September when the committee begins its prebudget consultations for the 2006 budget.

• (1515)

This amendment is beyond the timetable established in the Standing Orders and would have the effect of extending the committee's order of reference for this report.

Points of Order

At a minimum, in order to make the amendment acceptable, it should have stated that it is “notwithstanding Standing Order 83.1”. However no such wording is provided in the amendment and it is therefore inconsistent with the procedure set out in Standing Order 83.1.

In my opinion the second reason this amendment is out of order is that it is putting a question to the House that has already been voted on by the House.

Following the tabling of the finance committee report, two days were set aside at the first opportunity to debate the contents of the report, which was on January 31 and February 1. While the committee report was debated, no concurrence motion was brought forward to vote on the report prior to the tabling of the budget on February 23, 2005.

I do not need to remind the House that the 2005 budget was successful and received broad support among Canadians. However it is relevant to point out that this House also approved the budget through a recorded vote on March 9, 2005.

Given that the finance committee report was fully debated in the House and that the budget was presented and approved by the House, the issues raised by the committee's prebudget report are now no longer up for debate.

Essentially, what the Leader of the Opposition's amendment purports to do is to instruct the committee to condemn the government for not accepting all of the committee's recommendations on an issue that has already been approved by the entire House of Commons. In effect, the amendment is asking the House to decide the same question for a second time.

I would like to refer members to citation 558 in the 6th edition of Beauchesne's, which states:

(1) An old rule of Parliament reads: “That a question being once made and carried in the affirmative or negative, cannot be questioned again but must stand as the judgment of the House.” Unless such a rule were in existence, the time of the House might be used in the discussion of a motion of the same nature and contradictory decisions would be sometimes arrived at in the course of the same session.

I would submit that this is exactly what the amendment is doing. The House has already approved the budgetary policy of the government and the Leader of the Opposition cannot reopen a question that has already been determined by the House.

In closing, I would point out to all members that the purpose of the recent Standing Order change on concurrence motions was to provide an opportunity for committee reports to be debated in the House and come to a vote. The change was not designed to allow ancillary issues to be voted on through amendments.

In addition, the amendment is inconsistent with the order of reference for the finance committee's report, which sets a specific timetable for its report. The absence of any reference in the amendment to it being “notwithstanding” Standing Order 83.1 causes the amendment to be procedurally inconsistently with the Standing Orders. The amendment is asking the House to reconsider the position it has already taken with respect to the budget. The House has already passed judgment on the budget and any motion questioning that judgment should be ruled out of order.

● (1520)

Mr. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, I want to state at the outset that it is now becoming evident to all Canadians what the government is up to and how it intends to proceed to endeavour to prevent being held accountable in any way, shape or form in this chamber.

Notwithstanding what we heard at some length, it is my contention that the amendment does not in any way depart from the rules and practices of the House. When the amendment was moved on Friday, April 22, 2005, it was ruled in order by the Speaker. In fact, we had one hour and nineteen minutes of debate. I would question why the House leader, if he believed the amendment was not in order, chose not to raise it at that time.

It has now been more than a week, because of the break week when all MPs had the opportunity to return to their ridings, and after more than an hour of debate in the chamber. The amendment was moved and it was found to be in order.

As the Speaker knows, Standing Order 10 prohibits a challenge to the decision of the Chair. Standing Order 10 states:

The Speaker shall preserve order and decorum, and shall decide questions of order. No debate shall be permitted on any such decision, and no such decision shall be subject to an appeal to the House.

However that is exactly what we are dealing with. We should not even be entertaining debate on this question. The government has resorted to breaching our Standing Orders, which it says it wants to uphold, by challenging the Speaker.

Since the government has been allowed to challenge the Speaker, and I would suggest to go on at some length here today, I trust the Speaker will allow me to defend your decision.

The first line of the amendment follows a basic wording that has been used many times before. The next part recommends that the government resign. It is perfectly in order to make a recommendation to the government. The fact that the committee is being instructed to recommend that the government resign is of no procedural significance provided it relates to the mandate of the committee.

We heard the government House leader go on at some length about the mandate of the committee. That is what the third part of our amendment addresses. The amendment instructs the committee to amend the report to recommend:

—that the government resign over refusing to accept some of the committee's key recommendations and to implement the budgetary changes that Canadians need.

It cannot now be argued that the amendment is not relevant to the mandate of the Standing Committee on Finance.

With respect to any argument that amendments to concurrence motions cannot introduce the notion of confidence, I refer the Speaker to page 44 of Marleau and Montpetit where it recounts how the government of Mackenzie King retained the support of the House until June 1926:

—when the official opposition moved an amendment to a motion to concur in a committee report that amounted to a censure of the government;

Therefore it is established that the notion of confidence can be part of an amendment to a concurrence motion.

Points of Order

What is interesting is that today we are experiencing a very similar situation to that which took place in 1926. In 1926 the King administration tried a number of manoeuvres to avoid facing a confidence vote, which is very similar to what is unfolding here.

Another parallel was that King's government, like today's Liberal government, was mired in scandal.

With respect to any interpretation as to the outcome of this confidence motion, if the House concludes that the government should resign, whether that takes the form of an instruction to a committee or not, how can it be argued that the House supports the government and how can it be argued that it should remain in office? The amendment clearly states that the government should resign.

Marleau and Montpetit at page 44 accepted that an amendment to a concurrence motion could be worded in such a way to amount to a motion of confidence.

Mackenzie King viewed an amendment to a concurrence motion as a matter of confidence, unlike what I think we are seeing across the way, where the Liberals are trying everything possible to resist being held accountable through a motion of non-confidence.

• (1525)

The arguments put forward by the government today have no procedural significance I submit. They are opinions that communicate desperation.

I would like to quote something Isaac Asimov said about death that relates to the Liberal government which might be of interest. He said, "Life is pleasant. Death is peaceful. It's the transition that's troublesome."

The desperate attempt by the government to avoid the judgment of the House is nothing short of disgraceful. One would think the government would at least attempt to go through its own transition with a little more dignity.

[*Translation*]

Mr. Michel Gauthier (Roberval—Lac-Saint-Jean, BQ): Mr. Speaker, it is clear that I wholeheartedly support the arguments made by the parliamentary leader of the Conservative Party. He referred to a very important precedent that led to the government's defeat in 1926. In my opinion, the arguments put forward by the government House leader are totally irrelevant and unfounded, especially since they are being applied to a situation where the government is trying its best to save its own skin in the House of Commons.

This government claims to have the confidence of the House, and yet all its actions, arguments and efforts aim to prevent the House from voting on any kind of confidence motion. When a government thinks and claims it has the confidence of the House, it does not need to create a diversion to prevent the House and its members from voting on a confidence motion. By its very actions, the current Liberal government is demonstrating that it knows it no longer has the confidence of the House of Commons.

I want to refer back to the two arguments put forth by the government House leader. I will speak in French so that everyone listening can clearly understand the arguments presented.

The government's first argument is that the House does not have the right to impose orders or anything else on a committee. This is totally absurd. Not only is there a precedent dating back to 1926, which led to the fall of the government, but we also did it recently. The House of Commons ordered a committee to proceed with the splitting of a bill into two parts. The House regularly asks committees to split a bill in two or three. Everyone knows this happens. Therefore, the House has all the necessary powers, and particularly the power to ask a committee to proceed with some very specific tasks. That was true in 1926, that was true last year, that was true yesterday and, following your ruling, I hope this will still be true tomorrow.

The second point is that this is no ordinary report. I will not present many arguments, but I will say one thing. This report was called and put on the order paper of the House a long time ago and nobody ever said anything. The government never claimed that someone, be it the Conservative Party or anyone else, had no right, in any way, to call this report. This was an ordinary report. All of a sudden, because it could put the government in jeopardy, they claim it is no longer an ordinary report.

The bottom line is that the House has the right to give orders to committees, and the Leader of the Opposition had every right to propose an amendment that was deemed in order and that amounts to a matter of confidence in this government.

People must understand that all these attempts made by the other side clearly show that the government itself knows that it no longer has the trust of the House of Commons, of Quebeckers and of Canadians. This is really what must be recognized. We have a right to deal with such a fundamental issue, in full compliance with the rules.

• (1530)

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I would like to comment briefly on the same subject. I will begin by speaking as well on the points raised by the hon. House leader of the Bloc Québécois. He gave examples of the House having given instructions to a committee in the past.

I do not think there is any debate between him and the government House leader in this regard. The latter explained the circumstances under which it was permitted and the restrictions that applied. It is not a matter of knowing whether the House is entitled to instruct a committee. There are standards to follow, and the House leader listed them and provided a very relevant explanation.

In addition, if members want me to repeat what my colleague said, it would be my pleasure to do so. I have a copy of his speech before me. I thought, however, I would not ask the House to take more than the time required to debate this matter.

The hon. leader of the Bloc Québécois spoke of a normal report. I disagree with him. The government House leader spoke very well on the matter. It is a report under Standing Order 83(1). By definition, therefore, it will lapse at a certain date.

Points of Order

The following are examples for determining whether a report has lapsed. First, a date is set to present the report. After its presentation, as we all know, there would presumably be an opportunity to return it with instructions, and so on, following the rules explained by the government leader. It seems there was no desire to do so.

Then, there was the presentation of the budget. Under Standing Order 83(1), one can certainly ask to make recommendations not on budgets, but on a budget, the one being presented. Once the budget is brought down, it lapses for good.

When we say a budget has been presented that does not mean it has been passed. I do not agree. In my opinion, by the time it has been brought down, instructions for preparing it have already lapsed.

The fact remains that other measures were followed. There was the amendment, the main motion, and the passing of the budget by the members of the House. In any measure, S.O. 83(1) always applies. It no longer applies in terms of this report because it addresses a budget that has already been considered by the House. The bill on the budget is before the House, not the budget itself. In other words, the motion for concurrence is no longer before us.

• (1535)

[English]

The House leader from the official opposition said that the amendment was in order and that somehow this did not enable us to rise today on a point of order to discuss this.

We could roll out for you, Mr. Speaker, reams of examples of where the opposition has, several days after an issue has been before the House, decided to rise on a point of order to argue that such a course should or should not take place. I have witnessed so many of them through the years. I remember many of these arguments being made, and if my memory serves me correctly, on several occasions by the one who said today that it was not possible to do that which he did himself on countless occasions. Therefore, I do not believe that argument should deter you from examining whether this motion is in order or out of order. We believe it to be out of order.

The other matter is that the amending motion itself was not put to the House. If you would review *Hansard*, Mr. Speaker, you would see that it was not done at the time. Perhaps some would argue on the other side that it was not necessary. I believe it was. If it was not properly put, to challenge the fact that it was not, surely it is in order to raise this and ask for the consideration of the Speaker in this regard.

I want to make one final remark as it pertains to the power to report. Marleau and Montpetit states, on page 879:

When reporting to the House, committees must indicate the authority under which the study was done (i.e., the Standing Order or the order of reference).

This is the important principle to be followed when the House leader from the Bloc says that it was a report like any other, a normal report, as he called it. It was not. It was a report under a very specific standing order, as Marleau and Montpetit instructs us on page 879.

On page 886 of Marleau and Montpetit, it states:

A motion may be presented to recommit the report to the committee so that the report may be re-examined.

That part of it can be done provided the report to be examined is still before us, which we are argue it is not.

Finally, someone mentioned that the procedure used in 1926 was still valid. This is an interesting proposition which the House might want to consider. However, I bring to the attention of the Speaker that in June 1985 the House adopted what was known as the McGrath committee report on the reform of the House in which we totally redefined the confidence convention at the time.

That report was concurred in, so it is now part of the way in which the rules must be interpreted by the Speaker. It states, in part, on page 9 of the report, "Defeat on matters not essential to the government's program", and concurring in a committee report I do not think anyone would argue is essential to the government's programs, "do not require it to arrange a vote of confidence whether directly or on some procedural or collateral motion".

Now the way in which we do these things in the end I do not even believe is identical to what it was in 1926 in any event.

• (1540)

Mr. Jason Kenney (Calgary Southeast, CPC): Mr. Speaker, I will make two brief points.

First, the hon. Leader of the Government in the House of Commons suggested, I think erroneously, that the amendment to the concurrence motion in question was out of order because the Standing Orders were amended to require that the government give its response to a committee report before concurrence could be moved. In fact, the government did give its response to this report and the response was in the form of the budget of the hon. Minister of Finance. Perhaps the hon. House leader overlooked the budget, which is at the heart of the question we are dealing with now.

He is seeking to invoke the rules to restrict the moving of a concurrence motion until there is a government response, but the minister's own arguments are not consistent with the rules that he himself sought to amend and the government amended.

I would further point out a precedent that I think will be relevant to your decision. On June 20, 1994, and on November 7, 1996, the Speaker ruled that:

While it is the tradition of this House that committees are masters of their own proceedings, they cannot establish procedures which go beyond the powers conferred upon them by the House.

Committees receive their powers from the House. The House can alter them any way it sees fit. The minister argued that committees cannot be told what to do. It is the other way around. The tail does not wag the dog. The dog wags the tail.

[Translation]

Mr. Michel Gauthier (Roberval—Lac-Saint-Jean, BQ): Mr. Speaker, thank you for allowing me a few moments to add an argument, having listened to what the member opposite has had to say.

The most valid argument the government has raised is that the report cannot be amended or considered amendable, because it deals with something that is past. That the budget has been written, and so to all intents and purposes this is an obsolete report. This is what you will have to rule on, and I imagine you may be somewhat hesitant.

I would also like to point out an inaccuracy: the budget has not been written because again last week the Prime Minister was announcing plans to modify it, saying that he would come before the House of Commons with a bill to amend the budget.

So the report is absolutely pertinent, because we would have every right to criticize the government until all changes have been made to the budget. Since the Prime Minister himself has proven by his deal with the leader of the NDP that the budget process is not over, but is still in the process of being changed, the argument that the report is obsolete is no longer valid. There may be other changes later, once this new report is tabled.

The Speaker: I thank the hon. House leader for the Bloc Québécois, the hon. Leader of the Government in the House of Commons, and the hon. House leader for the official opposition, along with the hon. members for Glengarry—Prescott—Russell and Calgary Southeast, for their comments and assistance to the Chair in this matter.

[English]

I am going to take this matter under advisement and get back to the House in due course as I recognize its importance. Obviously the Leader of the Government in the House had a week to consider his arguments. It must have taken some time because he had a lengthy one.

The hon. House leader for the official opposition and the hon. House leader for the Bloc Québécois both have also given this matter serious thought and made serious presentations to the House. I will take the matter under advisement and get back to the House in due course.

ROUTINE PROCEEDINGS

• (1545)

[English]

GOVERNMENT RESPONSE TO PETITIONS

Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I know you and all members of the House will be very pleased that I am tabling today, in both official languages, the government's response to 119 petitions.

* * *

[Translation]

AIR CANADA AND ITS AFFILIATES ACT

Hon. Jean Lapierre (Minister of Transport, Lib.) moved for leave to introduce Bill C-47, an act to amend the Air Canada Public Participation Act.

(Motions deemed adopted, bill read the first time and printed)

* * *

[English]

PEST CONTROL PRODUCTS ACT

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.) moved for leave to introduce Bill C-370, an act to amend the Pest Control

Routine Proceedings

Products Act (prohibition of use of chemical pesticides for non-essential purposes).

She said: Mr. Speaker, I am very pleased to introduce a bill to amend the Pest Control Products Act to prohibit the use of chemical pesticides for non-essential purposes.

I know I am not allowed to speak on the bill at this time; however, it is clear that since this was first tabled by other members of Parliament, medical evidence and pressure for such a ban has become more well known and more pressing.

(Motions deemed adopted, bill read the first time and printed)

The Speaker: The Chair has notice of intention to move a motion from two hon. members, the hon. member for Glengarry—Prescott—Russell and the hon. member for Prince George—Peace River. Could the hon. member for Glengarry—Prescott—Russell tell us which notice of motion standing in his name he intends to move please?

[Translation]

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I intend to move concurrence in the 21st report of the Standing Committee on Procedure and House Affairs, concerning a question of privilege which was referred to us. This being a matter of privilege, we all know how much of a priority it is.

[English]

The Speaker: Could the hon. member for Prince George—Peace River indicate to the Chair which motion on the notice paper he is proposing?

Mr. Jay Hill (Prince George—Peace River, CPC): Yes, Mr. Speaker. I have served notice to the table that I intended today to move concurrence in the 35th report of the Standing Committee on Procedure and House Affairs.

• (1550)

The Speaker: I note that the hon. member for Glengarry—Prescott—Russell appears to be moving Motion No. 7 on today's order paper and the hon. member for Prince George—Peace River appears to be moving Motion No. 42 on today's order paper. The member can guess which one I am going to call first, given the practice to call these in the order in which they appear on the order paper.

Accordingly, the hon. member for Glengarry—Prescott—Russell may move his motion.

* * *

[Translation]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I move that the 21st report of the Standing Committee on Procedure and House Affairs, presented on Wednesday, December 15, 2004, be concurred in. As hon. members know, I have the honour of presiding this committee.

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[English]

The matter that we were dealing with in the report in question was the question of privilege regarding the free movement of members within the parliamentary precinct. An event occurred, as we all remember, during the visit of President George W. Bush to Ottawa on November 30, 2004.

[Translation]

As we all know, at the time, the matter was brought to the attention of the House by one of our colleagues. I too reacted when it was brought to our attention that parliamentarians had been denied access to Parliament Hill, not at any odd time, not only while Parliament was in session—which is already a breach of our privileges—but more specifically on a day when the House was sitting, at times when Parliament was in session and when this House was to be sitting.

What was odd also was the very selective nature of the restrictions enforced. For example, there was the dean of this House, the hon. member for Winnipeg. I forget what his riding is called; it used to be called Winnipeg—Bird's Hill, but it has changed names since. He has been the MP for that riding for over 20 years. I apologize to my hon. colleague for forgetting the new name of his riding. I shall therefore refer to him as the hon. member for Winnipeg—Bird's Hill. He too had difficulty accessing Parliament Hill from the east side of Parliament.

My own office is located in the West Block and that morning I had to go to a parliamentary committee across the street, in the Wellington building. I stayed there for a while and then came back. At that location, restrictions were not very strict. It was rather easy to have access to Parliament.

Meanwhile, the hon. member for Winnipeg—Bird's Hill, who is not just anybody, since he is the dean of this House—of course, all members enjoy the same rights, but I think it was even symbolic in his case—was not able to access Parliament. There was this fence around Parliament that we are all familiar with. However, he had not even made it that far. It seems that he was not far from the Château Laurier Hotel, which is named after one of our great prime ministers, a Liberal Prime Minister. At that location he was told he could not go to Parliament. He and other parliamentarians replied that they were members of Parliament and that they had the right to go to Parliament. A Toronto police officer told them that it did not matter who they were, and he prevented them from going any further. I did not know that the rights of a Toronto police officer took precedence over those of parliamentarians. But we found this out on that day, at least based on the opinion of that member of the security forces. I am not saying this to marginalize the role of security forces, but at some point some authorities had a serious oversight when they forgot to explain to security officers their role on Parliament Hill, which was to protect parliamentarians. That part of the briefing was probably forgotten.

Still, the member and the other parliamentarians mentioned that the briefing was inadequate and that he should ask someone else or call his superior, and so on. Finally, a superior arrived and allowed the member and his parliamentary colleagues to pass.

Now, imagine that, if you will. The member was denied access to Parliament and had to become exceedingly angry before being allowed to pass. Once within the precinct, he realized there were hundreds of demonstrators. Parliament Hill was therefore off limits to members, but open to people demonstrating against President Bush, alleging that he was a terrorist, or I don't know what, with all sorts of offensive placards in front of Parliament, while the parliamentarians were denied access.

Now I remember the name of the member's riding, it is Elmwood—Transcona.

● (1555)

The member for Elmwood—Transcona, the dean of this House, had a hard time comprehending all that, and he is not alone.

The matter was discussed in the House. There was a motion, identifying the matter as one of privilege, on the face of it. The entire matter was referred to the parliamentary committee it is my honour to chair.

[English]

We found some rather puzzling things in committee. For instance, it was not obvious to anyone in security that the member of Parliament identification badge was recognized by the authority, with the exception of Parliament Hill security and the RCMP provided they were the usual RCMP people who took care of the Hill. They are familiar with the button which most MPs wear and should wear in this chamber. The button is the instrument by which we identify ourselves. It is not foolproof, but it jogs the memory of a security agent indicating that the individual is a member of Parliament. The other place has a similar button but it is a different colour.

We also have an MP identification card, a security pass, on which our photo appears and which is duly signed by our Speaker. I believe some colleagues presented it to police officers, but the officers did not know what it was. The police officers in charge of security did not know what the security badge was let alone check to see if that badge was in conformity with the norm. That was the difficulty with which our committee had to deal.

I do not think there was bad faith on the part of anyone, but there was some sloppiness in terms of how this was administered. We live in a democracy which we cherish and we want it to continue. My colleagues on this side of the House want this Parliament to continue functioning for a long time as do just about all Canadians, certainly the ones I spoke to recently. Canadians want us here and do not want an election called just because the Leader of the Opposition rented his campaign bus or whatever he did over the weekend.

However, getting back to the issue of the report, the protection of the right of members having access to this place is one of the fundamental principles of this great institution. The earliest example we could find of this protection being asserted goes back to 1733 in the British House. There is probably another example earlier than that.

Routine Proceedings

The principle that is commonly referred to is that members have access to the House free of molestation, the term described in Erskine May. It is a very important principle without which we could not function. For instance, all members of Parliament are free to come here and vote confidence in this excellent government, if I could use this as an example. If someone were to stop an MP from coming here, or in some way forced him or her to make a particular decision in that regard, that would be molestation of a member of Parliament. It is contempt of Parliament for anyone to engage in that kind of activity.

That is why we have produced this report. This privilege is sacrosanct and needs to be protected. Members of the committee were quite virulent in expressing that.

Another more recent case was brought to our attention involving an incident on May 15, 1970. I do not want to take up too much of the House's attention with this, but I think it should be stated.

• (1600)

[*Translation*]

You may recall that an hon. member complained at the time, in 1970, that the RCMP had prevented MPs from entering Centre Block on the eve of the visit by the Israeli foreign minister. We know that security is tight when foreign dignitaries are here, as was the case during the visit by President Bush, and is also the case when dignitaries come from certain countries where security is much higher than elsewhere. The United States and Israel are two examples, but there are others. It is a shame it has to be that way, but we agree. Such is the case.

On May 25, 1970, a long time ago, the Speaker, the late hon. Lucien Lamoureux, had decided that the right of MPs to enter the Parliament buildings free of molestation had always been a respected privilege. Hon. Lucien Lamoureux said:

This principle should be recognized even if there is some question as to the extension of the term "parliamentary precincts", and in particular whether the jurisdiction of the Speaker ... extends beyond the limits of the Parliament buildings themselves.

In other words, we cannot say that this was an attempt to deny access to an MP outside the parliamentary precinct and that, therefore, this did not count. At one time, the hon. Lucien Lamoureux was the MP for Stormont—Dundas. I see the member for Stormont—Dundas—Charlottenburgh now. No doubt he, like me, is inspired by the hon. Lucien Lamoureux, who did such an excellent job as the MP for Stormont—Dundas. I want to come back to that ruling by the hon. Lucien Lamoureux. It was clear in his mind that parliamentarians, whether inside or outside the parliamentary precinct, could not be denied access to Parliament.

As a result, our committee took this matter under consideration. We heard from numerous witnesses, who appeared before us to talk about parliamentary privilege. Of course, our staff and our clerk assisted us. Many others made representations to us. We heard from police authorities, and it became clear that there had been a serious lack of communication between said police authorities.

• (1605)

[*English*]

However, no matter how we cut it, someone telling the dean of Parliament, "I am from Toronto and you are not going by here", does not exactly meet the threshold of subverting what are the rights of members of this House.

In any case, I conclude by reminding the House of the recommendations and the findings of our committee. Our committee said this:

The Committee finds that the privileges of the House of Commons and its Members were breached on November 30, 2004 by the security precautions established for the visit of U.S. President George W. Bush. The denial of access, and significant delays, experienced by Members of the House constitute a contempt of the House.

This is very serious.

[*Translation*]

The committee is of the opinion that the various police forces and security services involved must take corrective measures immediately to prevent this from ever happening again. For example, I hope that the Board of Internal Economy will write to the police forces asking what steps they have taken to ensure that this never happens again, in accordance with our conclusions.

I will read on:

The Committee further recommends that the Sergeant-at-Arms and the RCMP provide written reports to the Committee by the end of February 2005 outlining the specific measures that will be taken to prevent this situation from arising in the future.

If the Speaker has received a copy of that document, it would be appreciated if he could share it with the committee I have the honour of chairing. After all, we want to know what actions have been taken. Furthermore, if this has not yet been done and if the RCMP and other forces have not yet taken specific measures, I hope that they will be contacted shortly asking them to do so as soon as possible.

Those were the recommendations we made when this incident occurred.

[*English*]

In conclusion, we said in our committee:

The Committee recommends to the Speaker and the Board of Internal Economy that as a matter of urgency it enter into discussions to merge the House of Commons and Senate security services into a unified parliamentary security service for by January 1st, 2006.

Some would argue this is a little off topic in a way. The difficulty that parliamentarians experienced here was not with the House security nor with the Senate security. I would not want anyone to think that was the case.

In any case, I think some on the other side are urging us to move to orders of the day. I seem to be hearing that on their part. Maybe that is what they want to do and perhaps the House leader could tell us if that is the case. I thought there was another motion to concur in a committee report. That was explained to us by the House leader of the official opposition so it is perfectly in order to raise the report. Because it has to do with a question of privilege, it is important that we do so now.

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In any case, getting back to parliamentary security, I have worked on Parliament Hill for a very long time. As many people will know, I started here almost 39 years ago. We have always had the two security staffs on the Hill. I would be the first to admit that we need to unite both security staffs under one central authority. We have done so with a number of other services which are far less crucial. For example, we do not have a Senate parliamentary restaurant. We have an institution for both. We do not have two separate libraries. We have unified those services and it is to the better functioning of Parliament. Therefore, I am all in favour of doing that. On this issue the threshold is even higher but because it is, it is also a little touchy for some people.

I wish I could say more about this and perhaps during question and comments I will do so.

● (1610)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I would appreciate the member for Glengarry—Prescott—Russell elaborating on the circumstances. It is certainly a very important issue. I know there were certain suggestions made to the committee as to how we might address this. Why was this matter not dealt with as part of the security arrangements in the first issue?

Clearly, members of Parliament were at risk of being interfered with in their activities in both chambers and it would appear to me that discussions of security arrangements should have included the interests of parliamentarians in the first instance. Could the member advise the House whether there was some discussion on that matter?

Hon. Don Boudria: Mr. Speaker, the hon. member is perfectly correct. That is the problem in the first place. In other words, everyone has said we must secure Parliament Hill. They forgot the second part of the sentence, for who? Obviously, Parliament Hill is for parliamentarians. That is why we are called that way. Except that whoever did the security arrangements did not seem to be aware of the second component. We must protect the place. There is a security element, but for who?

For instance, we were not protecting this chamber because the President was coming to give a speech here. Obviously that was not the issue. We were protecting the Parliament Buildings because they and their occupants needed this kind of protection, except that the occupant or the component thereof seemed to have been forgotten by someone in authority.

Security had never been informed that there was a security badge for an MP which is for quick identification. I know it is not official, but it is our quick identification system. We have a lapel pin and our official security card given to us by the Speaker. All of these things were not recognized.

One thing I forgot to mention is that security had a whole slew of accepted security cards. When our colleagues went to security, they said "I want access to the building. Here is my security card". Security had a whole tableau of various security cards, such as the press security card, the Prime Minister's staff security card, but not one for MPs. It was not even on the matrix for security to compare. As far as it was concerned, the parliamentary security card was not a valid security card to enter Parliament. That is absolutely ridiculous. It explains to what extent people goofed in that regard. There is no other way of calling it.

I hope that these measures have now been rectified. I expect that someone in command, because ultimately the RCMP is to coordinate with the other bodies, will coordinate with them to ensure that they all recognize what a parliamentary security badge is in the future. It is to be expected that members of Parliament, providing they can be properly identified with or without their security credentials, need access to this place. We want to have access to this place at any time. That is guaranteed by parliamentary privilege when we are in session.

Of course, not only were we in session, it was an actual sitting day and a time of sitting when the incidents took place. Arguably, it was an even higher threshold that everyone must live with. Those are the concerns. They really must be respected by everyone in authority.

One final element is the security on the Hill. I referred to the House and Senate. I do not know how they do it, but the security services people memorize the pictures and photographs of MPs better than I can and I have been around here longer than most. There are still a few colleagues who are sometimes a little harder for me to recognize. The security service has mastered that very well.

The RCMP officers who are here on a regular basis can see us through the tinted glass of our car at 20 or 30 yards and somehow manage to recognize us that way too. They are pretty good at this as well. It is not the division of the RCMP that takes care of Parliament Hill that has a problem. I think it is quite efficient in recognizing us.

The problem does not seem to be there. The problem I think has to do with wherever there is this bridging of authority between someone in the RCMP and the coordination of other police forces that come in to support them when we have major incidents such as this.

● (1615)

I think it is on these occasions that the shortcomings are really obvious. For instance, if I can talk about the security offered to MPs, we are all offered a kit when we are elected. There is a little card that we keep in our wallet, or wherever we want to have it. There are these stickers that we put on our telephones at home that has the telephone number of the RCMP in case we get threatening phone calls or have some other regrettable incidents. I had one at my home recently, as some members will know, although I did not raise it in this House. It was an attempt to stop me from leaving my home to come here to sit while we were in session. I did not raise it under that rubric at the time. The authorities took care of that, but I certainly did not raise it here as an issue of contempt of Parliament, although I suppose I could have.

However, the point I am making very clearly today is that the coordination needs to be done far better before we ever have a tragic event such as a crucial vote or members being unable to participate in a decision of the House. As we can see, this could be a very important issue in the future.

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We have right now a House that is divided in a number of ways. We have essentially half of the House on one side respecting the wish of the voters, in terms of making this Parliament work, and one half of the House who see a public opinion poll and get rather excited at that proposition quite needlessly because the Canadian public does not want them to go to the polls. We see the threats that are being made there. We must ensure that these security concerns are properly applied, given the context that we have before us today and what the outcome could be.

That is why these issues involving security, if wrongly approached, could have rather catastrophic effects. It is urgent for us to adopt this report and discuss it fully. I am looking forward to its adoption. I really hope that colleagues on all sides of the House will vote for this, so that we can better protect this great institution in the future. That is the point I wanted to make in reply to the hon. member's very good question.

We need to have a more coordinated approach outside and inside the building. I favour unifying the two security forces that regularly operate in these buildings, so that we would have a more coordinated approach in the future.

I do not want to speak too long on this, so now I will allow other members who no doubt want to contribute to this debate.

• (1620)

[Translation]

The Acting Speaker (Mr. Marcel Proulx): Order, please. It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Beauport—Limoilou, Housing; the hon. member for Selkirk—Interlake, Government Appointments; the hon. member for Vaudreuil—Soulanges, Citizenship and Immigration.

[English]

Mr. Jay Hill (Prince George—Peace River, CPC): Mr. Speaker, let me start off by stating that I am actually quite appalled at the hon. member for Glengarry—Prescott—Russell for moving this concurrence motion today on a couple of fronts.

Because of his longevity in this place, and I have only been here 12 years, I have built up a considerable respect for the hon. member. During my remarks today I am going to reveal the true meaning of what he is up to by moving this concurrence motion in a committee report today. It certainly would be relevant to the debate today.

It is unfortunate that despite two or three instances during his remarks, both during his speech to this debate and during his response to one of his colleagues, he said that he did not want to use up too much House time and that he wanted to be rather succinct. He alluded to that. Yet, I did not have the opportunity to ask him a question because he only responded to one question which was quite a short question. The member for Glengarry—Prescott—Russell then went on for some eight minutes to ensure that other people would not have the opportunity to ask him a question.

I wanted to allow him the opportunity to respond to a question rather than it being, as it is now, part of my remarks. It is ironic that a couple of weeks back, I do not have the exact date but I can certainly get it from *Hansard*, the member for Glengarry—Prescott—Russell

was the very individual who rose in this Chamber and chastised the official opposition for abusing, in his opinion, concurrence motions.

This is a relatively new process where any member can, as the hon. member is doing today, bring forward concurrence in a report from a standing committee. Yet, a couple of weeks ago he launched an impassioned rant in this place of how it was just absolutely an abuse of democracy for the official opposition to be using concurrence motions in this fashion despite the fact that some of the motions that we had brought forward were on extremely important subjects, for example, compensation for all victims of hepatitis C.

I do not think anyone from any of the four parties in this Chamber would argue that it is not an extremely important issue. It is something that the Conservative Party and its predecessors have raised many times in this and other Parliaments and we finally drove that to a vote under the new Standing Orders. In fact, on the very night of the vote the Liberal Party reversed its long-standing opposition to providing all victims of hepatitis C with compensation and made it unanimous by supporting the motion.

• (1625)

Mr. Paul Szabo: Mr. Speaker, I rise on a point of order with regard to relevance. Motion No. 21 deals with the infringement of rights of members of Parliament. At this point the member still has not made any reference to that. He is debating whether concurrence motions are good things or bad things. It is not relevant to the debate.

The Acting Speaker (Mr. Marcel Proulx): The hon. House leader of the official opposition is presumably getting to that point, were you not?

Mr. Jay Hill: Yes, Mr. Speaker.

I do not want any member of the House to think that this particular issue of the access to this House of Commons, to the Parliament Hill precinct, by members of Parliament from any party is not an important issue to me.

Despite the irrelevant question of relevance from the hon. Liberal member opposite, I had the advantage, unlike the member, of being present at the procedure and House affairs committee when we debated this very issue, which was brought forward by the hon. whip of the Bloc Québécois out of concern not only for his own access to the House and to the precinct during President Bush's visit, but for access by all members of Parliament from all parties.

I am not trying to make light of that issue at all by raising these other issues connected with what exactly is going on here today. It is only fair that the viewing public watching the proceedings today understand what is behind this. It is absolutely disgusting that the member for Glengarry—Prescott—Russell would use this concurrence motion, the very procedure that he himself ranted against only a couple of weeks ago, saying, "This is awful. It is terrible that the official opposition would use this to delay the important business of the House".

Routine Proceedings

The House leader of the government has stated that he wants to bring forward Bill C-43, the budget bill. He wants to ensure that we have a vote on Bill C-38. Lo and behold, today is one of the days. This morning we started out by debating Bill C-38, the marriage legislation, the very legislation that the government, the Liberal Party, says it wants to get passed, yet it is on this very day we are debating Bill C-38 that the member for Glengarry—Prescott—Russell actually moves his concurrence motion on this totally separate issue.

I think that what we are seeing today is nothing other than the Liberals' last desperate attempt to cling to power. Every procedure that we as the opposition have to attempt to hold the Liberal government accountable in this chamber is being thwarted by the Liberals and their government because they do not want to be held accountable.

What would my motion have been had we been debating it today? What about my concurrence in the procedure and House affairs committee report? The irony here as well is that the hon. member for Glengarry—Prescott—Russell is the very chairman of the procedure and House affairs committee who actually came in on the Friday before the break week and introduced the 35th report of the Standing Committee on Procedure and House Affairs for which I wanted to move concurrence today.

What does that deal with? It deals with the fact that the government has taken away from all three opposition parties the wherewithal to have opposition days at this time. Normally we would have had one a couple of weeks ago. Normally the New Democratic Party would be having one on Wednesday, May 5; it was slated to have that day. None of them are happening now. The New Democratic Party was quite upset about it before, but now that it has cut this backroom deal, the secret deal that apparently is written on a napkin somewhere, somehow now those members do not mind supporting a corrupt Liberal government.

Mr. Peter Julian: Is that how you guys ran the Airbus agreement?

Mr. Brian Masse: You forgot about the Airbus.

Mr. Jay Hill: It is only right that Canadians understand exactly what is happening here today when the government—

Some hon. members: Oh, oh!

• (1630)

The Acting Speaker (Mr. Marcel Proulx): Order, please. Even though there is a microphone for the speaker and I have speakers to hear, I have trouble hearing.

The hon. House leader of the official opposition.

Mr. Jay Hill: Mr. Speaker, as I said at the outset, this is an important issue that the whip for the Bloc Québécois raised and it was referred to the procedure and House affairs committee. We dealt with it there. The report has come back. The member for Glengarry—Prescott—Russell reported that back to the House, very similarly to the way he dealt with the motion I made at the procedure and House affairs committee to reinstate an opposition day for the Conservative Party of Canada. That would have been on May 19 if the government in fact tries to continue to postpone, cancel and

delay opposition days until June. It is now very evident that the government intends to do this.

I find it more than a touch ironic, as I said, that the very member who chastised us for the use of the new procedure on concurrence motions, which is to have a three hour debate and to actually have a vote, is the very member who stands today to move his own concurrence motion to delay any opportunity for the opposition to have an opposition day. He is someone who in past parliaments, as he often proudly notes, not only was a cabinet minister but the House leader. In my past role as whip of the official opposition I dealt with him on a day to day basis and I built up quite a respect for him. He is always quick to point out his past positions. For him to stoop this low and do this certainly calls into question the respect I have for him at this point.

I want to raise another issue as well, which deals with the budget implementation bill. A lot of fallacies are being perpetrated, many by the Prime Minister of this country when he says that if we do not get the budget passed through Parliament somehow that will be the end of the Atlantic accord, the belated promise that he kept after stalling for months and months.

It was only the pressure from some of my colleagues from Newfoundland and Nova Scotia that eventually pushed the Prime Minister into actually committing to the Atlantic accord and sharing with those two provinces fully their offshore, non-renewable resource revenue. He says that somehow this is in jeopardy.

As members know, it is the official opposition that has been pushing for weeks and weeks to have the government split off the Atlantic accord from the budget. The Liberals absolutely refused. The finance minister said that we cannot cherry-pick with the budget. He made that statement. He basically dismissed concerns from Newfoundland and Labrador and Nova Scotia, claiming that they could blame it on the Conservatives if the Atlantic accord does not pass. It is that type of nonsense we are hearing when we have pushed to have it split off, to make it separate legislation. We say, "Introduce it and let us get it through the House". We have the numbers to do that. We have 99 members. We will support the government to get it through for Newfoundland and Labrador and Nova Scotia.

Yet it was not even on the radar screen of the New Democratic Party when it cut its now infamous secret deal. It did not care about those two provinces or Saskatchewan's equalization or the farmers and fishermen. They were not even on the radar screen when the leader of the New Democratic Party cut his now infamous deal with the Liberals. That is the reality we are dealing with.

Mr. Charlie Angus: You guys on that side of the House are jumping for joy with your tax cuts. You said nothing about the farmers. You were sitting on your hands.

Mr. Brian Masse: How did you vote on the budget?

Mr. Jay Hill: Off in the far corner there, the New Democratic Party seems to have woken up.

Routine Proceedings

The other point I want to make is that the government said it has to get the budget passed right away. It says it has to get it through, yet its own motion today, which we are debating at the moment, further delays the chance of the government bringing forward Bill C-43 or amendments to that bill. We are not even sure exactly what the House leader for the government is up to, working with his new partners, the New Democratic partners, the New Democratic Party. We have this new NDP-Liberal coalition going on here.

• (1635)

An hon. member: A socialist coalition.

Mr. Jay Hill: Yes, exactly. It is a socialist coalition if there ever was one. We are not even quite sure why it is that the Liberals would bring forward a motion today that would delay them bringing forward this budget if it in fact is so important. The thing that needs to be repeatedly pointed out to Canadians is that the 2004 budget is still in the other place.

An hon. member: It has not even been passed yet.

Mr. Jay Hill: It has not even been passed. It has not even become law. That was interrupted by an election, and some would say that it was an election that was not necessary.

The Prime Minister now says we cannot have an election for some 10 months. When it comes to the views of Canadians on the acceptability of having this government in power much longer, I am not quite sure why Canadians would want to have this corrupt and unprincipled government in power for 10 more days, let alone 10 more months. It is totally unbelievable.

While I am on this subject, I want to perhaps enlighten the New Democratic Party and its leader from Toronto about something that he may not have understood or considered. It seems to me that what we have here is a contradiction of promises by the Prime Minister. I know the Liberals will want to listen to this and pay close attention.

On the one hand, the Prime Minister said that he looked under his desk and found another \$4.6 billion that could be spent on New Democratic priorities, but when pushed on that, he also said that he is not going to allow the country to be driven into deficit over that promise to the socialists. He said that. He said, "We will wait until the end of the fiscal year".

I need to enlighten the New Democratic Party: the end of the fiscal year is in March of 2006. He said, "We will wait until then, we will see if we have the money, and then I will keep this commitment to the New Democratic Party".

What about the promise? What about that other promise he made during his now infamous national televised address to the nation when he said—and I am sure he said this—first of all, that Parliament is dysfunctional. We are in agreement with him on that. Second, he said that if he is given the time, 10 more months, he will call an election 30 days after the final report from Gomery. That is what he said.

I am not sure whether the New Democratic Party goes by the same calendar that I do, but I suggest that the promise given by the Prime Minister is not worth the napkin that it is printed on, because the promise is contingent upon the country having enough of a surplus at

the end of the fiscal year. However, January comes before March, and in January the Prime Minister has committed to Canadians that he will call an election if one is not held before.

I do not understand how the New Democratic Party can feel it has this commitment from the Prime Minister when there is going to be an election before the commitment ever kicks in. It is not worth the napkin it is written on. That is the reality. I am very surprised that the New Democratic Party has not actually woken up to that fact.

The NDP leader is already admitting that the Prime Minister is good at making promises. I point out that a promise made is a promise broken. It did not take him very long to make a promise to the New Democratic Party and then turn around and break it on his commitment to slash out the corporate tax cuts, which we are in favour of because the reality is that they help build a strong economy and create high-paying jobs in Canada.

The New Democratic Party has a problem with employment. It wanted to make sure that the tax relief, which by the way was well into the future at any rate, was taken out of the budget, but no sooner was the promise made when the Prime Minister said the reality is that the government is going to ensure that tax relief is put back in. If it is taken out of Bill C-43 with one hand, the government is going to put forward some legislation on the other hand and try to put it back in.

• (1640)

Those are the types of promises the Prime Minister continually makes. I would think the new partners of the Liberal Party, this corrupt government, should be concerned about that. They sit in this place and listen to the same broken promises and rhetoric that we have all heard. They use to be concerned about these issues prior to the break week. I do not know what happened during the break week. They were concerned about a corrupt government and all the evidence that was coming out of the Gomery inquiry but now all of a sudden they are not concerned because they got a promise that the Liberal government might spend \$4.6 billion at the end of the fiscal year, if there is a sufficient surplus in the country, if they have overtaxed Canadians sufficiently to have that around to spend at the end of the year.

We know there will be an election before that. We know the Conservative Party of Canada will be elected as the government and then it will be our priorities, the Canadian people's priorities, that get addressed, not the priorities of the corrupt Liberal government that is continually trying to find ways to funnel money to itself.

I do not want to go on at any length about this but perhaps during the questions and comments I will be able to address some of these issues at greater length and further enlighten the House.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I have a question I would like to raise with my colleague from Prince George—Peace River. He made a speech very close to the agenda of the day.

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Mr. Speaker, I know you told him to get to the point but I do not think he ever went there. He talked about the NDP having a secret deal with the Prime Minister of the country. I would like to ask members what happened to the secret deal that the leader of the Conservatives had when the government came down with its budget and did not even wait for it to be read in the House of Commons before saying he could not vote against a good budget.

I think the only reason it was a good budget for the Conservatives is because they were at 24% in the polls, not at 34%, then all of a sudden when they saw the percentage go up to 34% they woke up and said the government was corrupt. The Gomery commission began last year and we already knew the Liberals had a problem. Everything was on the news but maybe the Conservatives do not listen to the news.

What was there about a secret deal? All of a sudden they are saying we have a corrupt government. I know you were sitting in the House and not voting on the budget. Maybe you were asleep at that time. I am not ashamed today that our party helps a minority government where the leader of the country—

The Acting Speaker (Mr. Marcel Proulx): May I remind the hon. member to direct his comments to the Speaker, please.

Mr. Yvon Godin: Yes, Mr. Speaker. Where were they that night when they sat and did not vote. I remember we had a vote on the budget. They said that it was a good budget and that they liked it so how could they vote against a budget like that?

The polls today say that 61% of Canadians do not want to go through an election. I want to know from my colleague if at that time they did not know about the corruption in the Liberal Party even though the Gomery commission has been going on since last year.

I would like to hear the member's comments about where the Conservatives were at that time because the 99 members of the Conservative Party just sat there and did not even use their right to vote. That is how much they were supporting the Liberal Party. They did not even finish listening to the budget before they ran outside saying they could not vote against it. I think it would be important for the Conservatives to tell Canadians where they were on that day.

• (1645)

Mr. Jay Hill: Mr. Speaker, I appreciate your intervention. Despite the fact that many of us get very hot under the collar during debate here in the House, it is important that we show the necessary respect and always try to remember to address our comments through the Chair.

My hon. colleague from the New Democratic Party raised a number of relevant issues. First, he said that I did not get to the point. I think I did get to the point. The whole point of my intervention was to reveal what was behind the government calling this concurrence motion on this standing committee report at this time and I think I made my point reasonably well.

Second, I think the member used the words “what about the secret deal that the official opposition had with the Liberals to allow Parliament to survive”. He erroneously said, as we have read many times in the newspapers since then, that we supported the government. We did not support the government, nothing like the New Democratic Party which practically joined the government.

Finally, it is quite appropriate at this stage of this Parliament that members of the New Democratic Party have become the official rump instead of the unofficial rump of the Liberal Party. They are sitting on the right side of the House, in the sense of being with their new-found partners. I think that was probably their secret agenda at all points.

It was hardly a secret deal when the budget came down that we felt at that point in time we would abstain, unlike members of the New Democratic Party who already voted non-confidence in their new-found partners. Their word means nothing. They are completely unprincipled. They will sign anything to get five seconds worth of fame on the evening news. That is the reality of it all.

The reality is that it was not a secret deal. Our leader, the leader of the official opposition, went out and explained to Canadians that we were not prepared to bring down the government at that time on the budget. We wanted to try and make it work. We had some concerns about a lot of the issues but we felt we could work on them in a spirit of cooperation.

Mr. Yvon Godin: Why? They were not corrupt at that time?

Mr. Jay Hill: My hon. colleague from the New Democratic Party asked the questions and said that he really wanted to hear the answers. Now he is heckling so loud I cannot even hear myself think, let alone respond to his earlier questions. I do not understand that. If the member wants to hear my answers then he should be listening instead of talking.

The reality was that there was no secret deal. We said at that time that we would abstain. He asked where our members were. All our members or the vast majority of our members were in the chamber. We chose not to vote to allow Parliament to survive. That is what we said and that is what we did.

Now the member says that it is all an issue of polls. He cited the polls that many of us have seen in the last little while that say the majority of Canadians do not want an election.

I have news for my hon. colleague from the New Democratic Party. The reality is, and I do not take any pride in this, that in Canada in the last election only about 60% of people voted. I think the number might have been even a little less. I would argue that roughly 40% of Canadians who are answering a poll about whether they want an election do not even vote in an election. Why would they want an election? We can take 40% right off the top.

Then, depending on the current numbers, there is probably somewhere in the neighbourhood of 25% or so Canadians who, for reasons unfathomable to me, still support the Liberal Party of Canada. Despite what has come out of the Gomery inquiry they still support the Liberals. Why would they want an election? They know the Liberals are going to lose.

Whatever the NDP have, traditionally 4% or 5% or whatever it is, we can add that on top and it probably does not want an election either.

Routine Proceedings

• (1650)

The point is that it is not a surprise that Canadians do not want an election. I would argue that Canadians very seldom want an election. It shows in the turnouts we get during election campaigns where many Canadians unfortunately do not participate in that democratic process.

The member talked about what has taken place with this so-called secret deal of the Conservatives. We were very open about what we were doing and why we were doing it. We communicated it to Canadians. I think Canadians generally accepted the fact that we had no intention of supporting the budget or of voting with the government but that it was sufficient enough that we did not want to vote against it, unlike the Bloc Québécois and the New Democratic Party which both exercised their right, and I defend their right, to vote non-confidence in the government's budget.

However the New Democratic Party has now changed its mind and has decided that unfortunately it will have to fall all over itself to prop up the corrupt Liberal government. It is just unconscionable.

The reality is that we in this party have taken a principled stand. We understand that when the government brought forward the budget it defended it all along until it knew that in order to garner a few votes it would have to try to buy them. It will cost taxpayers \$4.6 billion, if the government survives until next March, to buy 19 votes.

[*Translation*]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, during the time allotted to me, I would like to tell my hon. colleagues and those listening to us about this motion put forward by the chair of the Standing Committee on Procedure and House Affairs, after I raised a question of privilege in this House on December 1. This question was ruled in order by the Speaker of the House and discussed at the Standing Committee on Procedure and House Affairs, which eventually led to this twenty-first report being concurred in.

Having just used up approximately 30 seconds of the 20 minutes allotted to me, before getting to the heart of the matter, I will take the next 19 minutes to address the tactic currently being used by the Liberal government in the House of Commons.

This government is making indiscriminate use of the media and any other forum to accuse the opposition of paralyzing the work of Parliament. The Standing Orders allocate opposition days to the parties in opposition. The other week, we saw the tactic used by the Government Leader. At 7:59 p.m. on the Monday, just before the end of the 48 hours allowed to the Conservative Party to indicate the subject of its opposition day, the government decided to gag any possibility of holding any opposition days before the June 23 adjournment.

As parliamentary procedure allows, routine proceedings was used to present motions. What was the government's response to that? It tabled 49 motions. That figure can be checked in the order paper, but I believe that is it. The purpose of that tactic is to block the parliamentary agenda.

It is now 4:55 p.m. We have just started a three-hour debate. That will mean that today, apart from the time allocated to members' business and the debate begun prior to oral question period, this House will have spent three hours on a report tabled some months ago concerning an event that occurred on November 30, 2004. At that time, I drew the attention of the House and of the Speaker to this matter via a point of privilege. This matter has been settled to some extent by the Standing Committee on Procedure and House Affairs. The government has literally copied numerous committee reports in order to present a motion aimed at ensuring no real parliamentary business gets done.

I wish to inform you that the people listening to us are not fools, nor are those sitting on this side of the House. I am obliged to specify "this side" because the people on the other side are all in the same party. We have witnessed the alliance between the Liberal Party of Canada and the NLP. You know, a new party has been registered with the Chief Electoral Officer, called the NLP, or New Liberal Party. It was created by the merger of the Liberal Party and the former NDP, or New Democratic Party.

The electorate will be able to judge the NDP on the action that it has taken. I want to tell you that, in terms of democracy, the people are never wrong. I have confidence in the intelligence of the people. When the time comes, they will judge severely and sanction this government, which no longer has the moral authority to govern.

The attitude of the chairman of the Standing Committee on Procedure and House Affairs is unfortunate. By the way, this committee has a reputation for discussing matters widely and openly and for trying to reach a consensus among the parties.

• (1655)

This committee is made up of whips from all parties and I know that the parliamentary leader of the official opposition sometimes sits on this committee. Since it governs, you know that the mandate of the Standing Committee on Procedure and House Affairs is very wide and that many decisions are made by way of consensus. That is why, as much as possible, there is no partisanship in this committee.

However, I want to caution the committee chairman and hon. member for Glengarry—Prescott—Russell that, by introducing this motion, he has just broken, to a certain extent, this consensus approach. He has tried to be an accomplice in a shamelessly partisan action to literally interrupt the work of the House. He has made this decision, but he will have to live with it.

These are not threats. The government wants to act like this. It has made a decision. It has the right to do so. However, the government must expect a trade-off. We know that the purpose of all this is to try to avoid a final verdict by the people. Right now, the Liberal Party is only buying time. The agreement with the NDP, the so-called "NLP", is only aimed at buying time to ensure that, in case there were a vote, it would have 131 Liberal members, plus 19 members from the "NLP"—

Routine Proceedings

[English]

Mr. Paul Szabo: Mr. Speaker, I rise on a point of order. I have raised this before and I will raise it again. On the matter of relevance, talking about the coalition between the Liberals and the NDP, if we are going to talk about something interesting, we could talk about the coalition between the Conservatives and the Bloc Québécois or, in other words, the right and the wrong.

However, we are here to debate an issue about the infringement of the rights of members of Parliament. To frustrate the debate on this concurrence motion is indeed infringing my rights to deal with this issue.

[Translation]

The Acting Speaker (Mr. Marcel Proulx): Since the Bloc Québécois whip was about to make his point, he has the floor.

• (1700)

Mr. Michel Guimond: Mr. Speaker, I would like an explanation from the technical services of the House as to why the member's microphone is still on and he can go on with his remarks when you are standing. Normally, when the Speaker stands, all microphones should be turned off. But I sit on the Board of Internal Economy, and we will get a chance to raise this problem.

I need a long introduction to give some background on the events after the adoption of my question of privilege and this report. Even if the hon. member cannot see how my remarks are relevant, I can excuse him. He does not always pay attention. I need a long introduction to explain how we came to discuss in the House today this 21st report of the Standing Committee on Procedure and House Affairs.

As I said, the government resorts to diversion tactics when it needs them. Obviously, the government was not able to manage the security services during President Bush's visit. Since the government is not able to manage House proceedings either, it has to use diversion tactics such as a three hour debate on a motion.

Without a doubt, Canadians will not be fooled. They know what is true and what is not. Events, such as those told to the Gomery commission, show how one party can agree to associate itself with another party strongly suspected of corruption. As proof, we need only recall the testimony of Benoît Corbeil, who was director general of the Quebec wing of the Liberal Party of Canada.

However, with regard to the adoption of this budget, the Bloc Québécois cannot support the budget implementation bill for the simple reason that this is a bad budget. I have trouble understanding how the NDP—which voted against the budget—because it obtained funds that will be spent only in 2006 and 2007, can now consider this is a good budget.

Why are we unable to support the budget implementation bill? It is because it does not contain a single measure to resolve the fiscal imbalance, for one, or the problems with employment insurance, which is fundamental to the regions, for another.

Yesterday, in Malbaie, I attended a protest by workers in the Sans-Chemise movement. They asked us not to do what the NDP is doing and partner with a corrupt government. They hope that the Bloc will stand on its own two feet.

There were 54 Bloc members who voted against the budget and 54 Bloc members will vote against the budget implementation bill. This is what is known as being consistent. We must be honest with ourselves and with the people who elected us. We said that we would go to Ottawa to defend the interests of Quebec and our actions are consistent with our promises.

Why do some politicians lose voter confidence? Because, due to optimism or other political calculations, such as knowing what side your bread is buttered on, they change their opinion. People do not like flip-flopping. The public prefers politicians with backbone, who stand on their own two feet, remain true to their principles and act accordingly.

• (1705)

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Madam Speaker, I sense some members have come back from the week break a little crankier than when they left. I came back from northern Ontario feeling refreshed as a result of the wonderful northern air. I would like to invite members to come and refresh themselves because there definitely seems to be a sense of having lost a place in the week we were gone.

I also sense unjustifiable anger. Fifty-four Bloc members came here to say no. Because they have said no, they have been sidelined and seem to be upset. They did not come here to make Parliament work. Instead they came here to undermine Parliament. As a result of their being put off to the margins, they feel they are not being heard.

There is a greater sense of frustration from our friends in the Conservative Party who are upset because 19 members of the New Democratic Party did what 99 members of the Conservative Party had no interest in doing, which was to make this Parliament work.

We came here to keep certain promises, promises to deal with the infrastructure deficit, promises to deal with education for young people, promises for new housing in our first nations communities and promises to get pension protection for our seniors and our workers. We came here to do that, and we have done that.

What do we see in return? We see outrage, horror and scandal from the people who sit on the margins because they came to Parliament to destroy this place. We see that from the other party that came to this Parliament to seize power. I can understand why they are feeling a little miffed and uncertain.

I would like to point out that the leader of the official opposition told us a week ago that he was going to talk to his constituents and test the waters. Here is an example of Conservative mathematics. The Conservative member told us that 40% of the people do not vote so therefore 40% of their views do not count. We were told that 20% vote for the Liberals so they do not count. We were told that perhaps 4% vote for the NDP so they do not count. What is the rump? The Conservative Party will listen to the remaining 25% because they count and they will support an election.

Routine Proceedings

Let us look at some headlines in newspapers right now. One states, “Tories gag returning MPs”. What message did they hear back home that they have to gag their members? Another headline states, “Tories told to keep quiet on constituents' views”. I find it staggering that Conservative members came back with a message and that message was to sit down and get to work.

Unfortunately, the Bloc does not listen to the people in Quebec who want those members to get something done too in terms of infrastructure and student debt. That is what our party came here to do. That party came here to destroy Parliament so its members have nothing to show their constituents. Perhaps it wants corporate tax cuts.

Mr. Marc Lemay: Ask the question.

Mr. Charlie Angus: I know it is a long question mon chum. I am sorry. I am just all wound up from a week off relaxing in the warm northern air.

I have to ask my compatriot a question. What does he think the issue is that the Conservative Party is trying to gag its own MPs from coming back and delivering to the House? Is it the same issue that the hon. member is hearing back home, that Canadians want something done for a change instead of bickering about who controls power?

[*Translation*]

Mr. Michel Guimond: Madam Speaker, I am convinced that the people in his riding who voted for the member from the “NLP”—the “New Liberal Party”, formerly known as the New Democratic Party—are proud when they see him in such a flight of oratory. We were able to follow the beginning of his flight, but we could not see the landing. The member reminds me of a Canada goose because he lands like one, with his belly in the mud. We did not understand how this flight ended.

I will try to answer the question. The member's remarks remind me of a Canada goose or a snow goose. However, I am sure that his constituents are not proud to see him being applauded by the Liberals here in the House.

If there is a distinction to be made, I will say that the Bloc Quebecois did not support the budget. We voted against the budget and we will vote against the budget implementation bill. That is what it means to stand up for what one believes in, to have real backbone instead of bending with the wind. The member does not seem to understand that.

I am tempted to ask him what the unemployed in his riding are getting, despite the agreement between his leader and the leader of the Liberal Party, and the answer is absolutely nothing.

• (1710)

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Madam Speaker, the 21st report of the Standing Committee on Procedure and House Affairs dealt with this issue of the infringement of the members of Parliament and indeed members of both chambers. It finally recommended:

The Committee recommends to the Speaker and the Board of Internal Economy that as a matter of urgency it enter into discussions to merge the House of Commons

and Senate security services into a unified parliamentary security service for by January 1st, 2006.

This was the recommendation of the committee after it heard all the evidence. I know the member raised the point that was referred to committee in the first place. I asked this question earlier and I would like to ask him the same one. Does he feel the recommendation to simply merge the security services will be satisfactory to ensure that such an occurrence does not occur again as opposed to a requirement that whenever there are matters to do with security arrangements on the Hill for special visitors like the President of the United States that those discussions also involve the arrangements to protect the rights and the privileges of members of Parliament?

[*Translation*]

Mr. Michel Guimond: Madam Speaker, I see that my colleague from Mississauga South read the recommendation very well. I do not think I need to repeat it, since it is in writing.

Since I voted in favour of the report, I consider it to be a good recommendation and I hope it will be implemented as quickly as possible.

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Madam Speaker, I commend my colleague for his speech and for his flight of oratory. However, I wonder if he agrees with me that, these days, the NDP has taken a position vis-à-vis the Liberal Party that we could describe as “prostitution”? Is there a secret reason they do not want to reveal?

The NDP is usually funded by the unions of English Canada and also receives an overall cheque of \$5 million, \$10 million or \$20 million. I do not know the exact amount. Now, with a new act on public funding, it will only receive \$1,000 from the unions. Thus, it will have to campaign with empty pockets.

Moreover, NDP members are not used to going to see the people, meeting with the people, the way we do to get public funding. For example, from January 20 to April 1, I ran a fundraising campaign in my riding and I collected \$36,000 with an average donation of \$17. That is going to the people and getting funding from them.

The NDP is funded almost entirely by corporations, like the Liberal Party. It does not have any public funding and has trouble going into an election campaign. That argument by my colleague was not raised earlier.

Since my time has expired, I will get back to this in a speech later on.

• (1715)

Mr. Michel Guimond: Madam Speaker, I believe that my hon. colleague raised some points that deserve consideration. At a rally for seasonal workers last weekend, Quebec's central labour unions expressed great disappointment in the NDP's position on this deal. There is nothing in the budget for employment insurance, nothing to correct the fiscal imbalance. The NDP will have to live with—

The Acting Speaker (Hon. Jean Augustine): I am sorry to interrupt the hon. member, but the hon. member for Acadie—Bathurst now has the floor.

Routine Proceedings

Mr. Yvon Godin (Acadie—Bathurst, NDP): Madam Speaker, I welcome this opportunity to address the 21st report of the Standing Committee on Procedure and House Affairs and the very fine speech of my good friend from Montmorency—Charlevoix—Haute-Côte-Nord. This report deals with his complaint and the fact that, even when George W. Bush visits Canada, this Parliament belongs to its members. We have been democratically elected and should have access to Parliament without any restrictions of the kind encountered on the day of his visit.

I attended the Summit of the Americas in Quebec City. I remember feeling at the time as if we had been invaded by the U.S. We had U.S. helicopters hovering over us in Quebec City as if they owned our country.

The U.S. president was invited to Parliament. When he got here, parliamentarians were unable to access Parliament because of all sorts of problems they encountered.

Perhaps my friend from Montmorency—Charlevoix—Haute-Côte-Nord should listen to what I have to say. A previous speaker from the Bloc Québécois qualified as akin to prostitution the move by the so-called NLP in making a deal with the Liberals concerning the budget. I wonder where they were when the throne speech was read. They too engaged in prostitution, because they were in favour of the throne speech. We had entered into agreements at the time. If memory serves, it was already known that there were problems. Justice Gomery had been appointed to investigate, and the commission had already started hearing witnesses. Everyone was aware of possible corruption.

The only difference is that, at that time, the Bloc Québécois thought it would be losing its shirt, and losing seats in Quebec. That is why it voted in favour of the throne speech. It would even have voted in favour of the budget.

Again, the Bloc Québécois has just said we were unable to reach an agreement on employment insurance. Perhaps if the Bloc Québécois had joined with the NDP—a minority party—instead of the Conservatives, then we could have tried to get something for the unemployed. Instead, it is working with a political party that is against employment insurance. I have been in the House of Commons for eight years and every time a bill on this topic has been introduced in the House, the Conservatives have voted against it.

Now the Bloc Québécois is working with a party that is against the francophone minorities in Canada, as we know, and against economic development in Atlantic Canada since it wants to get rid of the ACOA. That is a party that wants to privatize health care. That is who the Bloc Québécois is dealing with. I do not need to take any lectures from the Bloc Québécois today.

I am proud to be a member of the NDP. In the days of Tommy Douglas, during a minority government, the NDP helped give us a public health care system. Yesterday I was at a hospital in Quebec, in Saint-Jean-sur-Richelieu, and there were patients waiting in the hallway to receive care. We see the same thing at home in New Brunswick, in Ontario and in British Columbia. It would have been grand if, in this minority government situation, the Bloc had joined us in fighting the battle for social democracy, instead of leaning to

the right as it has. It is shameful. It pains me to see my dear cousins join the Conservatives, a right-wing group. The only thing the Bloc was thinking about was how to get more MPs.

● (1720)

But they know they have not helped the cause of the unemployed. I would have been proud to see the Bloc onside with us on employment insurance, since the people of the Côte-Nord really wanted to become eligible for it. We had five months to improve EI, and regrettably were not able to do so.

When I hear it said that we in the NDP have made a pact with the Liberals about an agreement, my response is that the purpose of that agreement is to help the poor, and that I take pride in being on this side, and not with the Conservatives. We are told we are taking a backward step with a budget that is helping people who can no longer afford their own housing. My response is that we need housing for people. The phone calls we get in our riding offices come from people who do not have any housing. I am certain that my dear cousins in Quebec have the same kind of problems as we do.

I repeat, it would have been great if we had all been united, because we have fought some battles together. Where employment insurance is concerned, it was not the Conservatives who hit the streets with us. In Forestville, when 2,500 workers hit the streets with their employers, it was not the Conservatives who were out there saying they were going to change employment insurance. They say it is too costly for Canada. The workers who have lost their jobs cost too much and that is not how jobs are created. That is what the Conservatives are saying.

I would be ashamed to have taken sides with the Conservatives today as they have. I far prefer being an NDP member to being onside with the Conservatives as the Bloc members are. Where were they in November during the vote on the throne speech? Maybe that day they were being Liberals? But of course not.

Some hon. members: Oh, oh!

The Acting Speaker (Hon. Jean Augustine): Order, please. There has to be less noise. This is a place for debate.

[*English*]

This is a House of debate. Could we hear the member who was debating? Order, please. Let us be respectful to each other.

[*Translation*]

The NDP whip has the floor.

Mr. Yvon Godin: Madam Speaker, emotions run high sometimes. What Parliament and Canadians are going through right now is sad. It is sad to watch the hearings of the Gomery commission every day. A friend of mine told me that he never was interested in politics, but now he watches these hearings until 2 o'clock in the morning. He cannot sleep because of all these public funds that were given to friends of the Liberals. It is sad indeed.

Routine Proceedings

However, it is just like going to a movie. When one pays to see a movie, one wants to see the ending. That is what Canadians are saying. The member of the Bloc Québécois said that people want an election, but that is not what the majority of people in my area are saying. They want to see the rest of the movie. They want to see the end of the Gomery commission.

The NDP said that it would get what is best, as Tommy Douglas did. He got a public health system, which helped all Canadians. Today, we are getting something in the area of affordable housing for those in need. We are also getting something for workers. When employers go bankrupt, workers cannot stay without any income. I am proud that we can help all these people. It does not mean that we support the Liberals.

We got money in the Liberals' budget for workers. That is what we did and that is why the Bloc members are angry today, because they were not able to. Today, I think they are ashamed, because they did not seize the opportunity. They opted instead for an election. It makes no difference. They will not be in government in Canada. They will just be trying for a few more members. For the leader of the Conservatives, it makes no difference.

For me, getting something for social programs, for our people, made a difference. Together, we could have got something for the workers, like employment insurance. I could debate this at any time. I am sure that, had we been together, we would have got something for the workers. Instead, they let us do it alone. But, perhaps it is not too late.

An hon. member: Why did they not promise it in the budget?

Mr. Yvon Godin: You see, they have no respect even for the person speaking.

To return to today's question, you can see the importance of democratic rights. We have to come to the House of Commons to debate and vote on bills. There was no system in place to recognize MPs when George W. Bush came to Canada. That is why we have to have a system to recognize MPs, so that Parliament can function.

This is why the question raised by our Bloc Québécois colleague is very important. Some think that the RCMP should look after security for all the Parliament buildings. I have some reservations on that. I have respect for the RCMP, but Parliament is Parliament. We have good security guards at the House of Commons. They know us. We should continue this way.

As the report provides, there should perhaps be a joint House and Senate security system. These are things that could be done to improve the operation of Parliament. A lot of work has been done in this regard. There are agreements to come between the two Houses to provide for a way of working together. It can be done with the help of the report and discussions. We should find a solution by 2006.

As regards the report, perhaps the Liberals can be accused of wanting to take the House of Commons hostage. The House was taken hostage two weeks ago already, with the result that we are not able to review legislation that is so important to everyone. There are bills that we would have liked to pass. There is one that is very important to me, namely Bill S-3 on francophone minorities in

Canada, which should enjoy the same respect as anglophone minorities.

• (1725)

This is a bill that I would like Parliament to pass. We have been working on this legislation for 10 years and it is currently before the House of Commons. The Bloc Québécois should not boast about this legislation, because it voted against strengthening Bill S-3.

If we deal with security around the House of Commons when a dignity comes here, we should first ensure that security is not only provided on the west side, but also on the east side. This is where the problems originated. Second, the identification card of members of Parliament was not even recognized. How many police forces were involved? There was the Ottawa police force, the RCMP and the Parliament's security staff. This was unacceptable. Some members of the Bloc Québécois, NDP and other political parties were not able to have access to Parliament.

As for this report, I would like to see it go forward, so that the problem can be settled and not occur again. There is a problem when a foreign visitor comes here. I have travelled to several countries, and I can assure hon. members that it is not us or the Prime Minister of Canada who would visit a foreign country and prevent their House or Congress from operating. This will not happen. Therefore, refusing entry to the House of Commons to parliamentarians was a lack of respect. This is what happened in November, when American President George Bush came here.

Today, I know the remarks that were made concerned many people. The debate on security in the House of Commons and the exclusion of members from Parliament ended up in a confrontation between political parties. It is a pity. I think about Canadians watching us at home, and I wonder what they think about the circus the House can sometimes be. Since we are not even capable of having respect for one another, how can we expect Canadians to have any respect for us. Looking at the list of the 20 professions that are least respected in Canada, we are first. And we deserve that because of the way we behave. We deserve it because governments abused the system and taxpayers' money. I hope someday those who abused public funds will end up behind bars, because it is the only place money cannot buy. They will be put in prison and stay there for years.

Once again, I am proud we took this opportunity, at a time when Canadians want to get to the bottom of this matter, to wrest something from the government. The Conservatives are unhappy that we could get \$4.6 billion for ordinary citizens. They would have preferred to keep that money in the hands of big business. Let them live with their decision. Personally, I think we made the right decision. Canadians will give us credit for what we did. We are prepared to pay the price. I have no worries about what we did and what we managed to get. The electorate will pass judgment on us, the Bloc and all parties. I am not concerned.

Routine Proceedings

A Bloc colleague said that we had acted in such a way because there was no money left in our coffers. To which I respond that if an election is called tomorrow, one thing will happen. One of those days, the vote will come and the citizens will vote. They know who I am and they will know who the other candidate is. We will not be stopped by money come election time and we know it. However, I also know that does not please everybody. Let me say again that it hurts to have seen the Bloc in cahoots with the Conservatives, that is to say members of the left with members of the right.

An hon. member: We are not in cahoots; you are.

Mr. Yvon Godin: They say they are not in cahoots, but we are. There was a division in the House of Commons. The only thing that brought about that division is when they saw where they stood in the polls, because before that, there were no problems. Everybody was doing their part so that the minority government would work. Everybody was in agreement so that the minority government would work to the maximum. However, as soon as they saw their popularity increase, it did not work any longer. Corruption has not changed.

• (1730)

As far as I am concerned, corruption has not changed. Justice Gomery has been investigating since early 2004. By the fall of 2004, we were already aware of what was going on. There was the throne speech and there were negotiations. At that time, the Bloc Québécois negotiated just like the NDP and like the Conservatives. This is what a minority government is all about and we should understand that.

• (1735)

The Acting Speaker (Hon. Jean Augustine): Questions and comments, the hon. parliamentary secretary.

Mr. Louis Plamondon: Madam Speaker, I raise on a point of order. When you rose to ask if there were questions and comments, two members of the Bloc Québécois rose to ask a question before the Liberal member did. Members who rise first should be recognized first by the Chair.

[*English*]

The Acting Speaker (Hon. Jean Augustine): That is not a point of order.

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Madam Speaker, I enjoyed the member's speech. He is a bit closer to the Bloc geographically and linguistically than I am, so he might have a better understanding of this than I do, but my feeling is that the Bloc members are not representing the people of Quebec well.

I think the people in Quebec would like more money for health care. The Bloc members are going to vote against more money for aboriginal people, specifically for health care. Does the member think that the Bloc is representing the people of Quebec well? The people in Quebec would like more money for aboriginal health care.

I think the people in Quebec would like reduced waiting times. Does the member think that the people in Quebec do not want reduced waiting times? The Bloc is going to vote against it.

I think the people in Quebec would like stronger municipalities, more money for water and sewers, which we are offering. Does the

member think that Quebeckers agree with the Bloc Québécois voting against more money for municipalities?

I think it is pretty obvious that the people in Quebec are very strongly in support of a strong day care system. Does the member think the members in the Bloc are representing the people in Quebec well when they are going to vote against \$5 billion for day care in Canada?

I think the people in Quebec are very kind and generous and would like seniors to have more money. Does the member think that the Bloc is representing the people in Quebec when it is going to vote against increased pensions for the poorest of the poor in Canada?

Does the member think that literacy is almost a fundamental right in Canada to succeed in the modern day world? I think Quebeckers understand that and would support that. Does the member think they will be happy that the Bloc is voting against more money for literacy in Canada?

Does the member think that the Bloc represents the people of Quebec when it will be voting against more money for environmental technologies, for small hydro projects, for biomass projects?

I would like to ask the member if he thinks that the people in Quebec are well represented by a party that would vote against more money for the poor, the largest environmental budget in history and the largest program for children and day care in the history of Canada.

[*Translation*]

Mr. Yvon Godin: Madam Speaker, those responsible for passing judgment on the Bloc Québécois are the people that party represents, meaning Quebeckers. I respect that. They are the ones who will decide.

What I said was that, instead of joining the Conservatives, the Bloc Québécois could have joined us and done more. That is what I said and I maintain this. I am convinced that, had we worked together, our combined forces would have succeeded in resolving a large part of the problem with employment insurance. We cannot just turn around and forget the past. Together, we have accomplished a great deal with regard to employment insurance.

The Bloc Québécois says that health is a provincial responsibility. This is true. However, if we work together to obtain funding, as my colleague said earlier, perhaps the people of Quebec will not wind up in hospital corridors, as they do now. I have said it over and over: go to a vet and there are no dogs or cats waiting in the halls, but hospital patients do. This is happening in New Brunswick. I am not afraid of saying bad things about New Brunswick or saying today that the province's Conservative government closed the hospitals in Caraquet and Dalhousie and that it tried to close the ones in Saint Quentin and Saint Leonard.

Routine Proceedings

What I am asking the federal government to do is to give money to our provinces so they can provide health care to seniors and children who are hospitalized. This is what our country should be about. It is not my fault if someone does not want to live in this country. I am not ashamed of my country. I am not ashamed of coming from New Brunswick or of being an Acadian. If the federal government has billions of dollars, I am not ashamed to ask it for money to put in our regions in order to help the people at home, particularly the unemployed who cannot even qualify for employment insurance benefits and who are now contemplating suicide. I am not ashamed to tell the government that we have taken our responsibilities by getting money for people who live on the streets.

The answer to the question of my colleague from Yukon is simple. The Quebec people will judge whether the Bloc has done a good job and whether they will support it. I am willing to live with this. However, that will not change the fact that the member for Acadie—Bathurst will support the approach, within a minority government, to get the maximum amount of money to give to the citizens, to the poorest, to the people in the streets, instead of giving it to big corporations.

The Conservatives want to give that money to large corporations. They want to privatize health care and they want to do away with ACOA, which helps small and medium size businesses. I am proud that these businesses will still get a tax cut. The suggestion not to take it away from them came from the NDP. The Prime Minister of Canada was saying that small and medium size businesses were just like large corporations. The leader of the NDP said no; he wanted to help small and medium size businesses because they are the engine of today's economy. Indeed, 74% of jobs in Canada are provided by small and medium size businesses, even though they do not get any support. They pay their taxes, unlike some people in Canada, including the current Prime Minister.

I think an examination of conscience is required. If we want to solve the problem we have in Parliament and in our country and if we want Quebec to remain within Canada, we must start by respecting Quebecers and respecting each other. We must be able to reach agreements. Quebec must feel as comfortable with us as does New Brunswick. I want to be respected in the same way.

I would like to see changes to employment insurance in this budget. We need them. The problem must not be solved only in the riding of Beauséjour—Petitcodiac or in the riding of Madawaska—Restigouche, which are represented by Liberal members. The problem must be solved for all seasonal workers. That is what the Minister of Human Resources and Skills Development said. She said that she was aware of the problem with seasonal workers and that she would solve it, which she has not done even though this is something we need.

• (1740)

Mr. Yves Lessard (Chambly—Borduas, BQ): Madam Speaker, I am pleased to speak after my NDP colleague. I know him to be a proud man who is devoted to the workers and full of good intentions. I can understand why he is wounded to the quick today, because he and his party have been forced to humiliate themselves for something that does not exist.

I appeal to my colleague to clearly understand the situation when he draws an analogy to the throne speech. Let us recall that we did manage to amend it on two very important aspects. The first of these was the fiscal imbalance, which the government just had to acknowledge, and the second was about obtaining a mandate for the Standing Committee of Human Resources Development, Skills Development, Social Development and the Status of Persons with Disabilities to carry out a specific study on employment insurance in connection with an independent fund that would, in future, be used only for the needs of workers.

Those are real gains. On the other hand, today we are dealing with something that Parliament has no control over. Had the NDP really wanted to achieve the objective raised by my illustrious colleague, it would not have made a little back room agreement with the Liberals. It would have reached an agreement with the other parties in the House to say that there were certain points that could not be set aside. One of these is employment insurance, as he has said. They have abandoned EI, as they have the fiscal imbalance, which would solve the health problems the hon. member raises.

How can we be faulted today for standing fast, for sticking to our guns, and saying that the government's priorities put their friends before their country? I invite my colleague to ponder that.

In conclusion, this is my question. Does my colleague realize that most Liberal supporters are now seeking another name, because they are ashamed of the present one? Is he not forced to acknowledge today that the Liberal Party is going through an identity crisis? It is trying to identify with the NDP in order to have a label. That is not particularly honourable. Would he acknowledge that? People definitively—

• (1745)

The Acting Speaker (Hon. Jean Augustine): The hon. member for Acadie—Bathurst.

Mr. Yvon Godin: Madam Speaker, my colleague speaks of a shameful act. We need to think about all those years that Tommy Douglas worked in a minority government. When the opportunity arose, he went after something for all Canadians, a system of public health care. Today, for all Canadians, I am not saying it is a shameful act.

I come back to the fact that, if the Bloc members had agreed with me, had they joined with us to go after something for employment insurance, we would have perhaps had it today. They would not have to sit saying that we failed in our duty. We did not drop employment insurance. I can guarantee you that. I have been here for eight years and I will continue to work on this issue in the coming years.

[English]

Hon. Judi Longfield (Parliamentary Secretary to the Minister of Labour and Housing, Lib.): Madam Speaker, I am pleased to debate the concurrence of the 21st report of the Standing Committee on Procedure and House Affairs. For anyone who has been trying to follow the debate, they may have lost what the actual reason is for the concurrence motion.

Routine Proceedings

In November a very sad thing happened. Members of Parliament were denied their parliamentary right, their privilege, to enter this precinct. This is something that should never happen in a Canadian Parliament. It happened because the President of the United States had come to address Parliament and as a result of what was going on in the world over the last number of years, obviously security was very heightened.

Something of that magnitude requires more than just the work of the parliamentary precinct. They do a phenomenal job of protecting us and guaranteeing our rights of access and freedom in this place. A number of additional security forces had to be called in. There were members from the RCMP, the OPP, and police forces from across Ontario here.

Members of Parliament from all sides were denied the right to come to this place, and I will talk about what we do in this place and why it is so important that we should be able to enter. As members of Parliament we have a parliamentary ring on a finger or on a lapel. Others carry other forms of identification that just did not seem to be good enough. The whip of the Bloc Québécois pointed out that some of those police officers, when he and others were trying to put their case forward to indicate that they had the right to be here were actually not conversant in French. Some of my colleagues on the other side found that it was very difficult for them to communicate with these English speaking forces.

One of the things that the report actually suggested was the importance that all members of Parliament be able to communicate in both official languages and in the one of their choice. In this case, that was not possible. So not only did the report indicate that everything must be done to ensure that all members of Parliament have the right to be in this place or in committee, to carry on the work of the nation, we also have to ensure they are able to do it in both official languages and be able to communicate. I have not heard this in the debate today, so I was a little disappointed in that.

I am disappointed in the notion that we should not be concurring in a report. There was unanimous support in the committee. I am not certain that all members of Parliament realize the magnitude of this breach of our privilege. It is important and certainly now every member of Parliament will understand what happened on that day in November when members from all sides were not able to access Parliament Hill.

At the same time, the demonstrators were able to get free access. Members of the media were able to get access, but somehow members of Parliament, people who have been elected by their constituents to do the business of the nation, were not able to access Parliament.

We are in a minority government situation and arguably, carrying on the business of the nation becomes a little more difficult. There was a suggestion that it is inappropriate, when things are logjammed and we are having some difficulty, that other parties might want to help and assist in getting some of these things done. The whip of one of the opposition parties suggested to the member for Timmins—James Bay that somehow the Liberals in that riding would be outraged.

● (1750)

I would say to him that my mother, who is a resident and a constituent of the hon. member's, was very happy that we were working together. She has spent her entire life in education, defending the downtrodden, working for seniors and working for children. She knows that this budget which provides an additional \$31 million for literacy is extremely important. She knows what happens when people cannot find affordable day care. She understands that we need additional funding in post-secondary education. She agrees with members of the New Democratic Party, with the member for Timmins—James Bay who represents her, that we need to work together. That is what minority government is about. It is about working together.

I also know that the mother of the Minister of Labour and Housing would be extremely proud of the coalition because she also lives in the constituency of the member for Timmins—James Bay. She knows how hard her son has been working to come up money for affordable housing. In northern areas there is a large aboriginal community. These are things that we need to be working together on. They are not just Liberal values. They are also the values of the New Democratic Party, working for aboriginal communities and housing.

When members of Parliament are stopped at the edge of Parliament Hill, when they are not able to move onto the Hill, and come into committee or into the House, their privileges, and I would suggest that the rights of all Canadians, are being infringed upon because we cannot get into this place and talk about those things that are extremely important.

The member for Acadie—Bathurst was also talking about being proud. My father was born in Bathurst, also a Liberal, and would be pleased today that the Liberals and the NDP could get together on issues that are important to the people on the east coast and in northern Ontario. That is what minority government is about, working together, putting a little water in the wine, each giving a little, but we are working for the betterment of all Canadians. It is extremely important and it is important that members of Parliament have access to this place.

It is important that we have access to this place. When we are denied access to this place, we should be able to explain our situation in both languages. That did not happen on the day of November 30. We were not able to use the language that we felt most comfortable in to convey to the people who were trying to deny us access that we were members of Parliament, that we had been elected to this place. Yes, we were elected in a minority situation but we were elected to this place to do the work of the nation.

I would suggest that it is important that we talk about what happened that day, that we look at the recommendations that the committee made to ensure that this does not happen again. We do not agree with everything that goes on here. I would suggest that I do not agree with everything that my party puts forward. From time to time I have voted against legislation that my party has put forward and I suspect that I will probably do that again. I know that on Bill C-38 I have a fundamental difference with my party on something I think is extremely important, but I deserve the right to have free access to this place, to come in, and to convey my views on that.

Routine Proceedings

From time to time I hear things from the other side that I agree with, quite frankly. I agree that we should be spending more money on health. I agree that we should be spending more money on seniors. I agree that we should be spending more money on the environment. Good heavens, people from coast to coast to coast understand how important it is that we have clean air and clean water. We understand how important it is to put money into the environment, to protect the environment. Some of these things we cannot get back if we lose. We need to do that and it is extremely important, but again I come back to the reason that we are here.

We are talking about concurrence in a report that is trying to defend the basic privileges of members of the House of Commons, the right to have free, unlimited and unrestricted access to this place. On November 30, the day when there were a lot of extra people around here, people who were there to protect not only us but the President of the United States and other dignitaries, in their overzealousness to protect, actually infringed upon some of our rights and kept some of us out. This report deals with that and any future time when we have a number of people here to protect us. That is important. We want to be protected and we need to be protected.

• (1755)

I do not think there was any malice. I do not think they wanted to keep us out. They just did not have the appropriate procedures. They were not given a copy of our little green card with our picture signed by the Speaker. They did not have it. They had a number of pieces of identification that they were referring to, but they did not have that one. That should not happen. I guess it was oversight. People just automatically assumed.

It is really quite amazing. When I first came here in 1997, I was absolutely amazed. Every place I walked people referred to me by my first name. They welcomed me because the people who are here to serve this place, whether they be the clerks, the couriers, absolutely everyone who works here knows that it is important to recognize each and every one of us. They have and it is remarkable.

I am always amazed when they call the roll during a vote, that someone who has never done it before can go through every member of Parliament and almost always get it correct. Riding names are constantly changing, but they do it and they do it in an absolutely incredible fashion. Therefore we have taken a lot of this for granted.

The people who drive the buses and the people who serve us know who we are. They nod. Some of us from time to time forget to wear our parliamentary pins and we become quite incensed if by accident, when we are in the other place, they do not recognize us because we have come to expect that they all know who we are.

For the most part they do, but on occasions such as what happened on November 30, 2004 there were people from outside and they did not recognize all of us. They did not recognize the dean of the House. I cannot imagine anyone who has ever turned on a television who would not recognize that tall bearded gentleman, but they did not. When he produced his ID, it was not sufficient. It was not part of what the security forces were given as an appropriate credential to enter the House. Therefore, he was upset. The whip for the Bloc was extremely upset and he should be because it is his right to be here.

It is important that we look at the report and the recommendations that we made. We must ensure that in the future all the *is* are dotted and all the *ts* are crossed, that whatever force or whatever group of people who are here understand and appreciate, that along with the others who have security passes and other things, that members of Parliament have a right to be in this place.

We even have a right I would suggest to make outlandish statements, and we do it every day, but that is our right. We have the right to make unholy alliances. I think Canadians will judge what the Bloc and the Conservatives are doing. I think Canadians understand that and I do not have to go into great detail. They understand and they will cast their vote accordingly.

Canadians will understand what made the New Democratic Party look at what we were facing in a minority situation and understand that this was an opportunity to get a number of things done. They understand that. Canadians want the budget passed. They want things in the budget that they think are good for them. They want a new deal for communities.

Yesterday the regional chair of the municipality of Durham wrote a very impassioned letter to the local paper indicating that it was extremely important that the budget be passed. It was extremely important because communities from coast to coast to coast are anticipating the money from the gas tax. They are anticipating the new deal because they have infrastructure programs and things that they need to do. If another party realizes that we must get together to do that, I think we are all working for Canadians.

Again, because I understand relevancy, Madam Speaker, we cannot do it if we cannot get into this place, if somehow we are stopped at the edge of Parliament Hill. We cannot do it if we cannot get to committee. In this case, some were at committee outside this precinct and could not get back in.

In this particular case there was no vote, but there may be a hotly debated issue. It could happen. If we do not get the procedure right, then at some point or another we could all find that our basic rights and privileges have been violated.

• (1800)

In this case perhaps there was not a vote or a hotly debated issue, but it could have happened. If we do not get the procedure right, then we all at some point or another could find that our basic rights and privileges are violated. It is extremely important that we resolve this. We have had the debate. We are talking about it. We have made it clear to the public what happened. I see this today as an opportunity to explain to Canadians, Canadians who sent us here to Ottawa to do our jobs.

Routine Proceedings

I go back to my home riding of Whitby—Oshawa and my constituents are incredibly patient and understanding. They understand a minority situation. I used to be home a lot more. I used to get home on Fridays. I used to have the occasional Monday back in the riding when I could see constituents. I cannot any longer. I have duties as Parliamentary Secretary to the Minister of Labour and Housing which keep me here in Ottawa. We are in a minority situation and it is important that we be here. My constituents sent me here to do a job. They sent me here to fight on their behalf. They sent me here knowing that I would stand in this place, or that I would work in committee or that I would take the opportunity to talk to ministers to get things done.

Because I could enter this place freely, I was able to talk to the Minister of Transport and explain to him how extremely important it was to get money for a marina in my riding. I am pleased to say that we got \$1.5 million for cleanup. That is good environmental policy, but I could not do that if I could not get in here.

My constituents understand that it is important to talk to the Minister of Industry and the Minister of Natural Resources on issues like money for the auto industry, \$200 million for the Beacon project. We do not get that done by standing on the outskirts of Parliament Hill. We can only do that if we can get on to the ground, be in this chamber and be able to talk about things with our ministers and to have exchanges with other members of Parliament.

I am not in the House a great deal. I spend a lot of time in committee and I think that is where good work is done.

I was chair of the Standing Committee on Human Resources, Skills Development, Social Development and the Status of Persons with Disabilities. As chair, I very seldom got actively involved in the debate. However, when we were looking at things that needed to be done, I had an opportunity to suggest we do a study on literacy.

Literacy and the lack of it, the low literacy skills across the country, is very frightening. Because I could enter this place, because I could get to committee, we were able to have number of people come and make presentations. I am extremely proud of the members on all sides, the Conservatives, the Bloc and the NDP. We got together and we tabled a report on literacy. We were further rewarded in the budget this year when the finance minister announced another \$31 million for the national literacy secretariat. I know members on all sides support that. I know they want to see that passed. I am certain there are some things they do not like in the budget, but I think if they were truly anxious to make this place work, they could find the things that are important.

I cannot believe for an instant that Conservative members in some of the ridings they represent do not have seniors or do not want more money for them. I cannot believe they do not have children in their ridings who need day care, or post-secondary students who require additional help, or cities and municipalities that need infrastructure dollars and want a fair share of the gas tax. However, to hear those members talk about the budget and how disgusting it is, I just do not understand. They have small businesses. Do they not want tax breaks for small businesses? Small business is the engine that drives our country. Talking about jobs, do they not want the money that we are putting into training?

There are a lot of people out there who want jobs and who need additional funds to help them train. I find it very strange. I find it strange that the Bloc Québécois members do not understand that there are a lot of things in the budget that their constituents want. They want more money for seniors. Their seniors are no different from the seniors in any other part of the country. They need this assistance. They need affordable housing. They want it and they expect their members to come to this place to work together.

Canadians elected a minority government because they thought it was time to rebalance. They have a minority government, but they did not expect a minority government to have one or two parties constantly looking at the polls and deciding that maybe it was time to pull the plug. They expected us to roll up our sleeves and work together

● (1805)

When people are asked about whether they want an election, a lot will say they never want an election. However, when they are asked if they want an election now, they say that they want one after Gomery tables his report. Canadians are fair, they are reasonable and they want to hear all the facts.

If members do not have access to this place, we cannot have debate and we cannot put the issues on the table. I think it is extremely important that we pass the concurrence motion and that we put plans in place to ensure that all members of Parliament, no matter on which side they sit, have free access to this place, unimpeded and unrestricted.

Hon. Dominic LeBlanc: Madam Speaker, I rise on a point of order. We have consulted with other parties in the House. I am hoping to get unanimous consent to allow me to proceed to questions on the order paper and then we can revert to motions.

My concern is a number questions, including many questions from opposition members of all parties, are due today. I would like the chance to table them before 6:30 p.m. so members can have answers to these questions which are due today. Otherwise, we can imagine the confusion that will ensue.

The Acting Speaker (Hon. Jean Augustine): Does the hon. parliamentary secretary have the unanimous consent of the House?

Some hon. members: Agreed.

* * *

QUESTIONS ON THE ORDER PAPER

Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, the following questions will be answered today: Nos. 100, 101, 111, 121 and 125.

Routine Proceedings

[Text]

Question No. 100—**Mr. Merv Tweed:**

By year, what was the amount paid in dividends from 1995 to 2004 by Old Port of Montréal Inc.?

Hon. John Godfrey (Minister of State (Infrastructure and Communities), Lib.): Mr. Speaker, the Old Port of Montréal Corporation Inc. was constituted on November 26, 1981 under the Canada Business Corporations Act. It is a wholly owned subsidiary of Canada Lands Company Limited, which is a parent crown corporation listed in part 1 of schedule III of the Financial Administration Act. Consequently, the Old Port of Montréal Corporation is a crown corporation for purposes of that act.

Over the period in question, the Old Port of Montréal Corporation did not pay any dividend to its shareholder.

Question No. 101—**Mr. Merv Tweed:**

What criteria did Old Port of Montréal Inc. use in the awarding of contracts from 1994 to 2004 and what changes, if any, were made to the criteria over that time?

Hon. John Godfrey (Minister of State (Infrastructure and Communities), Lib.): Mr. Speaker, since it was constituted in 1981, the Old Port of Montréal Corporation Inc. has been subject to and has applied the criteria defined in the contracting policy to Treasury Board of Canada, which was in effect over this entire period.

Question No. 111—**Mr. David Anderson:**

What criteria did the Business Development Bank of Canada use in the awarding of contracts from 1994 to 2004 and what changes, if any, were made to the criteria over that time?

Hon. David Emerson (Minister of Industry, Lib.): Mr. Speaker, from 1994 to 2004, in accordance with its purchasing policies on goods and services, the following criteria were used by the Business Development Bank of Canada in making decisions: price, quality, delivery, serviceability, and reliability.

Question No. 121—**Mr. James Bezan:**

With regard to the expiration of the collective bargaining agreement between the government and Correctional Service of Canada employees nearly three years ago; (a) what is the current state of negotiations; (b) is the government currently engaged in negotiations; (c) when does the government estimate that a contract with the Corrections officers will be signed?

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, as negotiations are ongoing, it would be inappropriate for me to comment specifically on the state of those discussions. The Treasury Board's ultimate goal in the collective bargaining process is to reach a negotiated settlement that is both reasonable and fair to our employees as well as to the Canadian taxpayers.

Nonetheless, on November 30, 2004, after several meetings, the conciliation officer appointed by the Public Service Staff Relations Board, PSSRB, informed the parties of his decision to terminate the conciliation process based on his assessment that the number and the scope of issues still remaining provided a limited perspective that the conciliation process would lead to a settlement.

We are currently reviewing the situation to determine the most appropriate course of action to continue the negotiations process.

We trust that we will be able to conclude an agreement that is satisfactory to both sides.

Question No. 125—**Mr. Brian Fitzpatrick:**

Were the revenues generated from Crown-owned hydroelectric facilities included in the equalization calculations for the fiscal year 2003-2004, and, if so, what are the calculations for the provinces of Manitoba and Quebec?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, most revenues generated from Crown owned hydroelectric facilities are equalized in the business income revenues base of the equalization program. These revenues appear as remitted profits of government business enterprises which are combined with corporate profits to yield business income revenues. Because equalization entitlements are determined for business income revenues as a whole and not for the individual components that make up this base, entitlements associated specifically with revenues generated from Crown owned hydroelectric facilities are not available.

Some revenues from hydroelectric facilities are equalized in the water power rentals base. These include revenues from privately owned facilities and, in the case of British Columbia, revenues from Crown owned facilities received under the Columbia River Treaty.

In 2003-04, equalization entitlements generated from business income revenues were negative \$290 million for Quebec and positive \$191 million for Manitoba. Entitlements generated from water power rentals were negative \$271 million for Quebec and negative \$16 million for Manitoba.

* * *

● (1810)

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, if Questions Nos. 102, 107, 109 and 112 could be made orders for returns, the returns would be tabled immediately.

The Acting Speaker (Hon. Jean Augustine): Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 102—**Mr. Merv Tweed:**

Specifying for each the date it was awarded, amounts payable, a description, the name of supplier and whether the contract was awarded through open competition or sole-sourced, what contracts were awarded by Old Port of Montréal Inc. to the following companies: (a) Lafleur Communications; (b) Groupaction; (c) Groupe Everest; (d) Media I.D.A. Vision Inc.; (e) Tremblay Guittet Communications; (f) Gosselin, Vickers and Benson; (g) BCA Group Ltd.; (h) Groupe Polygone; (i) EKOS; and (j) Earncliffe?

(Return tabled)

Question No. 107—**Mr. Bob Mills:**

Specifying the details of each contract and operational or capital expenditure of funds by department, date, program, amount, recipient and description of the goods or services involved, how much money was spent between the signing of the Kyoto Accord and its coming into force on February 16, 2005, to prepare Canada to meet its Kyoto commitments?

Routine Proceedings

(Return tabled)

Question No. 109—**Mr. Bob Mills:**

Giving details for each with the department, a description, its date of introduction and any other useful information, what regulations have been introduced to prepare Canada for the coming into force of the Kyoto Accord on February 16, 2005?

(Return tabled)

Question No. 112—**Mr. David Anderson:**

Specifying for each the date it was awarded, amounts payable, a description, the name of supplier and whether the contract was awarded through open competition or sole-sourced, what contracts were awarded by the Business Development Bank of Canada to the following companies: (a) Lafleur Communications; (b) Groupaction; (c) Groupe Everest; (d) Media I.D.A. Vision Inc.; (e) Tremblay Guittet Communications; (f) Gosselin, Vickers and Benson; (g) BCA Group Ltd.; (h) Groupe Polygone; (i) EKOS; and (j) Earncliffe?

(Return tabled)

[*Translation*]

Hon. Dominic LeBlanc: Madam Speaker, I ask that all remaining questions be allowed to stand.

The Acting Speaker (Hon. Jean Augustine): Is that agreed?

Some hon. members: Agreed.

* * *

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

The House resumed consideration of the motion.

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eyou, BQ): Madam Speaker, I have no objection to having to speak on security on the hill. Clearly, the matter has already been settled within the committee. The opposition parties are being accused of delaying debates. The voters are not fools. Presenting this motion at this point in time is a way of delaying the proceedings of the House. It is not the opposition parties that are interested in slowing them up.

It was not very long ago that I was elected. I ran with the intention of advancing matters and not playing circus as we have today or in earlier proceedings. Some members rise in the House to talk about their Quebec cousins and say they have tried to do them a favour. In fact, their approach has hurt Quebec ideology and runs contrary to it.

When one claims to want social housing for Quebeckers while ignoring Quebec's jurisdictions, one goes against Quebeckers' interests. Here we have a minority government and the member who just spoke told us that a minority government must get along with the other parties. Unfortunately, since the throne speech we have had to put this party up against the wall to finally make it talk and try to get along with opposition parties. Lately, it even had to buy the support of some parties.

Such things should not even exist. This government should have done the sensible thing by recognizing from the outset that a minority government must be open to discussion to make things move forward as quickly as possible, and to at least gain some credibility, which is not the case right now. In that sense, it is disappointing for voters who are looking at this circus. No wonder politicians' reputation is worse than that of car dealers. This is incredible.

In light of all the testimonies heard regarding its behaviour, perhaps the time has come for the party currently in office to refer the matter to the public and to ask it to pass judgment.

We hear about parties getting together, about alliances between parties on this side of the House. But now we have to talk about parties from the other side of the House that also form the opposition, as we do on this side. Incidentally, we do not always agree with the Conservatives. We are not even sure we will agree with them when they present their motion.

However, we are in agreement with ourselves. We will vote against the budget, because it does not provide anything for Quebec workers and businesses. In this respect, we cannot support the budget. Whether the Conservatives support it or not is of little importance. Still, it is up to them to present this motion, considering that they are the official opposition. Once they do, we will decide whether we will support their motion, or whether we will support Quebeckers.

I am now getting to my question for the last speaker. Why is it that a minority government feels the need to recognize the other parties only when it has its back to the wall? Is it not logical to them to discuss issues before proposing measures?

• (1815)

[*English*]

Hon. Judi Longfield: Madam Speaker, I take some offence to the member's suggestion that we bought off another party. There were some pretty intense negotiations between the leader of this party and the leader of the New Democratic Party. Both parties wanted to continue to work for seniors and for the environment.

The member opposite said that he will vote against the budget because it does not do enough for workers. I would suggest that as a result of some of his negotiations with this party we made some concessions with respect to the throne speech. Somehow the negotiations we made with respect to the throne speech are correct and appropriate but negotiations we may have made with another party are inappropriate because they do not seem to meet his priorities. It does not serve any useful purpose for him to think that his ideas are better than others and negotiating will only be done if it serves his purpose.

We are here today talking about members' rights and privileges. We need to get back to this topic because we keep losing sight of it. We are talking about the obstruction of a member's rights and privileges on November 30 when a foreign head of state was in this building. We had perhaps not given the issue of members' identity enough forethought.

People often stop me on the street and ask me about the ring I wear or the lapel pin I wear. They are impressed by the fact that this little symbol worn on the lapel or on the finger or sometimes around the neck signifies to our security staff that we are members of Parliament. After I leave this place I keep this right and privilege. All former members of Parliament and members of the other place get to keep our identification and this lets our security staff know that we have a right to be here and that we have earned that right by getting elected to this place.

Routine Proceedings

Every member in this place has the same right, whether they be the Prime Minister, a cabinet minister, a backbencher on the government side or a member of the opposition. There is no seniority in these little symbols. They are identification and it needs to be understood and recognized when we come to this place.

This debate is about concurring in a report tabled by the procedure and House affairs committee, a committee that is set up to look after these things. I would suggest that most members have absolutely no idea what happens in the procedure and House affairs committee even though it deals with a number of things. It is not a sexy committee nor is it a committee that makes the front pages of newspapers but it does very important work. Part of its work involved making recommendations concerning the protection of members' rights and privileges. Tomorrow the committee will be dealing with the alleged violation of a member's rights and privileges with respect to information going to the member's riding.

The procedure and House affairs committee also looks at conflict of interest involving members of Parliament. It is working with the Ethics Commissioner to ensure the form we all fill out is user friendly and accomplishes what government said it should accomplish. This work does not bring headlines but it is important work.

It is important to draw the House's attention and Canadians' attention to the kind of work that is being done in committees.

The procedure and House affairs committee is also studying electoral reform. Members from all sides of the House have been talking and witnesses have spoken to us about the possibility of changing the way members are elected to Parliament.

● (1820)

We may be looking at consulting with Canadians. I think that was one of the amendments that came out of a recent throne speech. We may be looking at electoral reform and ways of consulting Canadians.

It comes down to the fact that if we do not have access to this place we will be unable to do that good work.

[*Translation*]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Madam Speaker, like my hon. colleague from Abitibi—Baie-James—Nunavik—Eeyou, I too am quite puzzled by the Liberal strategy. I cannot understand why a government that claims to want Parliament to work would put forward a motion to delay the business of the House. I have never seen anything like that in the British parliamentary system, and I have been sitting in this House for 20 years. Usually, motions are brought forward by the opposition parties in an effort to delay legislation which they want to amend, because they want more time to explain what it is all about to the public.

But today, we have the ruling party putting forward a committee motion on security, which has already been debated, and bringing the whole thing back to the floor of the House for three hours for no reason, and we learn at the same time that it has 43 other similar motions to present. This means that it will be another 43 sittings before Parliament can consider any of the current bills. That is incredible. The government itself is blocking its own legislation. I do

not understand how the NDP can applaud that. I said NDP, but I should have said NLP, or New Liberal Party, given that the party's designation changed over the past week.

I was listening to the Liberal member who spoke just before me saying that Canadians do not want an election, that they are in no hurry and that we should wait for the report of the Gomery inquiry. I have here in my hands an article from the *Journal de Montréal* from May 9, 2004. A week and a half before the election was called, what did the current Prime Minister say? He said, "Canadians know enough about the sponsorships. We will call an election immediately." He has changed his tune a year later. It was in the paper.

Why did they call the election? There was a poll indicating that there would likely be a Liberal majority government. It was political opportunism. Given the history of the Liberal Party, it is no surprise they acted that way. Think back to 1979, when the Conservative government of Joe Clark brought down its budget. On December 10, in the middle of winter, the Liberals defeated the government and forced an election during the holidays. That election was held in the first week of February because at the time we had eight weeks to campaign instead of 33 days. Why did they not wait to defeat the government? The polls were in their favour, that is why, so they defeated the government.

When Prime Minister Chrétien won a majority in 1993, did he stay in power the full five years for which he had been elected? No, with a new Conservative leader in the wings, he decided to call an election at a cost of \$250 million to \$300 million, after only three years and three months out of political opportunism—the polls were good—in order to destabilize that party. It worked. Three years and three months later, he did it again. In 10 years of being in power, Jean Chrétien went before the electorate three times out of political opportunism. He called three elections when there should have been only two, if he had stayed for the duration of the majority government mandate for which he had been elected. He could not claim that Parliament was not working. Such is the history of the Liberal Party, political opportunism.

Let us now talk about the by-election the Liberal Party called in Sherbrooke, immediately following the departure of Jean Charest for Quebec. It was called right in the middle of the opposition party leadership race.

● (1825)

[*English*]

Mr. Paul Szabo: Madam Speaker, with due respect to the hon. member, I rise on a point of order in that he has yet to talk about the report dealing with an infringement on the rights of members of parliament. His talking about everything except that is an infringement of my rights to participate in the debate on a matter that is extremely important. His comments are not relevant and he should get on to the subject matter.

The Acting Speaker (Hon. Jean Augustine): The debate has been progressing so far with very little relevance. We would ask the member to get to the point of relevance.

Routine Proceedings

[Translation]

Mr. Louis Plamondon: Madam Speaker, thank for your sound remarks. I was about to say exactly the same thing. The member for Mississauga—South must have been away a while ago, for he would have heard three or four speeches which were not much more relevant in terms of the motion. Indeed, most members in this House are outraged, with good reason, that an old topic was used to hold three hours of debate, for absolutely nothing, to delay the work of their own government. The Liberal government puts forward motions to delay its own legislation. It is incomprehensible.

I was saying that in the riding of Sherbrooke some people did not hesitate, out of political opportunism, to call a by-election. Why? Because they knew that the Conservatives were in a leadership race and they thought they could win the riding. They had forgotten that the Bloc would be there. It was present and it won the riding of Sherbrooke. This is consistently what happened.

Let us also remember this. I see the promise of a \$4.8 billion agreement made to the NDP, the New Liberal Party. That party has no memory. When did the Liberal Party ever respect a promise? It has always had two discourses: one during the election campaign and the other after. Let us recall the Trudeau against Stanfield period. Stanfield had promised a price and wage freeze. Trudeau campaigned against it and, three months later, he implemented the price and wage freeze.

Let us remember 1980, when the Liberals had promised to freeze the price of gas. Three months later, the price went up 60¢. It has consistently been like this.

My time has expired, but I would have had so many things to say about the Liberals' broken promises.

[English]

The Acting Speaker (Hon. Jean Augustine): It is my duty to interrupt the proceedings on the motion at this time. Twenty-two minutes remain in the three hours for debate provided for by Standing Order 66.

[Translation]

Accordingly, debate on the motion is deferred until a future sitting.

● (1830)

[English]

AGRICULTURE AND AGRI-FOOD

The House resumed from April 21 consideration of the motion and of the amendment.

The Acting Speaker (Hon. Jean Augustine): It being 6:30 p.m., the House will now proceed to the taking of the deferred recorded division on the amendment to the motion for concurrence in the third report of the Standing Committee on Agriculture and Agri-Food.

Call in the members.

● (1900)

[Translation]

(The House divided on the amendment, which was negated on the following division;)

(Division No. 69)

YEAS

Members

Adams	Alcock
Anderson (Victoria)	Augustine
Bagnell	Bains
Bakopanos	Barnes
Beaumier	Bélanger
Bell	Bennett
Bevilacqua	Blondin-Andrew
Boivin	Bonin
Boshcoff	Bradshaw
Brisson	Brown (Oakville)
Bulte	Byrne
Cannis	Carr
Carroll	Catterall
Chamberlain	Chan
Coderre	Comuzzi
Cotler	Cullen (Etobicoke North)
Cuzner	D'Amours
DeVillers	Dhalla
Dion	Dosanjh
Drouin	Dryden
Easter	Efford
Emerson	Eyking
Folco	Fontana
Frulla	Fry
Galloway	Godbout
Godfrey	Goodale
Graham	Holland
Hubbard	Ianno
Jennings	Karetak-Lindell
Karygiannis	Khan
Lapierre (Outremont)	Lastewka
LeBlanc	Lee
Longfield	MacAulay
Macklin	Malhi
Maloney	Marleau
Martin (Esquimalt—Juan de Fuca)	Martin (LaSalle—Émard)
Matthews	McCallum
McGuinity	McGuire
McKay (Scarborough—Guildwood)	McLellan
McTeague	Minna
Mitchell	Murphy
Myers	Neville
O'Brien	Owen
Pacetti	Paradis
Patry	Peterson
Pettigrew	Phinney
Pickard (Chatham-Kent—Essex)	Powers
Proulx	Ratansi
Redman	Robillard
Rodriguez	Rota
Saada	Savage
Savoy	Scarpaleggia
Scott	Sgro
Silva	Simard (Saint Boniface)
Simms	Smith (Pontiac)
St. Amand	St. Denis
Szabo	Telegdi
Temelkovski	Thibault (West Nova)
Tonks	Torsney
Valeri	Valley
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NAYS

Members

Abbott	Ablonczy
Allison	Ambrose
Anders	Anderson (Cypress Hills—Grasslands)
André	Angus
Asselin	Bachand
Batters	Bellavance
Benoit	Bergeron
Bezan	Bigras
Blais	Boire
Bonsant	Bouchard
Boulianne	Bourgeois

Routine Proceedings

Breitkreuz	Broadbent
Brown (Leeds—Grenville)	Brunelle
Cardin	Carrie
Carrier	Casey
Casson	Chong
Christopherson	Clavet
Cleary	Comartin
Côté	Crête
Crowder	Cummins
Davies	Day
Demers	Deschamps
Desjarlais	Desrochers
Devolin	Doyle
Duceppe	Duncan
Epp	Faille
Finley	Fitzpatrick
Fletcher	Forsyth
Gagnon (Québec)	Gagnon (Saint-Maurice—Champlain)
Gagnon (Jonquière—Alma)	Gallant
Gaudet	Gauthier
Godin	Goldring
Goodyear	Gouk
Grewal (Newton—North Delta)	Grewal (Fleetwood—Port Kells)
Guay	Guergis
Guimond	Hanger
Harris	Harrison
Hearn	Hiebert
Hill	Hinton
Jaffer	Jean
Johnston	Julian
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Komarnicki
Kotto	Kramp (Prince Edward—Hastings)
Laframboise	Lalonde
Lapierre (Lévis—Bellechasse)	Lauzon
Lavallée	Layton
Lemay	Lessard
Lévesque	Loubier
Lukiwski	Lunn
Lunney	MacKay (Central Nova)
MacKenzie	Marceau
Mark	Martin (Winnipeg Centre)
Martin (Sault Ste. Marie)	Masse
Ménard (Hochelega)	Ménard (Marc-Aurèle-Fortin)
Menzies	Merrifield
Miller	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	O'Connor
Obhrai	Oda
Pallister	Paquette
Penson	Perron
Picard (Drummond)	Plamondon
Poillievre	Poirier-Rivard
Prentice	Preston
Rajotte	Reid
Reynolds	Richardson
Ritz	Roy
Sauvageau	Scheer
Schellenberger	Schmidt (Kelowna—Lake Country)
Siksay	Simard (Beauport—Limoilou)
Skelton	Smith (Kildonan—St. Paul)
Solberg	Sorenson
St-Hilaire	Steckle
Stinson	Strahl
Stronach	Thibault (Rimouski-Neigette—Témiscouata—Les
Basques)	
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Trost	Tweed
Ur	Van Loan
Vellacott	Vincent
Warawa	Wasylycia-Leis
Watson	Williams
Yelich — 167	

PAIRED

Nil

The Speaker: I declare the amendment lost.*[English]*

The next question is on the main motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the yeas have it.

And more than five members having risen:

The Speaker: The hon. chief government whip on a point of order.

Hon. Karen Redman: Mr. Speaker, I believe if you were to seek it you would find unanimous consent for all the members having voted on the last question now being deemed as voting on this question with all Liberals present voting against this motion, except those Liberals who would choose to be recorded otherwise.

The Speaker: Is there unanimous consent to proceed in this fashion?

Some hon. members: Agreed.

Hon. Rob Nicholson: Mr. Speaker, the members of the Conservative Party will vote in support of this important motion.

[Translation]

Mr. Michel Guimond: Madam Speaker, the members of the Bloc Québécois will be in favour of this motion.

Mr. Yvon Godin: Madam Speaker, the members of the NDP vote in favour of this motion.

[English]

The Speaker: Order, please. I realize I cannot suggest that the discussions be carried on outside when members have to stay in for the vote, but we do need to have a little order so we can hear who is voting which way. The hon. member for Huron—Bruce is rising on a point of order. We will hear him first.

Mr. Paul Steckle: Mr. Speaker, I want my vote recorded as being in support of this motion.

● (1905)

Mrs. Rose-Marie Ur: Mr. Speaker, I wish to be recorded as voting yes.

Mr. Don Bell: Mr. Speaker, I wish to be recorded as voting in favour of this motion.

Routine Proceedings

[Translation]

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 70)

YEAS

Members

Abbott	Ablonczy
Allison	Ambrose
Anders	Anderson (Cypress Hills—Grasslands)
André	Angus
Asselin	Bachand
Batters	Bell
Bellavance	Benoit
Bergeron	Bezan
Bigras	Blais
Boire	Bonsant
Bouchard	Boulianne
Bourgeois	Breitkreuz
Broadbent	Brown (Leeds—Grenville)
Brunelle	Cardin
Carrie	Carrier
Casey	Casson
Chong	Christopherson
Clavet	Cleary
Comartin	Côté
Crête	Crowder
Cummins	Davies
Day	Demers
Deschamps	Desjarlais
Desrochers	Devolin
Doyle	Duceppe
Duncan	Epp
Faille	Finley
Fitzpatrick	Fletcher
Forseth	Gagnon (Québec)
Gagnon (Saint-Maurice—Champlain)	Gagnon (Jonquière—Alma)
Gallant	Gaudet
Gauthier	Godin
Goldring	Goodyear
Gouk	Grewal (Newton—North Delta)
Grewal (Fleetwood—Port Kells)	Guay
Guergis	Guimond
Hanger	Harris
Harrison	Hearn
Hiebert	Hill
Hinton	Jaffer
Jean	Johnston
Julian	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Komarnicki	Kotto
Kramp (Prince Edward—Hastings)	Laframboise
Lalonde	Lapierre (Lévis—Bellechasse)
Lauzon	Lavallée
Layton	Lemay
Lessard	Lévesque
Loubier	Lukiwski
Lunn	Lunney
MacKay (Central Nova)	MacKenzie
Marceau	Mark
Martin (Winnipeg Centre)	Martin (Sault Ste. Marie)
Masse	Ménard (Hochelega)
Ménard (Marc-Aurèle-Fortin)	Menzies
Merrifield	Miller
Mills	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
O'Connor	Obhrai
Oda	Pallister
Paquette	Penson
Perron	Picard (Drummond)
Plamondon	Poilievre
Poirier-Rivard	Prentice
Preston	Rajotte
Reid	Reynolds
Richardson	Ritz
Roy	Sauvageau
Scheer	Schellenberger
Schmidt (Kelowna—Lake Country)	Siksay
Simard (Beauport—Limoilou)	Skelton

Smith (Kildonan—St. Paul)	Solberg
Sorenson	St-Hilaire
Steckle	Stinson
Strahl	Stronach
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Thompson (New Brunswick Southwest)	
Thompson (Wild Rose)	Tilson
Toews	Trost
Tweed	Ur
Van Loan	Vellacott
Vincent	Warawa
Wasylycia-Leis	Watson
Williams	Yelich — 168

NAYS

Members

Adams	Alcock
Anderson (Victoria)	Augustine
Bagnell	Bains
Bakopanos	Barnes
Beaumier	Bélangier
Bennett	Bevilacqua
Blondin-Andrew	Boivin
Bonin	Boshcoff
Bradshaw	Brisson
Brown (Oakville)	Bulte
Byrne	Canniss
Carr	Carroll
Catterall	Chamberlain
Chan	Coderre
Comuzzi	Cotler
Cullen (Etobicoke North)	Cuzner
D'Amours	DeVillers
Dhalla	Dion
Dosanjh	Drouin
Dryden	Easter
Efford	Emerson
Eyking	Folco
Fontana	Frulla
Fry	Galloway
Godbout	Godfrey
Goodale	Graham
Holland	Hubbard
Ianno	Jennings
Karetak-Lindell	Karygiannis
Khan	Lapierre (Outremont)
Lastewka	LeBlanc
Lee	Longfield
MacAulay	Macklin
Malhi	Maloney
Marleau	Martin (Esquimalt—Juan de Fuca)
Martin (LaSalle—Émard)	Mathews
McCallum	McGuinity
McGuire	McKay (Scarborough—Guildwood)
McLellan	McTeague
Minna	Mitchell
Murphy	Myers
Neville	O'Brien
Owen	Pacetti
Paradis	Patry
Peterson	Pettigrew
Phinney	Pickard (Chatham-Kent—Essex)
Powers	Proulx
Ratansi	Redman
Robillard	Rodriguez
Rota	Saada
Savage	Savoy
Scarpaleggia	Scott
Sgro	Silva
Simard (Saint Boniface)	Simms
Smith (Pontiac)	St. Amand
St. Denis	Szabo
Telegdi	Temelkovski
Thibault (West Nova)	Tonks
Torsney	Valeri
Valley	Volpe
Wilfert	Wrzesnewskyj — 122

PAIRED

Nil

The Speaker: I declare the motion carried.

*Adjournment proceedings***ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*Translation*]

HOUSING

Mr. Christian Simard (Beauport—Limoilou, BQ): Madam Speaker, on February 24, during oral question period and in the context of the debate on the budget that had been tabled, I asked the Minister of Finance and the Minister of Labour and Housing a question in which I expressed my disappointment that the budget had nothing for social housing.

The situation has changed radically since then. Interestingly enough, the answer of both ministers was that everything was just fine and that, even if there was nothing in the budget for social housing, everything was perfect because we had nice leftovers in the existing program. I could quote part of the answer. The Minister of Finance said, "There is \$1 billion at the present moment within the fiscal framework that we are working on very closely with the provinces to distribute it across the country for new affordable housing." We were told there was money left in the affordable housing program, and we were politely brushed off.

And what is happening now? Last week, the budget was amended as a result of last minute negotiations conducted in an atmosphere of sheer panic. Not unlike what took place on February 24, when a deal was made with the Conservative Party, a right wing deal to ensure that the Conservatives stay quietly put in their seats. While \$13 billion was invested in defence not a red cent was invested in housing, probably because it came out of the negotiations that the Conservatives were not too keen about social housing. And this, even after the Minister of Labour and Housing had promised housing groups that the election promise made by the Liberals would be reflected in the budget. No funding was allocated, because the Liberals were wooing the right.

In a panicked attempt to hold on to power, that is the immoral and rather peculiar thing that they did. I urge the people of all the provinces and of Quebec to beware and not to fall for this smokescreen, this illusion, this bogus deal with a party which, together with the Liberal Party, does not make up a majority in the Commons. These are promises and a deal to try to regain some degree of virginity.

This government is immoral. The ruling party is immoral. We have heard it in the testimony before the Gomery commission. We have also seen that this government is immoral in the way it deals or does not deal with the other parties in the House. It has never acted as a responsible government. It has never wanted to make this Parliament work. It is an immoral party and it does not deserve our confidence.

The government has already begun to break the agreement between the leader of the NDP and the Prime Minister of Canada by

saying, "We will come back with the corporate tax cuts. We just said that to please the NDP members. They fell for it". They might well say the same thing after the budget, "Well, at that time we said that to get the support of the NDP and restore our image. We had promised that for the social housing". We know that agreements with the provinces generally take a year and a half to negotiate; we know that the Liberals still do not have a majority with the support of this party; and then they try to put on a mask of social concern to hide the fact they have not put the dirty money in trust and have not treated the other parties with respect in the past year. Moreover, they try to blame the Bloc or the Conservative Party for overthrowing a government. They try to blame the others for their own, Liberal turpitude.

• (1910)

[*English*]

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Madam Speaker, that poor hon. member does not seem to be able to take yes for an answer. Every year the Government of Canada commits \$1.9 billion to support 640,000 families living in existing social housing units across the country. In addition, last week the government committed a further \$1.6 billion over the next two years, a commitment that fulfills the campaign promise of last year.

This is nothing new. The government has been active on this file for the last number of years.

In 2001, the affordable housing initiative was \$680 million over five years to help increase the supply of affordable housing. Budget 2003 built on this initiative by providing an additional \$320 million over five years. I know the hon. member opposite might be bored with a few facts, but I hope he is paying attention to this.

This brings the Government of Canada's investment in affordable rental housing to \$1 billion by the year 2007-08. Funding is being made available to provinces and territories that are prepared to match federal contributions.

There was a recognition last week that some provinces have more difficulty than others in meeting the requirements of matching funding, so the government introduced additional flexibilities to the program, including allowing provincial funding on other affordable housing programs to count as cost-matching for the purposes of calculating the fifty-fifty contribution on an overall rather than unit by unit basis over the next two years.

Further, in recognition of the need to preserve the existing stock of affordable housing, budget 2003 extended CMHC's housing renovations program for a further three years at an annual cost of \$128 million.

In December 1999, the Government of Canada announced \$753 million as a contribution to help Canada's homeless persons.

The \$305 million for SCPI, otherwise known as the supporting communities partnership initiative, provides capital costs and funding for homeless people. Budget 2003 provided a three year extension for the SCPI partnership initiative at \$135 million per year in order to help sustain efforts to address homelessness.

Adjournment proceedings

I know, Madam Speaker, that you and I share communities that are very interested in making sure that our communities can access the SCPI funding. You, like I, Madam Speaker, support homelessness initiatives in the city of Toronto. We have quite a number of homeless people that reside in our ridings on a nightly basis.

In budget 2000, the goods and services tax rebate program for new residential rental accommodation was introduced. The GST rebate now provides for a 36% GST rebate, which is similar to the rebate provided to new homebuyers. The program is estimated to refund \$55 million annually to landlords for new residential rental properties.

These programs are in addition to the \$1.9 billion that is the base funding for 640,000 households.

To sum up, the Government of Canada has made new funding commitments of almost \$3 billion since the year 2000 to help ease affordability challenges for low income Canadians. As stated in the budget, it was our clear intention to renew and extend these programs as their funding came due over the next few years, so I am somewhat perplexed by the hon. member's feigned indignation.

• (1915)

[*Translation*]

Mr. Christian Simard: Madam Speaker, what false indignation. How interesting. The member wants facts. He is talking about funds that were already allocated and spent a number of years ago.

“Yes, there is real indignation.” I did not say this, Pierre Gaudreau of the RAPSIM for the Montreal homeless did. He was shocked that, last week, the Minister of Labour and Housing went to the Old Brewery Mission for the third time to announce the same \$2.5 million. This resulted in Pierre Gaudreau saying of homeless people that people living in poverty were being treated as if they were roads and the same commitment was being made three times to the same people with the same old funds. This is immoral and shameful, just like this government.

When they talk about old commitments, they forget to add that the CMHC has a \$3.4 billion surplus, when normally the Canada Mortgage and Housing Corporation's sole purpose is to help people, not make a profit.

In closing, I want to make one final point. About 1.7 million Canadians and Quebeckers spend over 30% of their income on housing. Since the Liberals came to power, 300,000 individuals have joined those ranks. The members want facts? There are some facts.

[*English*]

Hon. John McKay: Madam Speaker, what is scandalous and immoral is the hon. member's inability to comprehend simple facts.

Adequate housing is a priority of the government. The government has poured literally billions of dollars into this file on an annual basis. We commit to do even more as time and resources are available to us.

We are working very closely with the provinces to distribute across the country the existing \$1 billion in the fiscal framework for the construction of new affordable housing. There are the GST rebates of \$55 million per year. There are existing funding

commitments to help low income Canadians with housing repairs, some \$128 million, and for the homeless, an extension of the SCPI file, of \$135 million per year. This represents new funding commitments of almost \$3 billion since 2000, on top of the \$1.9 billion that is spent on an annual basis. It does not lie in the mouth of the hon. member or any of the members opposite that the government is not committed to this file.

• (1920)

GOVERNMENT APPOINTMENTS

Mr. James Bezan (Selkirk—Interlake, CPC): Madam Speaker, I want to return to a question I originally raised on February 18 concerning the appointment of Mr. Glen Murray to the National Round Table on the Environment and the Economy.

The key issue is that the government has completely ignored its own promise. The Prime Minister promised that he would put an end to the politics of cronyism. He said that he would make sure that it would no longer be about who one knew in the PMO. Yet we are still at the point where failed Liberal candidates are getting the plum patronage jobs with the government.

In Mr. Murray's case, the individual is not qualified for the job. As mayor of Winnipeg, the individual did a terrible job managing the environmental problems surrounding Winnipeg.

My riding of Selkirk—Interlake is on the northern boundary of Winnipeg. The Red River flows through Winnipeg into my riding and then into Lake Winnipeg, which largely falls within my riding as well. Unfortunately, Mr. Murray always turned his back on the issue of cleaning up the problems of dumping raw sewage directly into the Red River, which subsequently flows into Lake Winnipeg.

This individual has been appointed to serve on the round table and he has no appreciation of environmental issues. He did not even look at cleaning up his own backyard. That backyard, unfortunately, is my riding where many people raise families. There is a commercial fishing industry and a large tourism industry. My kids swim in that lake which has raw sewage coming right out of Winnipeg in it because of the lack of initiative shown by Mr. Murray.

The real problem is that Mr. Murray's appointment was rejected by the Standing Committee on the Environment. We had a debate in the House of Commons and the House rejected Mr. Murray as the candidate for chairman of the round table. Unfortunately, the Prime Minister has gone ahead with having Mr. Murray serve as chairman of the National Round Table on the Environment and the Economy.

I have to ask, why has the government and the Prime Minister not followed through on the Prime Minister's promise to put an end to cronyism, to put an end to patronage appointments?

Mr. Murray is a failed Liberal candidate. He failed against a Conservative in a bid to become a federal politician. He is now collecting a pretty decent honorarium to serve on the round table. The government has supposedly fixed the democratic deficit, but I am concerned that motions that have passed in the House and motions that have passed in the committee have been completely ignored.

If we really are to reach out to Canadian citizens and show them that the government can work, that the House of Commons can represent their needs, then we have to make sure that we are reflecting the will of all members of the House. Backbenchers were told that they would have input. Unfortunately, we are not seeing that. The Prime Minister, his office and his cabinet are carrying on as if there were a majority government and they could do as they pleased. I am very concerned about the situation.

Hon. Robert Thibault (Parliamentary Secretary to the Minister of Health, Lib.): Madam Speaker, as the hon. member mentioned, the government recommended Mr. Glen Murray as chair of the National Round Table on the Environment and the Economy.

The round table is an independent advisory body that provides advice on sustainable development to decision makers and to the Canadian public. At the round table, Mr. Murray will be joining other distinguished Canadians in developing policy recommendations on key issues related to the integration of the environment and economy.

The round table draws its members from a broad range of sectors of Canadian society, including business, labour, academia, environmental organizations and aboriginal people. Mr. Murray brings a wealth of experience to the position. His academic background and professional experience in both the private and public sectors make him well suited for this position. He is currently research associate for the Centre for Urban and Community Studies and a visiting scholar and urban policy coordinator at the University of Toronto.

During his years as mayor of Winnipeg, he brought the concerns of Canadian cities and municipalities to the forefront of national debate. His experience in urban planning and development, the environment and the application of innovative fiscal measures are a fitting complement to the round table's focus on urban sustainability, brownfields redevelopment and ecological fiscal reform. As well, his broad background in working with other levels of government and a number of stakeholders is well suited to the government's recent request to the round table.

With the coming into force of the Kyoto protocol, the government has specifically requested the round table to provide advice and recommendations on the development of a long term energy and climate change strategy for our country. This request builds on the round table's current focus on the role of fiscal policy in promoting decarbonization in Canadian energy systems and of long term energy planning.

As the Prime Minister mentioned, Canada will depend on the round table's advice, guidance and expertise to ensure that Canada respects its commitments under the Kyoto protocol. Mr. Murray's nomination is in keeping with the government's commitment to appoint the best qualified people to positions in the federal public sector. I have full confidence in Mr. Murray's nomination as chair of the National Round Table on the Environment and the Economy and his ability to provide strong leadership as the round table continues to address key sustainable development issues for our country.

● (1925)

Mr. James Bezan: Madam Speaker, we are not here to question the role of the round table. I agree 100% that we need the round table and the expertise that sits around it to advise the government. The

Adjournment proceedings

problem is the minister has mentioned that we have distinguished individuals who sit around the table, yet Mr. Murray's experience and track record on environmental issues is terrible.

He is an individual who has completely ignored his own municipal government's role in environmental issues in the province of Manitoba. The only thing he has in his track record that could possibly get him appointed to the round table is that he is a member of the Liberal Party. He was a Liberal candidate in the last federal election. Aside from that, the individual has absolutely nothing else to offer to this very important round table on dealing with issues that concern our future, our future generations, our families and the health of our environment.

I ask the government to take a second hard look at this individual, to renege on that commitment and to put in place a proper person to chair that committee.

Hon. Robert Thibault: Madam Speaker, I would remind the member that this position is a volunteer position. He is not employed as a researcher. He is not employed as a scientist. He is employed to chair a group of experts who will guide government.

The former mayor is very used to chairing meetings of people with different ideas. He has to bring those ideas forward.

I watched the committee and I thought it was appalling to see the cronyism, with an outright attack on an individual and his credibility for pure political reasons. His political affiliation should not be considered, but his ability to do the job should. He should not get the job because he is affiliated with the Liberal Party, but he should not be disqualified because he has been affiliated with the Liberal Party. If that were the case, the majority of Canadians could not be qualified for those positions because the majority of Canadians have voted at one time or another for our party, and for good reason.

The members opposite are concerned about the environment. Not so long ago they were telling us that global warming was a myth. I am glad they have come to that realization. We have understood it for a long time and I am sure Mr. Murray will help us along in that.

● (1930)

[*Translation*]

CITIZENSHIP AND IMMIGRATION

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Madam Speaker, the Immigration and Refugee Protection Act calls for a new entity to be created within the Immigration and Refugee Board, the IRB, namely the refugee appeal division.

In his appearance before the Standing Committee on Citizenship and Immigration when the bill was being studied in 2001, former IRB head Peter Showler stated the following.

The vast majority of protection decisions will be made by a single member... It is true that claimants will no longer enjoy the benefit of the doubt currently accorded them with two-member panels... However, any perceived disadvantage is more than offset by the creation of the refugee appeal division, the RAD, where all refused claimants and the minister have a right of appeal on RPD decisions.

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In April 2002, it was announced that creation of the appeal division was delayed by system overload. The minister of the day had apparently promised at the May 2002 annual general meeting of the Canadian Council for Refugees that he would be putting it in place in less than a year.

On May 9, 2002, the United Nations High Commissioner for Refugees wrote to the minister of the day, indicating that an appeal procedure was vitally important.

[English]

I am writing to convey UNHCR's deep disappointment, following your recent decision to postpone indefinitely the creation of the Refugee Appeal Division at the Immigration and Refugee Board.

[Translation]

The HCR representative in Canada also said:

It is particularly important for states to demonstrate not only their determination to combat abuse and to address security concerns, but also their commitment to the protection of refugees.

Minister Volpe keeps saying that the Canadian immigration system is one of the best in the world. Yet, his government's relentless refusal to implement this appeal division has been condemned by the Canadian Council for Refugees, the UNHCR and Amnesty International.

The Refugee appeal division is indispensable for the smooth functioning of the Canadian refugee determination system for many reasons. In the interests of efficiency, a specialized appeal division is a much better use of scarce resources than recourse to the Federal Court, which is not at all specialized in refugee matters. It would be much better placed to correct errors of law and fact. In the interests of consistency of law, an appeal division deciding on the merits of the case is the only body able to ensure consistency of jurisprudence. In the interests of justice, as in matters of criminal law, a right to appeal to a higher tribunal is essential for the proper administration of justice.

In December 2004, the chairperson of the Immigration and Refugee Board, Jean-Guy Fleury said:

It would require initial start up costs of an estimated \$2 million in addition to \$8 million in annual operating costs.

Let me say that should the government decide to act on the RAD, we would be ready, with sufficient new resources.

In other words, neither costs nor technical difficulties are an impediment to the establishment of an appeal division. The only thing lacking, despite all opinions to the contrary, is the minister's political will.

The Minister of Citizenship and Immigration claims that the existing system contains a number of appeal mechanisms. That is not the case. There are mechanisms for reviewing decisions, but none to reassess the facts submitted in support of claims.

The organization KAIROS noted:

A United Nations committee says Canada failed Mexican torture survivor Falcon Rios ... The UN Committee Against Torture blamed the failure on Canada's lack of an effective appeal process for rejected refugees.

In Canada, you can appeal a traffic ticket, but you can't appeal a decision that could send you back to death in the country you fled when you put your trust in us.

These were recent statements by Mary Corkery, the executive director of KAIROS.

The Bloc Québécois supports this statement. We call on the minister to put the appeal division promised three years ago in place immediately. The mechanism is provided in the law. The House approved it. Only the minister fails to see the need and the urgency of implementing it.

[English]

Hon. Hedy Fry (Parliamentary Secretary to the Minister of Citizenship and Immigration, Lib.): Madam Speaker, Canada's humanitarian traditions are widely known and respected around the world. It therefore is indeed a pleasure to have the chance to highlight some of our accomplishments. I also appreciate the opportunity to rectify a number of misconceptions in the hon. member's question.

The hon. member said that the United Nations High Commissioner for Refugees disapproves of the Government of Canada's attitude toward refugees and of its handling of the Refugee Appeal Division. The truth is that the United Nations High Commissioner for Refugees has referred to Canada's present refugee system as one of the best in the world and a model for other countries, even without the much touted appeal division.

Indeed, the 2004 Canada country operations plan says that Canadian policy and practice are often seen as an example for other countries. It is very important in this debate to deal with the facts and not with political rhetoric.

Canada's refugee system today offers protection to those in genuine need and helps to reinforce this country's track record of compassion and openness to those seeking asylum from around the world.

Indeed, Canada's acceptance rates for refugee applications are among the highest in the world and this country has led the world in recognizing the protection needs of vulnerable groups such as women and children.

The hon. member has suggested in the past that there are insufficient avenues for reviewing decisions in the current system. The truth is that no refugee claim is ever finalized without providing each applicant with multiple avenues of review by separate and impartial decision makers. Each and every claimant is granted an initial hearing before an officer of the Immigration and Refugee Board. Each and every claimant can present his or her case for review to a federal court judge if his or her claim is rejected.

The hon. member suggests that these reviews are merely technical in nature. The truth is, however, that a federal court judge can also take into account unreasonable findings of fact. Each refugee applicant whose claim is rejected is also granted a hearing before a pre-removal risk assessment officer before they can be removed from Canada. Each and every claimant can, of course, at any time in the process, apply to stay in Canada on humanitarian and compassionate grounds. Protection is what we care about and that is what the current system delivers.

The hon. member rightly notes that the minister has committed to consider several options with regard to an appeal on merit over the next six months. Now surely this is reasonable. Nothing has been abandoned. What is not on the table, however, is embracing the unacceptable approach advocated by the hon. member for Vaudreuil—Soulanges who says that the Government of Canada should abandon its responsibilities to refugees and to the people of Canada by essentially undoing a lot of the work already taken to streamline the existing system.

That being said, we all know that the process can be streamlined and that waiting times can be shortened but the system is very complex and it is counterproductive to only examine one piece of it without looking at the whole. That is what we have said we would do. We would like to see this in the broader context of overall reform of the refugee system. This, and not the suggestion of the hon. member for Vaudreuil—Soulanges, is what really counts for asylum seekers as well as for all Canadians.

● (1935)

[*Translation*]

Ms. Meili Faille: Madam Speaker, I am looking forward to June 15. It is an important date because the minister has to give us an answer by then. I am looking forward to it.

In reality, no one in the field opposes our position. It is one thing to say that our refugee acceptance rate is high, but we must also be compassionate. It is not enough to say that we want a humanitarian system, we must also act to make it so.

The appeal division is fundamental for the good reputation of Canada's legal system because we know that its immigration system is awash with abuse and flaws, as shown by reports published in all the Canadian media. If Canada's immigration system is seen in a favourable light by other countries, let us not be taken in: few countries, apart from Canada, do not offer an appeal system to refugees.

The procedural safety net that the refugee appeal division constitutes will reinforce the credibility of the IRB with the public,

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just as the appeal courts of Quebec and the other provinces strengthen their whole justice systems. Those who criticize the IRB, those who think it is too lenient as well as those who think it is too harsh, will have considerably fewer reasons to criticize it, and Canada's refugee determination system will be better able to defend its good reputation.

[*English*]

Hon. Hedy Fry: Madam Speaker, the hon. member said she wants to hear what the minister will have to say. I am proud to say that the minister has come up with a lot of creative solutions to some of the problems with this particular system of citizenship and immigration that all of us on both sides of the House have been talking about. Processes need to be fixed.

The hon. member believes that this appeal on merit system is some kind of silver bullet that would immediately fix everything that is flawed in Canada's refugee system. It cannot do that because the system is complex. One cannot fix one piece without throwing out the whole piece. We have to look at the whole complex mechanism.

We know there are individuals who want to take advantage of Canada's openness and compassion for gain. Sometimes 95% of applicants from particular countries are found to be without merit. This is more than a coincidence.

The problem is that there are insufficient decision mechanisms. It takes too long for decisions to be made. Adding another layer will only make things take longer. Let us fix the system as a whole. That is what we plan to do.

● (1940)

[*Translation*]

The Acting Speaker (Hon. Jean Augustine): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:41 p.m.)

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