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OFFICIAL REPORT
(HANSARD)

Wednesday, December 12, 2018

The Honourable GEORGE J. FUREY,
Speaker

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

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THE SENATE

Wednesday, December 12, 2018

The Senate met at 2:15 p.m., the Speaker in the chair.

Prayers.

SENATORS' STATEMENTS

INTERNATIONAL HUMAN RIGHTS DAY

Hon. Jane Cordy: Honourable senators, I rise today in recognition of the seventieth anniversary of the adoption of the Universal Declaration of Human Rights, which happened this past Monday. Of course, our world looked very different in 1948 than it does today, but the fundamentals of the declaration still hold true. Since its adoption, we have had many treaties to legally reaffirm and guarantee those rights.

One very important aspect of the declaration, and the one that will be the focus of this statement, is the right to education.

Article 26 of the Universal Declaration of Human Rights proclaims that "Everyone has the right to education." This has since been widely recognized and elaborated upon by numerous United Nations' initiatives, including the International Covenant on Economic, Social and Cultural Rights in 1966; the Convention on the Rights of the Child in 1989; and the UNESCO Convention against Discrimination in Education in 1960.

Rights to education have additionally been reaffirmed in other treaties as they relate to specific groups, including women and girls, persons with disabilities, migrants, refugees and Indigenous peoples, as well as within specific contexts such as education during armed conflicts.

What is perhaps one of the most crucial aspects of the right to education is how it acts as a means of realizing other rights. It is a tool for empowerment, and it enables those who have access to develop fully as human beings. It acts as a catalyst to lift marginalized groups out of poverty, and it is of benefit both to individuals and to society as an element to achieve peace and sustainable development.

The 4As that were developed by Katarina Tomasevski, the first UN Special Rapporteur on the Right to Education, describes essential features that make the right to education meaningful. These were adopted by the Committee on Economic, Social and Cultural Rights, and appear in General Comment No. 13, on the right to education. The 4As are as follows.

Available: Education is free, and there is adequate infrastructure and trained teachers able to support the delivery of education. Accessible: The education system is non-discriminatory and accessible to all, and positive steps are taken to include the most marginalized. Acceptable: The content of education is relevant, non-discriminatory and culturally appropriate, and of quality. Schools are safe and teachers are professional. Adaptable: Education evolves with the changing needs of society and challenges inequalities such as gender discrimination. Education adapts to suit locally specific needs and contexts.

• (1420)

Honourable senators, I am very proud to have been a teacher for so many years. I have seen first-hand the benefits of a quality education to students, families and communities. As we celebrate 70 years of human rights and rights to education, let us remember to be vigilant in our commitments so that we continue to evolve and adapt as our world changes.

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Dr. Vir Sennik and Mrs. Nina Sennik. They are the guests of the Honourable Senator Marwah.

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

Hon. Senators: Hear, hear!

MUMMERING

Hon. Fabian Manning: Honourable senators, today I am pleased to present Chapter 50 of "Telling Our Story."

Imagine, senators, that on any particular evening during the upcoming 12 days of Christmas, you and the members of your family are gathered together in your cozy living room watching a Christmas movie or you are out sitting around the kitchen table having a cup of tea and a chat with family and friends when, all of a sudden, you hear a loud knock on your front door followed by the popular request, "Any Mummers allowed in?"

Now friends, you may not have experienced this unique tradition if you do not call Newfoundland and Labrador your home. But if you do and you answer that knock on the door, you will come face to face with the Mummers who want to come into your home and do some mummering. Now, many of you may be asking, "What in the name of God is he talking about today? What exactly is mummering?"

Mummering, also referred to as jennying, was brought to Newfoundland and Labrador in the early 19th century by immigrants from England and Ireland who crossed the Atlantic to see the new world. This activity involves a group of people disguising themselves in wild and outrageous outfits who visit local homes. You may see men dressed as women, women dressed as men. We were way ahead of the rest of the country on cross-dressing. You may see oddly padded figures with humps on their backs or mitts on their feet. You may see underwear being worn on the outside with their trap doors undone. Lace tablecloths and cut-out pillowcases really help to hide the mummers identity.

Once invited inside, the mummers, with their identities hidden, will sing and dance while the hosts attempt to guess the identity of each mummer. Once revealed, the disguises were removed and a traditional Christmas party with plenty of food and drink would follow before the mummers would move on to the next house.

It hasn't been all fun and games because on December 28, 1860, during a time of religious and political tensions in Newfoundland, three people disguised as mummers murdered Isaac Mercer in the Town of Bay Roberts. Following that horrendous crime, the government of the day passed a bill on June 25, 1861 making it illegal to wear a disguise in public without the written permission of the local magistrate. Despite the new law, mummering continued in many rural communities, although the practice died out in larger towns and cities.

In 1982, the locally popular musical duo Simani wrote and recorded "The Mummers Song" and mummering experienced a revival. Then in 1986, the longest running regional television show on CBC, known as "Land and Sea," aired a show titled "A Fortune Bay Christmas" featuring the famous song and a great kitchen party. It has aired every year since to a devoted and growing audience and the show has retained a timeless appeal. There are popular lyrics such as, "Be careful the lamp and hold onto the stove. Don't swing Granny hard 'cause you know that she's old," are well known by all the people of our province.

Or how about:

> Well, I suppose you fine mummers would turn down a drop
> Of home brew or alky, whatever you got.
> That one with his rubber boots on the wrong feet
> Ate enough for to do him all week.

This song is a Newfoundland classic.

In 2009, the Heritage Foundation of Newfoundland & Labrador established the annual Mummers Festival, which includes a massive Mummer's Parade in St. John's. By the way, mummering has also found its way to Philadelphia in the U.S.A., where a large parade has been held each year since 1901.

My home province has a rich cultural history of storytelling, singing, dancing and many other traditions dating all the way back to the 16th century. Some traditions are stranger than others, but none stand out more than the Christmastime costume tradition of mummering.

Colleagues, may I avail of this opportunity to wish you and your families a Merry Christmas and a safe, healthy and prosperous 2019.

MENTAL HEALTH

Hon. Patrick Brazeau: Honourable senators, during the holiday season, our thoughts turn naturally to family and friends. We reflect on the fragility of life — on our own personal fragility — and we hope our lives are meaningful and that we are contributing. For those who are struggling with addiction or other mental health challenges, the holidays can aggravate rather than soothe these conditions. What life has taught me — and it has been a hard, sometimes painful and very public lesson — is the importance of honest connection in our lives. There is nothing as valuable as the genuine human kindness we can offer to each other.

No amount of money, fame or adulation, no amount of likes or retweets, no number of lectures given or books published can compare with genuine connection.

[*Translation*]

We all face certain obstacles and difficulties in our lives. Despite the anguish and suffering we may go through, we need to make a choice between just moving on or finding some meaning in these life-changing events in order to have a positive impact on others.

Sadly, mental health is still a taboo subject in our society, despite all the advancements made in this field and the treatments that are available. Yet statistics show that mental health problems can often lead to suicide, a phenomenon that primarily affects men and young boys.

You may have guessed that this cause means a lot to me. Colleagues, I'm making the choice to break the silence and use this forum to remind you all to take action. Don't just wait for the right moment to come along. Create it. Break the silence. End the isolation. If someone is struggling, whether it's a loved one, a colleague, a friend or you yourself, it's important to act, to ask questions and to offer a helping hand.

[*English*]

It can save a life and offer someone a second chance.

In the early morning of October 31, my partner and I welcomed our son, River Alexandre Brazeau, into the world. I am a fortunate man indeed; a second chance. Holding River, changing and feeding him — often in middle of the night, as all parents know — I think about his wide open future before him.

I am grateful to have a wonderful partner, River's mother, my beautiful Marie-Claire, who is also going to be receiving her PhD soon. Good times. I am grateful for my family and close friends who have never let me down or abandoned me. I miss my mother, who left us too soon.

This is a world of second chances, of renewed relationships and of forgiveness.

I would like my young Indigenous brothers and sisters right across the country to know how precious and valued they are. I ask them not to give into despair during the holidays or at any time. Instead, reach out to those who have your best interests at heart, reach out to those who support and genuinely love you and let them know you could you use a steady hand.

For those who see a friend who is struggling, I encourage you to reach out today to that person.

With that, thank you, Your Honour, and I wish you all happy holidays.

Hon. Senators: Hear, hear.

EZEKIEL HART

ONE HUNDRED AND SEVENTY-FIFTH ANNIVERSARY OF DEATH

Hon. Linda Frum: Honourable senators, the year 2018 marks the one hundred and seventy-fifth anniversary of the death of Ezekiel Hart, the first person of Jewish faith ever to be elected to political office in the British Empire.

After losing as a candidate in 1804, he won a by-election in 1807 in his home riding of Trois-Rivières, a largely Catholic district. His election created a crisis with repercussions felt for years.

In those days, elections were held in public, by a show of hands. On the third voting turn, Hart was declared the winner. It was Saturday, April 11, 1807. He was asked by the returning officer to sign certain documents. Since it was the Sabbath, he requested a delay, which was denied. He then reluctantly agreed.

When the session began in January 1808, a resolution was introduced to expel Hart from the assembly based on the fact that he was of the Jewish religion and because, when he was being sworn in with the phrase "on the true faith of a Christian" he substituted the word "Christian" for "Jew."

During the debate it was emphasized that Jews do not believe in the New Testament and therefore, his oath was invalid. Hart was expelled. He soon had another chance since the general election was called for April 1808. He was re-elected and this time, Hart took the oath in the Christian manner. However, another resolution against him was tabled when the legislature opened. After a lengthy debate, Ezekiel Hart was again denied the right to sit and to vote because of his religion, a decision later confirmed by the British colonial secretary. Ezekiel had enough and returned home to his business.

In 1830, his son Samuel ran in Trois-Rivières. Like his father, he was met with strong opposition.

Fortunately, the Speaker of the House, Louis-Joseph Papineau, who had voted for Ezekiel's expulsion in 1809, had a change of heart and moved to enact, a 1832, the Act to Grant Equal Rights and Privileges to Persons of the Jewish Religion. This law granted the equal right to vote to Jews, a quarter century before these rights were granted elsewhere in the British empire.

• (1430)

When Ezekiel died in 1843, he was accorded an impressive funeral. The stores in Trois-Rivières were closed and the local militia regiment paid him final honours.

The story of Ezekiel Hart reminds us how much Jews had to fight for recognition, even here in Canada. Although historians agree that the question of his oath was used to discard a political opponent, as much as it was pure prejudice, this episode of Canadian history reminds us that anti-Semitism has always been with us and must always be resisted.

The story of Ezekiel Hart is also a tribute to the people of Trois-Rivières, a Catholic district that elected him twice and then his son a few years later, forcing the adoption of a law that was revolutionary for its time. They voted for the man they knew and respected, not for a person of a particular religion.

Colleagues, I invite you to reflect on the road travelled in the last 175 years and to celebrate the memory of Ezekiel Hart, the first Jew to be elected to public office in the British Empire.

LUCILLE HARPER

Hon. Mary Coyle: Honourable colleagues, Nellie McClung said, "Never retreat, never explain, never apologize. Get the thing done and let them howl."

Well, colleagues, I can assure you that our community of Antigonish is likely howling with joy and appreciation at this very minute as people gather to celebrate, thank and honour Lucille Harper, community leader and feminist activist, for her more than 30 years of service to our region and the greater causes of social and economic justice.

Lucille Harper was awarded the Governor General's Awards in Commemoration of the Persons Case in 2010. Her award citation read:

> As Executive Director of the Antigonish Women's Resource Centre since 1988, she has assisted thousands of girls and women with issues related to poverty, violence, social exclusion, health education and training. In Antigonish, she has been instrumental in establishing a Sexual Assault Nurse Examiner Program, Sexual Assault Response Team, school-based Healthy Relationships Program and the women's health centre.

Lucille Harper is a fierce and relentless defender of women's rights and, as Nellie McClung exhorted, she certainly never retreats. She does, however, take great pains to explain — educating women, girls and all members of our community has been her life's work and we are all the better for it.

Lucille stands up for the most vulnerable and rallies support for them. In addition to her laudatory work with the Antigonish Women's Resource Centre, Lucille Harper has been on the frontlines of the Antigonish Poverty Reduction Coalition, the Antigonish Affordable Housing Society, the Antigonish Community Transit Society and Syrian-Antigonish Families Embrace.

Lucille was one of the most moving speakers at last year's grand opening of the Hadhad family's Peace By Chocolate factory in our community.

Well respected for her creative and articulate leadership at the regional and national levels, Lucille Harper was a pioneer with Women's Centres Connect, Feminists for Just and Equitable Policy, the Women's Action Network of Nova Scotia and the Canadian Research Institute for the Advancement of Women.

Accompanying people facing real-life situations of poverty and violence for decades, as Lucille Harper has, could cause anyone to lose their sense of humour and zest for life, but this is not the case for our local Antigonish hero. Lucille and a group of fun-loving feminists in our community established a choir called the Wandering Menstruals which regularly serenades crowds at community events.

Lucille Harper is a gifted mentor of young women, and as she retires this month she leaves a strong team of next generation women leaders as her enduring legacy.

Another Famous Five member, Emily Murphy, said, "I think women can save civilization." Lucille Harper has certainly done her utmost to take up this societal challenge.

I salute this passionate, intelligent woman of integrity as she retires from this phase of her activist life. Lucille, we are all so proud and in awe of you.

Thank you, *wela'lioq*.

[*Translation*]

ROUTINE PROCEEDINGS

PARLIAMENTARY BUDGET OFFICER

FALL ECONOMIC STATEMENT 2018: ISSUES FOR PARLIAMENTARIANS—REPORT TABLED

The Hon. the Speaker: Honourable senators, I have the honour to table, in both official languages, the report of the Office of the Parliamentary Budget Officer, entitled *Fall Economic Statement 2018: Issues for Parliamentarians*, pursuant to the *Parliament of Canada Act*, R.S.C. 1985, c. P-1, sbs. 79.2(2).

ENERGY, THE ENVIRONMENT AND NATURAL RESOURCES

COMMITTEE AUTHORIZED TO EXTEND DATE OF FINAL REPORT ON STUDY OF EMERGING ISSUES RELATED TO ITS MANDATE

Hon. Rosa Galvez: Honourable senators, with leave of the Senate and notwithstanding rule 5-5(a), I move:

> That, notwithstanding the order of the Senate adopted on Thursday, December 7, 2017, the date for the final report of the Standing Senate Committee on Energy, the Environment and Natural Resources in relation to its study on emerging issues related to its mandate be extended from December 31, 2018 to September 30, 2019.

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

Hon. Senators: Agreed.

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

Hon. Senators: Agreed.

(Motion agreed to.)

[*English*]

QUESTION PERIOD

NATURAL RESOURCES

OIL TANKER MORATORIUM—FIRST NATIONS CONSULTATION

Hon. Larry W. Smith (Leader of the Opposition): My question is for the government leader today concerning Bill C-48, the oil tanker moratorium act.

Yesterday, a group of 15 First Nations chiefs from the National Coalition of Chiefs, the Indian Resource Council and the Eagle Spirit Chiefs Council were here to speak to honourable senators about their grave concerns with this bill. Collectively, they represent 200 communities.

This delegation made it clear that there was no meaningful consultation with their communities prior to the federal government bringing in the moratorium, not even a phone call. As was the case with the Nisga'a representatives who were here last week, these chiefs are very concerned that the tanker ban will do economic harm to their people and Canada as a whole.

Senator, what does the government say in response to their position, especially with respect to the strongly held view that there was no consultation?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. The minister responsible has made clear that he engaged in a series of consultations in advance of tabling this legislation. I should also say, as the chamber has now moved this important bill to committee, it gives us in the Senate an opportunity to hear from all voices and to ultimately make decisions with respect to the legislation before us.

Senator Smith: Thank you for your answer.

My first thought is that, hopefully, you could get a message to the minister to qualify whether there actually was consultation, because it may provide an opportunity for continuing discussions, if there is a desire on the part of the government.

Yesterday we also heard about concerns over the arbitrary nature of the ban. There are 4,000 inbound oil tankers each year on the East Coast, yet the northern coast of British Columbia is subject to a ban that exists nowhere else in Canada.

Honourable senator, you have told us that you believe the line is not arbitrary, but clearly the First Nations and Metis chiefs we met with yesterday disagree. Why are their communities and traditional territories subject to this ban when other communities are not?

Senator Harder: Again, I thank the honourable senator for the question. With respect to his preamble, let me refer to my earlier answer in which the minister has stated his engagement in consultations. This is a matter that we will, in the Senate, be pursuing in committee to ensure that there are appropriate consultations with all of the stakeholders involved.

• (1440)

With regard to the views expressed in the meetings that the honourable senator speaks to, it is important, as we study this bill in committee, to hear from the experts that determine the basis on which the lines that were drawn were drawn.

As I indicated in the speech before this chamber, it is the view of the government that those lines that were drawn — I should say, by the government of Mr. Mulroney — were lines that were based on sound and rational practice.

Hon. Richard Neufeld: Honourable senators, my question for the Government Leader is also on Bill C-48.

The Eagle Spirit Energy Corridor project is led by First Nations to create an energy corridor from Grassy Point, on British Columbia's northwest coast, to Fort McMurray, Alberta. It could be the first major Indigenous-led infrastructure project in Canada's history. Simply put, if Bill C-48 is passed, Eagle Spirit could easily be dead.

The chiefs we met with yesterday repeatedly expressed their proven ability to balance natural resource development with strong environmental protections. They want to build economic opportunities for their youth but Bill C-48 is standing in their way.

Senator Harder, why is this government intent on killing the historic potential of Eagle Spirit through the tanker ban imposed by Bill C-48?

Some Hon. Senators: Hear, hear.

Senator Harder: I thank the honourable senator for his question. It is a legitimate question and one that we have debated in this place and will debate in committee and, I am sure, when we get to third reading.

Honourable senators will also know we heard from a large group and delegation of Aboriginal leaders from the Pacific Northwest who are the political leaders and political voices who have the mandate to speak for their people. They have expressed opposition to the development to which the honourable senator refers. Eagle Spirit is a corporate entity which has the objective of building a pipeline to which the Aboriginal community and the involved leaders that we met with earlier are opposed.

This is a task for the Senate to grapple with as it considers Bill C-48 and is one that is entirely appropriate for us to review in committee.

Senator Neufeld: The chiefs I met with yesterday are concerned about what they see happening through our energy sector in Western Canada and they expressed a fear the moratorium will be the final nail in the oil and gas industry.

One member of the delegation told us, "We can't rely on government so we have to rely on our own resources, but now we are being challenged by this government with Bill C-48."

Why is this government getting in the way of letting these First Nations get out of poverty to be able to have the same opportunities that your children had, to be able to go to the same universities that your children went to and to be able to provide for their families the way all of us do in this place? What is wrong with that, sir? Why don't we let it go ahead and let them prove to us that they can do it? Because I believe they can.

Some Hon. Senators: Hear, hear!

Senator Harder: I thank the honourable senator for his question. Clearly, the commitment that he is exhibiting in his question to the economic development of our Aboriginal peoples is well founded.

What the government is seeking to do by legislating the moratorium — which, I repeat, has been in place for 36 years — is one that respects the wishes of the Aboriginal community and recognizes the unique nature of the territory involved. I should also reference, as we learned when we heard from the Aboriginal leaders that visited us a few weeks ago, that there is significant economic development taking place in the community that matches the ecological and environmental concerns with local Indigenous economic development.

SPORT AND PERSONS WITH DISABILITIES

SEXUAL EXPLOITATION AND COMPETITIVE SPORTS

Hon. Marilou McPhedran: Your Honour, my question is to the Government Leader about sexual exploitation in competitive sports and organizations receiving federal public funding in Canada.

In particular, the *Toronto Star* of December 3 revealed a deeply troubling report on the coaching culture of wrestling in Canada. The report brought to light a number of problems relating to athlete-coach and/or athlete-staff relationships, as well as multiple examples of physical, verbal and psychological abuse in the sport.

In addition, the report found sexist attitudes exhibited by many coaches and staff impacting disproportionately and negatively on female wrestlers, also finding that women often receive less instruction from coaches.

Currently, Wrestling Canada Lutte receives federal funding from Sport Canada, yet it does not have policies which address the above-mentioned issues.

Thus, my question is you as Government Leader has several aspects.

First, what action is the government taking to address issues of harassment and sexual misconduct in all sporting organizations that receive public federal funding in Canada?

Second, is the government implementing and evaluating the effectiveness of existing policies or guidelines to ensure that sporting organizations which they are funding have and follow these guidelines, and implement them?

If these publicly funded organizations do not have policies or are not implementing what they have, what is the government doing to ensure these organizations develop their own effective mechanisms for dealing with complaints of harassment?

Lastly, does the government intend to continue funding organizations like Wrestling Canada Lutte, which do not have policies regarding harassment and sexual misconduct?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for her question. She is raising an important issue in our society. I obviously will need to consult with the minister and report back with respect to the detailed questions that have been asked.

NATURAL RESOURCES

OIL TANKER MORATORIUM—FIRST NATIONS CONSULTATION

Hon. David Tkachuk: Honourable senators, my question is for the Leader of the Government and is also on Bill C-48.

Several of the chiefs that Senator Neufeld, Senator Smith and I met with yesterday spoke of their concerns regarding American foundations which provide funding to groups in Canada with the stated purpose of stopping energy development in our country.

Calvin Helin, the president of Eagle Spirit, said, "The chiefs feel there is foreign interference in their traditional territories, territories they know better than anybody else."

It was clear, Senator Harder, that the Indigenous leaders we met with yesterday take seriously the matter of foreign funding.

My question is this: Why doesn't the federal government hold the same concern? With the crisis we are seeing unfold in Western Canada with our energy sector, why isn't this government taking a stronger stand against this interference?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for his question. He will know, from the legislation that has been before this chamber, that the government is seeking to balance the right of expression and of policy engagement by Canadians, and that the interests that are shared on issues of importance are appropriately guided by how charities are treated and are appropriately circumscribed by how elections are conducted to ensure that undue foreign influence in the political process is dealt with effectively.

At the same time, I think we all need to ensure that the rights of Canadians to speak to the issues of the day are protected.

Senator Tkachuk: We learned last month that this government has provided project funding to Tides Canada, an American-funded anti-pipeline group. And earlier this year, this government gave Canada Summer Jobs funding for the Dogwood Initiative, a group that has received money from the Tides Foundation in the United States.

According to the Dogwood Initiative, this summer jobs funding was to pay for a student to:

> . . . help our organizing network stop the Kinder Morgan pipeline and tanker project.

If the federal government takes foreign interference in our energy sector seriously, why is it giving taxpayers' dollars to these groups?

Senator Harder: Again, the honourable senator will know that support for certain groups has been historic. I should repeat that it would be inappropriate for the Government of Canada to circumscribe the voices of Canadians that participate in public policy discussions.

[*Translation*]

PRIME MINISTER'S OFFICE

RAJ GREWAL

Hon. Jean-Guy Dagenais: My question is for the Leader of the Government in the Senate. Yesterday, the *National Post* indicated that it has emails showing that MP Raj Grewal — about whom I'm still waiting for information from you — and the current Liberal Minister of Innovation, Science and Economic Development allegedly played a role in a real estate transaction that required the City of Brampton to pay an extra million dollars to acquire government land.

That million dollars ended up in the pockets of real estate company Goreway Heaven. One of the company's directors is a former Liberal riding association president who accompanied Prime Minister Trudeau on his now notorious trip to India. The behaviour of MP Grewal and a current government minister is starting to look awfully suspicious.

• (1450)

Leader, could you tell us what measures your Prime Minister has taken to date to address these allegations of collusion to benefit Liberal friends?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): Again, the honourable senator will know that the Prime Minister has answered these questions fully in the other place as well as in public, as has the minister to whom he refers. These allegations are ones that are strongly refuted by the Government of Canada and I have no further comments to make should these allegations be explored by the appropriate authorities.

TRANSPORT

CONFEDERATION BRIDGE—BRIDGE TOLLS

Hon. Percy Downe: A question for the Leader of the Government in the Senate.

Senator Harder, every December, Islanders are hit with another increase on the Confederation Bridge toll which is currently $47. It will be two years next January since the Prime Minister, in response to a question on those very high tolls compared to the Champlain Bridge, which is also owned by the Government of Canada, paid for by the Government of Canada and which the Prime Minister announced in the 2015 election would not have tolls, indicated in response to that question on the tolls on the Confederation Bridge that he would work to ensure that Canadians would travel at modest cost across Canada.

Prince Edward Islanders took great hope from that statement. Can you give us an update on how that is going?

Hon. Peter Harder (Government Representative in the Senate): Again, I thank the honourable senator for his vigilance on these issues. These are questions that he has asked before and I have answered in reminding him of the policy of the Government of Canada with respect to where tolls are placed and where they are not. He will know that the policy of the Government of Canada with respect to the Confederation Bridge and the replacement bridge that is being put in place in Montreal are different. One is a replacement and the other is a *de novo* bridge for which there was a contract for both building and for rights for fees.

Senator Downe: I will try to disagree without being disagreeable, but the comparisons don't work at all. The original Champlain Bridge had a toll. The Government of Canada had a long-time infrastructure user-pay policy.

The new bridge the Government of Canada is constructing in Windsor will have a toll. The Confederation Bridge has a toll. The Champlain Bridge does not have a toll. All three bridges are owned by the Government of Canada.

The question Prince Edward Islanders and other Canadians are asking is this: Why the difference in policy? Why are all Canadians having to pay the full construction and the ongoing maintenance costs of the Champlain Bridge but other Canadians have to pay a toll for transportation infrastructure?

The Confederation Bridge is a replacement bridge for the ferry service that were terms of the conditions of Prince Edward Island joining Canada. We had to debate a constitutional amendment in this chamber to allow tolls when the bridge was constructed because that was the policy at the time. Prime Minister Trudeau changed the policy in 2015. Islanders and other Canadians expect equal treatment. The Prime Minister said in January 2017 he would look at this issue in terms of modest costs. He also acknowledged in that same meeting that the toll was too high.

My question is: Given what the Prime Minister said, when can we expect action on his comments for modest costs for Canadians to travel for transportation in this country? No one considers $47 modest.

An Hon. Senator: Hear, hear.

Senator Harder: I thank the honourable senator for his question. I first want to assure him he is not being disagreeable but we are having a disagreement. Let me assure him that I will bring his concerns to the attention of the highest levels of this government to ensure that attention is drawn to the policy statements and commitments that he is referencing.

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

CHINA—UNITED STATES—DETENTION OF MENG WANZHOU

Hon. Thanh Hai Ngo: Honourable senators, my question is for the Leader of the Government in the Senate.

Again, Canada has been stuck in the middle of crossfire. On the one side, we have been exploited by the U.S. in its trade war with China; on the other side, we are being bullied by Chinese threats once again.

The arrest of Canadian ex-diplomat Michael Kovrig came on the third day of the bail hearing and in retaliation for the detention of Chinese Huawei CFO, Mrs. Meng Wanzhou, who has been arrested in Vancouver facing extradition charges in the United States.

Senator Harder, this is a clear indication that travelling to China now represents a danger to Canadians. These concerns have been felt by Canadians in China.

Can you tell us how the Prime Minister will finally stand up to Chinese retaliation in the defence of Canadians in China and if this government will increase the security risk level for Canadians travelling to China?

Hon. Peter Harder (Government Representative in the Senate): As the honourable senator will know, the Government of Canada certainly is aware of this situation. The minister and the Prime Minister have spoken publicly of the commitments the government has made and the seriousness with which they treat this matter and the highest levels of engagement with their counterparts in China.

I should also say that the family has been very much consulted and is involved. The individual concerned is well-known to some of us in this chamber as a very experienced and reputable foreign

service officer on leave. Some senators will know that my son served with him in Beijing. He is highly regarded and a highly competent individual. This is a serious matter.

The Government of Canada is seeking to resolve this matter in the best way possible. One of the best ways possible is discretion.

Senator Ngo: Thank you for your answer, Senator Harder.

Tensions between Canada and China are high after the arrest of Huawei CFO Meng Wanzhou and the subsequent detention of the former Canadian diplomat Michael Kovrig. The Chinese government said this week that the risk of "severe consequences" are up to Canada.

Does the Prime Minister realize that our national security could have been even more vulnerable to the Chinese threat of severe consequences if we would have Huawei 5G infrastructure across Canada at the moment?

With these events still unfolding, does the government realize it is time to ban Huawei's technology and the installation of 5G Internet, like our Five Eyes allies have done?

Senator Harder: Senator, there are times when questions like this are completely unhelpful; this is one. We all want to ensure that the Government of Canada engages appropriately and effectively. The government is well seized of the need to ensure the safety and security of Canadians, well seized of the need to ensure the integrity of our telecommunications system.

As I have repeated on several occasions, the government is studying this with the appropriate officials involved. We are consulting with the appropriate allies and this is not the time for inflamed debate.

HEALTH

PHARMACEUTICAL DRUGS

Hon. Judith G. Seidman: Honourable senators, my question is for the Leader of the Government in the Senate and concerns shortages of pharmaceutical drugs.

This fall there was a severe Canada-wide shortage of both the brand and generic version of Wellbutrin, an antidepressant used to treat major depressive disorder. This is not the only drug to be subject to widespread shortages in 2018. For example, the EpiPen product, used to treat the most severe allergic reactions, and certain blood pressure medications was in short supply across our country.

As well, in March, the Canadian Anaesthesiologists Association wrote to the Minister of Health regarding shortages of several of the most commonly used local anaesthetics. The minister recently said in the other place that the government is taking important steps to address the issue of drug shortages but did not elaborate.

Senator Harder, would you please make inquiries and let us know what those steps are?

Hon. Peter Harder (Government Representative in the Senate): Senator, thank you for raising this issue; it is an important one. I'm sure that many of us, myself included, have friends and people close to us who are affected by these issues. I would be happy to make those inquiries and report back.

Senator Seidman: Thank you very much for that.

A report issued by the C.D. Howe Institute in June of this year showed that about 1,000 shortages had been reported annually in recent years. In fact, a third-party website which monitors drug shortages for Health Canada currently lists 1,689 actual shortages across Canada. The C.D. Howe report urged Health Canada to:

> . . . provide annual reports on the drug shortage problem in an effort to define it, explain it, and above all, solve it.

• (1500)

Senator Harder, what is Health Canada's response to this specific recommendation that it provide annual reports to Canadians on drug shortages in an effort to generate insight into these shortages?

Senator Harder: Again, I thank the honourable senator for the question, and I'll add it to my inquiries.

[*Translation*]

TRANSPORT

VIA RAIL

Hon. Claude Carignan: Honourable senators, my question is for the Government Representative in the Senate. Senator Harder, I have already asked you about VIA Rail's decision to award a contract worth over a billion dollars to Siemens rather than Bombardier. You responded with government-approved messaging to the effect that it was impossible to do anything about it because of our free trade agreements.

This week, TVA Nouvelles contradicted your statements and revealed that the Trudeau government itself had put three mechanisms in place that would make it possible to overrule that decision. Why didn't the government intervene? According to this report:

> Two government sources told TVA Nouvelles that the reasons are essentially political.

Today we learned that the contract was awarded to Siemens and that all the economic benefit will flow to Sacramento in the United States, much to the delight of your friend, Donald Trump. Senator Harder, why didn't the Trudeau government make a political decision to cancel a billion-dollar contract that will in no way benefit Canada?

[*English*]

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for the question. I did not visit Mr. Trump or his officials on policy matters as the honourable senator did. Let me simply take on notice the question that has been asked.

[*Translation*]

Senator Carignan: I feel compelled to point out that the Leader of the Government in the Senate criticized me for meeting with Jeff Sessions because he was too close to Trump, but as it turns out, Sessions was not that close at all. If you want me to go back to Washington, should I ask Senator Harder or Minister Freeland for permission? I can tell you right now that I have no intention of doing that.

[*English*]

Senator Harder: If the honourable senator is taking credit for Mr. Sessions' new career opportunities, I can give him a list of people to visit.

NATIONAL REVENUE

CANADA REVENUE AGENCY—RECOVERY OF TAX AVOIDANCE FUNDS

Hon. Paul E. McIntyre: Honourable senators, my question for the Government Leader today concerns the serious matter of tax evasion. In May 2016, when the Minister of National Revenue was here for Question Period, I asked her about the Panama Papers which had recently been released.

Several of our allies had launched investigations. I asked if Canada would as well. The minister stated the Canada Revenue Agency already had the documents in its possession for some time and that it was continuing the process and working with our allies.

According to a CBC report today, the CRA stated:

> To date, no Canadian taxpayer or company has been charged with an offence as a result of information received from the Panama or Paradise Paper affairs.

The CRA has had this information for two and a half years. My question is simply this: What is taking so long?

Hon. Peter Harder (Government Representative in the Senate): I thank the honourable senator for the question. It's an important one and one that we have discussed in both debate and in questions.

As the honourable senator will know, over the last three federal budgets, the Government of Canada has invested in excess of $1 billion to enhance the ability of the CRA to crackdown on tax evasion and aggressive tax avoidance.

With respect to the Panama Papers, CRA has identified over 3,000 offshore entities with over 2,600 beneficial owners that have some link to Canada. Of these, CRA has reassessed about 80 per cent.

I can confirm that there are several criminal investigations under way regarding the Panama Papers. The senator will know criminal investigations can be complex and require months or years to complete, but they are under way.

Senator McIntyre: I thank the honourable leader for his answer.

Last month, the Auditor General reported that the CRA does not treat ordinary taxpayers with the same consideration that they give to those with offshore accounts. The average citizen is given 90 days to produce a receipt to support a claim and is automatically disallowed a tax deduction if the receipt is not provided.

According to the Auditor General, those with offshore accounts are given extensions of up to years to provide this information.

Leader, when middle-class Canadians hear that no one has been charged in connection with the Panama Papers, why should they have any confidence that the CRA is treating taxpayers equally?

Senator Harder: Again, I thank the honourable senator for the question. I do think that the nature of the criminal investigations that are under way, the complexity of them, is obvious, and I do think it's important to recognize that those investigations are under way. We are confirming them as a government.

With respect to the Auditor General's report, the honourable senator will know that when the Auditor General's report was tabled several weeks ago now, I was asked about this, and confirmed in this chamber, that the minister responsible has accepted all of the Auditor General's recommendations. Those recommendations are in the process of being implemented. The government has responded to ensure that those changes are dutifully improving the services Canadians can expect.

DEMOCRATIC INSTITUTIONS

SENATE APPOINTMENTS

Hon. Michael L. MacDonald: Honourable senators, my question is to the Leader of the Government in the Senate. Senator Harder, the Prime Minister announced today new appointments to fill the Senate to its full complement. In Nova Scotia, we have a tradition of saving one of the 10 Senate seats for the Acadian community in Nova Scotia.

The government has had six opportunities to appoint an Acadian to the Senate and has refused to do so. Why is the government snubbing the Acadian community of Nova Scotia?

Hon. Peter Harder (Government Representative in the Senate): The government is proud of the 49 appointments it has made. Those appointments reflect the diversity of the country,

they have brought voices and experiences that haven't been in this chamber before and the government stands by its appointment process.

There will be other opportunities, both in Nova Scotia and elsewhere, to continue to ensure that this chamber reflects the broad demographics of the country in all its aspects.

DELAYED ANSWER TO ORAL QUESTION

Hon. Sabi Marwah: Honourable senators, I have the honour to table, pursuant to rule 4-10(3), the response to the oral question asked in the Senate on November 28, 2018 by the Honourable Senator McPhedran, concerning harassment complaints.

INTERNAL ECONOMY, BUDGETS AND ADMINISTRATION

HARASSMENT COMPLAINTS

(*Response to question raised by the Honourable Marilou McPhedran on November 28, 2018, to the Chair of the Standing Committee on Internal Economy, Budgets and Administration*)

Senator McPhedran asked the same questions to the Standing Committee on Internal Economy, Budgets and Administration (CIBA) in a letter dated February 12, 2018. On March 15, 2018, the Clerk of CIBA replied to Senator McPhedran in writing. This letter fully answers both questions.

Senator Sabi Marwah
Chair of the Standing Committee on Internal Economy, Budgets and Administration

VISITORS IN THE GALLERY

The Hon. the Speaker: Honourable senators, I wish to draw your attention to the presence in the gallery of Sharon Tkachuk, wife of the Honourable Senator Tkachuk, their daughter Terri Tkachuk and son-in-law Keith Boye.

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

Hon. Senators: Hear, hear!

[*Translation*]

ORDERS OF THE DAY

BUSINESS OF THE SENATE

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate): Honourable senators, pursuant to rule 4-13(3), I would like to inform the Senate that as we proceed with Government Business, the Senate will address the items in the following order: Motion No. 235, followed by second reading of Bill C-69, followed by Motion No. 239, followed by all remaining items in the order that they appear on the Order Paper.

• (1510)

THE SENATE

STATUTES REPEAL ACT—MOTION TO RESOLVE THAT THE ACT AND THE PROVISIONS OF OTHER ACTS NOT BE REPEALED ADOPTED

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of December 7, 2018, moved:

That, pursuant to section 3 of the *Statutes Repeal Act*, S.C. 2008, c. 20, the Senate resolve that the Act and the provisions of the other Acts listed below, which have not come into force in the period since their adoption, not be repealed:

1. *Parliamentary Employment and Staff Relations Act*, R.S., c. 33 (2nd Supp):

   -Parts II and III;

2. *Contraventions Act*, S.C. 1992, c. 47:

   -paragraph 8(1)(*d*), sections 9, 10 and 12 to 16, subsections 17(1) to (3), sections 18 and 19, subsection 21(1) and sections 22, 23, 25, 26, 28 to 38, 40, 41, 44 to 47, 50 to 53, 56, 57, 60 to 62, 84 (in respect of the following provisions of the schedule: sections 1, 2.1, 2.2, 3, 4, 5, 7, 7.1, 9 to 12, 14 and 16) and 85;

3. *Comprehensive Nuclear Test-Ban Treaty Implementation Act*, S.C. 1998, c. 32;

4. *Preclearance Act*, S.C. 1999, c. 20:

   -section 37;

5. *Public Sector Pension Investment Board Act*, S.C. 1999, c. 34:

   -sections 155, 157, 158 and 160, subsections 161(1) and (4) and section 168;

6. *Modernization of Benefits and Obligations Act*, S.C. 2000, c. 12:

   -subsections 107(1) and (3) and section 109;

7. *Marine Liability Act*, S.C. 2001, c. 6:

   -section 45;

8. *Yukon Act*, S.C. 2002, c. 7:

-sections 70 to 75 and 77, subsection 117(2) and sections 167, 168, 210, 211, 221, 227, 233 and 283;

9. *An Act to amend the Canadian Forces Superannuation Act and to make consequential amendments to other Acts*, S.C. 2003, c. 26:

-sections 4 and 5, subsection 13(3), section 21, subsections 26(1) to (3) and sections 30, 32, 34, 36 (with respect to section 81 of the *Canadian Forces Superannuation Act*), 42 and 43;

10. *Assisted Human Reproduction Act*, S.C. 2004, c. 2:

-sections 12 and 45 to 58;

11. *Budget Implementation Act, 2005*, S.C. 2005, c. 30:

-Part 18 other than section 125;

12. *An Act to amend certain Acts in relation to financial institutions*, S.C. 2005, c. 54:

-subsection 27(2), section 102, subsections 166(2), 239(2), 322(2) and 392(2); and

13. *An Act to amend the law governing financial institutions and to provide for related and consequential matters*, S.C. 2007, c. 6:

-section 28, subsections 30(1) and (3),88(1) and (3) and 164(1) and (3) and section 362; and

14. *Budget Implementation Act, 2008*, S.C. 2008, c. 28:

-sections 150 and 162.

She said: Honourable senators, I will deliver my speech in my allotted time since listening to it may be as exciting as watching paint dry.

Today I rise to move Motion No. 235, which lists the acts and provisions of acts that are not to be repealed on December 31. This highly technical motion stems from a bill that received Royal Assent in 2008, namely the Statutes Repeal Act. This bill originated in the Senate and was introduced by the Honourable Senator Tommy Banks. It seeks to clean up federal legislation by repealing any act or provision of an act that has not come into force for 10 years.

[*English*]

Every year, in early January, the Senate and the House of Commons receive an annual report from the Minister of Justice listing laws and provisions of laws that received Royal Assent but that have not been brought into force for 10 years.

[*Translation*]

The Senate received such a report on January 31, 2018. On receipt of that report, the ministers responsible determine whether the acts or legislative provisions may indeed be repealed.

[*English*]

This year, there are 22 provisions from three different acts that will be repealed on December 31 by operation of the Statutes Repeal Act because the responsible ministers have not recommended that their repeal be deferred. These three acts are: Amendments and Corrections Act, 2003, S.C. 2004; An Act to amend certain Acts in relation to financial institutions, S.C. 2005; and Budget Implementation Act, 2008, S.C. 2008.

The reasons include that these provisions are no longer needed as the issues they were meant to address could be addressed by other means, including existing programs, or were amended by other legislation.

In addition to those provisions, the Royal Assent of what was Bill C-70, An Act to give effect to the Agreement on Cree Nation Governance between the Crees of Eeyou Istchee and the Government of Canada, to amend the Cree-Naskapi (of Quebec) Act and to make related and consequential amendments to other Acts, on March 29 of this year, had the effect of repealing two provisions of one act that was listed in the 2018 report, sections 89 and 90 of the Modernization of Benefits and Obligations Act. This is why they do not appear in the present motion despite appearing in the 2018 report.

[*Translation*]

Ten ministers recommended deferring the repeal of one entire act and 13 provisions of other acts that have not come into force since being enacted. There is a new statute among them this year, namely the Budget Implementation Act, 2008.

[*English*]

I now present the reasons behind the recommendations.

[*Translation*]

Some of you may recognize the provisions of acts that were not repealed last year. Let's begin with the Minister of Finance. He is recommending a deferral of certain provisions in two acts, the first being An Act to amend certain Acts in relation to financial institutions. These particular provisions relate to the ability of a shareholder of a financial institution to appoint a proxy to take part in a shareholders' meeting and act on behalf of the shareholder who appointed the proxy. More specifically, these provisions amend the definition of the term "solicitation" in the Bank Act, the Cooperative Credit Associations Act, the Insurance Companies Act and the Trust and Loan Companies Act.

A deferral of the repeal of these provisions is recommended so that the work already under way to modernize the corporate governance of federally regulated financial institutions can continue and because no amendments would be adopted before December 31, 2018.

[*English*]

The second deferral recommendation concerns provisions of An Act to amend the law governing financial institutions and to provide for related and consequential matters. Section 28 of this act relates to the Bank Act special security regime. A deferral of repeal of section 28 is recommended in order for the department to develop regulations in this technical and complex area.

The remaining not-in-force provisions of the act amend parallel sections in the Bank Act, the Cooperative Credit Associations Act and the Trust and Loan Companies Act to create a requirement for financial institutions to attempt communication with unclaimed balance holders via email, in addition to the current requirement of sending a notice to the person's recorded address.

The Department of Finance is currently consulting on amendments to modernize the federal Unclaimed Balances Framework, and deferral of repeal of these provisions is recommended until the review of the framework is complete.

[*Translation*]

The Minister of Foreign Affairs recommends the deferral of the repeal of an entire act and one provision of another act. The first recommendation concerns the Comprehensive Nuclear Test-Ban Treaty Implementation Act. The Comprehensive Nuclear Test-Ban Treaty must be ratified by 44 specified countries before coming into force, but eight have not yet ratified it. In addition, Canada must have in place the legislative framework required to implement the treaty. Deferring the repeal of this act will allow the departments involved to continue their work.

The second recommendation concerns section 37 of the Preclearance Act, which implements a 2002 bilateral treaty entitled Agreement between the Government of Canada and the Government of the United States on Air Transport Preclearance. In March 2015, a new preclearance agreement entitled Agreement on Land, Rail, Marine and Air Transport Preclearance was signed by Canada and the United States.

In December 2017, Bill C-23, An Act respecting the preclearance of persons and goods in Canada and the United States, received Royal Assent. It made the legislative changes required to implement the agreement.

The deferral of repeal, which has been requested since 2011, will promote policy coherence and ensure a smooth transition towards the entry into force of the Preclearance Act, 2016, and the bilateral treaty ratified in March 2015. The deferral of repeal of section 37 is therefore recommended until this bill comes into effect.

[*English*]

The Minister of Health is recommending a deferral for sections 12 and 45 to 58 of the Assisted Human Reproduction Act as a result of a decision of the Supreme Court of Canada in 2010.

In 2012, the Assisted Human Reproduction Act was amended to that effect by redefining and reducing the federal government's ability to regulate the complex area of assisted human reproduction. A deferral of repeal is recommended, as Health Canada is currently developing the regulations necessary to implement these sections.

The Minister of Intergovernmental and Northern Affairs and Internal Trade is recommending a deferral for certain provisions of two acts.

The first concerns Parts II and III of the Parliamentary Employment and Staff Relations Act, which provides that labour standards such as standard hours, wages, leave, as well as occupational health and safety coverage, will apply to parliamentary employment as per the Canada Labour Code.

On October 25, 2018, Bill C-65, An Act to amend the Canada Labour Code (harassment and violence), the Parliamentary Employment and Staff Relations Act and the Budget Implementation Act, 2017, No. 1, received Royal Assent. Part 2 of Bill C-65 amends Part III of the Parliamentary Employment and Staff Relations Act with respect to the application of Canada Labour Code occupational health and safety protection to parliamentary employers and employees.

• (1520)

In addition, Bill C-86, the Budget Implementation Act, 2018, which we recently dealt with, creates a new proactive pay equity regime for federally regulated workplaces, which may have an impact on the subject matter of Part II of the Parliamentary Employment and Staff Relations Act.

In light of those bills, deferral of Part II and III of the Parliamentary Employment and Staff Relations Act is recommended.

The second recommendation concerns sections 70 to 75 of the Yukon Act, which will allow the Yukon Government to appoint its own Auditor General and cease to use the services of Canada's Auditor General. The Government of Yukon needs to establish a position of Auditor General before these provisions can be brought into force.

The other provisions of the Yukon Act for which a deferral of repeal is recommended are consequential amendments to other acts that should be brought into force when the federal Yukon Surface Rights Board Act is repealed and the Yukon legislature enacts legislation in its place. To date, the territorial legislation is not yet in place.

[*Translation*]

The Minister of Justice and Attorney General of Canada recommends deferring the repeal of certain provisions of these two acts. The first has to do with the provisions of the Contraventions Act, which offers an alternative to the summary

conviction process set out in the Criminal Code for the prosecution of statutory offences designated as contraventions. She offers two options for implementing the regime: the use of an autonomous federal structure or the use of the provincial criminal regimes.

The provisions in the Contraventions Act were not implemented because the Department of Justice entered into agreements with most provinces to implement the federal contraventions regime using the provincial criminal regimes, but negotiations with Saskatchewan and Alberta are still under way. The deferral is also necessary in the event that agreements cannot be reached with the two remaining provinces, in which case the department may have to implement an autonomous federal criminal scheme.

The second recommendation deals with three provisions of the Modernization of Benefits and Obligations Act, which establish a regulatory framework to allow payment of parental benefits under the Employment Insurance Act. Deferring the repeal is recommended to enable the Government of Canada to complete its review of federal, provincial and territorial family-related laws.

The Minister of National Defence is recommending deferral of repeal for provisions in two acts. The first recommendation concerns certain provisions of An Act to amend the Canadian Forces Superannuation Act and to make consequential amendments to other Acts, which include amendments pertaining to supplementary death benefits and elective service rules. These provisions cannot be brought into force before the accompanying regulations are passed. The policy analysis is ongoing.

The second recommendation has to do with section 150 of the Budget Implementation Act, 2008. This is the first year that provision is subject to the Statutes Repeal Act process. This provision amends the Canadian Forces Superannuation Act to give the Governor-in-Council the authority to make regulations concerning interest payments when overpayments of sums paid under the act must be reimbursed to a contributor. However, that provision cannot be brought into force before the consultations are finished and the supporting regulations are passed.

[*English*]

The Minister of Public Safety and Emergency Preparedness is recommending a deferral of repeal for section 162 of the Budget Implementation Act, 2008. This is the first year that this provision is subject to the Statutes Repeal Act process, as I said before.

This provision would amend the Royal Canadian Mounted Police Superannuation Act to allow for the payment of interest on the refund of an amount overpaid by a contributor into the RCMP pension plan and to provide authority for the Governor-in-Council to make regulations for the payment of interest. This provision, as the previous one, cannot be brought into force before finalizing all policy decision through departmental and stakeholder consultations and the supporting regulations.

[*Translation*]

The Minister of Public Services and Procurement is recommending a deferral of repeal for certain provisions of Part 18 of the Budget Implementation Act, 2005, other than section 125. This part amends several provisions of the Department of Public Works and Government Services Act and gives the Minister of Public Works and Government Services the exclusive authority for contracting for services, as the minister currently has for goods.

The Hon. the Speaker *pro tempore*: Senator, your time is up.

Senator Bellemare: Could I have four more minutes?

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

Hon. Senators: Agreed.

The Hon. the Speaker *pro tempore*: You may continue.

Senator Bellemare: Thank you. Granting the deferral would provide the time needed to consult across government to determine the potential impact of these sections on the government's procurement modernization agenda.

The Minister of Transport is recommending a deferral of repeal for section 45 of the Marine Liability Act. This provision would give effect to the Hamburg Rules, which is an international convention on the carriage of goods by sea adopted by the United Nations in 1978. However, the Hamburg Rules have not been ratified by Canada's major trade partners.

In 2017, the Department of Transport completed a report containing recommendations on how to modernize the system for marine carriage of goods. A deferral of repeal is recommended in order for Transport Canada to continue working on updating Canada's laws on marine carriage of goods.

[*English*]

The President of the Treasury Board and Minister of Digital Government is recommending a deferral of repeal for certain provisions of the Public Sector Pension Investment Board Act that address supplementary death benefits for the Canadian Armed Forces by amending the Canadian Forces Superannuation Act to permit regulations to be made prescribing the amount of supplementary death benefits payable and the amount of premiums.

The Department of National Defence is continuing regulatory policy work, including consultations and financial analysis, to establish the required regulations to bring these provisions into force. Given that these provisions cannot be brought into force before the necessary regulations are made, it is recommended that a deferral from repeal be granted for 2018.

In conclusion, under the Statutes Repeal Act, repeal deferrals are valid for only one year. Any act or provision of an act whose repeal is deferred this year will be included in the next annual report. Maybe you'll hear from me again.

Honourable senators, it is important we adopt this motion because if we do not adopt it before December 31, then all of the acts and provisions that I just listed will be repealed. In many cases, they will have to go through the entire process in the House of Commons and the Senate to be passed again.

I therefore ask honourable senators to pass the motion expeditiously.

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

Hon. Senators: Question.

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

Hon. Senators: Agreed.

(Motion agreed to.)

VISITORS IN THE GALLERY

The Hon. the Speaker *pro tempore*: Honourable senators, I wish to draw your attention to the presence in the gallery of Chief George Ginnish, as well as a delegation of the Miramichi Salmon Association. They are the guests of the Honourable Senator Richards.

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

Hon. Senators: Hear, hear!

IMPACT ASSESSMENT BILL
CANADIAN ENERGY REGULATOR BILL
NAVIGATION PROTECTION ACT

BILL TO AMEND—SECOND READING

On the Order:

> Resuming debate on the motion of the Honourable Senator Mitchell, seconded by the Honourable Senator Pratte, for the second reading of Bill C-69, An Act to enact the Impact Assessment Act and the Canadian Energy Regulator Act, to amend the Navigation Protection Act and to make consequential amendments to other Acts.

Hon. Denise Batters: Honourable senators, I rise today to speak to Bill C-69, the impact assessment act. It should perhaps be called the "no more pipelines bill."

I cannot overemphasize the impact this legislation will have on Western Canada, including my home province of Saskatchewan. People in our region are already hurting. Since 2015, the oil and gas sector has seen more than 100,000 job losses and financial losses of more than $100 billion. Oil is selling at a deep discount, pipelines are stymied by the Liberal government at every turn and investment in the sector is drying up due to uncertainty and over-regulation. Workers, their families and our communities are suffering. Yet this Trudeau government sits on its hands, focused more on appeasing anti-development interests to support their own political fortunes in the next election rather than addressing the economic crisis facing one of the major engines of our Canadian economy. And now the Liberal government has introduced this disastrous legislation that will cripple the resource industry further by creating so much uncertainty and spiking so many projects that investment will freeze and Canada will be unable to compete in the global market.

• (1530)

This Trudeau government is at best indifferent and at worst hostile to the plight of western resource workers. The Prime Minister talks about "phasing out" the oil sands, while his ministers muse about leaving oil in the ground. One would think Prime Minister Trudeau would take more of an interest in preserving the jobs of these middle class Canadians, but unfortunately he is, as we say on the Prairies, "all hat, no cattle."

Prime Minister Trudeau's only solution is to purchase the existing Trans Mountain pipeline with Canadian taxpayers' money for the steep sum of $4.5 billion. Further development of the Trans Mountain Expansion is stalled. He proved it's going nowhere when he didn't even include it in his Fall Economic Statement. The Prime Minister has no other solutions and offers no other assistance. Instead he introduces this punishing legislation that could have catastrophic consequences for an already suffering industry.

As senators, one of our most important roles is to represent the interests of our respective provinces and regions in Parliament. Of course, Bill C-69 will greatly affect Canada's Western provinces of Alberta and Saskatchewan. But, honourable senators, you must also turn your minds to the effects that this issue will have in your own home regions. Canada's resource industries are the lifeblood of the entire Canadian economy. For every oil and gas job in Alberta, seven manufacturing jobs are created in Ontario. The West contributes billions of dollars in equalization to Manitoba, Quebec, the Maritimes and Newfoundland. Our bountiful region also provides much-needed jobs for Canadians from other provinces. How many Newfoundlanders and Maritimers have been employed in the oil and gas industry in Fort McMurray alone?

The resource industry is also the biggest private sector employer of Indigenous Canadians and brings jobs to Canada's remote and northern communities. Think of the funding difference that lost $100 billion would make to Canada's economy — to the health care system, infrastructure or for programming needs. This resource crisis and this bill's impact on it should concern us all.

Bill C-69 will be devastating. Just listen to what stakeholders and organizations have to say about this legislation. From Tim McMillan, Canadian Association of Petroleum Producers:

> No new pipeline projects will go forward in Canada if this bill passes.

The Ontario and Saskatchewan governments:

> The changes in the new Impact Assessment Act would result in a more complex, costly and time-consuming process, while creating uncertainty that could ultimately erode Canada's economic competitiveness.

And from Martha Hall Findlay, Canada West Foundation:

> There is increasing consensus among business leaders, investors, potential investors, think tanks, academics and others that the bill is not only problematic, it may not be fixable.

Indeed, the problems with this bill are legion. One of the major problems I see with this bill is its massive federal overreach into provincial jurisdiction. Currently, mandatory factors, those conditions that must be considered in order to determine whether or not an environmental assessment is required, must be directly or incidentally related to federal jurisdiction. This changes under Bill C-69. This legislation stipulates that mandatory factors include "adverse effects within federal jurisdiction or adverse direct or incidental effects." Meaning those effects falling outside of federal jurisdiction.

The division of powers is integral to the Canadian Constitution. Without it, Canada would not be a country. Federal and provincial powers are mutually exclusive, what a 1931 British Privy Council decision referred to as "watertight compartments." Bill C-69 muddies these waters and leaves the door open for federal encroachment into the provincial sphere.

In a recent op-ed, Grant Bishop of the C.D. Howe Institute noted that, traditionally, Canadian courts have been careful to ensure that federal impact assessments focus on effects related to federal jurisdiction. In the 1992 case *Friends of the Oldman River Society v. Canada*, the Supreme Court of Canada warned that federal assessments should not be a:

> . . . constitutional Trojan Horse enabling the federal government, on the pretext of some narrow ground of federal jurisdiction, to conduct a far ranging inquiry into matters that are exclusively within provincial jurisdiction.

Under Bill C-69, "adverse effects" listed as a mandatory factor for assessment without necessarily being linked to the exercise of federal authority could run afoul of the constitutional division of powers. Further, under Bill C-69, the specifics around regional assessments are lacking. There is no stipulation in this bill that provinces or regions should have the responsibility for regional assessments on provincial lands. The government must work with the provinces to rectify this.

Another problem with Bill C-69 is that it undermines the joint management principles of the Atlantic Accord Acts. The Governments of Canada and Newfoundland and Labrador jointly manage the Canada-Newfoundland and Labrador Offshore Area through the Canada-Newfoundland and Labrador Offshore Petroleum Board. As currently written, the Impact Assessment Act gives the federal minister and cabinet the power to pause, suspend or cancel a project, potentially overriding the terms of the accord. This discretionary power creates the potential for further politicization of the process and increases uncertainty for project proponents.

The Province of Alberta also has concerns about federal intrusion on provincial rights through the bill's language around assessing Indigenous impacts. Alberta's NDP Premier Rachel Notley stated:

> . . . it's not 100 per cent clear because there is language around the health and the socio-economic impacts, and the implications for Indigenous people, and that opens the door in a way that potentially invites the Government of Canada into the process in a way that is unprecedented from the past. We're not really sure how the two line up . . . We have seen other documentation from the federal government under Indigenous relations suggests they think that they have sort of an untethered ability to just march into provincial jurisdiction and completely rewrite the rules where it impacts Indigenous rights and that there's no need for the province to even be there. And so that is where there's uncertainty that is driving our concern.

The provinces are right to be worried, as this Trudeau government has a habit of trying to shove them around. For a government that initially promised more consultation with the provinces, their actions don't seem to bear that out. We saw this recently during the legalization of marijuana, for example, when the Trudeau government completely disregarded the rights of provinces like Manitoba and Quebec who want to ban homegrown marijuana plants within their provincial borders.

The Trudeau government has also tried to impose its plans on the provinces with its federal carbon tax scheme. One by one, the provincial premiers are now turning their backs on Trudeau's abominable carbon tax. I am proud to say that the first province to oppose the tax was Saskatchewan. We have since been joined by Ontario, Manitoba and New Brunswick. It is so nice to have company. Canada's provinces are fed up with the federal government trying to dictate affairs that fall within provincial jurisdiction.

At last week's First Ministers' Meeting, Prime Minister Trudeau's biggest win was that no one stormed out of the meeting. I guess it is good to keep one's expectations low. "Sunny ways, my friends, sunny ways."

What's not so sunny, though, is the way this Trudeau government is treading on the jurisdiction of the provinces with Bill C-69 and with a carbon tax before the courts have settled this question of whether the federal government has the exclusive right to regulate greenhouse gases. This Liberal government likes to pretend it respects the courts, but with both this bill and their elections bill, Bill C-76, it is failing to wait for relevant determinations by the courts before ramming through legislation.

Just as Bill C-69 is vague about federal and provincial jurisdiction, it is also vague about the conditions that must be considered during an impact assessment. Whereas the Canadian Environmental Assessment Act of 2012 spelled out the federal jurisdiction over projects and their assessments, Trudeau's Bill C-69 broadens the number and scope of mandatory factors that the minister or cabinet must consider. The bill defines

"effects" as "changes to the environment or to health, social or economic conditions and the positive and negative consequences of these changes."

What effects are specifically included here? Federal? Provincial? How significant must these effects be? Could a group of five frogs be sufficient to warrant an impact assessment? Could one?

Further, Bill C-69 changes the focus of the assessment from significant adverse environmental effects to that of public interest, which again is too broad. In the absence of specific criteria for determining the public interest, political considerations will undoubtedly influence the decision-making process. Time and again, we have seen this Trudeau government insert its own partisan interests into supposedly impartial processes. We need only remember the Canada Summer Jobs fiasco, where the Trudeau government forced non-profit organizations to declare their beliefs and values on issues like abortion in order to obtain government funding for student summer jobs.

In this bill, the Trudeau government has added additional ill-defined factors that must be considered in impact assessments, including a project's contributions to sustainability and its effects on the government's environmental obligations. Strangely enough, the mandatory factors don't seem to include the economic effects of a given project. However, the project will be judged on the "intersection of sex and gender with other identity factors." What does that even mean? Recently, the Prime Minister maligned male construction workers as having negative "gender impacts" on rural communities. But what would those impacts be? He won't elaborate.

• (1540)

Prime Minister Trudeau swans about the globe bragging of his "gender-based budgeting," but then refuses to release any gender analysis of his federal carbon tax scheme. Could it be that might reveal an answer unflattering to Liberal policy? Then you can be sure we won't get an answer on that. And where is this government's gender-based analysis of foreign oil imports from countries like Saudi Arabia? This Liberal government trots out gender issues only when it is politically advantageous to them in some way. How can we be sure that a minister's evaluation of a project relying on such nebulous, highly politicized criteria would result in a fair evaluation?

At root, this is the whole problem with Bill C-69, as with the Trudeau government's entire approach toward resource issues in Canada — it's all about empty platitudes and electoral politics, not economic investment or even environmental stewardship.

This Liberal government is prepared to sell out the West, steamroll over provincial jurisdiction and devastate an entire industry in its pursuit of power. The Trudeau government has bungled the pipeline file, squandering a tremendous economic opportunity through its own incompetence and indifference. Ultimately, Canada as a whole will suffer.

Honourable senators, it is for these reasons that I ask you to consider your decision on this bill very carefully. What we decide in this place matters. This Trudeau government brought more than 150 amendments on Bill C-69 — their own bill — to the House of Commons committee. They tried to fix this bill and they failed.

Bill C-69 is unfixable and its ramifications for our entire Canadian economy are dire. For the good of Canada, I ask you to take the unusual step of voting against this bill at second reading. Canada cannot afford to pass Bill C-69. It's time to kill this bill for the sake of our nation. Thank you.

The Hon. the Speaker *pro tempore*: Senator Batters, would you accept a question?

Senator Batters: Yes.

Hon. Frances Lankin: Thank you, Senator Batters, for your contribution to the debate. You touched on a lot of points. Toward the end you were talking about the public interest test and in CEAA 2012 the reference to significant adverse impacts with respect to the environment.

A group of us had the opportunity this morning to meet with the head of the energy, environmental section of the Canadian Bar Association. She has extensive experience in working for proponents. She was speaking about this and the question, first, of the balance with economic considerations that you spoke to and, second, the fact that significant adverse impacts have a jurisprudence built up over time. But a public interest test in this respect, it doesn't yet. I think it speaks to the point that you just raised about what it means.

While there is much criticism of CEAA 2012, that section of the bar's recommendation was that there are some aspects in that test section of CEAA 2012 that should be integrated with the new language in the public interest area to give it some definition.

I don't know if you had a chance to hear that or have given it any consideration. I am interested in your perspective.

Senator Batters: Thank you, Senator Lankin. I have read briefly the Canadian Bar Association's brief on the matter. There are certain parts of the bill they like but there are also some significant jurisdictional areas they do not like. That was the large part of my speech about that particular section. They are on board with that.

The Canadian Bar Association is a huge conglomeration of lawyers from across the country so there are many people who have different views. The part that you spoke about where I asked what does that even mean, that part was actually a new part for Bill C-69 that talks about one of the mandatory factors was, "intersection of gender and sex with other identity factors." That was the part I wasn't speaking about in the 2012 bill but was a new part for Bill C-69. That was the part that I was dealing with. And I think when we've asked the types of questions, for example, what the Prime Minister meant when he talked about construction workers, they won't elaborate. When they talk about gender-based budgeting there are many platitudes but not much detail. This has impacts on real people's lives.

I know you would know that, coming from the region you represent. I certainly know that. I see that every day. These types of —

The Hon. the Speaker *pro tempore*: Honourable Senator Batters, I'm sorry but your time is up.

Senator Batters: Thank you.

The Hon. the Speaker *pro tempore*: Senator Tkachuk, on debate.

Hon. David Tkachuk: I believe it was two days ago when I spoke on a committee report on Bill C-64, the salvage bill. One of my colleagues said it was one of the most benign speeches I have ever given on a Liberal bill. I want to say that ends right now.

I have finally found a use for the Liberal budget. I'm using it as a podium, although I did need two of them. I got the idea from Senator Day, who used it the other day, I might add.

Various aspects of Bill C-69 have been debated in this place. I want to thank all those who participated in the debate on both sides. In particular, I want to thank my colleagues Senators Tannas, Neufeld, Patterson, Eaton, Boisvenu and Batters; and my colleagues in the other place, Shannon Stubbs and Ed Fast, and Senator Wallin for her speech yesterday in the chamber.

Senator Mitchell, who moved the bill in the chamber, assured us that:

> Bill C-69 is based upon an extensive, transparent, 14-month consultation process designed to capture the diverse views of Canadians, including Indigenous peoples, industry, provinces and territories and the general public. . . .

Just over a year ago, mind you, he said the very same thing about Bill C-49, the Transportation Modernization Act. He said:

> . . . Bill C-49, the transportation modernization act, are the product of extensive consultations undertaken in 2016 by Transport Canada. This process involved over 200 meetings and round tables all across the country with transportation and trade stakeholders, indigenous groups, provinces and territories, and individual Canadians . . . .

In spite of the so-called "intensive consultations" on Bill C-49, nearly every witness who testified before the Standing Senate Committee on Transport and Communications on the bill, except maybe the railways, had an issue with it; many of them had quite serious issues.

Recall that the senators on committee were so persuaded by the long parade of witnesses critical of Bill C-49 that they proposed 26 amendments to the bill, nearly all of which were supported unanimously.

In the end, the house refused all but a token couple of our amendments. If that is to be the process on this bill it tells you all you need to know about how much the government values the work we do in this.

I know that senators believe it is important in the end to defer to the elected will of the people when it comes to government legislation and I understand that. I would remind senators we also represent our regions, our provinces and minorities, including political minorities, among them representatives of First Nations' governments who have come to us for help.

There are elected people in the legislatures in Alberta, Saskatchewan, Ontario and New Brunswick who opposed this bill. The will of these elected people must be carefully considered by senators who represent them here. Our duty to our region and to those elected in their legislatures is surely commensurate with our duty to those elected in the other place.

We have a bill before us that Senator Mitchell reassures us is the product of "extensive consultations." I want to remind the government that consultation means listening and taking the views of those consulted into account when preparing legislation. It is not a lecture tour.

I am getting the impression from many of those I met with, including specifically representatives of the First Nations, that when it comes to consultation the government and those they met with — how should I put this — experienced it quite differently.

Senator Mitchell, the sponsor of the bill, portrayed it as part of the government's overall effort to strike a balance between strengthening our economy and protecting our environment but it does nothing of the sort. It does little to protect the environment that wasn't already being done and the strengthening of our economy is, at best, an afterthought.

When it comes to our natural resources and the strength of our economy, they both come in a distant third to environmental and social considerations as far as this bill and the Liberal government are concerned.

There is no better evidence of this in Bill C-69 than the cabinet position of the minister who sponsored it. That minister is not the Minister of Transport, not the Minister of Natural Resources and not the Minister of Infrastructure. That Minister is the Minister of Environment and Climate Change.

That the climate change minister would be sponsoring this bill is particularly revealing — not just of the intentions of the bill but of the intentions of the government introducing it.

Bill C-69 cannot be viewed separately from the government's effort to throttle the resource industry in this country.

• (1550)

They cancelled the Northern Gateway. They added so many regulatory hurdles that it made it impossible for Energy East to proceed, and the investor walked away. They failed to take action to ensure that Kinder Morgan and the Trans Mountain expansion would proceed. They introduced Bill C-48, which imposes a moratorium on tanker traffic along the north coast of British Columbia. And they have in the pipeline — the only type of pipeline they can get built, it seems — Bill C-68, which industry representatives believe will put a halt to hydro projects in this country.

Lumped together, these things have one common purpose: the elimination of the fossil fuel industry in Canada.

When I spoke last February during the emergency debate on the Trans Mountain expansion, I mentioned that Gerald Butts, Principal Secretary to the Prime Minister, is no fan of our oil and resource industry. I will repeat today what he said in an interview in 2012:

> Truth be told, we don't think there ought to be a carbon-based energy industry by the middle of this century. That's our policy in Canada and it is our policy all over the world.

He continued:

> . . . the real alternative to the Northern Gateway is not an alternative route — it's an alternative economy.

Fast-forward to 2016. Less than a year into his mandate, the Prime Minister cancelled the Northern Gateway, approving instead the Trans Mountain expansion through suburban Vancouver, which he knew would be a tough slog. He said so at the time:

> We are under no illusions that the decision we made today will be bitterly disputed by a number of people across the country who would rather we had made another decision.

One of those people was Liberal leadership candidate Martha Hall Findlay, who said in an interview with Don Martin on "Power Play" that cancelling the Northern Gateway was, in her words, "one of the biggest mistakes the federal government has made in Canadian history . . . . will prove to have been disastrous."

I believe the Trudeau government knew exactly what they were doing when they cancelled the Northern Gateway and approved TMX through one of the most heavily populated cities in the country. They knew there would be protests and delays because, in the words of Gerald Butts, ". . .the real alternative to the Northern Gateway is not an alternative route — it's an alternative economy."

He said that in 2012. People will say, "Well, that was then, when he was head of the World Wildlife Federation Canada, when the entire focus of his job was the environment."

Fair enough. But in January 2017, here is what the Prime Minister — the man Gerald Butts got elected — had to say:

> We can't shut down the oil sands tomorrow. We need to phase them out. We need to manage the transition off of our dependence on fossil fuels.

We are the third largest reservoir of oil in the world, and he wants to transition us out of that.

Don Braid, writing in the *Calgary Herald* a few weeks ago, observed that the key words in the Prime Minister's statement are, "We need to manage the transition." Braid argued that by imposing new and onerous regulation, withdrawing tax incentives, cancelling pipelines and introducing energy-hostile bills such Bill C-48 and Bill C-69, the Trudeau government has begun the process of managing that transition. I only disagree with his argument to the extent that he didn't go far enough. There is also Bill C-68, Bill C-88 and Bill C-55 that are energy and resource hostile.

Governments that talk in terms of managing the transition away from the oil industry and moving to an alternative economy are not the ones you want in charge of building pipelines and getting our resources to market. They lack a certain — how can I put this — commitment.

Just as Bill C-69 cannot be viewed separately from other actions of this government to stifle the resource industry in this country, the words "manage the transition," used by the Prime Minister, need to be understood within the context of the rest of what he said.

The most telling words to me are, "We can't shut down the oil sands tomorrow." In other words, what he is saying — not in so many words, mind you — is that he would if he could.

Just the other night, in an interview with the CBC's Rosemary Barton, the Prime Minister confirmed that the transition to an alternative economy has as much as begun. In answer to a question about his government's carbon tax, he said:

> I think Canadians understand that we have to fight climate change, prepare our economies for the future, and make sure that we're supporting Canadians through this transition.

It is ironic that he was walking through the snow while he was giving this interview with Rosemary Barton of the CBC.

I don't think it could be any clearer that the Liberal government has embarked on a mission to kill the resource economy in our country. The overt purpose of Bills C-69, C-48, C-68, C-55 and C-88 may be to protect the environment, but they will just so happen to kill our resource industry in the process. And the people who work in these industries? They are the sacrificial lambs. They are collateral damage. They are the price to be paid for the transition.

Honourable senators, we are living in remarkable times. Despite all the gloom and doom of the Liberals, we live longer, healthier and richer lives. We take all of it for granted, like it fell into our laps. But we forget what got us here. What got us here was largely our resource industry, especially oil. Modern life, frankly, would be impossible without it.

It is worth thinking about some of the everyday things that are made possible by oil. I am sure some of you got up this morning and went through your morning routine — without oil, you wouldn't have. The soap and shampoo you use in the shower, the shower curtain itself, your toothbrush, toothpaste and shaving equipment — all made possible by oil. Your moisturizer, lip balm, deodorant, toilet seat, comb, aspirin, makeup, eyeliner — all made possible by oil.

Senator Lankin: It doesn't have to be.

Senator Tkachuk: Without oil and natural gas, you would leave the house in the morning unshaven, rather smelly and generally dishevelled. You probably wouldn't have shoes or boots, because they require oil. You'd better hope it's not raining, because you wouldn't have an umbrella; that requires oil. If you have an eye problem and compromised vision, you won't have any glasses or contact lenses, because they require oil.

But you won't get run over by a car, a bus or a train at least due to your compromised vision. Because they require oil. And not just for fuel either. The steering wheel, windshield wipers, ignition key, car seats for the kids, drive belts and bearing grease all require oil.

All these are all oil-based products, without which you wouldn't have a car to jump into, a bus to hop on, or a train to catch. So you hop on your horse to go to work. Unfortunately, life expectancy not being what it was with oil, you have a heart attack, and of course there is no low-dose aspirin for you to chew on as you wait for the horse-and-buggy ambulance to get there and get you to a hospital — which is maybe a good thing, because the hospital in a world without oil is probably a more dangerous place to be than right where you are, in the middle of a dirt road. Because there is no asphalt to pave it.

At the hospital there are no disinfectants, antiseptics, Band-Aids, oxygen masks or anaesthetics.

We live in a world today where many of the very things that got us here are being repudiated because people don't appreciate their value and importance to our modern way of life. As Steven Pinker put it, something is fishy when affluent intellectuals think that all that got us here is meaningless. They think life was always like this and will always be like this, even if we eliminate many of the very things that have made it possible. It is the age of entitlement, the age of absurdity.

While Liberals talk about their grand environmental plans, it is the ordinary workers in the automobile plants who are saving the planet — the engineers, designers and scientists, all working together.

We have had electric cars and hybrids for 135 years. The problem is that the piston engine is such an unbelievable invention, and so efficient, that it has made transportation available to almost every person on the planet — freedom to move, really. The key to reducing CO_2 is efficiency and, for sure, a combination of battery and piston. You eliminate the need for a plug-in station and the fear of dead batteries in cold climates.

Then there are the oil sands themselves. Let's begin by acknowledging that Canada accounts for less than 2 per cent of global emissions, and the oil sands account for less than 10 per cent of that 2 per cent. In other words, the oil sands contribute a paltry 0.16 per cent to global GHG emissions.

• (1600)

China, on the other hand, accounts for 26 per cent of GHG emissions and rising, more than the United States, at 14 per cent, and the European Union, at 9 per cent, combined. Maybe Canada should be focusing on what it can do to convince China to reduce emissions, rather than punishing our homegrown resource industry, the lifeblood of our economy, with a carbon tax and an uncertain, complicated and potentially lengthy regulatory regime outlined in Bill C-69 — especially when that resource industry, as I said, contributes an infinitesimally small amount to global warming and is already an excellent environmental steward.

Nobody likes to talk about it, of course, but oil sands producers recycle most of the water they use, 80 to 90 per cent, in fact. They recycle that much. While the oil sands lie under 142,000 square kilometres, their mining footprint is only 904 square kilometres.

Oil sands producers have also created Canada's Oil Sands Innovation Alliance, which has spent $1.3 billion to develop 936 technologies to improve environmental performance in the oil sands in four priority areas: tailings, land, water and GHG emissions. Yet the government slaps a carbon tax on them and Bill C-69 because they can't be trusted to behave themselves.

The *Valdez* accident off the coast of Alaska led to more safety regulations and improvements by the tanker industry, such as double hulls. It changed the whole transportation environment. Accidents do that. We learn from them. When was the last time you heard of an oil tanker spill off our Pacific Coast? Yet the government introduces Bill C-48 as if accidents are, if not a daily occurrence, a clear and present danger.

Then there is the nuclear industry. There has not been a single radiation-related fatality in the 50 years in which nuclear power has been operating in this country. It is one of the most closely monitored industries in Canada. It is subject to a world-class regulatory process. Yet with Bill C-69, the government, once again fixing what isn't broken, is going to force the nuclear industry into a new process.

Let's look at the pipeline industry as well. Kinder Morgan has had no pipeline accident since 1953 on its current 1,150-kilometre route. The new pipeline, the expansion, is being built alongside the pipeline that is already in place. Seventy-three per cent of the route of the expansion will use the existing pathway, and 16 per cent will follow other existing infrastructure. Only 11 per cent of the route is built away from existing infrastructure to accommodate homes and businesses. The result is minimal impact on the landscape by adding to infrastructure that has been in place for 65 years.

The resource industry is among the biggest high-wage employers for Indigenous and First Nations people. Cameco, the uranium company in Saskatchewan, in my province, was at one time the largest industrial employer of Indigenous people in Canada, employing 1,700 First Nations or Metis people. It's now down to 600 due to a sluggish uranium market, which hasn't been helped by our federal government, that forced cutbacks in its northern Saskatchewan operations.

While Cameco hopes to get back to being the largest industrial employer of First Nations and Indigenous people, low global uranium prices and — as they have told me — ongoing uncertainty regarding impact assessment, carbon pricing, clean fuel standards and what they call "regulatory stacking" will be a factor in whether or not Cameco decides to open new mines.

I was among a handful of senators that met on Bill C-48 with a group of First Nations representatives yesterday. They represent some 200 Indigenous communities. As far as they are concerned, the oil and resource industry is fundamental to the future of their communities — the future of their children. The jobs and the economic spin-offs in that industry are the answer to their poverty and a remedy to the rampant suicide epidemic that afflicts many of those communities. Bills like Bill C-48 and Bill C-69 are nothing more than nails in the coffin to them. These are their words. I am paraphrasing them, but these are their thoughts, not mine. For them, this is not an abstract policy debate. For them, this is as real as it gets.

A recent study points out that every oil and gas project currently proposed in Western Canada implicates at least one First Nation community and provides potential employment opportunities for a group that is well below the national average in employment. As Kenneth Green has written, Bill C-48 and Bill C-69 will only make the situation worse for our First Nations.

Senators, if you're aware of these things, it's certainly not because the Liberal government talks about them. They would prefer to lecture people about the horror of plastic straws and implement a carbon tax that will make no difference whatsoever in the rate of global GHG emissions.

Better to do that than to talk about the fact that the modern pipeline industry emits three times less greenhouse gases than do cows and other ruminant animals.

The last time the Liberals were in power, they did nothing. They signed the Kyoto Protocol and did nothing to meet their targets. In fact, they had no intention of meeting their targets, as Eddie Goldenberg, the former chief of staff to Prime Minister Chrétien, admitted later.

He wasn't the only one. Former Liberal environment minister Christine Stewart also stated at the time that the Liberals ignored climate change and didn't act for 10 years, and she admitted the reason was politics.

David Anderson, another Liberal environment minister under Paul Martin, said he was removed from that portfolio by Paul Martin not for failing to do his job on Kyoto, but for trying too hard to do his job. Stéphane Dion was chosen to replace him, Anderson said, because he was far less keen on Kyoto than was Anderson. We all know what happened under Dion. As former Liberal leader Michael Ignatieff said to him during the leadership debates: You didn't get it done.

Honourable senators, former Liberal environment minister Christine Stewart's words were not only accurately descriptive of the cynical efforts of the Liberal government she served at that time but prophetic about the Liberal government's efforts on the environment.

This bill and the Liberal government's entire environmental program is designed to signal their virtuous intentions while doing very little for the environment and inflicting enormous damage on our oil and gas and entire resource industry. They want to kill not just the oil industry but the energy industry itself. They have said as much, and their actions indicate it.

In Canada, we are blessed with hydro, uranium and natural gas. All of them emit less CO_2 than coal and diesel. Yet there is no concentrated effort to use these energy sources to reduce CO_2 because the environmental movement doesn't like any of these options, so neither do the Liberals, who never met an environmental lobby they wouldn't pander to.

Couple this with the fact that Canada is a carbon sink that, by some estimates, absorbs 20 to 30 per cent more than we emit and with enough land mass to increase the amount of carbon we can absorb. But we don't talk about that either.

So all those solutions are at hand, and instead we provide subsidies for electric vehicles, which no one will buy without a subsidy, and a carbon tax which Saskatchewan, Manitoba, Ontario, New Brunswick and soon Alberta are opposed to because they fear, with good reason, that it is simply a revenue grab by the federal government.

Enjoying the fruits of civilization and progress while addressing the impact it has on our environment is hard work. It means making tough decisions. The energy industry in Canada is a leader in working towards a cleaner environment. Their variety of products is itself a way to assist in decreasing CO_2 emissions. Natural gas is a good substitute for coal. Liquefying it and sending it to Asia would have a positive effect in helping those nations reduce their carbon footprint. Nuclear power is another energy source that would have great benefits, as would hydro.

What does the government do? It introduces Bill C-69, which will make projects more difficult for both industries. I met with representatives from the nuclear industry, in my office, and they estimate it will take them eight years to get a project approved under Bill C-69 — eight years. It takes 10 years to find it, 8 years to get permission and 10 years to get it out of ground to pay for it. That's a whole generation gone.

• (1610)

They've got it easy. Hydro officials say that, for them, new projects will be impossible not because of Bill C-69, but because of its sister bill, Bill C-68. The pipeline industry says they won't get a pipeline built, either.

Let me turn to some of the specifics of Bill C-69.

I find it difficult to be confident in a government's claim that it's legislation will streamline the environmental review process when the same government presents us with a 360-page omnibus bill that asks us to believe it is the road map that will do it. This is a long and complicated bill. It essentially completely disposes of the previous environmental review process.

I will wager not one person involved in crafting the legislation — not the Environment Minister, not the bureaucrats, not Senator Mitchell, not the Prime Minister of Canada — can tell us with any kind of certainty the date when the new system will be up and running. You've got to read the bill to believe how massive it is, and how many bureaucrats and civil servants they will have to hire, of which the majority cannot be hired from any of the regulatory groups we have now.

Some estimates say 10 years. I have no idea, but we know how long it is taking them to get the infrastructure bank going, so you can imagine how long this thing is going to take. It will be at least five years before they have that process up and running. How are people going to plan investments in mining, in the resource industry, in the uranium industry and in hydro? All of that is going to grind to a halt.

It's no surprise that the people most affected by this bill, the resource industry, feel it brings more uncertainty to the process. The Canadian Association of Petroleum Producers argues that Bill C-69 doesn't reduce complexity; on the contrary, it increases it. As written, they contend that Bill C-69 will involve long, drawn-out, uncertain regulatory and judicial processes. Senator Mitchell and the government officials I met with to brief me on this bill argue it will streamline the process and reduce uncertainty. CAAP argues that it creates even greater regulatory uncertainty and more litigation risk.

Whom are we to believe? This is a complicated bill, with clauses, in some instances, that refer you to other clauses two, three or four pages ahead, which then refer you to another clause eight pages back so that you can understand that what was set out in the original clause, under certain circumstances, doesn't apply, and in other circumstances, does. This is why we need to study this bill in-depth in committee.

Surely, some of the uncertainty arises from the fact that impact assessments will now explicitly include a gender-based analysis component.

When I met with officials, they told me, "Well, the government already does this. It has been doing it for years. So there is really nothing to see here." It all sounds so innocuous in the literature they provided. The example they use is that an influx of temporary workers needed to develop a project may put pressure on local social services, and that the effects could be different for women and men.

The Minister of the Environment and the Prime Minister weren't quite so nuanced. Speaking in Argentina, the Prime Minister talked about the social impacts of introducing male construction workers into a rural area. Minister McKenna basically explained it by asking, "If you introduce a huge number of people into a community, many of them men, what is the impact on women?" The officials I met explained to me that sometimes in these rural communities where these projects take place, there are only three police officers. Oh, the horror of it all.

Let's be frank about what they are saying here: Male construction people who work with their hands are a threat to women. Never mind that these people have wives, daughters and moms. They are a threat to women because of what the Prime Minister likes to refer as their "toxic masculinity."

I wasn't going to go there, Senator Plett.

People are just trying to earn a living, doing a good, honest day's work. Many of them are working long hours, away from home, so their own partners and wives can feed and clothe their daughters and sons and send them to school.

I'll tell you what. This bill is more of a threat to the future and livelihood of those women, the wives and daughters of construction workers, than those male construction workers are to the women who live where they work.

Judging by the above-cited comments, the gender analysis these resource firms are going to have to include in their project submission has, in fact, already been done by the Prime Minister and his Environment Minister. Conclusions have already been reached.

I want to say a few words about the timelines. We were told by Senator Mitchell that timeliness for the assessment phase in all review categories will be reduced from what they were under the previous CEAA 2012. I am not so sure. While Senator Mitchell referenced in his speech the minister's ability to suspend timelines and to extend them up to 90 days, what he didn't mention is that under subsection 65(6):

> The Governor in Council may, on the recommendation of the Minister, extend the time limit . . . [and may do so] any number of times.

Senator Mitchell, in defence of the shorter timelines in Bill C-69 as compared to CEAA 2012, said the following:

> Assessments of major projects done by joint review panels or integrated review panels will be reduced from 720 days to 300 days. That's from 24 months to 10 months.

He continued:

> There is an option to set the timeline up to a maxim of 600 days for these kinds of reviews for more complex projects, but the minister will be required to report publicly the reasons for such decisions.

That is all true. It is more complicated than that. Not mentioned by Senator Mitchell is that this doesn't take into account the time the minister has to appoint the review panel, for

which he or she has 45 days. Also complicating the issue is that the minister can suspend the time limit within which he or she may refer an impact assessment to a review panel. The minister can also suspend the time limit within which the review panel must submit its report.

There is also uncertainty regarding the removal of the standing test. The government officials with whom I met told me the reason for this is that everyone has a right to be heard and that the board will determine how — that they can specify a time limit for comments on their website. They told me that scientific evidence will be given preference over the comments of the average, everyday person. One would certainly hope so, but the legislation does not allow them to make a distinction between interveners. If they say they can do that in the regulations, don't believe them. They cannot enable in regulation what is not allowed under the law.

Finally, there is enormous confusion about what a designated project will be. Projects will be designated either by regulations or by the minister. And one can hardly blame the resource industry for being nervous about how that will be determined in either case.

Honourable senators, in November, Canadian heavy crude hit a record low of $13 to $14 a barrel. Yesterday, it was not much better, trading at $26 a barrel compared to U.S. WTI at $51.

Albertans are noticing, western Canadians are noticing, and the rest of Canada had better pay attention. It's easy to sit here in Ottawa, Toronto or Montreal, and shrug and say, "Well, you're overstating the problem. It's not that bad." And it isn't if you're sitting here in Ottawa. Try sitting in Alberta or Saskatchewan. If we pass the legislation as written today, we impose a death sentence on the resource industry and its people. The pipeline workers, the oil riggers and the waitresses in restaurants who depend upon the business they bring in order to pay their bills and feed their kids.

What will all of us here be doing if we pass it as written? We will go back to our comfortable offices, with our salaries and benefits — secure until age 75, and a nice indexed pension after that. We will move on to some other piece of legislation and make wonderful speeches about it, and tell ourselves what great arguments we made. If we pass this legislation as written today, unemployment among First Nations, already abnormally high, will go even higher, no doubt as will suicide among their young people, many of whom don't see a future for themselves.

Meanwhile, the bureaucrats in Environment and Climate Change Canada and other government departments who wrote Bill C-69 and others like it will be getting their salaries and year-end bonuses, making their mortgage payments on homes heated by oil and gas, and flying south on cold winter days. That is not the future of the oil worker in Alberta, the uranium worker in Saskatchewan and pretty much anyone working in the resource industry in Canada. They are the ones who will pay a heavy price if we get this wrong. So will their families, their friends and the people in business who support their industries.

If this bill gets referred to committee, I would urge the committee to examine it carefully, because it was certainly not done in the house.

• (1620)

Bill C-69 was introduced in the House of Commons on February 8, 2018. The press gallery was briefed first, before the MPs were. This led to a point of personal privilege by Conservative critic Ed Fast, supported by the NDP critic. Though the point of privilege was obvious, the Speaker did not agree. He chastised the government for its behaviour but concluded that the actions did not break the rules. However, the breaking of a rule is not necessary if the government acts with impunity and against tradition. It brings to mind the Prime Minister's father who viewed MPs as nobodies.

The government then ruthlessly called the debate one week later and time allocation was moved after less than two hours of debate. Bill C-69 was debated for less than 10 hours and moved to committee. The committee only held 14 meetings, leaving out many who wanted to testify. Then the Liberals moved a motion to effectively move all amendments at once, at the end of committee closure. No member was allowed to speak to any amendment, neither the mover nor anyone else. Dozens of amendments were moved and rejected in three hours and 23 minutes. Liberal democracy in action.

We need to do the job they didn't. I would urge, in the strongest terms, that the committee travel to the local communities — hear from everyone using the example set by the bill. Visit everyone who wants to be heard. And listen to everyone who wants to testify, just like the energy industry will have to do when they go through the environmental process review.

I am going to leave you with something I read recently in *The Wall Street Journal*. They were commenting on the protests in France over that country's carbon tax and they concluded their article with these words:

> . . . the public seems to understand better than progressive elites that the consequences of climate change, whatever they turn out to be, will be easier to confront the more prosperous the world is.

The Trudeau government, made up entirely of progressive elites, is doing nothing that will address climate change, but is doing everything to ensure this country will be less prosperous when the time comes to deal with its consequences.

Thank you, honourable senators.

Some Hon. Senators: Hear, hear.

[*Translation*]

Hon. Éric Forest: Would the honourable senator take a question?

[*English*]

Senator Tkachuk: Yes, I will.

[*Translation*]

Senator Forest: Thank you, senator, for your speech and for showing us that oil offers many opportunities. I especially appreciated hearing some very interesting and historic topics. Back to the core of Bill C-69. When you say that oil companies wanted us to kill Bill C-69 because it could destroy their operations, can you tell us which ones? I have contradicting information that the major oil companies would rather see Bill C-69 passed.

[*English*]

Senator Tkachuk: I'm not sure I understood the question; I'm sorry. The translation did not get it right.

Could you repeat it?

[*Translation*]

Senator Forest: I'll repeat the gist of my question. When you say that Canadian oil companies want us to do away with Bill C-69 because the proposed measures would have a significant negative impact on their operations, can you tell me which oil companies? The information I have indicates that, on the contrary, the major oil companies would like to see Bill C-69 passed, because it would set clear guidelines for the environmental protection consultation process.

[*English*]

Senator Tkachuk: I'm going by what the representatives of the oil companies are saying, the Canadian Association of Petroleum Producers, and their organization wants this bill highly amended or completely defeated.

Hon. Mary Jane McCallum: Thank you. I take offence to the remarks you made minimizing the actions of male construction workers mining the pipeline and the laughter that this generated from your group.

As a young woman of Indigenous heritage, I lived through some of the most racist times in this country, and I experienced first-hand rape racism. Rape of women and girls at construction sites as young as seven or nine were abused. It has been documented and acknowledged by the Manitoba government.

This is a really true concern of Indigenous communities. Do you still think this is a laughing matter, that you need to minimize that? It is really one of the issues that remain unanswered to this day.

Senator Tkachuk: Don't put words in my mouth. This was not a laughing matter for me. This was a serious matter. This is a serious matter.

I'm telling you, senator, I am not in your place. I am not in your place. And I don't know what happened on those reserves, but all I know is the construction workers that I know and the people in the communities that I work with are decent, hard-working people.

So the fact that you would say that I laughed about it, or that any of my colleagues laughed about it and try to put that on the record, I think that's insulting, senator. That's what it is. It's shameful.

Some Hon. Senators: Hear, hear.

Hon. Rosa Galvez: Would the honourable senator take a question?

Senator Tkachuk: Sure.

Senator Galvez: Before Bill C-69, there was the original 2005 environmental impact assessment that was heavily modified in 2012 by the direct cabinet of the Prime Minister of the time. We have been living with that modification all these last years.

Could you please explain why, if at least four pipeline projects were planned, none of them have been constructed? Bill C-69 was not there yet, so why have none of these pipelines been constructed?

Senator Tkachuk: Northern Gateway was cancelled by this government, by the Liberal government. Trans Mountain pipeline had all the rights to proceed and was fiddled away by this government. In the end, the government had to buy it because of a court problem.

Energy East was cancelled simply because the cabinet kept putting on more responsibilities on them. Finally, they got so upset, they had gone through the whole regulatory process but because of onerous processes they were forced to take, they decided to leave the Energy East investment, leave it alone and walk away.

That's why it happened. There is no process in Canada today that gives anybody a feeling that if they pass the process, they will actually build a pipeline. That is a big problem.

Senator Galvez: Yes. Why do you think people don't trust the evaluation of the National Energy Board anymore?

Senator Tkachuk: How do you know that? I think people trust the National Energy Board. The only people that don't trust the National Energy Board is the Liberal Party of Canada.

Some Hon. Senators: Hear, hear.

Hon. Paula Simons: Will the honourable senator take a question?

Senator Tkachuk: Have I run out of time yet?

Some Hon. Senators: Five minutes.

The Hon. the Speaker *pro tempore*: Excuse me. Order, colleagues.

Senator Tkachuk has about 30 seconds left and I know Senator Simons wants to ask a question.

Are you asking for time to answer, Senator Tkachuk?

Senator Tkachuk: Sure. I'll ask for another five minutes.

Senator Simons: Thank you very much, colleagues.

• (1630)

Senator Tkachuk, I'm from Alberta. I was very moved by parts of your speech and you know, as I do, that many people in Alberta are deeply concerned about the implications of Bill C-69.

Like you, I have been meeting with representatives of industry. I have sat down with people from CAPP, from CEPA, or the Canadian Energy Pipeline Association, Imperial, Husky and Suncor, and I am meeting with someone from Cenovus next month. What I am hearing from industry isn't a desire to kill the bill. What they have all said to me is that they are keen for the bill to get to committee and have real amendments made to it.

Given that, and given the fear that spiking the bill now could actually create more investor unease and lack of certainty, would it not be better to send the bill to committee? Having served with you in your capacity as Chair of the Transport and Communications Committee, I've certainly seen how well a committee can work to amend a bill. Would it not be great to give Bill C-69 the kind of chance that I have seen you demonstrate for bills before your committee?

Some Hon. Senators: Hear, hear!

Senator Tkachuk: As I said yesterday, I don't want to start from one extreme and go to the other. Of course I would rather have this bill defeated, but I don't think it will be defeated, looking at the numbers here.

Senator Plett: That is right.

Senator Tkachuk: I think it is going to committee. Then our job is to make the amendments necessary to make this bill fly.

What I am concerned about is that we went through this process with Bill C-49, if you remember that. If all of you here will commit that we stick to the amendments we make and not fall apart when the House of Commons sends it back, I would be more than happy to make amendments.

Some Hon. Senators: Hear, hear!

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

Some Hon. Senators: Question!

The Hon. the Speaker: It was moved by the Honourable Senator Mitchell, seconded by the Honourable Senator Pratte, that this bill be read a second time.

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

Some Hon. Senators: No.

Some Hon. Senators: Agreed.

The Hon. the Speaker: All those in favour say, "yea."

Some Hon. Senators: Yea.

The Hon. the Speaker: All those opposed say, "nay."

Some Hon. Senators: Nay.

And two honourable senators having risen:

The Hon. the Speaker: In my opinion, the yeas have it. I see two senators standing. Do we have an agreement on a bell?

Senator Plett: Fifteen minutes.

The Hon. the Speaker: Is it agreed, honourable senators?

Hon. Senators: Agreed.

The Hon. the Speaker: The vote will take place at 4:47 p.m.

Call in the senators.

• (1640)

Motion agreed to and bill read second time on the following division:

YEAS
THE HONOURABLE SENATORS

Bellemare	Griffin
Bernard	Harder
Black (*Ontario*)	Hartling
Boehm	Joyal
Bovey	Klyne
Boyer	LaBoucane-Benson
Busson	Lankin
Campbell	Lovelace Nicholas
Christmas	Marwah
Cordy	Massicotte
Cormier	McCallum
Coyle	McPhedran
Dalphond	Mégie
Dasko	Mercer
Dawson	Mitchell
Day	Moncion
Deacon (*Nova Scotia*)	Munson
Deacon (*Ontario*)	Omidvar

Dean
Downe
Dupuis
Dyck
Forest
Forest-Niesing
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Beyak
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Carignan
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MacDonald
Manning
Marshall
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ABSTENTION
THE HONOURABLE SENATOR

White—1

• (1650)

REFERRED TO COMMITTEE

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

(On motion of Senator Mitchell, bill referred to the Standing Senate Committee on Energy, the Environment and Natural Resources.)

THE SENATE

COMMITTEES AUTHORIZED TO MEET DURING ADJOURNMENT OF THE SENATE

Hon. Diane Bellemare (Legislative Deputy to the Government Representative in the Senate), pursuant to notice of December 11, 2018, moved:

> That, pursuant to rule 12-18(2)(b)(i), Senate committees have permission to meet from January 28, 2019, to February 8, 2019, even though the Senate may then be adjourned for more than a week.

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

Hon. Senators: Agreed.

(Motion agreed to.)

BUSINESS OF THE SENATE

EXPRESSIONS OF GOOD WISHES FOR THE SEASON

The Hon. the Speaker: Honourable senators, there is only one item of government business left. If I call it now, I am then required by an order of the house to adjourn the house.

Before doing so, there is an agreement that we hear from each of the respective leaders before adjournment.

Hon. Peter Harder (Government Representative in the Senate): Honourable senators, as we look forward to time spent with family and friends over the holiday season, we can look back and feel a sense of satisfaction about the work that we have accomplished in this chamber in the last number of months.

With the Governor General in the chamber tomorrow, five bills will receive Royal Assent bringing to nine the number of government bills that have become law since September, with one more to go.

That will bring the total number of bills, both government and non-government, to 80 for this session of Parliament. We also have seven bills to consider in committee as soon as we return after the winter break.

These are our final days for a number of us to serve in this chamber as we prepare to move to the new Senate for the next decade or so.

• (1700)

It will not be the first time that the Senate has met in another place while Centre Block was under construction. A look at the Hansard of 1916 tells an interesting story and offers important perspective.

On Friday, January 21, 1916, the Senate adjourned. Before our honourable predecessors would meet again, a fire broke out in the Centre Block on February 3, 1916, taking seven lives.

The Senate met at its originally scheduled date and time. The venue, however, the Victoria Memorial Museum, which had been quickly turned into a temporary home for Parliament.

Today, we know this building as the Canadian Museum of Nature. It was fitting, in the view of historians, that as the senators entered this new chamber, they walked under a sign indicating "Ancient Fossils."

At that first sitting in its temporary home, the government leader of the day, Senator Lougheed, father of Peter and grandfather of Joe, expressed his condolences to those who died in the fire and lamented the destruction of the Centre Block. He noted the excellent efforts of the Minister of the Department of Public Works to find a new home for Parliament, noting, "It is a tribute to the energy and enterprise of the Canadian people that since that disaster occurred, the parliamentary business of this country has not been delayed an hour."

He also said, "I feel satisfied notwithstanding the interruption which has taken place through the disaster to which I have referred and our removal to these temporary quarters, that we shall in no wise fail in the discharge of our duty as members of the Senate of Canada." He went on to say, "I feel satisfied that the business of the country will proceed as if we were housed in our former quarters, and that every hon. gentleman" — and, ladies, they were only gentlemen — "will be as active and as interested in the transaction of public business as he has been at any previous time."

Indeed, Hansard of the time shows a very active Senate.

On May 18, Deputy Governor General Sir Charles Fitzpatrick, also the Chief Justice of Canada, sat on the Throne to grant Royal Assent to 39 bills.

Wow! I aspire to that.

His speech included a short reference to the destruction of the Centre Block, but most of his remarks referred to the Great War. He thanked the Senate for its attention and approval of "all necessary measures for effective prosecution of the war."

He also made note of the nearly 170,000 troops that had gone overseas and the more than 140,000 who were undergoing training at that time in Canada.

He spoke of other issues as well: "The magnificent crops harvested during the past season have materially assisted in maintaining the stability of our national fabric. You will rejoice to learn that the vastly increased volume of Canada's exports is still maintained, and that the general prosperity of the country has not been perceptibly diminished by the war." Agriculture and exports, they mattered then and they matter now.

Coming back to the present, we can be grateful that there has been no fire or loss of life that impels us to move into a temporary home. A great deal of planning and forethought has gone into our next move.

It was more than six years ago, in 2012, when members of the then steering committee of Internal Economy, constituted by Senator Tkachuk — who is in the chair and is now wanting to hear my words of praise — our Speaker, who was then deputy chair, and Senator Stewart Olsen as a member, first met with officials from Public Works for a briefing on the proposed renovations. At the time, the idea had been for East Block to be renovated to house the Senate, much in the same way the West Block has been renovated for our colleagues in the other place.

It was Senator Tkachuk who suggested that the site of the Government Conference Centre, which was already closed and in need of renovations, be considered. It didn't take long before Public Works and the Senate agreed with this solution, which also represented a considerable saving for Canadian taxpayers, some $200 million.

As we say goodbye to this place, let us bear in mind the symbols and images that remind us always of Canada's human history, especially the Great War.

The Peace Tower and its Memorial Chamber tells us the ultimate price paid by previous generations for peace today. The murals in our chamber remind us of the terrible cost of war. Look around and remember.

Our new home will remind us less about our human history but, with symbolism and imagery, will remind us of Canada's natural heritage. The beauty of the new Senate — and it is a stunning space — will remind us of new challenges, new opportunities and new ways to work together for the betterment of Canada.

When the Senate next meets in this chamber 10 years or so from now, I hope it will be able to look back with pride to the hard work and dedication we, in the Senate of a few weeks, will apply to the time in which we are in our new location.

[*Translation*]

During this session, we engaged in very meaningful debates. We also debated a good number of bills and important issues that concern the well-being of Canadians.

[*English*]

From government bills to Senate public bills to private bills, we have improved legislation, engaged Canadians in public policy issues and explored how we can be a more transparent, independent and accountable chamber.

Let me thank all senators for their hard work and cooperation, and allow me to recognize the leadership and spirit of cooperation, especially from the leadership team of Senator Smith, Senator Woo and Senator Day. Thank you very much, colleagues.

[*Translation*]

I thank all of you, honourable senators, for your work and good will. I invite all of you to my office after this sitting to celebrate our accomplishments and the fruit of our collaboration.

[*English*]

I hope that you will come by my office right after this sitting so that we can celebrate our accomplishments and the fruit of our collaboration.

Let me also thank the essential people without whom either nothing would happen or chaos would ensue. We all know who they are. They are in front of us, and I begin with the Interim Clerk, Richard Denis, and all of the table staff who keep all the different parts moving in this chamber, usually in the right direction.

[*Translation*]

A special thank you to the interpreters, Library of Parliament researchers, stenographers, pages and security officers; in short, to all those who look after us and our staff so we can do our work.

[*English*]

While senators look forward to a holiday break, I'll wager there are many of you who, while too polite to say so, are looking forward to a break from each other.

To all, let me say, it won't be long now, but we will be back. We'll see you in our new home, and we'll need to be rested and ready for action so that we can continue to work together on behalf of the Canadians whom we serve and love so much.

[*Translation*]

Thank you very much and Merry Christmas!

Hon. Senators: Hear, hear!

[Senator Harder]

[*English*]

Hon. Larry W. Smith (Leader of the Opposition): As this session comes to an end, many of us are a little more emotional than usual as we say our goodbyes. This year we're not only saying goodbye to one another for the holiday season, we're also saying goodbye to this chamber, our home away from home, a place of reflection and reverence.

I remember the first time I walked through those doors as a new senator and feeling the excitement to be part of something bigger than myself. The place of sober second thought on the country's legislative process has been conducted mainly inside these walls for at least 100 years.

[*Translation*]

If these old walls could talk, they would tell us all kinds of stories and bring back memories of passionate debates.

[*English*]

The red carpet, the gold coffered ceiling, the impressive bronze chandelier, the intricate carved stonework, and the eight paintings depicting the First World War have witnessed Canada's historical debates. It is a true honour, and one that won't soon be forgotten, to call this historic chamber our workplace.

Today's sitting is nostalgic. Like many here today, I will not have the opportunity to return to this room. I will have retired by the time the Parliament Buildings are repaired and restored for future generations.

Colleagues, exceptional work has been accomplished in this place, both in the chamber and in the various committees, to ensure that Canadians from all regions were well represented here in Ottawa.

The next session will be busy, but I find comfort in knowing that although we will be in a different venue, the Government Conference Centre, the Senate will continue to keep the government in check from the unwanted reach of the executive branch.

• (1710)

We will continue to give a voice to those who stand in opposition of a legislative agenda of the government. Our efforts in examining, debating, amending and challenging the will of the government makes for better policy process and serves the best interests of the public.

Last but not least, I wish to take a moment to say thank you to our staff who do a lot of the hard work behind the scenes and allow us senators to be efficient in our day-to-day duties and responsibilities.

[*Translation*]

Finally, I would like to thank all those who help us to do an excellent job day after day. We greatly appreciate your valuable contribution.

[*English*]

Of course, I would be remiss if I didn't say thank you to the man who does it all in terms of organizing us in our day-to-day functions, the Speaker, Senator George Furey.

Hon. Senators: Hear, hear!

Senator Smith: I would also like to thank our Speaker *pro tempore*. It's always interesting to have a team. I think the Speaker and you have become an excellent team, Senator Eaton.

Hon. Senators: Hear, hear!

Senator Smith: Of course, I would be remiss if I did not thank the security officers who ensure we can conduct ourselves in a safe environment. Thank you to the table officers, Speaker's office, translators, pages, IT, maintenance, broadcast teams, Senate Communications and everyone involved, as your support is the foundation of a functional Senate. We rely on you on a daily basis to do our work. Thank you.

Finally, to my colleagues, from this side, that side, everywhere in this room, enjoy the holiday season back home with your family and friends. Merry Christmas. I look forward to seeing you in the new year. I leave with you one little thought: Let's all remember, not only is it an honour to be in here, but why are we here? We are here, no matter the colour of our stripes, to make Canada a better place. God bless you all.

Hon. Senators: Hear, hear!

Hon. Yuen Pau Woo: Honourable colleagues, it's a pleasure to join with Senators Harder, Smith and Day to offer a brief reflection on the fall sitting and my good wishes for the year ahead.

It has been a busy three months. We can look back with some satisfaction at the work that the Senate has done during that time. I am not referring just to government bills but also to committee studies, inter-parliamentary affairs and many of the activities on the Hill, across Ottawa, in our provinces, regions and communities.

I want to also recognize the important work of senators and staff on the governance of our institution and the work of senators and staff on other internal activities that are so crucial to the functioning of this institution; in particular, preparations for the impending move to our new premises in February 2019.

I say we can look back with some satisfaction on the work we accomplished in the last three months but perhaps not with full contentment and certainly not with complacency. We were able to get many bills passed, some with amendments. We were also able to send other bills to committee for further study.

However, I believe that we could have done more with the time we had. The path to passage of a number of bills has been torturous and, in many cases, left to the last minute. We should, of course, be pleased to have passed a number of bills at second and third reading in the last 72 hours, when we sat for nearly six hours on Monday and for more than 10 hours yesterday. I don't think there is any doubt, however, that we could have achieved the same or perhaps more in half the time with no compromise in the amount and level of debate and scrutiny and no diminution in our respect for the tradition and practices of this institution.

I raise this point in part because we will return in February to a chamber that will be fitted with cameras in order to have our proceedings televised. All of us, whatever caucus or parliamentary group we belong to, will have to be vigilant not just about whether we are yawning at an inopportune moment but, more importantly, about whether the chamber sittings are about procedural theatre rather than a commitment to sustain the liberation and debate and, ultimately, getting to a vote without undue delay.

Soon after we return to Ottawa following the holidays, we will, for the first time in many years, have a full complement of senators. A full chamber in a new house is an opportunity for us to reflect on the further improvements to Senate rules and practices that will be needed as we advance a modernization agenda that the upper house has already committed to. This is a worthy new year's resolution for 2019 and beyond.

Because we will be moving to a new chamber in February, this means that while we are holidaying in our respective homes and other places, Senate staff will be working very hard to effect the change and the transfer of our offices and other facilities to the new building. It is a reminder of how important the Senate administration and staff are to the running of this institution and gives me the opportunity to join with Senators Harder and Smith to once again offer our deepest gratitude to all of the Senate administration and staff of senators as well for keeping this institution running.

Finally, to my dear colleagues, I wish you all the best for the holidays and a happy, healthy and prosperous 2019.

Hon. Senators: Hear, hear!

[*Translation*]

Hon. Joseph A. Day (Leader of the Senate Liberals): I am pleased to join the other leaders in wishing all honourable senators a Merry Christmas. I would also like to sincerely thank all those who support us in our work, particularly senators' staff, the clerks, the Senate pages, the Senate administration staff, the maintenance personnel and the staff of the Parliamentary Protective Service.

[*English*]

We appreciate our support staff, the many different aspects of support staff, for your dedication and hard work. We are well aware of the efforts you are making in helping the Senate work so well. We want you to know that.

I would also like to thank you, Your Honour, along with my colleagues, on behalf of all senators, for your diligence in managing our proceedings so well.

I also want to thank all colleagues here — as I understand it, there will soon be four others joining us — for your contribution to the success in this place.

We have had a busy fall, and as is not uncommon at the end of a fall session and indeed a spring session, we have had a particularly intense time over the past while, some might even say a little bit testy. It's time for us to take a break and the opportunity to spend much-deserved time with our family, friends and communities to enjoy this very special season in the way that we are accustomed to celebrating.

• (1720)

The next time we meet, as has been mentioned by my colleagues, when we meet sitting as a Senate group again, it will not be in this chamber. It will be in our replacement chamber. I look forward to that, as I'm sure many of you do. I look forward to continuing to work with all of you in 2019 for the betterment of all Canadians.

On behalf of the independent Liberal senators in our small corner here, I wish you all happy holidays and all the best in the coming year.

[*Translation*]

Merry Christmas and a very happy new year.

(*At 5:21 p.m., pursuant to the orders adopted by the Senate on February 4, 2016, and October 31, 2018, the Senate adjourned until 1:30 p.m., tomorrow.*)

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