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OFFICIAL REPORT
(HANSARD)

Tuesday, May 15, 2001

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Tuesday, May 15, 2001

The House met at 10 a.m.

Prayers

• (1005)

AUDITOR GENERAL'S REPORT

The Speaker: I have the honour to lay upon the table the report of the Auditor General of Canada on the Export Development Corporation's environmental review framework.

[*Translation*]

Pursuant to Standing Order 108(3)(e), this document is deemed permanently referred to the Standing Committee on Public Accounts.

ROUTINE PROCEEDINGS

[*Translation*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to four petitions.

* * *

[*English*]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the 16th report of the Standing Committee on Procedure and House Affairs regarding changes to the parliamentary calendar.

If the House gives its consent, I intend to move concurrence in the 16th report later this day.

HUMAN RESOURCES DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on Human Resources Development and the Status of Persons with Disabilities on the main estimates for the fiscal year ending March 31, 2002.

The report was the result of a very full and frank discussion with both the Minister of Human Resources Development and status of persons with disabilities, and the Minister of Labour. The discussions ranged over skills, union-management concerns, employment insurance, disability issues and homelessness.

PROCEDURE AND HOUSE AFFAIRS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I move that the 16th report of the Standing Committee on Procedure and House Affairs presented earlier today be concurred in.

(Motion agreed to)

* * *

• (1010)

[*Translation*]

PETITIONS

MINING INDUSTRY

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, I would like to present, on behalf of the workers of the Sigma mine, in Abitibi—Témiscamingue, and of the residents of the city of Val-d'Or and of the Vallée de l'Or, a petition asking the government to take action to reinforce its presence and increase its activities in resource regions that are experiencing difficulty in adapting to the new economy.

The petitioners are asking the government to make the rules governing existing programs more flexible and to ensure they are used in resource regions.

At the same time, the petitioners call upon parliament to set up a financial assistance program for thin capitalization mines in Quebec and Ontario resource regions.

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[English]

FALUN GONG

Miss Deborah Grey (Edmonton North, Canadian Alliance): Mr. Speaker, pursuant to Standing Order 36 I have a petition signed by any number of people in Edmonton, Cold Lake, Bonnyville and the Northwest Territories. These people are very concerned. They are asking that practitioners of Falun Gong, also known as Falun Dafa, and herein after referred to as Falun Gong, are being discriminated against and persecuted in China by government officials and around the world through agents of the Chinese government.

The petitioners pray and call upon parliament to pass a resolution condemning the discrimination and persecution of practitioners of Falun Gong and request the Chinese government to lift the ban on the practice of Falun Gong.

VIA RAIL

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I rise to present another petition from citizens mainly of the Peterborough area who would like to see VIA Rail service between Peterborough and Toronto re-established. They point out that this would strengthen Peterborough as a business community, as an educational centre and as a tourist centre. They also point out that it would save the environment by reducing greenhouse emissions, reduce accidents on the main highways and generally, by the way, improve the efficiency of public transit in the greater Toronto area.

This is a petition which has support in eight federal ridings. We are pleased that it has already resulted in one very constructive meeting with the Minister of Transport and representatives of the Peterborough area, and also very constructive discussions with VIA Rail.

POISON CONTROL

Ms. Carol Skelton (Saskatoon—Rosetown—Biggar, Canadian Alliance): Mr. Speaker, I rise to present a petition on behalf of constituents in Saskatchewan concerning the use of liquid strychnine for controlling Richardson's ground squirrels. The Richardson's ground squirrels have been doing a great deal of damage to rural Saskatchewan. The constituents who have forwarded the petition to me wish to have the government take this issue very seriously.

* * *

[Translation]

QUESTIONS ON THE ORDER PAPER

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would ask that all questions be allowed to stand.

The Acting Speaker (Mr. Bélair): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

MOTOR VEHICLE TRANSPORT ACT, 1987

Hon. Gilbert Normand (for Minister of Transport) moved that Bill S-3, an act to amend the Motor Vehicle Transport Act, 1987 and to make consequential amendments to other acts, be read the second time and referred to a committee.

Mr. Brent St. Denis (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, it is my pleasure to open the second reading debate on the Motor Vehicle Transport Act, 1987.

Bill S-3 focuses motor carrier regulation on safety and specifically on the federal-provincial national safety code for motor carriers. The bill is one of several initiatives to further improve road safety with the overall goal of making Canada's roads the safest in the world by the year 2010.

Canada currently ranks ninth in the world when measured by the number of people killed per 10,000 registered motor vehicles; a stark statistic. That is why the council of ministers responsible for transport and highway safety have announced an extension of the national road safety vision initiative to the year 2010. Included in the vision is a national target calling for a 30% decrease in the average number of road users killed and seriously injured during the 2008-10 period compared to the five years from 1996 to 2001.

● (1015)

Those countries at the top of the league, notably Norway, the U.K. and Sweden, are themselves still working hard to improve road safety. There is a lot of work to be done to ensure that Canadians enjoy the safest roads in the world.

To focus this work, the minister and his provincial colleagues have identified nine subtargets. One of these subtargets is a 20% decrease in the number of road users killed or seriously injured in crashes involving commercial vehicles, a toll which currently stands at 500 killed and 11,000 injured each year. It is this subtarget to which Bill S-3 will contribute directly.

The target for deaths and injuries involving commercial vehicles is 20% and not the same 30% as the overall target. Why should this be? The reason is a very important one. According to the best information we have, in collisions involving commercial vehicles it is much more often the non-truck vehicle involved that is found to be at fault. For example, drivers of vehicles other than commercial vehicles are found to have committed a violation in 45% of

such collisions. Drivers of commercial vehicles are found to have committed a violation in 20% of those same types of collisions.

This is very important because there is often a perception that heavy trucks are the cause of all accidents when in fact the problems which need to be tackled frequently lie elsewhere. Therefore the major opportunity to reduce fatal and injury producing collisions with commercial vehicles is in the hands of the operators of other vehicles, mostly private cars, sport utility vehicles, light trucks and vans. It is a shared responsibility.

This is not in any way meant to minimize the importance of ensuring that commercial vehicle transport is as safe as it can be. Bill S-3 is a major goal for the federal and provincial governments. This is what the amendments to the Motor Vehicle Transport Act are about.

One of the important realities is the undoubted success of trucking as a means of transporting goods in our economy. The preference for road transport is pervasive. It is consistent with other developed countries and very likely will continue into the foreseeable future.

Over the last decade domestic truck tonne kilometres increased by 60% and even more impressively international activity, that is north-south traffic, has tripled. These figures support the observation by many Canadians that there are ever more heavy vehicles on our roads.

The government believes that the House will recognize the importance of truck transport to the Canadian economy and will fully support the goal of ensuring that it is carried out in the safest possible manner. With this background I will talk in more detail about Bill S-3 and the amendments.

Bill S-3 updates the federal government's longstanding involvement in road transport regulation. This is founded on federal delegation to the provinces and territories of federal constitutional responsibility for certain parts of the road transport industry, those parts that cross provincial and international boundaries. There is a shared jurisdiction which will be respected in the bill.

The federal Motor Vehicle Transport Act supports provincial regulation and specifically safety regulation of motor carriers. By so doing it provides a national framework for provincial regulations and enables provincial governments to co-operate in regulating motor carriers that operate from one province to another. The act governs the tens of thousands of truck and bus companies that fall under federal jurisdiction. These are known as extraprovincial motor carriers or federal carriers.

Extraprovincial motor carriers are those that operate beyond the boundaries of a single province. This is a large and increasingly important proportion of all truck and bus operators. Regulation of extraprovincial motor carriers is the constitutional responsibility of

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the federal government. Provincial governments are responsible for carriers that operate solely within a province, which are known as intraprovincial or local carriers. Provinces are also responsible for licensing drivers and vehicles and for traffic enforcement.

Recognizing the prominent provincial role, the federal government has historically delegated the implementation of its authority for federal motor carriers to provincial administrators. The Motor Vehicle Transport Act provides the mechanism by which provincial and territorial governments are empowered to regulate federal carriers. The legislation is therefore an essential component of a shared responsibility for national motor carrier safety regulation. It is also important for the policy direction it provides to the national regulatory framework.

As I have already indicated, the trucking industry regulated by this act is a vital part of our economy and is a significant engine of growth. The value of trucking activity in Canada as measured by freight revenue is \$40 billion annually.

● (1020)

Trucking accounts for 84% of all Canadian surface freight revenues and about three-quarters of this activity is by federal carriers. The trucking industry is diverse. It features a number of large international companies, many intermediate and small businesses, and a great number of individuals who drive their own trucks. There are over 700,000 heavy vehicles in Canada and nearly 250,000 fleet operators.

The Canadian intercity bus industry is much smaller but also meets an essential transportation need. Intercity and charter buses generate a half billion dollars in annual revenues. Buses account for about one-third of all intercity passenger travel that is not made by private passenger car.

It is in all our interests that buses can continue to provide Canadians with economical and safe transportation. Buses have a continuing impressive record of safely transporting passengers. In fact there are years when there are no bus passenger fatalities at all. There is however the occasional tragic accident and any collision involving a school bus rightly creates significant public concern. Bus safety must remain a priority, just as heavy truck safety is a priority.

In February of this year the minister released a report on cross-country consultations on bus safety recently conducted by Transport Canada. The recommendations are currently being considered by the department, the provinces and industry.

I would like to say a word about a related act administered by Transport Canada. The Motor Vehicle Safety Act prescribes safety standards for new trucks and buses. This is an important part of ensuring that all vehicles on the road are manufactured to be as safe

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as modern technology can reasonably make them. Recent advances in the standards for commercial vehicles include anti-lock brake systems, automatic brake adjusters and reflective markings to increase visibility. The House can be confident that by virtue of these standards new heavy vehicles coming on to the road incorporate appropriate safety technology as it becomes available.

Once a vehicle is registered for use on the road its operation and maintenance falls under provincial jurisdiction. As indicated earlier, each province has laws and regulations governing the operation of commercial vehicles. These provincial safety regimes are patterned after a set of national standards called the national safety code for motor carriers. There are 15 national safety code standards covering all aspects of safe commercial vehicle operation. The standards address the driver, the vehicle and motor carrier management.

Over the past few years federal, provincial and territorial governments in consultation with industry and public interest groups have made a major effort to develop an umbrella standard based on real on road safety performance. This effort recently culminated in new national safety code standard No. 14 under the category of safety rating. This safety rating standard provides a framework for provincial government to assess and rate motor carriers, that is commercial vehicle operators, based on their actual on road safety performance.

Based on this knowledge governments are able to take appropriate enforcement action. Carriers know where they stand relative to the industry and shippers are able to choose a carrier in a more informed way. The safety rating process will ensure that all involved parties will have important real world information on motor carrier safety. At the same time the safety rating standard places primary responsibility for safe vehicle operation clearly where it should be, with the motor carrier itself.

The new standard No. 14 safety rating regime means that records of collisions, traffic offences and violations of safety standards will be collected for each motor carrier. This information will be gathered from every jurisdiction where a motor carrier operates. The province in Canada or the U.S. state where a motor carrier safety incident occurs will transmit the information to the province where the carrier is registered. Based on a compilation of all those records the home jurisdiction creates a safety rating for each motor carrier.

This may be a useful juncture to mention the matter of commercial vehicle driver hours of service. The hours of service regime in Canada is implemented by federal and provincial regulations, all of which are based on national safety code standard No. 9. Drivers' hours of service performance is one of the several elements which contribute to the calculation of a carrier's safety rating. I want to make clear that the specific issue of hours of service is not however the subject of Bill S-3.

• (1025)

Members may know that on April 30 the minister requested the Standing Committee on Transport and Government Operations to examine the rules governing commercial drivers' hours of service. The matter is therefore the subject of a separate examination, one that is distinct from the bill before us today. I understand the committee has already started those hearings.

As indicated earlier, the federal government has the constitutional authority to regulate extraprovincial motor carrier undertakings. The amendments being debated today will enable provincial and territorial governments to apply the new national safety rating regime to federally regulated motor carriers as well as to local carriers.

In practical terms this means that a province will be authorized to issue safety fitness certificates to all motor carriers registered in that province. Clearly in a national program it is important that carriers are rated in a similar fashion in every jurisdiction.

A carrier has the right to receive the same safety rating in every province or territory for comparable safety performance. For this reason the bill establishes a framework for nationally consistent safety ratings. The certificate will be the carrier's permission to operate anywhere in Canada: one stop shopping at its best.

The volume of Canada-U.S. motor carrier traffic has increased dramatically, threefold since 1991. Bill S-3 recognizes that fact and contains provisions to encourage reciprocal recognition of motor carrier safety supervision in other countries, particularly our immediate neighbour, the U.S. and our next closest continental trading partner, Mexico. In this way motor carriers can look forward to seamless treatment from safety regulators north to south on the North American continent.

I want to close by drawing the attention of the House to the partnership and co-operation that exists among governments and stakeholders in the area of motor carrier safety. The national safety code for motor carriers is the product of a federal-provincial-territorial memorandum of understanding signed in 1987.

National safety code standards are developed and maintained by federal-provincial committees that also comprise industry, labour and public interest groups. Since the inception of the code all governments have made a strong effort to develop national approaches to motor carrier regulation, including vehicle and driver licensing training and enforcement.

The bill before us today reflects the resulting progress. Since 1987 we have moved from a patchwork of local regulations toward consistent national safety regulations. This process is not necessarily completely to the satisfaction of all safety interest groups or the national and international motor carrier industry. However there is

serious interest by all governments and other participants to see it progress and keep progressing to achieve maximum safety results with efficient implementation.

In this regard the Canadian Council of Ministers of Transport is preparing a memorandum to update the original 1987 document to re-energize the national commitment to harmonization of safety regimes. The minister expects the council of ministers responsible for transport and highway safety will consider this document at its meeting in September.

The bill establishes a framework for a program founded on the national safety code and administered by provincial governments in a consistent manner toward all motor carriers. We believe that this co-operative arrangement is the best way to achieve the highest feasible level of safety for commercial vehicle operation throughout Canada.

In conclusion, road fatalities in Canada are at their lowest level in history. In spite of this, road accidents still kill nearly 3,000 Canadians a year and cost Canadian society over \$10 billion annually. The toll in human suffering cannot be measured.

All governments need to keep road safety a priority. The bill to amend the Motor Vehicle Transport Act, 1987, is one of several important steps toward improving highway safety in Canada. The bill is a product of consultation and consensus and is founded on partnerships.

The passage of the bill will provide an important impetus for a continuing co-operative process among governments, industry and public interest groups, building on work that has already been accomplished.

• (1030)

The bill would apply safety regulation based on real life performance. It would recognize responsible motor carriers and encourage their efficient operation across Canada and North America.

I look forward to working with my colleagues in the House and with the provincial ministers, together with the motor carrier industry, to further the improvement of highway safety in Canada as provided for in this legislation.

Mr. Brian Fitzpatrick (Prince Albert, Canadian Alliance): Mr. Speaker, I will indicate at the outset that the Canadian Alliance is supportive of the bill. That does not mean the bill is perfect. We feel that the bill is a half measure. The bill deals with the important issue of highway safety in the country and that is a worthwhile area for public policy and for government to be involved with. I will spend some time talking about the role of the private sector in this whole area and also about the areas the bill missed the boat on.

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I would like to acknowledge the improvements I have seen in highway safety because of innovation by the private sector. My learned colleague mentioned anti-lock brakes. Anti-lock brakes were developed in the private sector. The government was very quick to pick up on that, take credit for it and make a regulation. However, anti-lock brakes were developed by the industry before government even thought of them. The area of airbags is another area where the industry was way ahead of government. As well, the reliability of motor vehicles on our roads today is far superior to that of the vehicles we had 20, 30 or 40 years ago and there are more innovations on the way. Fuel economy has improved tremendously and from an environmental standpoint that is good.

Why has industry been able to improve the safety and quality of motor vehicles? Is it because of government regulation and bills such as this one? I think not. It has more to do with a competitive global market in which industry cannot stand still. Industry has to constantly improve its products. Improvements also have a lot to do with something called ISO, the international standard that assures quality in parts and in the system of putting products together. ISO probably has a lot more to do with safety than any bill that this House could pass.

I raise these issues to acknowledge the private sector's contributions to improved safety on our highways.

My learned colleague pointed out that there has been a massive move into truck transportation in Canada. For the most part, the reason we have had a massive movement into truck transportation in the country is the government's failure to move on modernizing our rail transportation system.

The government has had two excellent reports on rail transportation, the Estey commission and the Kroeger report, but has been very slow to respond to those reports and modernize the rail system. A lot of shippers are being forced to use the highways and to use trucks. From a safety standpoint I would suggest that there are a lot of products being moved by truck that should be moved by rail. There are hazardous products out on congested highways such as the 401 highway and if there is an accident there is a real problem.

Rail is a much more suitable means of transporting a lot of these goods, but because of our reluctance to modernize our rail system a lot of shippers are forced into shipping by highways whether they like it or not. In that respect government is the problem, not the solution.

That brings me to another point. I am sure that if one were to ask truckers or people who are on our highways a lot what their single biggest safety concern is today, they would say it is the highway system, the roads they have to drive on. The roads are falling apart. They are full of holes.

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• (1035)

Anyone from my part of the country who wants to take a summer trip to visit relatives in Ontario or Quebec, unless they have their heads screwed on wrong, will find the first interstate in the United States and drive through the U.S. to get to Ontario or Quebec. They do not use our national highway system because the roads are just not that good.

That raises a point. The bill misses a very important angle. The government collects \$4.5 billion in fuel taxes. Approximately 5% of that goes back into our highway system. That is not the policy in other countries. Other countries have policies whereby fuel taxes are reinvested in infrastructure and highway systems. The U.S. is a good example. That is why it has its interstate system and a good highway system. However this government refuses to deal with that problem.

I want to raise another point. There is a philosophy that is far too prevalent in the government, which is that the solution to a problem is more government, more laws, more regulation and more bureaucracy. The government thinks that is the way to get results. It has been my experience and the experience of many other people that if we want results we need a plan, teamwork, co-operation, vision, management and enforcement.

The government is too quick to create more bureaucracy, more laws and more regulations. It forgets about all the other components that make for good public policy. The government's attitude is that if we wanted a Canadian team to win the Stanley Cup next year we would pass a law saying it is the Montreal Canadiens' turn to win the Stanley Cup. It would pass a law in the House of Commons and dictate that result. We know that is not how the world works.

If we want a result we have to manage that result. Passing laws will not solve a problem. Last week there was a good case in point. Everyone in the House basically got up in support of the feel good motion about safe water in Canada, but no one in the House addressed the real question, which is how we are going to get modern water treatment systems into all the communities across the country. The assumption of course is that if the federal government passes a law, we will solve the problem. If we look at the fisheries, we see that we have more people in the fisheries department than we have fishermen, I think, and look at what has happened to our fisheries. If the federal government is so darned good at water, why are most people, even aboriginals on their reserves, reluctant to drink tap water? Reserves are an area that federal government has had jurisdiction over for 125 years.

However, that is the government's approach: more government, more regulation and more bureaucracy. The government thinks that if we get enough of that sort of thing in place somehow through the vast weight of the state we will get some results. I think there is a better way of doing things and I wish the government would start

to look at it. The auditor general has been pointing out for eight or nine years now that the government just does not get results. It comes up with these feel good bills and laws, passes more laws and regulations and hires more bureaucrats, but the results are not there. In fact, sometimes they are counterproductive, but I guess it makes my colleagues on the other side of the House feel good at night because they say all these warm, fuzzy things in the House about safety and so on.

In conclusion I would say that the bill is a half measure. If we expect government to have regulations, laws and bureaucracy in place, the Liberal government is strong in those areas. It knows how to do that and thinks that the more laws, regulations and bureaucracy we have, the better things are. However, in a lot of the other areas the government is deficient. The biggest single deficiency in the bill is the biggest safety issue we have in highway transportation in the country: the state of our roads.

My colleague from the government side pointed out that there has been a massive movement of transportation on our highways, especially extraprovincial. That is a federal area, if I understand my law correctly. When we move into extra-provincial issues, that is federal jurisdiction.

• (1040)

Where is the government's commitment to building our highway system and getting it up to high standards? In the bill there are high standards for motor vehicles, the operators and everything else, but it completely misses the roads on which these vehicles have to drive. It has not done a darned thing about them. It runs away from that.

If the water safety bill ever becomes law, I am sure the real omission in that area will be that the federal government will just not put the money into it. I recall the government moving into the health area, which is a provincial jurisdiction, with the five principles of the Canada Health Act and all the rest of it. However, how much funding does it provide? It provides something like 13% of the health care budget. This is a bad habit of the federal government. It intrudes into an area, passes laws and then does not provide sufficient funding to make the plan work. The thing then falls off the rails, so to speak.

We support the bill but we are not enthusiastic supporters. It is a typical Liberal half measure. The Liberals always lean toward more regulation, more government and more bureaucracy and forget the other things that are required to really manage a result. If we do not have those ingredients, we will have limited results from the bill.

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, since I became the transport critic, at the beginning of the session, the Bloc Quebecois has supported with

reservation the bills dealing with transport put forward by the government because a bird in the hand is worth two in the bush. This time, however, the Bloc will oppose Bill S-3.

This bill concerns the safety of motor vehicle transport. Theoretically, that is a bill designed to say it all, which ends up saying nothing. Why? Simply because the government is basing the whole bill on the National Safety Code for Motor Carriers, which is already in force. For many years, the provinces have been trying to harmonize a series of measures to ensure that road safety standards are enforced.

It is all very well for the government to put on kid gloves and say that today it is tabling a bill on road safety, to go on about the number of road accidents and claim to be this great advocate of safety in this country, but there remains a harsh reality.

Safety is not only a matter of quality of the work done by truckers, it is also a matter of road conditions. We do not see federal money getting into provincial treasuries to help the provinces put in place an effective highway network in Canada, a network safe not only for trucking users but also for all those who share the road with these huge vehicles.

This safety component, which was intended as a true highway renovation program across Canada, does not originate with this government. I was present at the last meeting of the Standing Committee on Transport when the President of the Treasury Board presented the allocation figures. There is still the same good old figure of \$600 million hanging around in the federal government's coffers for the next five years for all highway projects throughout Canada. In the last election campaign, in Quebec alone, the federal government promised \$3.220 billion in investments, whereas the total figure allocated for the next five years is a mere \$600 million.

A true policy, a true bill on highway safety could have involved the industry but needed to involve government as well, in order to ensure significant investment in the quality of the highways across Canada and, of course and above all, across Quebec. A true highway safety program, a true highway safety bill, should have included a whole chapter, a whole component, on highway renovations.

• (1045)

Returning to the bill, there must also be an understanding of the desire for a Canadian highway safety code, saying "We will harmonize our efforts with the provinces". A little realism is required about all the work the provinces are trying to do to harmonize their legislation. We are not telling all those listening to us, all the people of Quebec, anything new.

There must be an understanding by the provinces, which have the responsibility for highway safety. The bill states that safety is a

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provincial jurisdiction and declares that all highway safety legislation in each of the provinces is valid.

We have to understand that the provinces are working together to harmonize their extraprovincial transportation standards. As we speak, they still have not managed to agree on a procedure, a *modus operandi*, that would satisfy all stakeholders.

The government introduces Bill S-3 and says that it is dealing with road safety throughout Canada. It says in the bill that safety is a provincial responsibility. What it fails to say is that as we speak there is still no harmonization between the provinces and the governments with respect to a safety system.

Before we, in the Bloc Québécois, can support such a bill, efforts will have to be made in the field. Mere wishful thinking, introducing legislation and claiming to be the champion of road and highway safety throughout Canada is not enough. The government must at least be sensible and realistic about the implementation problems in the territories and about the will to have a Canadian-wide safety standard.

Of course what we have to consider before such a bill is voted on is harmonizing the definition of basic jurisdiction using as models—and these are only suggestions—the international fuel tax agreement and the international registration plan to state that the basic jurisdiction must be the Canadian place of residence of the carrier or the place where the carrier carries out the most part of his or her activities.

Abuse of jurisdiction must be designated if carriers are to be held accountable under some legislation. To begin with, we must agree on a definition, which we do not at the moment. In none of the provinces throughout Canada is there agreement on a base of jurisdiction for which each administration could be held responsible.

We must also establish, in each administration, rating systems with compatible ratings. It is all very well to say that throughout Canada we have a road safety system but to some extent we must be able to monitor the trucker, the extraprovincial trucker.

We must have a rating system to monitor carriers in order to rate their behaviour, and this system must be consistent throughout Canada.

In this regard, the federal government does not have the authority to implement a road safety regime. This authority rests with each of the provinces. We must have an acceptable rating system approved by each province before introducing a bill on road safety and saying to good Quebecers and Canadians that we are dealing with road safety.

We must be able to rate the drivers, those who make a living from the system and the industry. We must be able to rate them to

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ensure that they perform adequately and ultimately to make them accountable, and to rate them through a system that is consistent throughout Canada, which is not the case now.

Today the government is saying to citizens of Quebec that it is dealing with road safety. The problem is that there is no rating system, no way to find out if drivers are really reliable. There is no process in place by which we could track them, monitor their activities in each of the provinces and set standards that would make it possible for the industry to know what is going on.

It is not enough for the industry to be accountable. The industry must also be able to know what is going on in each of the provinces where some extraprovincial activity is occurring, and that is not the case at this time.

We must develop a tool to assess each and all of the behaviour elements referred to in standard No. 14. They implement a standard, standard No. 14, which the government member praised earlier, but that standard is based on the national safety code for motor carriers and we should be in a position to assess it, at least to some extent.

One must check all the regulations adopted by each of the provincial administrations to be able to follow the carriers and the industries, to be able to rate them, to reprimand them if needed, with some consistency, and that is not provided for in this legislation.

• (1050)

At the present time there is still no agreement among the provinces, which are responsible for road safety. They are doing a very good job within their territorial limits but what they have to do is harmonize with each other, which is plainly admitted in this bill. Each province is being given authority for enforcement. This bill gives official recognition to the road safety standards of each of the provinces.

The problem is that before introducing the bill and telling the Canadians and Quebecers who are listening that there will be one trucking safety code, the government did not look into whether it would be feasible and whether it would be possible to monitor the industry throughout Canada, so that carriers are given the fines they deserve and, if things go well, good behaviour is recognized.

The bill provides for comparable monitoring from one administration to another. Our goal is to have standards that are similar to within about 5%, and to monitor carriers and administrations Canada wide. In this country, we should always be able to monitor between point A and point B, or between one ocean and the other. We should be able to monitor effectively and have standards that are understandable and understood by the industry in each of the provinces, which is not now the case.

The government is introducing a bill and telling the public that after the bill is passed there will be one Canadian safety code enforced across Canada. The problem is that when it comes right down to it, this is still wishful thinking. The bill will not be enforceable because this is an area that comes under provincial jurisdiction and the provinces have not yet managed to reach an agreement.

It is not for lack of trying. On the contrary. There are important industry lobbies in each of the provinces and they are trying to maintain the existing systems. We should give provincial and territorial authorities, and agencies in charge of road safety a chance to set up standards, have discussions and reach an agreement.

The government should have called a meeting of all relevant provincial agencies before introducing such an important bill and stating "We now have a safety code in effect throughout Canada; do not worry, we are taking care of you". The problem is we do not know how this code will be working in each jurisdiction for the simple reason that harmonization is lacking.

We also need to develop in each jurisdiction a penalty system setting out the action that will be taken against carriers who do not comply, and keep reducing ratings until their permits are eventually cancelled. We need a process to do this. If we want to have a follow up and to ensure the safety of the transport network, we must be able to monitor the industry and the carriers, record their offences, deduct merit points and eventually revoke their permit. That is the way to get a national safety code that will work in all the provinces.

We must find a way to evaluate the efficiency of the assessment mechanism based on the results. If we are to have a national code in effect throughout Canada, we should make sure the provincial agencies in charge have a common harmonized standard, a follow up plan to monitor the carriers, a penalty system that is complementary and easily accessible for all agencies through electronic means or otherwise, and an evaluation plan.

It is not good enough to say "We are putting a plan in place". We must do a follow up, determine whether the carriers did something wrong, list these wrongdoings and even cancel licences, if need be. And all the provincial authorities must have easy access to the registry of cancelled licences because, as I said, they have to enforce the Canadian code under the terms of the bill. The provinces have the responsibility, but they do not have a common rating system.

Right now it will be very difficult for the industry to organize because the provinces do not yet have a common system to follow up on the carrier and enforce safety standards.

• (1055)

We could use a conformity registry, a negative points system or another similar system that would make the carriers understand that, over a certain number of infractions, they could lose their licence. There is no such system and it is not the federal government's responsibility to implement one. It is the provinces' jurisdiction.

Right now there is no harmonization. The Quebec government did not harmonize its standards but it is holding very serious discussions with the neighbouring provinces. There are almost daily exchanges between governments on the harmonization of road safety standards to protect the public. The industry must understand these laws, there must be a carryover from one province to another.

At the moment, the provincial governments have no objection. They all agree on the need for a uniform standard across Canada that each of them may apply.

The problem is that they have not managed to select a standard and to agree on a way to harmonize it between provinces. The systems must be effective so statistics may be compiled on the carriers, their progress followed, infractions revealed, potentially resulting in the cancellation of their extraprovincial licences. Once again, these licences are given by the provinces and followed by them. The whole system of harmonization must be in place before such a bill is voted on.

I repeat, this bill was meant to provide for everything but in the end it provides for nothing. This is another example of a government trying to make political hay over highway transport safety. This is a very complex area and all the provinces daily face the problems that highway transport on the roads of Quebec and Canada can cause. In Quebec, this is a daily concern.

Everyone wants greater safety. It takes a modicum of ability to get it to happen, to ensure it is respected and to ensure it is applied uniformly across Canada, something that is not the case at the moment. Once again our Liberal federal government has decided to introduce prematurely a bill intended to say it all and in the end says nothing. We oppose the bill.

A harmonization table between the provincial governments should have been created so that the result of its work could have been communicated before the introduction of the bill, whose purpose is to tell Quebecers and Canadians "Look, we have a Canadian road transportation safety code. We just passed an act giving it effect".

Finally it will not be possible to implement this code because there is no harmonization between the provincial administrations responsible for road safety, which is a provincial jurisdiction. The only positive thing about the bill is that it states that road safety is a provincial jurisdiction. If it is a provincial jurisdiction, then the

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government should wait until the provinces harmonize their systems to be able to closely follow a carrier who does not comply with the standards or breaks the law and, if possible, cancel his licence if he is responsible for too many accidents or if he commits too many offences under that safety program.

This is the message that the Bloc Québécois wants to convey. I will conclude by saying that Quebecers, and surely all Canadians, would have appreciated finding in the bill a part dealing with the upgrading of Canada's highways. This infrastructure deserves a lot more than the \$600 million the federal government has earmarked for the next five years.

An amount of \$600 million to be spent through partnerships across Canada, on a 50:50 basis with the provinces, means that if we only relied on federal investments for highway transportation across Canada, a mere \$1.2 billion would be spent over the next five years on a very extensive highway system that deserves a lot more funds.

• (1100)

I repeat that Liberal members knew this very well because during the election campaign they promised to invest \$3.2 billion in Quebec alone. These investments were to be made rapidly. They promised bridges and roads. Finally, they promised to improve the whole system throughout Quebec. Imagine, an election promise of \$3.2 billion for Quebec.

However, in terms of appropriations, the federal government only set aside \$600 million for 50:50 agreements with some provinces, agreements totalling \$1.2 billion of work throughout Canada despite promises of \$3.2 billion in Quebec alone.

This means once again that the government can still fool some of the people to win an election, but with this bill, the Bloc Québécois will not be fooled. The government cannot introduce a bill that purports to be the champion of people's safety when it knows full well that the bill is not applicable in any of the administrations at this time.

[English]

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, it is my pleasure to speak today on behalf of the New Democratic Party on second reading of Bill S-3, an act to amend the Motor Vehicle Transport Act, 1987 and to make consequential amendments to other acts.

New Democrats are going to be supporting this bill. It certainly is not perfect, as many other people have said earlier in this debate but it is a start, and we need that.

The bill establishes a framework for harmonizing the way different provinces administer parts of the national safety code for motor carriers. The national safety code pertains to both buses and transport trucks and is administered at the provincial level. It was

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introduced by the Mulroney government in 1987 in response to safety concerns that arose due to the deregulation of the trucking industry. However federal government left the provinces to adopt and administer the code themselves. So far none have fully adopted it. In essence the national safety code, therefore is nothing more than a set of suggestions which is a major concern for New Democrats.

The framework established in this bill would allow provinces and territories whose safety compliance regimes are compatible with the national safety code to give extra provincial bus undertakings a safety rating and issue safety certificates. This is a nice idea but functionally useless unless all or most of the provinces adopt the code. This does not appear likely to happen in the foreseeable future.

In the words of the Canadian Truckers Alliance, the safety code harmonization framework is “putting the cart before the horse”. Regardless of what administrative framework the federal government comes up with, the national safety code will remain toothless unless the provinces adopt it.

The Liberal government has the constitutional authority to impose the national safety code on the provinces but is not doing it.

Road safety, as was mentioned several times earlier, is the central concern of everyone in the House. We can write all the bills we want, but quite frankly we all know the highways that we drive on are in many cases treacherous at this time of year. They have potholes, cracks and great divides. These are very damaging to our cars and very often cause accidents between trucks and cars on our highways. I am sure Nova Scotia is right up there with Churchill, Manitoba and with many other parts of our Trans-Canada Highway as being a national disgrace.

The question is what is the Liberal government doing about road safety? It is one thing to have this bill but the real question is one of road safety. We need safe highways. We need a real road infrastructure program that is going to at the end of the day make it safe to drive from one end of the country to the other.

For starters, I would suggest in this respect that we need to see some real investment in improving our highways. Every year over 200 Canadians are killed because of bad roads and 16,000 more are injured. These statistics are of accidents caused by bad roads, not by driver error, bad weather, drunk drivers or problems with vehicles. They are accidents caused by problems with the road. Again it has to do with improving the infrastructure and putting money into our roads. These accidents alone kill hundreds of Canadians and injure tens of thousands each year.

● (1105)

Studies have shown that if the government would spend \$1 billion a year improving our highways for the next 20 years, the

roadwork would pay for itself in the form of lower health care costs because of fewer accidents. It would pay for itself in terms of disability payments and the many additional costs involved in road accidents.

Let me repeat that because it is a remarkable fact. Fixing our highways could actually save the government more money in health care costs than it would cost to fix the highways.

In conclusion, we support the bill. It is not perfect, but it would be useful some day when we have a federal government with the conviction and the determination to make the safety of Canadian highways a priority and turn the national safety code into something relevant, instead of just a set of suggestions that none of the provinces follow. We will support the bill at this stage.

The Acting Speaker (Mr. Bélair): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Bélair): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Acting Speaker (Mr. Bélair): Accordingly, the bill stands referred to the Standing Committee on Transport and Government Operations.

(Motion agreed to, bill read the second time and referred to a committee)

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CANADA NATIONAL MARINE CONSERVATION AREAS ACT

The House resumed from May 14 consideration of the motion that Bill C-10, an act respecting the national marine conservation areas of Canada, be read the second time and referred to a committee.

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, the intent of Bill C-10 without a doubt is a very laudable intent. In taking a look at the condition of our oceans and waterways, not only in Canada but indeed around the world, the environment has to be protected. There can be absolutely no question about that. There are many areas of degradation which have occurred and continue to occur.

The intent of the bill is a good one. Coming as it does though under the auspices of the heritage department, we have some idea of what the heritage department is capable of doing, particularly with respect to preservation in parks. We therefore have an idea of

some of the challenges that face the department, indeed some of the challenges that have been created by the department for people who also have the laudable intent to protect the environment under parks.

We should briefly take a look at the template or pattern we have. We know Canada's oldest national park, Banff National Park, is under a tremendous amount of pressure, created in no small part by human beings. The resulting pressure, which has been created to the changes of the flora and the fauna, has impacted the wildlife in the area. What has been the response of the park and what is some of the history relative to Banff and indeed the four mountain parks?

• (1110)

If we look at the history of Heritage Canada and Parks Canada, we again realize that with laudable intent they have attempted to create a situation where we could have interaction among human beings and the flora, fauna and wildlife in the parks.

In trying to create that situation, they have taken action which has allowed the build up of ski hills, riding and walking trails and a whole tourist infrastructure over a period of time. If we look at Banff Park as an example, believe it or not the town site generates almost three quarters of a billion dollars a year in gross domestic product. It is a gigantic amount of money which comes into Canada, and in no small part from Europe and particularly from the U.S.

In developing the projects around the park, care was taken over a period of time to get a proper balance to ensure that the park would be preserved for future generations of Canadians. What has occurred though, and it has become clear, is that some of the provisions to take into account the pressure which this would create on the environment within the park have some distinct deficiencies. As a consequence, some gapping holes have been left in what was formerly the very pristine wilderness area, not the least of which of course is the location of the town site of Banff itself. This has a direct bearing.

Under Bill C-10, Parks Canada would be responsible for the enactment for the use of the legislation. As a consequence, if we look at the way it has its work historically on land, what would the results be in terms of marine conservation area?

First, it is a fact that, if we were to take a species like the grizzly within the confines of Banff Park, clearly the habitat of the grizzly has been very seriously negatively impacted. As a consequence there are fewer and fewer grizzlies in that area. Furthermore, with the number of visitors going into Banff Park it is undesirable that there would be an increased amount of interaction between grizzlies and human beings. The two are simply not compatible.

What does that mean relative to Bill C-10? If we look at the number of interests with respect to ocean and Great Lakes areas,

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we will find that commercial and recreational interests are already in place in many of these situations.

In trying to come to an accommodation of the environment, the flora, fauna and the animals contained within a park, it strikes me that Parks Canada has swung the pendulum absolutely to the opposite end of the spectrum. Instead of now saying we have created the situation where human beings, tourists, from all five continents can come and enjoy what we have, because of these experiences there will be a cost to the wildlife in the area. There is a very strong swing to the entire idea of absolute conservation.

• (1115)

There has been a movement to ban any human interaction into the back country within the four mountain parks of Banff, Jasper, Yoho and Kootenay. Yoho and Kootenay are parks that are in my constituency. These back country areas basically account for 90% of the park. If we look at it through a very simplistic lens, it is probably a commendable thing to do, but it really is not because it does a couple of things.

It means that there is far more pressure brought into the remaining 10% of the park with far more wear and tear. I will give an example. Many of us have carpets in our homes or we have seen carpets in commercial areas. If we had people walking over the entire carpet it may last for many years, even 50, 60 or 70 years. Theoretically a carpet could last that long even with a great number of people walking over the entire area. The problem is if we confine them to only 10% of that area we have wear marks and have to replace the entire carpet.

That may be a weak analogy, but it presents a picture of what is currently happening within our park structure. With the correct intention of not wanting interaction in the back country human interaction in over 90% of the area would be excluded. That is a very laudable objective, but it has not been fully thought out because of the wear and tear on the last 10%.

We are trying to learn from what we are doing on land within Parks Canada to see how we might apply these things when it comes to lakes, rivers and oceans. The difficulty is that under the legislation there is a sufficient amount of discretion on the part of the government. We may see government whims gaining speed and decisions swinging back and forth like a pendulum.

People have some very legitimate concerns and a commitment to preserving what we have in terms of aquifer, species, flora and fauna that exist below the surface of the water. These people share the concern of Parks Canada and governments. They are saying that if we have not learned how to correctly do what we need to do on land, what will we be doing with respect to the parks or the water area?

I will be splitting my time with the member for Edmonton North. Taking a look at intent is one thing, but we should also keep in

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mind the legislation and history. For example, we created a situation in Kootenay National Park, which is in my constituency, that does not make any sense. At one point there was no road there. The road I am referring to is now called Banff-Windermere Highway 93-97. It ends up circling its way down from Lake Louise, up over Storm Mountain, down into the Kootenay River, up over the top and into Windermere.

• (1120)

There is a bottleneck at Sinclair Canyon, which is right between Radium Hot Springs and the town of Radium itself. Sinclair Canyon is exceptionally narrow and only wide enough for a two lane highway. As a matter of fact a river went through the canyon that has rock going about 200 to 300 feet straight up in the air. We put in a two lane highway at that particular point and had to dig the river underneath the highway.

When the national parks built Radium Hot Springs, it encouraged service providers and private industry to build chalets, bungalows and tourist accommodations so people could enjoy the hot springs. These people have ended up having a constant, never-ending battle that has been increasing in noise to the point where they are now talking about removing those facilities at a cost of millions of dollars to the taxpayers. Why? They say it is because it is a wildlife corridor.

It could not have been a wildlife corridor in the past, particularly for the larger animals, without the highway there. Putting in the highway meant that the animals could now, at very low traffic times, walk back and forth through Sinclair Canyon while dodging the 18-wheelers and the ore trucks.

We will be spending \$4 million to \$6 million to buy out the tourist service providers. These service providers are people who have been paying taxes and fees to Parks Canada. Not only will we spend \$4 million to \$6 million to remove those facilities but in addition we will lose the revenue from the facilities once we have removed them. This is the concern that I have with Bill C-10.

I realize this will be the fifth or sixth time that I have said this but I want to make it absolutely crystal clear that the Canadian Alliance is in favour of the intent of Bill C-10. The difficulty is that once the bill is enacted it would be under the control of Parks Canada which has a history of not managing its assets very well.

For example, there are people on the Queen Charlotte Islands who have seen the establishment of a park on the islands. They have also seen the husbandry of the Department of Canadian Heritage with respect to the west coast trail and all these things. Parks Canada's track record makes people concerned and nervous about the commercial access to the Pacific Ocean, and I understand their nervousness. It does not have a good track record of consistency and of following through on a prescribed course of action.

I have consistently accused Parks Canada of using the word consultation as a noun instead of a verb. It says that it had

consultation. No, it did not. It came out and let people talk but it had already made up its mind. Consultation is a noun, not a verb. It is not a form of action. On the basis of the history of Parks Canada, it is with a tremendous amount of trepidation and concern that we look at Bill C-10.

There are literally hundreds of examples but I would like to present one or two more.

• (1125)

Riding Mountain National Park in Manitoba has an area with a lot of natural grasses. Back in 1910 someone decided to plant some spruce trees. Those spruce trees did very well and grew to be very tall, straight, clear spruce. This wood is almost priceless. Each tree is counted in the thousands of dollars. Then some people from Parks Canada said that the trees did not really belong there, that we should get rid of them. Not only did they chop them down and uproot them, they burned them. Does that make sense? Hundreds of thousands of dollars in trees were chopped up for firewood so the grasslands could be restored.

Let us assume that the Creator did not intend there to be trees there and that someone planted them. By the same token, we could go to Gros Morne National Park in Newfoundland, which is an absolute wonder. It is a wonderful place to go and I recommend it to all Canadians if they want to see something absolutely spectacular and be treated wonderfully by the people in Rocky Harbour and Corner Brook. The park has moose like we have never seen before. Mr. Speaker, I know you have very large moose in your constituency but we could have a contest with these moose. They are that big and there are about 7,000 moose.

Gros Morne is kind of interesting. It is like the top of a mountain that has been taken off. It is perfect moose country full of marshland. In its brilliance, in the same way that someone planted the spruce trees, Parks Canada decided to import moose to Newfoundland, a place they should never have been. As a consequence, Gros Morne is literally being eaten into extinction by the moose.

Someone said that there should be a culling of the moose. Heaven forbid, we could never do that. Parks Canada can chop down the trees and burn up invaluable wood, but it cannot have anything to do with the management of that area because moose are animals that walk on the earth. The inconsistency of Parks Canada in its management, as I stated, gives us great pause for concern with respect to Bill C-10.

[Translation]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, it is with great pleasure

that I rise today to speak to Bill C-10 to create national marine conservation areas in Canada. The bill comes back to us under a different form than during the last parliament.

First, I must say that the Bloc is in favour of measures aimed at protecting the environment. Speaking of that, we can all recall how successful the creation of the Saguenay—St. Lawrence marine park was. It ought to have served as a model for this bill to ensure that the necessary consultations were carried out so that in the end the measures taken and the management of the marine conservation areas respect the various jurisdictions and the initiatives taken by the various governments.

We have examples of this, such as Vision 2000 and other projects where the jurisdictions were taken into account and where some interesting results have been achieved.

In this case, is it because it is a more general bill, a kind of umbrella act, which will establish a general framework for the management of marine conservation areas, that the consultations do not seem to have been carried out appropriately and to respect what we would like to see as the bottom line?

• (1130)

As I said earlier, instead of focusing on collaborative efforts, as was the case for the Saguenay—St. Lawrence marine park, with this bill the federal government would have the right to create marine conservation areas without regard for Quebec's jurisdiction over its territory and its environment.

In addition to having a problem with the provinces as far as jurisdiction is concerned, there are also areas within the bill that are not very clear as far as the future relationship between Heritage Canada and Fisheries and Oceans Canada is concerned. We have experienced certain rather patent examples of difficulties with Heritage Canada, in connection with management of the ecosystem. This does not necessarily strike us as being very promising for the future.

For example, there is the overlap and duplication of Fisheries and Oceans protected and Environment Canada protected zones. This means that even within the federal government there is no clear vision of marine area management because several departments are involved. The wording of the bill does not seem to reflect what we might have expected in terms of qualifying the situation. What we have instead is something that requires more time and more work.

For all these reasons, the Bloc Québécois considers the bill unacceptable in its present form. It does not respect the territorial integrity of Quebec. For example, one of the conditions essential to the establishment of a marine conservation area is federal owner-

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ship of the land where the area is to be established. One of the clauses relating to this states that the minister cannot establish a marine conservation area, unless, and I quote:

—the Governor in Council is satisfied that Her Majesty in right of Canada has clear title to or an unencumbered right of ownership in the lands to be included in the marine conservation area, other than such lands situated within the exclusive economic zone of Canada;

We see in this an approach very different from that used, as I was saying earlier, in the case of the Saguenay—St. Lawrence marine park, where the government agreed to respect provincial ownership of the riverbed and thus build a model that was unique and that respected the jurisdictions of each.

We know that under section 92 of the Constitution Act, 1867, the management and sale of crown lands are matters of exclusive provincial jurisdiction. The bill before us does not totally respect this jurisdiction.

In addition, the same Constitution Act provides that Quebec cannot transfer its lands to the federal government and can only authorize the federal government, by order, to use them under its federal jurisdiction. Finally, the protection of habitats and fauna is a matter of joint federal and provincial jurisdiction and the government of Quebec plans to establish a framework for the protection of marine areas in the near future.

I think that in the context of the consultations it would have been a good idea to take this plan into consideration in order to achieve a successful outcome in the end. We spoke of examples of the right way of doing things. I mentioned the Saguenay—St. Lawrence marine park but there is the third phase of the St. Lawrence action plan, another example to follow.

In 1998 the federal and Quebec ministers of the environment announced the third phase of the St. Lawrence action plan, representing a total bill of \$230 million to be shared equally by both levels of government. One of the objectives of this action plan is to increase the area of protected habitats by 100% from 12,000 hectares to 120,000 hectares. The third phase follows on the first two phases, in which both governments invested over \$300 million.

The co-operation we find in specific projects such as the Saguenay—St. Lawrence marine park and the third phase of the St. Lawrence action plan, we would have liked to have found in the present bill. On reading it, we did not.

Another important consideration is the fact that jurisdiction over the environment is shared, and so both the provinces and the federal government have responsibilities for it.

For example, section 91 of the Constitution Act provides that “the exclusive Legislative Authority of the Parliament of Canada

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extends to all Matters coming within the Classes of Subjects next herein-after enumerated; that is to say,— . . . Navigation and Shipping. . . Quarantine and the Establishment and Maintenance of Marine Hospitals. . . Sea Coast and Inland Fisheries. . . Ferries between a Province and any British or Foreign Country or between Two Provinces”.

This basically sums up the content of the Constitution Act, 1867, as regards the federal government’s responsibility.

• (1135)

Quebec’s jurisdiction is also recognized in certain sections of the British North America Act, including section 92, which reads:

In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next herein-after enumerated; that is to say— . . . The Management and Sale of the Public Lands belonging to the Province and of the Timber and Wood thereon. . . Property and Civil Rights in the Province. . . Generally all Matters of a merely local or private Nature in the Province.

Some co-ordination is required to ensure that the federal acts respect this jurisdiction. The Constitution Act, 1867, also states that:

In each province, the legislature may exclusively make laws in relation to (a) exploration for non-renewable natural resources in the province; (b) development, conservation and management of non-renewable natural resources and forestry resources in the province, including laws in relation to the rate of primary production therefrom—

Clearly, the bill should involve some kind of partnership that does not currently exist.

The example of the Saguenay—St. Lawrence marine park could have been followed as an essential condition to the creation of marine conservation areas as far as land ownership is concerned. If the bill is passed as it now stands, the federal government could set up marine conservation areas on the seabed that it claims as its property and ignore Quebec’s jurisdiction over the environment.

This is not satisfactory for the Bloc Québécois and it also breaks a tradition I referred to earlier, a tradition of co-operation, which could have led to the establishment of interesting programs.

It is all the more frustrating and questionable because this is framework legislation, which will define the way the federal government will act in this field. The government is proposing new principles as far as respect of mutual jurisdictions is concerned.

It seems that the federal government intends to create marine conservation areas under the responsibility of Heritage Canada, marine protection areas under the responsibility of Fisheries and Oceans Canada and marine wildlife areas under the responsibility of Environment Canada. This covers a lot of territory.

We could for example end up with one site with several zonings, each one of these departments considering that there is, according to its own criteria, a marine reserve or marine protection area for Fisheries and Oceans Canada, a marine reserve for Environment Canada or a marine conservation area for Heritage Canada. Then, in each of these cases, there would be three monitoring levels, three jurisdictions for three different departments.

Perhaps I could give an example. If Heritage Canada felt that certain wrecks in the St. Lawrence River had a historic role that deserved to be recognized and the environment was part of the conservation area, but Environment Canada wanted this same location recognized as a marine reserve for fauna, and there were a contradiction between the two, it is clear that the bill does not contain the desired logic to settle the matter.

Is it not fair to wonder today whether, ultimately, this bill will not create even more confusion? We believe that it will. We believe the fact that the bill would allow each of the federal departments to maintain their jurisdiction over marine conservation areas may end up creating total confusion. As we explained earlier, with three departments having jurisdiction and being able to define marine conservation areas according to their own different objectives, the final results might not be consistent.

The bill also provides that when the Department of Canadian Heritage deems it appropriate, it may, in co-operation with the minister concerned, pass regulations in respect of a marine conservation area, which differ from the existing provisions. In such a case, the amendment arrived at between Heritage Canada and the minister concerned takes precedence over the other regulations passed under the Fisheries Act, the Coastal Fisheries Protection Act, the Canada Shipping Act, the Arctic Waters Pollution Prevention Act, the Navigable Waters Protection Act, and the Aeronautics Act.

In other words, despite the fact that this is framework legislation, there is provision for the Department of Canadian Heritage, through its minister, to negotiate a piecemeal situation such as this, when it deems appropriate, and for the results to take precedence over all the legislation mentioned.

• (1140)

This discretion should be controlled very differently to make sure that it will not lead to squabbles between departments. It would also be subject to a change in ministers. If a minister from the Atlantic or the Pacific region has his own priorities in that area, he could use his powers under the act to put pressure on the Minister of Fisheries and Oceans or another minister, to demand some kind of acknowledgment of marine conservation areas not included in the planning by existing departments.

This section of the bill provides for a fourth way to create marine conservation areas, very specifically, on a case by case basis. I do not believe that framework legislation should provide for something like that.

We are all the more concerned by this situation that in the past there has been very severe criticism from the auditor general, among others, about the inability of Heritage Canada to protect ecosystems in existing national parks. Now that it wants to get involved in marine conservation areas, are we going to be faced with the same kind of situation?

Very concrete examples can be found in chapter 31 of the auditor general's report, which states:

In the six national parks we reviewed, Parks Canada's biophysical information was out-of-date or incomplete.

The report states further:

Although monitoring the ecological integrity of the ecosystems in national parks is a high priority according to Parks Canada policies and guidelines, in many national parks the Department has not monitored ecological conditions on a regular, continuing basis.

How can we trust a department that was the subject of such comments in relation to existing parks, when there are plans to establish new parks in an even more unclear situation, where the government will not be accountable for its actions?

In another comment, the auditor general said:

In almost all of the parks visited by the auditor general, there was no link between business plans and management plans.

In the end, it meant a lack of co-ordination in the activities listed in the business plans to make the parks better known and help them reach their public, as well as in day to day management, to make sure the services that are in demand and that are offered to the public can be provided. If park visitors do not get this kind of service it is inappropriate to give this responsibility to a department which has had big problems in the past.

Last spring the panel on the ecological integrity of Canada's national parks made its report public and urged the government to put ecological integrity back in the centre of its missions. The panel found that the integrity of ecosystems was at risk.

For example, the panel found that in some national parks the stress on the resource was so great that some species were disappearing. All the more so in marine areas where we can have this type of situation if they are not properly managed.

In Fundy Park in New Brunswick, three species have disappeared since the park was created in the 1940s. Only one of the 39 national parks of Canada does not experience this stress. The situation is worse than what the panel of scientists expected.

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Given all this information, one really has to wonder how Parks Canada will manage to preserve the marine areas of conservation when it does not seem to have the wherewithal to protect existing parks.

There are more reasons to oppose the bill. Consultations before the introduction of the bill have been more or less a failure. A consultation paper was made public and sent to 3,000 groups across Canada but unfortunately there has been no real consultation on the report.

For example, the Bloc Québécois had asked for a copy of the 300 page report, which was really only 73 pages long, the large majority of which constituted the reply coupon joined to the consultation paper. That was very succinct as a consultation result. We could hardly use it to improve the bill.

• (1145)

We must also realize that the decision concerns the fishing industry, which is in turmoil. In the past, we have witnessed tremendous failures in the federal policy dealing with stock management. Entire areas of Quebec and Canada saw their regional economy suffer badly.

Clause 10(1) of the bill states, and I quote:

10.(1) The Minister shall provide opportunities for consultation with relevant federal and provincial ministers and agencies . . . in the development of marine conservation area policy—

How are they going to ensure that there will be consultation in the fisheries area in order to avoid an unacceptable outcome, when we are already aware of the failure of the federal fisheries stock management policy?

The way the bill is worded, the information given does not provide assurance, despite reassurances by departmental officials, that the objective will be attained, for example, that marine conservation areas will be better protected. We have no assurance that Quebec's jurisdiction will be respected.

When the application of the bill is reviewed in another five, ten or fifteen years, we will probably find it was just one more failure. This review will probably show that the Bloc Québécois was justified in what it said about the bill being passed within a context of insufficient consultation of the provinces and insufficient co-ordination by the various federal departments involved. By then we will have one or two examples available in which the discretionary power conferred upon the minister will have been used to solve problems in a specific region, not necessarily within the spirit of the law.

Given all these facts, the Bloc Québécois invites the House to vote against the bill. We do not feel it is acceptable at this stage.

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[English]

Miss Deborah Grey (Edmonton North, Canadian Alliance): Mr. Speaker, I am pleased to rise again on Bill C-10, which is going through another life cycle. At the beginning of the 36th parliament it was Bill C-48 and at the end of the 36th parliament it became Bill C-8.

I was pleased to be critic at the time for Canadian heritage and I spent some time on the bill. However it now rises again. These things seem to die on the order paper fairly regularly. The bill originated in 1988 when the Mulroney government introduced the National Parks Act that would permit the establishment of marine parks.

I will not go through all the details but I will hit a few high points about the intent of the legislation. I do not think anyone in the House or across the country would disagree that environmental protection and sustainability are paramount. Whether they pertain to national parks, marine areas or regulating the pollution of large companies, environmental protection and sustainable development are very important issues.

However these issues do not fall specifically within the jurisdictional power of the Minister of Canadian Heritage. We talk about ecosystems, fish, aquaculture and so on. It would be wise to place some of the responsibility for these issues with the Department of Fisheries and Oceans. We could then talk about the Department of the Environment and how important it is to look at environmental sustainability in the whole area of marine conservation parks.

I also sense frustration with the amount of input parliament would have. I am not sure if this place is becoming more and more irrelevant.

● (1150)

Bill C-10 would pare down anything parliament would have to say on the issue. It would limit parliamentary input by giving cabinet the authority to create marine conservation areas on crown land without going through the normal legislative process. The question is, why bother with this place at all? Cabinet might as well get together, have coffee, bring up an order in council and throw a dart and pick a marine conservation area.

A lot of people and advisory committees have done an incredible amount of work on this issue. I have seen the maps and the areas and they seem well thought out. However the whole idea of going to cabinet and just zipping something through in a morning session, or maybe not even that long, maybe even before coffee, is no good. The House of Commons is where such debate should take place.

We know in the years we have been here that the amount of discussion and the power of parliament itself has been pared down.

Members have also witnessed incredible growth in government. Budgets have ballooned. The debt has certainly ballooned and hopefully we are starting to control that. The annual deficit is somewhat under control. That is probably a good start.

Let us look at the amount of governing that would occur under marine conservation areas. Once a marine conservation area is established the minister may maintain and operate the facilities, conduct scientific research and monitor and carry out studies based on traditional ecological knowledge of the areas.

That is a nice tidy sentence. We can all guess where it may lead. It could lead to mushrooming bureaucracies, advisory committees and all kinds of studies and scientific research. Such things are essential but if they are not monitored they could fly loose. The legislation could be an entity unto itself. When members see the mushroom cloud it places under the government, a cloud with no checks or balances that will only get bigger and bigger, they should be careful.

This whole area unnecessarily expands the minister's domain to areas that fall outside her ministerial responsibility. The minister talks about marine conservation areas, which is again a nice thought and something that perhaps needs to happen sooner or later to a degree, but it is by order in council and should be under DFO control as much as anything else.

What about the Minister of the Environment? The bill would require the heritage minister to establish a management plan for marine conservation, ecosystem protection, human use and zoning. Somewhere in there surely the Minister of the Environment and his department should be involved. We then start saying that it is this department or that department and the whole thing blows loose because it gets bigger and bigger rather than adopting tighter checks and balances.

In addition, each marine conservation area would require the establishment of a management advisory committee to review and implement management plans. For every marine park or conservation area there needs to be a whole advisory committee. I am not necessarily questioning the wisdom of that. A lot of people have a lot of expertise in the area and I do not. I certainly respect the ability of advisory committees to review and implement plans.

However where does it stop? That is the question. This thing will get bigger and bigger. There must be rules and regulations and the government needs to come forward with them. Unfortunately we see no checks and balances in this piece of legislation.

Ministers have all kinds of power, which we have certainly seen. I could digress and talk about Bill C-15, the enormous omnibus justice bill, but there is no point in getting into that right now. It is certainly before the House. It is an unbelievable piece of legislation and an example of phenomenal ministerial power. I hope it gets

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chunked down into bite size pieces so we can deal with each section on its own.

Regarding ministerial powers and perhaps overuse of powers, the minister states that commercial fishing and shipping would be appropriate in conservation areas. I would like an expert to tell us those things rather than the minister.

• (1155)

In the last bill we talked about whether the minister would be able to curtail or eliminate commercial flights over marine conservation areas. What would that do to small charter companies that fly over the ocean three-quarters of their lives on the B.C. straits?

The clauses would allow commercial fishing according to the minister's will. All aquaculture fisheries management, marine navigation and marine safety plans would then be subject to the approval of the Minister of Fisheries and Oceans and the Minister of Heritage. Do we not see the thing getting bigger and bigger? It looks like mushrooming to me.

The whole idea of putting regulations into place is essential. However, how do we enforce them? We have seen all kinds of legislation over the years where regulations were put in place and not enforced. How do we enforce regulations? That is the frustration we see with the National Parks Act.

My colleague talked about Kootenay Park, Banff, Jasper and Yoho. The parallel is that the National Parks Act does not give park wardens sufficient authority to enforce the law. Park wardens drive around in their brown trucks. We see them all the time. I live very close to Elk Island National Park. It is 45 minutes east of my home in Edmonton. Lew and I ride out there a lot. We see park wardens and we know they are people we ought to respect.

I am a law-abiding citizen. When I see the rangers' authority I do not try to pull anything on them. We have gone around and around the block in the House about sidearms for park rangers. If a person is up to no good or wants to poach moose, elk or bison, they know park wardens are fairly powerless. The government is very irresponsible in terms of the National Parks Act.

The parallel can then be drawn: What would the government do with the marine conservation act? The director of Parks Canada has suggested allowing the RCMP to get involved. That is good, but there are lots of parks where the RCMP is more than a 12 minute drive away. Park wardens should have all the power and authority vested in them by the government and the minister to protect both wildlife and public safety.

For marine conservation acts the record is not stellar. We must ask what would happen. Would people be chased around in boats? Is that what enforcing the regulations would come to?

Let us look at the history of the legislation. This is the third swing around. Who knows when it might get passed? Is the government really committed to the legislation? It has died on the order paper a couple of times, as I mentioned. Will we put regulations in place that the minister will live by, or is this a grandiose plan that will not be enforced?

Many think parliament is irrelevant. A proposed amendment structure in the legislation would allow 20 days for amendments and a three hour debate on them. Such amendments may affect shipping lanes, commercial fishing, sport fishing, aquaculture, commercial flights, and who knows what. Recreational boating may not be allowed in some areas. If an amendment is put forward there would be only three hours to debate it. That is almost an admission that parliament is irrelevant and does not matter. Decisions would be made around the cabinet table.

The legislation would severely limit the ability of parliamentarians to consider all options when new marine areas are set up. The bill would give the Minister of Canadian Heritage free rein to create unlimited advisory committees for each marine conservation area. We know where that could go when people are absolutely unchecked.

• (1200)

Limitations on the size and structure of each committee must be established in the legislation. We need to make sure the parameters are in place. If we get an unlimited number of people with unlimited amounts of salary, and it looks like a big pot out of which we can draw cash, we all know that it could go on for a very long time. It may need to be studied for a little longer and, because it is important, we may need to bring in 15 experts. The thing needs some parameters in place but unfortunately we are not seeing that at this time.

I will wrap up by drawing a parallel with the land national parks and some of the things going on there. The parks of Banff and Jasper are absolutely glorious. They have a lot of building projects going on. The minister took her first swing out to those parks last summer or the summer before and was able to see first hand how fabulous these parks are and how important it is that we balance economic and sustainable development with environmental protection.

We want to make sure there is a balance in nature. We may not be able to please both sides of the equation but if I want to go to a park or spend money on a hotel or in a restaurant, I want to be able to do that. If I have the money to go camping in Jasper Park, I want to be able to go there and enjoy the pristine wilderness, have a campfire outside my camper and enjoy the campground. I am not sure that anyone ought to be telling me that I cannot do that.

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It would be the same if we were talking about a marine conservation area. It is important that I am able to make use of that area but at the same time I do not want heavyhanded regulations. I want wisdom, not advisory committees. This may sound foolish, coming around in boats, but there needs to be absolute common sense from the government. I do not think we see that to this extent with some of the things I have discussed. I hope the government takes into account, when it swings through the legislation again, that too many rules and regulations certainly are unwise. At the same time, this just cannot be an open can or basket for people to help themselves.

I am really nervous about the fact that the minister would have far too much power and that it would be essential for joint ministries to work together. If we look at heritage we see that we have a marvellous heritage. We can also look at the Department of Fisheries and Oceans and the Department of the Environment. I certainly hope that no one is just trying to make a legacy for themselves. That would surely be unwise and people would be able to see right through that.

[*Translation*]

The Acting Speaker (Mr. Bélair): The member for Lac-Saint-Jean.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I would first like to point out that my riding is Saint-Jean. There is a big difference between Lac-Saint-Jean and Saint-Jean. They are two very beautiful regions. When you can, I invite you to come and visit my riding. The French immersion school is in my riding, but I know your French is excellent. Nevertheless, I extend a personal invitation to you. You will always be welcome in my riding.

I am making a point of speaking to the bill before us because I think it important for Quebec to express its opinion on all bills.

I am immediately struck by the title of the bill, which concerns national marine conservation areas of Canada. I understand that in the context of nation building and the great and beautiful Canada, national means Canada. The proof that there is some authority there is that all provincial legislatures are called legislative assemblies, with the exception of Quebec, which is called the national assembly.

• (1205)

In my opinion, the bill before us today can be summed up in three words: centralization, centralization, centralization. If some are pleased with this type of legislation, it is most certainly officials from the Queen's Privy Council or from the Council for Canadian Unity. For these people, this type of legislation promotes nation building. Let me explain.

Earlier, I talked about centralization. I think we all agree that when Canada takes part in treaties, such as the FTAA, other types of international agreements or international forums, such as a forum on the environment where the topic may be marine areas, it must often deal with the fact that there may be two levels of jurisdiction involved, and sometimes even three, when municipalities have a say. The federal government often speaks on behalf of the provinces and this is where the problem lies.

Over the past several years, Canada has undertaken a major centralizing operation. When it speaks at these international forums, Canada wants to do it on behalf of everyone but it knows full well that it is not that simple. In Quebec, there is a national assembly, just like there are legislative assemblies across Canada, and these bodies have their own jurisdictions.

The federal government told itself that in the coming years it would have to centralize as much as possible. How? By intruding in the provinces' jurisdictions with or without their agreement.

The bill before us is an invasion of a provincial jurisdiction, particularly in Quebec, since we have jurisdiction over, among other things, the river, the estuary and the Gulf of St. Lawrence. Quebec has jurisdiction over the bed of these waters but through its centralization process, the federal government is taking over part of that jurisdiction.

How is the government going about this? Not just through bills but also with its spending power. If conservation areas are strictly federal entities, the government will use its money to do it, as it does in other areas.

For example, in the case of young offenders, the government will use its money to do this. In the health sector, where it is more and more tempted, the government is using its spending power, a ploy which has been approved by the highest court, the Supreme Court of Canada. The government has the right to spend, even in jurisdictions that are not its own. It does this all the time.

Worse yet is the way in which it has managed to arrange things so that it can invade the jurisdictions of Quebec and of the other provinces. First, as everyone agrees, it did this on the backs of unemployed workers, but it also did it through transfer payments. The government decided, using an analytical grid based on the capacity to generate wealth, that it would reduce its contribution to post-secondary education, health and social programs and that it would send a little less money to the provinces and much less to Quebec.

It rakes in the money and then turns around and uses its spending authority to invade provincial jurisdictions. That is what the bill before us today is all about. It is the same logic that was used with respect to the issue of young offenders, where Quebec has excellent

legislation which has proven its worth. The consensus in Quebec is that the federal government should not invade this jurisdiction, that rehabilitation is working in Quebec and has worked for some time. However the government is obsessed with centralization and keeps on invading provincial areas of jurisdiction.

Another example is parental leave. The government of Quebec is saying that it is capable of providing better parental leave for young Quebec mothers. The federal government disagrees and says that this should come under the employment insurance plan and that is where it will put the money. It is not interested in hearing about our plans to improve our parental leave plan.

The same goes for privacy. The government has introduced a privacy bill even though we already have privacy legislation in Quebec.

• (1210)

We can see that the federal government, with the money it has managed to extract from the provinces by decreasing transfer payments, is encroaching on Quebec's areas of jurisdiction.

This is one of them. As I have said, it is one because as far as jurisdiction is concerned, the beds of rivers, the bed of the St. Lawrence, the bed of the estuary and the bed of the Gulf of St. Lawrence are all a provincial jurisdiction.

The federal government is telling us that it will establish a new area of jurisdiction, a marine conservation area. This will likely be against the wishes of the government of Quebec, which has not been consulted in any way whatsoever. The notes on partnership I have before me indicate that it was a very simple matter to put paid to partnership, and to say "Here we are, and this is what we are going to impose".

This is totally deplorable, which is why it is important for me to ask all these questions. The Quebec national assembly would surely object to a law of this kind. When I say object, this would likely be by consensus. Even the federalists in the Quebec national assembly understand that Quebecers have a different way of thinking than the rest of Canada.

The nation building mentality of Canada does not make any differentiation, however. To it, there is but one nation in Canada: the Canadians. It renounces and closes its eyes to the nation of Quebec. This is totally deplorable. This is the type of bill which, if presented to the Quebec national assembly, would most likely be rejected by the Quebec Liberals because they would realize that their jurisdictions are being eroded.

Perhaps there is a consensus elsewhere in Canada. Social union is perhaps another example where the rest of Canada agrees with what is proposed and says "Fine, let us go ahead with the social union. We need the federal government's money, so we are

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prepared to relinquish part of our sovereignty over jurisdictions such as health". Whether it is home care or day care, the government is always trying to intrude further in these provincial jurisdictions.

This is exactly what the bill before us does. Quebecers feel that the integrity of their territory is jeopardized. Canadians should know what a threat to the integrity of a territory is. They are making every possible effort to protect their territorial integrity, including in the context of issues concerning national defence—I am my party's critic in the matter—such as patrols in Canada's far north, et cetera.

The integrity of the Canadian territory must be respected. However, when it comes to the integrity of the Quebec territory, the federal government does not seem to really care. It constantly uses themes such as "Quebec's separation" or "Quebec's partition".

It is very clear that the Government of Canada, in its obsessive nation building, completely forgets the importance of its partners, of Quebec in particular, when it comes to areas of jurisdiction, marine conservation areas and other issues.

I think that things are pretty clear with regard to the integrity of Quebec territory. The government has no say with respect to the floor of the St. Lawrence, the river, the estuary or the gulf. And yet, it shows up with a bill that says "Well, I will do it".

There is no shortage of good examples. In the case of the Saguenay—St. Lawrence marine park, the federal government acted properly. It announced its intention to the government of Quebec and they held consultations and agreed on it. They wondered whether they were capable of doing the job while respecting each other's jurisdictions, and they reached an agreement.

With this bill, there is nothing about consultation. The government's aim is to intrude once again into Quebec's jurisdiction on the environment, the river beds, the floor of the St. Lawrence, the estuary and the gulf. Clearly we must object to that.

Now there are other more internal reasons, which include overlap within federal jurisdiction. There are other departments in this great government, including Fisheries and Oceans Canada and Environment Canada, each of which has its protection areas.

• (1215)

I find this to be a typical example within the big federal machine of the right hand not knowing what the left hand is doing. Some say they will create marine conservation areas but others say that such areas already exist, which means that there is a possibility of duplication between different departments within the federal government.

The government seems to be dealing with this issue hastily. It prefers to cut corners, so to speak. It does not care about what goes

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on at Fisheries and Oceans Canada or at Environment Canada. National parks are the responsibility of Canadian Heritage. There are some 40 national parks in Canada but only a few in Quebec, which is another issue. Quebec often criticizes the fact that there are very few national parks in that province compared to the rest of Canada.

What I want to say is that Canadian Heritage is totally incapable of protecting ecosystems in national parks. Now it wants to interfere with provincial jurisdictions and create whatever it wants without looking at what goes on at Fisheries and Oceans Canada or at Environment Canada. Canadian Heritage is not even looking at what goes on in its own department with regard to national parks.

Certain parameters require that Canada conduct studies every five years. In certain parks, these studies have not been conducted for 12, 13 or 14 years. Some species of flora and fauna are disappearing.

It needs to be understood that when a national park is created people visit it. It is a place where people can go. There is a real danger for the flora and fauna in the park. A way must be found for nature and humankind to co-exist. When human visitors are numerous, when they do not stay on the paths, this can endanger certain species.

The government should do this follow up. I think the government is in a poor position to push this sort of bill through. When people are not reaching their own objectives within a department, they should not be asking for even more work so that they can make an even worse job of it. People should start with getting it right in their own jurisdiction and then they can think about extending their reach.

If the government could be more respectful of jurisdictions, the Bloc Quebecois would be more inclined to support this type of bill, but this is not what has happened. Quite the contrary. There is overlap. Heritage Canada is not able to do its job with its existing responsibilities and it is looking for more.

The worst thing for the Bloc Quebecois is that there is a lack of respect for what is going on in Quebec and in the provinces. The national assembly of Quebec would oppose this kind of bill because it is an intrusion in Quebec's areas of jurisdiction.

For all these reasons, it is clear that unless major changes are made to the bill the Bloc Quebecois will oppose it. I appeal to my Canadian colleagues. When they introduce bills, they should bear in mind that there is a national assembly in Quebec, that there is a second people, a second nation, the one in Quebec.

When they want to take things away from that nation, the Bloc Quebecois, whose main purpose is to defend Quebec's interests, can be counted on to oppose such bills and will be opposing this one.

[English]

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, on behalf of the constituents of Surrey Central, I am pleased to participate in the second reading debate on Bill C-10, the Liberal government's attempt to create national marine conservation areas.

• (1220)

The objective of establishing marine conservation areas is to protect and conserve marine ecosystems found in the ocean environments of Canada and in the Great Lakes. The purpose of the bill is to establish rules that would allow the creation of national marine conservation areas.

The bill is actually unfinished business from the last Mulroney government. It took the weak Liberal government more than 13 years to tinker with the idea of creating marine conservation areas. It is still at step one after feeble attempts to introduce legislation in previous parliaments, namely Bill C-48 and Bill C-8. It shows the lack of commitment of the Liberals to protecting and conserving our environment.

In addition to preserving marine areas for the benefit and enjoyment of Canadians, the bill strives to establish a framework for regulating marine ecosystems and maintaining biological diversity. It is important to note that while environmental protection and sustainable development are important issues, they do not fall within the administrative responsibility of the Department of Canadian Heritage.

The bill makes provision for two schedules that are intended to include the names of marine conservation areas and reserves. The minister has identified 29 marine conservation areas and the intent to create new national parks, but in Bill C-10 the two schedules are blank. The actual locations of all 29 parks have not been identified.

As a past co-chair of the scrutiny of regulations committee I would imagine these lists could be filled in by regulation and we would find the 29 locations somewhere in the thousands of pages of regulations that no doubt accompany the bill. That is governing through the back door, not through the front door and not through the voices of elected members in the Chamber. The bill should describe the location of each park and that information should be inserted in the two schedules. I hope the matter is fleshed out during the committee hearings.

Bill C-10 would limit parliamentary input by giving cabinet the authority to create a new marine conservation area on crown land without going through the normal legislative process. Currently the government is required to come before parliament any time a new national park is to be established or an existing park is to be changed. The legislation would remove the power from parliament

and would allow parks to be created or changed by order in council. That is ridiculous.

The minister states that activities such as commercial fishing and shipping would be appropriate in conservation areas. However all fishing, aquaculture, fisheries management, marine navigation and marine safety plans are subject to the approval of the Minister of Fisheries and Oceans and the Minister of Canadian Heritage.

Similarly regulations affecting navigation or safety rules under the responsibility of the Minister of Transport must be made on the recommendation of both the Minister of Canadian Heritage and the Minister of Transport.

Disposal regulations pertaining to sections 127 and 128 of the Environmental Protection Act require the joint approval of the Minister of Canadian Heritage and the Minister of the Environment.

What is to be done about these contradictions and overlapping responsibilities? Clause 13 of the bill would limit or prohibit the exploration and exploitation of hydrocarbons, minerals, aggregates or any other inorganic material in all marine conservation areas. I anticipate hearing from stakeholders about this clause at the committee hearings.

• (1225)

There are considerations with respect to private property and reasonable search and seizure. Clause 22 of the bill states that, in the discharge of their duties, marine conservation area wardens, enforcement officers and persons accompanying them may enter and pass through private property. This is an invasion of the property rights of law-abiding citizens.

The weak and arrogant Liberal government has shown its pattern of disrespect for privacy rights and interference with personal property. We have seen that in Bill C-5, the endangered species legislation, where the arrogant Liberal government refused to offer fair compensation to Canadians.

Enforcing regulations is a serious issue and it is not addressed in the bill. In reference to Parks Canada, the director of the organization suggested that the RCMP be allowed to be involved in enforcement activities. Currently Parks Canada is involved in a labour dispute with its park wardens over personal safety. The bill contains the same deficiencies as the National Parks Act. It does not give park wardens sufficient authority to enforce the law.

Since 1993 there have been three separate reports recommending that sidearms be issued to wardens in order to fulfil their responsibilities. With park wardens off the job and other law enforcement agencies overburdened with enforcing criminal code violations, wildlife is being slaughtered in our national parks. The bill does not address any of these situations.

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The Canadian Alliance affirms the federal government's role in the preservation of Canada's natural and historical heritage such as national parks. It supports sustaining and developing national parks and marine conservation areas that exist for the benefit and enjoyment of everyone. It also supports sustainable development and environmental protection regulations that have been fully debated by parliamentarians, not through the back door but through this Chamber.

The bill would strengthen the power of cabinet while diminishing the effectiveness of elected representatives. The bill is virtually unnecessary because the regulatory framework already exists to accomplish what the bill purports to achieve. It is just a power grab by a department that understands that it has a weak minister who does not understand that the new regulations are not required.

The legislation would clearly limit the ability of parliamentarians to consider all options when new marine areas are introduced or existing areas are expanded, with no input whatsoever when new parks are being created. The weak and arrogant Liberal government, time and again, abuses the Chamber and uses elected members as a rubber stamp. It does not give enough opportunity for debate by elected officials. There is no reason for this tight fisted form of control and undemocratic manner of proceeding. Like the bogus changes the government is proposing to Bill C-9, the Elections Act, Bill C-10 is also virtually anti-democratic.

The scope of the bill, as it relates to fishing, aquaculture and transportation, is such that changes to any schedule should require an act of parliament. Affected communities would be at the whim of the minister. The bill would give the Minister of Canadian Heritage a free reign to create unlimited advisory committees for each marine conservation area.

• (1230)

Limitations on the size and structure of each committee should have been established in the legislation. Will the committee that hears the bill allow these limits and rules to be established? I doubt it very much.

These advisory committees would give the government an opportunity for patronage in the way membership is composed and would serve no other purpose than that of a rubber stamp under the guise of public consultation. What we have here is yet another job creation program for failed Liberal election candidates and their supporters.

If marine wildlife and ecosystems are to be protected, park wardens should have exclusive jurisdiction in the enforcement of laws and regulations relating to each conservation area. Unfortunately, wardens are increasingly finding that they cannot do a proper job due to interference from Ottawa.

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The decision by Parks Canada management to transfer responsibilities from park wardens to law enforcement agencies like the RCMP is Ottawa's way of centralizing tight fist control away from the frontline officers who have the practical experience to know what does and does not work in Canada's national parks. What a shame.

The bill is a mess. It is as much an assault on our environment as an assault on the stakeholders in the regions that will be affected by it. My heart goes out to my colleague the Canadian Alliance heritage critic because I cannot see how the bill can be fixed or amended during committee stage.

On the one hand, the bill is not required because everything it does can already be done under regulations. On the other hand, it is a power grab by the minister and should be stopped 100%. Those concerned about preserving the environment can see that after 13 years of trying to bring the bill forward for debate in the House the government does not care about the environment.

I hope the bill looks significantly different when it comes back before the House following committee hearings. However, knowing the government's record, I doubt it. I hope the minister's secret agenda of power grabbing is exposed. I hope Canadians see clearly how little the government cares about the environment.

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the yeas have it.

And more than five members having risen:

The Deputy Speaker: Call in the members.

And the bells having rung:

The Deputy Speaker: Accordingly the vote is deferred until Wednesday, May 16, at the end of government orders.

• (1235)

CANADIAN ENVIRONMENTAL ASSESSMENT ACT

Hon. Gilbert Normand (for the Minister of the Environment) moved that Bill C-19, an act to amend the Canadian Environmental Assessment Act, be read the second time and referred to a committee.

Mrs. Karen Redman (Parliamentary Secretary to Minister of the Environment, Lib.): Mr. Speaker, I rise today to address the House on the second reading of Bill C-19, an act to amend the Canadian Environmental Assessment Act.

I will begin by congratulating the Minister of the Environment for bringing the legislation before the House. Bill C-19 is a continuation of an important effort that dates back 25 years in Canada's history. It would bring environmental factors to the table when government decisions are made.

The proposed legislation is based on the results of a national consultation completed last year as part of a five year review of the Canadian Environmental Assessment Act. It is also based on the Minister of the Environment's personal commitment to improve the federal environmental assessment process so that it can continue to be the best in the world.

I will be clear on what we are proposing. Although Bill C-19 is not a major rewrite of the Canadian Environmental Assessment Act, it would strengthen the act, an act that has served its purpose well over the past five years and has resulted in notable environment assessment success stories.

The act has had a positive effect on projects ranging from the creation of an inland navigation channel in New Brunswick to the protection of Pukawska National Park in my home province of Ontario. In British Columbia it enabled the Government of Canada, in collaboration with the province, to ensure that the construction of a new road to end the isolation of a first nations community did not have a significant impact on the sensitive grizzly bear population.

Those are just three of the many environmental assessment successes Canadians have achieved over the past five years.

The Canadian Environmental Assessment Act, proclaimed by the Liberal government in 1995, has had a positive and lasting effect on ecosystems and development projects from coast to coast. It has helped integrate Canada's environmental goals with its economic, social and cultural values. In other words, it has moved us down the road toward sustainable development.

Our experiences over the past five years have identified concerns that need to be addressed to make the federal environmental

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assessment process even stronger, more certain and more accessible. In short, the current process is effective but imperfect.

Coincident with other environmental initiatives, the revised and strengthened Canadian Environmental Assessment Act would help protect and preserve Canada's diverse and sometimes fragile environment. It would assure Canadians of the clean air and clean water they have a right to expect. It would allow Canadians to benefit economically from responsible development in the use of our natural resources.

The purpose of Bill C-19 is to establish a more predictable, consistent and timely process, to improve the quality of environmental assessment in Canada and to strengthen opportunities for public participation. The amendments would ensure that the federal environmental assessment process better serves the interests of all participants in the years ahead, not the least of whom is the Canadian public.

Not everyone may be familiar with the goals and intent of the Canadian Environmental Assessment Act. I will therefore take a few moments to provide some context for the proposed amendments.

As already noted, the Canadian Environmental Assessment Act was brought into force in 1995 with the goal of promoting a healthy environment and economy through sustainable development. The act requires federal departments and agencies to undertake an environmental assessment if they intend to develop projects themselves. It requires them to provide funding or land for such projects and to issue licences or permits for the projects such as might be issued under the Fisheries Act.

One can imagine the scope of such activity. Last year alone 30 federal departments conducted about 6,000 environmental assessments. Many of the projects had the potential to affect the health of local and regional ecosystems for decades to come. The act also touches on billions of dollars of potential investment in Canada each year. For environmental and economic reasons it is important that we get the process right.

• (1240)

The underlying principle and main strength of the Canadian Environmental Assessment Act is that a project's environmental effects receive careful consideration before development begins. The act is also built on the premise that the Canadian public should participate in the review of development proposals.

Based on the findings of an environmental assessment, the government must decide whether to proceed or to withdraw its support for a project. Depending on the scale of the activity and the type of assessment, the decision may be made at department level or by cabinet.

Environmental assessments often result in recommendations on actions that should be taken to protect the environment or improve benefits to affected people and communities before the project goes forward.

Used as a planning tool for sustainable development rather than a barrier to growth and development, environmental assessment allows projects to be designed in ways that are economically efficient and rewarding but which are also compatible with a healthy environment and a healthy society.

Let me be clear on this. The government, through the leadership of the Prime Minister, views environmental assessment as a cornerstone of its commitment to protect our tremendous environmental heritage, our air, water and natural spaces, for the benefit and use of current and future generations of Canadians.

That was a central theme of January's Speech from the Throne. Our government recognizes, and I quote from the Speech from the Throne, that "A healthy environment is an essential part of a sustainable economy and our quality of life".

Environmental assessment has been and will continue to be an indispensable tool for pursuing the government's environmental priorities. Within this context, our approach to environmental management is being driven by three emerging global trends.

First, human activity is placing unsustainable burdens on the ecosystem, particularly on natural habitat and on our landscapes.

Second, there is a resurgence in public concern about environmental issues and a shift in public values in favour of increased environmental action.

Third, businesses and the marketplace are learning that unsustainable business practices are bad business and unacceptable to consumers. The old tradeoff of the environment versus the economy is ringing more hollow with every passing year.

Those three trends offer an enormous opportunity for change. They call for environmental management which builds on partnerships, promotes incentives and is based on science.

Environmental assessment is an essential part of our efforts to ensure clear air, clean water and the protection of Canada's natural spaces. Project by project and step by step, environmental assessment helps avoid the adverse effects of development. That is why it is important to improve the process by making it more predictable, consistent and timely and by strengthening opportunities for public participation.

These were our goals when the Minister of the Environment launched a public review of the Canadian Environmental Assessment Act in December 1999. At that time the discussion paper served as a launching pad for an open, comprehensive and public dialogue about how to improve the act.

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To convey the scope of our consultation I will share with the House that almost 1,200 people in 19 cities participated in the public meetings and regional workshops. A website to inform Canadians about the review and give them an opportunity to have their say received over 14,000 visits.

We have received more than 200 written submissions about possible changes to the act and the environmental assessment process. The Minister of the Environment received a report and recommendations from a multisectoral regulatory advisory committee established some time ago to provide input on environmental assessment regulations and policies.

The committee brings a unique perspective to issues. It includes representatives of industry, the federal government, provincial governments, environmental and aboriginal groups.

• (1245)

Staff of the Canadian Environmental Assessment Agency have consulted their provincial counterparts and colleagues from other federal departments. We have received input from several processes, including aboriginal people who have been deeply involved in some of the more high profile and successful environmental assessments undertaken in Canada to date.

The consultation process has been exhaustive. By using electronic means of communication like the Internet we have been able to reach Canadians from all walks of life, in all cities, rural areas, and remote parts of the country. These amendments are the product of one of the most open and thorough public reviews that I have witnessed in my time in government. They represent the consensus view of diverse groups in their intent to move us forward toward the goal of sustainable development, which has been embraced by all elements of Canadian society.

There is always room for argument when developers and environmentalists come together at the same table, but our consultations reveal a remarkable level of agreement on the merits of the existing act and how it can be improved. After hearing from literally hundreds of Canadian businesses, communities, associations and individuals, there is strong national support for an effective and efficient environmental assessment process at the federal level.

Canadians are looking to the federal government for leadership in ensuring that environmental assessment remains an important tool for making decisions in support of sustainable development. I assure hon. members that we intend to provide that leadership.

Our review of the act has confirmed that many strengths of the current environmental assessment process do exist. Canadians have endorsed the fundamental process and the principles of the Cana-

dian Environmental Assessment Act. They have endorsed the basic structure of the process and the factors that must be addressed when dealing with an environmental assessment. They have given their blessings to the role of the Canadian Environmental Assessment Agency.

These features of the act would be retained under a revitalized federal environmental assessment process, but we also heard strong messages about the need for change. I do not intend to review these concerns in detail. They are addressed in the report of the Minister of the Environment to parliament which was tabled on March 20, 2001. Instead I will spend the rest of my time explaining how we intend to address them through the proposed amendments to the Canadian Environmental Assessment Act.

Our first goal in bringing forward the legislation is to establish a more certain, predictable and timely federal environmental assessment process. This would not only save time, money and effort for all affected parties, but it would build on confidence in the process and improve the climate for investment in Canada. Bill C-19 proposes amendments to the Canadian Environmental Assessment Act that would provide for a focus on the appropriate projects and would move away from assessments of insignificant matters like window replacements and erecting road signs.

Reducing the number of assessments of small, routine projects would free up time and resources that could be put to better use assessing projects that are likely to produce adverse environmental effects. This would be achieved through a new use for class screening reports as a replacement for project specific assessments when accepted design standards and mitigation measures are used on small and routine projects.

Under Bill C-19 the scope of the act would also be expanded to include federally funded projects on reserve lands and would allow regulations to be developed for federal lands leased or managed by a third party such as local airport authorities. These are important gaps in the current legislation that need to be addressed.

Bill C-19 also includes measures that would improve co-ordination among federal departments involved in environmental assessment. Our goal is to reduce delays in project planning and to assure proponents that information requirements and timing of decisions would be more consistent from project to project. The act would be amended to provide for the appointment of a federal co-ordinator for screenings and comprehensive studies.

The co-ordinator's job would be to bring together appropriate federal authorities when necessary and to consolidate the information required for an assessment. For projects subject to the assessment process of another jurisdiction and for large projects requiring a comprehensive study, the Canadian Environmental Assessment Agency would take the role of co-ordinator.

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• (1250)

To increase certainty in the process, which in turn would promote more effective project planning and reduce project delays and costs, Bill C-19 would amend the act to eliminate the possibility that a project may be referred to a panel review even after undergoing a comprehensive study.

The revised comprehensive study process would provide the Minister of the Environment with new powers to set conditions for mitigation measures and follow-up programs, to require more information to bring a comprehensive study report up to standard and to direct that action be taken to address public concerns.

The bill would promote greater use of mediation in dispute resolution and would clarify the powers of federal departments to impose conditions on a project. Another overriding goal of Bill C-19 would be to improve the quality of environmental assessments. High quality assessments contribute to better decisions in support of sustainable development and help build a more accountable planning process.

The amendments contained in Bill C-19 would establish a clear role for the Canadian Environmental Assessment Agency to promote and monitor compliance with the act. Specifically the agency would be given authority to lead a quality assurance program for assessments across federal departments.

Changes would also be made to ensure more and better follow-up of projects after an environmental assessment. Bill C-19 would also propose that the results of regional studies, studies of the effects of several future projects in a region, would be recognized and used in the consideration of cumulative environmental effects; in other words the combined effects of many projects in a region over a long period of time. Finally, it is our intention through Bill C-19 to ensure meaningful public participation in assessments.

The environmental assessment process of the Government of Canada must remain worthy of the trust and involvement of all Canadians. The fundamental value of meaningful public participation in environmental assessments was one of the strongest measures emerging from the review of the existing act.

The legislation would propose to strengthen public participation in three ways. First, Bill C-19 would establish a single, government-wide Internet based registry to provide public access to relevant information. The registry would be administered by the Canadian Environmental Assessment Agency and would replace the existing system in which a seldom used separate paper based registry had been established for each environmental assessment.

Second, we wish to better incorporate the knowledge and perspectives of aboriginal people in the assessment process, particularly where assessments involve reserve lands, traditional territories, or treaty and land management areas. Amendments proposed

in Bill C-19 would formally recognize the value and use of traditional knowledge in conducting environmental assessments. An aboriginal advisory committee would also be established to offer advice on assessment issues.

Third, specific opportunities for public participation in assessments would be expanded under Bill C-19. These amendments would clarify that a responsible authority may establish opportunities for public participation at any stage during the screening of a project.

In the case of comprehensive studies, two new opportunities for public participation would be built into the legislation early in the scoping phase of the assessment and during the comprehensive study itself. In addition, the participant funding program now in place for panel reviews would be extended to the comprehensive study review process.

This is a broad overview of the changes proposed in Bill C-19. They are practical, fair and realistic. Bill C-19 would build on the core values of the Canadian Environmental Assessment Act as it exists today. These include the notion that environmental assessment should be applied as a planning tool as early as possible in the development process. We are also maintaining the principle of self-assessment by responsible authorities.

The principle of public participation is not only retained, but greatly strengthened under Bill C-19. We are reaffirming the principle of one project, one assessment. The co-operative model of working with other jurisdictions has served us well in the past and would continue to do so in the years ahead. At the same time I assure the House that the federal decision making authority would not be delegated to other jurisdictions.

• (1255)

The process of developing these amendments to the Canadian Environmental Assessment Act was launched more than a year. Through the dedicated efforts of many people we have come to a consensus on both the need for change and the nature of the change. I ask members of the House to do their part by supporting Bill C-19.

Mr. Bob Mills (Red Deer, Canadian Alliance): Mr. Speaker, it is a privilege to be able to speak to the amendments in Bill C-19 as proposed by the Minister of the Environment.

As the environment critic for the official opposition I have spoken on numerous occasions in the House of my experiences and concerns relating to environmental issues. I have also learned that there is one very important thing to pay attention to when dealing with environmental issues, and that is co-operation. There has to be co-operation with all levels of government and industry as well as with people who are interested in the kind of legislation we are passing.

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The federal government is in a unique position to act as a leader in the area of co-operation and to bring all stakeholders together when we talk about the environment. Environmental issues are consistently found at the top of the list when we talk with various stakeholders.

We have often heard people of all ages ask what they can do to help the environment. They then go on to describe their feeling of helplessness and of being overwhelmed by the issues. The federal government has a real lead role to play in co-operation. It should empower Canadians so that they feel active in their communities and can improve their health as well as the ecological system in their areas.

The federal government must also work to provide for the public's best interest and must provide objective knowledge concerning many of these issues. It can act as a facilitator of information and provide venues for the public to engage in the issues. The public must be consulted as often as it possibly can. An informed and empowered citizen is the best friend of the environment.

I have witnessed in the last few years amazing discussions with public groups. We have examples of environmental groups working with industry to bring their joint concerns about endangered species before the environment committee.

In my own community I was part of the parks board for about 10 years. We looked at building a trail system and how that would impact on the potential development of our river escarpment and valleys. The fact that people, industry and real estate people would get involved and work together with city council on that scale made it happen. We are very proud of a parks system which is a selling feature of our community.

No matter where we look, whether it is at endangered species, pollution or water resources, involving people is important. We must get away from the concept that big government runs everything, that it knows best and does not need to consult with people.

Canadians sometimes forget that they can work with industry. They sometimes feel alienated from government and industry. It is incumbent on us, and I believe the bill goes a long way in accomplishing that empowerment and making people feel part of the whole system. Empowerment is an important part of the fabric of a country, a province or a community. Many environmental issues demand government co-operation.

● (1300)

While many think this is only an issue for the federal government and the provinces, we must show people that the bill goes a long way in showing they can be involved. That co-operation is critical.

We must also work on the relationships people have with their government, and I apply that at all levels. The provinces and the

federal government must work together to develop initiatives and programs which understand and address the concerns and the very health of people. Whether we talk about the water situation, which we had a lot of discussion on lately, or sewage or whatever, this involvement is so critical and affects people's health.

I believe growing co-operation at all levels is a sign of our observations of the patterns discovered in nature, which we call biodiversity. While competition and combat have an important role in our interactions with each other, humans and nature cannot be reduced to these elements alone.

Co-operation and construction are also integral to the system of nature of which we are all a part. We recognize that we must have both competition and co-operation. Our end goal is what is best for both people and for the natural world that people participate in. With a recognition of the transforming power of both competition and co-operation, the solutions to our concerns are made more apparent.

This brings me to Bill C-19 specifically, the amendments to the Canadian Environmental Assessment Act.

First, I will talk about some of the bad news, the competition side of things. Then I will talk about the good news in the bill, which is the areas of co-operation.

The current government continues to have a serious problem when it comes to environmental commitment. It has been said by a number of people that the government is very long on promises and relatively short on action, sort of chameleon-like in approach, constantly changing its colour to fit the surroundings. It betrays the trust of Canadians who once believed that Liberal means environmentally friendly.

As the environment critic for the official opposition, the Alliance Party, it will be my job to show Canadians that we have an environmental conscience and that we care about the environment and the kinds of changes it needs.

The OECD, the Organisation on Economic Co-operation and Development, reported several weeks ago that we were the second worst in the ranking of those 29 countries in terms of environmental progress. That is a rather serious indictment for a country that prides itself in our environment.

The auditor general in his final report released several months ago argued that the current government had significant problems putting words into actions.

We have toxic waste sites around this country numbering in thousands. We have someone sitting on a hunger strike outside here

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who is saying that something has to be done about the Sydney tar ponds, the most graphic example of where promises have been made but nothing has happened.

We have raw sewage which is being dumped into St. John's Harbour and into the Halifax and Victoria harbours by a G-8 country, an advanced industrial country. That is not an environmentally good record to have.

The far reaching implications of Kyoto promises and endangered species legislation, if implemented without the proper consideration of costs and benefits by the government, are not the way things should be done by a government. We should know what it is going to cost. We should consider the socio-economic impacts. We should look at the whole picture and work with Canadians to solve those problems.

Important detailed information on voluntary and co-operative programs, said to be the emphasis of the new endangered species act, is not there and creates an uncertainty for landowners. When someone is told that some of their land will be taken out of production, where their family is going to suffer, and compensation is not provided for in the legislation, that is a serious lack of co-operation with the people, the people who we must co-operate with if we want to save something. That is the bad news.

• (1305)

The good news is the co-operation. The federal government, under the PCs, developed this tool for environmental impact assessment in co-operation with government, industry and other levels of government. It was soon entrenched in law as the Canadian Environmental Assessment Act. Its regulations were a provision for a five year review of the act. This was undertaken last year by the current government with direction from the Canadian Environmental Assessment Agency.

The review was close to what a public review can be and should be. It involved the participation of thousands of Canadians from many different walks of life, those involved in non-governmental organizations, the provinces, industry and aboriginals. We called many of them to ask them what they thought about Bill C-19. Many came back and said they had looked at it and listened to us. They sounded somewhat shocked that the bill included what they had said. I compliment the government for doing that.

There were consultations and workshops across the country. There were and continue to be regular meetings with the regulatory advisory committee, a stakeholder group made up of industry, environmentalists, aboriginals and government representatives. The process began with background studies, a government discussion document and ended with a draft bill. This was good business practice and these were good consultations.

Many of the amendments in Bill C-19 addressed the various weaknesses in the original act. That is exactly what should happen when we do a review.

There were some infamous cases of environmental assessment that did not work very well, such as the Oldman River case in my province. There was duplication of effort between provincial and federal governments. There were late interventions. There was a lack of consultation and some rather foolish decisions.

In the winter I had a bridge put in to haul lumber out for Sunpine Forest Products. The bridge was put a way up on the banks so it would not in any way touch the river. Yet, through an environmental assessment called by a small group, the company had to lay off 100 people and the project did not go ahead because the bridge would shade the fish. The problem was that it was only there to be used in the winter. The fish were not swimming or breeding at that time. There was ice and snow on the river. That is the kind of foolish decisions that are sometimes made. Hopefully, these amendments will stop that sort of thing.

The amendments would increase the ability for the public, industry and government to work effectively and efficiently on environmental assessments, saving time and money for all involved, increasing public participation in many cases and aiding in protecting the environment.

I am particularly interested in the environmental assessment co-ordinator assigned to each federal assessment and the possibility of having this co-ordinator there. Often what happens is the public does not know who to talk to and are shifted from one level of government to the other. Having an environmental co-ordinator assigned to a project should end this.

I would suggest several changes as well to make the bill even better. Public participation is essential to quality environmental assessment. There are three improvements that should be made to improve this even further and I will just touch on those.

First, the public and industry want to work together on this issue. Early public involvement means less long term suspicion and delays. The scoping determination must be open to public scrutiny.

Second, while the government is keen on going electronic, and I applaud this effort, it must not forget that many Canadians are still not plugged in. Rather than an immediate switch to an electronic public registry system for access to information on project assessment, this government should go a little bit slower. I have been told that there have been significant problems in the past with an electronic format. Therefore, instead of throwing the baby out with the bathwater, I suggest working on a new one while keeping the old and relatively reliable format for the time being.

Third, it is essential that there be another review of the act and the effectiveness of these amendments in the next five to ten years. This would be to everyone's benefit and I believe would interest all stakeholders. Co-operation between government departments and other levels of government is critical for the success of environmental assessment in Canada and outside Canada. We must stop the duplication between different levels of government.

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• (1310)

It is natural for people to be suspicious of new changes, especially when these changes significantly alter the way they must think about how things have been done for so long. The environmental assessment has been around for some time now and it is time for all federal departments to act in co-operation through the leadership of the Canadian Environmental Assessment Agency, so that environmental assessment can be done well and with a strong public input.

Crown corporations in particular have been very slow to rise to the challenge of environmental assessment. While there are provisions in these amendments for developing environmental assessment regulations for some of these corporations, the public must have input into these regulations and have an opportunity to respond to drafts. There must be assurances that Canadian standards are not different in some places or for some departments or corporations.

Co-operation with the provinces, I repeat, is critical. While the amendments to Bill C-19 reflect several suggestions made by the provinces, there is still significant discretion on the part of the responsible minister regarding key elements of decision making. Turf wars are one of the most serious problems between the two levels of government. I would like to see the provinces consulted before the minister's discretionary powers are invoked in sections 25 and 28 of the act. This would demonstrate to the provinces that the federal government is truly working with them and not against them.

I congratulate the Minister of the Environment and the Canadian Environmental Assessment Agency for their work. I also sincerely congratulate all those who have spent much precious time on developing these amendments, those in the public who gave their time in public consultations and workshops and those who have given their time to work on the regulatory advisory committee. All of them deserve many thanks for their commitment to this process and this country.

I started this speech by talking about how environmental legislation best works. It is first through co-operation with the citizens and all levels of governments. It is through empowering people with information, with venues for dialogue, with support for dialogue, involvement and action. It is through the federal government taking the lead, setting the example and co-ordinating the efforts.

Too often the government has failed in keeping its many words regarding action on the environment. It has failed many times to consult Canadians, has failed in some basic business practices and has said "just trust us". However suspicion wins when government fails to be up front. The health of Canadians, the economy and the environment suffer if we are not up front with this information.

The five year review of the Canadian Environmental Assessment Act, while certainly not perfect, was a successful exercise in consulting with Canadians. Such success means better environmental assessment, better co-operation, better government, and the government, industry and citizens will protect the environment better. It means time saved, money saved and human health and the environment saved. Environmental assessment is a good tool to work toward sustainability. There is still much room for improvement, but I have indicated where some of that can come from.

In conclusion, I suggest that the government use the five year review as a model of what can be achieved with other environmental issues such as global warming, species at risk, space preservation and other environmental issues. Taking the lead through co-operation first with all of the citizens of Canada is the very best way to guarantee human health, environmental health and protection for now and the future for all of us.

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, first I want to say that the Bloc Québécois is opposed to the bill before us, Bill C-9, an act to amend the Canadian Environmental Assessment Act. Being opposed to Bill C-19 is in line with the position traditionally taken by representatives from Quebec.

• (1315)

Since 1992 and even before that, the federal government has been trying to get involved in environmental assessment, an area that falls under Quebec's exclusive jurisdiction and in which the province is doing very well.

Quebec has the Bureau d'audiences publiques sur l'environnement, which does environmental assessments based on criteria that were accepted and approved by successive legislatures in Quebec.

Once again, we must speak up in the House. It is not an easy task, but it is not easy either for all those who are watching us, particularly Quebecers, who do not often have the chance to see the kind of duplication that a bill dealing with environmental assessment can create.

Quebec has always been and still is at the forefront in the area of environmental assessment. What the bill before us says is that, whenever the federal government invests money in the form of

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loans, loan guarantees or direct grants, or whenever it leads a project, an environmental assessment will necessarily be done.

All that in spite of the fact that Quebec has its own Bureau d'audiences publiques sur l'environnement, a concept that is totally independent from political decision makers. We saw the BAPE in action recently with regard to major projects by Hydro-Québec. The BAPE went against the major orientations of the agency. This is a system that works well in Quebec.

Once again, here we have federal duplication. If there was no representation by Quebec at the public hearings that were held, there was a good reason for it. There has been none since 1992 purely and simply because that year the government of Robert Bourassa had passed a unanimous resolution in the national assembly stating as follows, and I quote:

That the National Assembly strongly disapproves of the federal government bill—

I have dropped the number.

—, an act to establish a federal environmental assessment process—

This was an act identical to the one introduced today. The resolution continued:

—, because it is contrary to the higher interests of Quebec, and that the National Assembly opposes its passage by the federal Parliament.

This was a resolution unanimously passed by the Quebec national assembly in 1992 under the Liberal government of Robert Bourassa.

It is therefore a matter of integrity and honesty for all Quebecers in this House to defend the interests of their constituents.

The federal government is too quick to interfere in provincial jurisdictions for all kinds of political reasons.

The only thing that should guide a government when adopting a legislation is the protection of the interests of the citizens. In this case, the interests of the citizens are well protected by the Quebec government's Bureau d'audiences publiques sur l'environnement which, I repeat, is a non-political, arm's length organization. Historically it has had a very good record and rendered very good decisions.

It is difficult to understand how Liberals representing Quebec can defend a bill which constitutes a direct interference into Quebec's jurisdiction.

The federal government has so much money that it could invest to help develop road infrastructure. We have an infrastructure program in which the federal government, the Quebec government and municipal governments pay one-third each. This program was announced with great pomp by the federal government and received the support of the provinces, the Quebec government and the municipalities.

Once again that infrastructure program will cover projects in this area.

• (1320)

Since the federal government is contributing one-third through subsidies to several of these projects, environmental assessments will be made by it even though Quebec has its own environmental assessment service, namely the Bureau d'audiences publiques sur l'environnement. This is a striking example of duplication that is extremely costly to Quebec taxpayers because we already have a good service.

As I said, in 1992 the national assembly, under the leadership of Robert Bourassa, unanimously adopted a motion rejecting a similar bill, which was to be passed in the House of Commons at the time. That motion was adopted unanimously.

During the public hearings on this bill, no one came to represent Quebec, for the simple reason that we have our own environmental assessment service.

It is because of examples like this one that an increasing number of Quebecers are fed up with the federal government. It interferes in jurisdictions in which it has no business. The federal government should let Quebecers do their own thing since they have an environmental assessment system that reflects their needs and that has proven successful. The Bureau d'audiences publiques sur l'environnement, or BAPE, is very helpful because it conducts environmental assessments for many projects. It is a Quebec agency that works well and that Canada is trying to copy for the benefit of the other Canadian provinces. That is fine with us, but leave Quebec alone with its own resources and structures.

We have something that works well, namely the BAPE. Why impose a new level of assessment that will generate additional costs? Instead, the government should put that money in the tripartite infrastructure programs involving the municipalities, the Quebec government and the federal government. Or let them invest more than the mere \$600 million it said it would invest in highways throughout Canada. In the election campaign, this Liberal government promised Quebec alone over \$3 billion in investment, when there is only \$600 million in the federal budget. We have just looked at the votes in the Standing Committee on Transport and only \$600 million is available for the next five years.

Rather than waste energy and money and spend resources on adding another service to the one that is very well operated in Quebec, the government should keep this money, invest it in municipal infrastructure projects and government highway infrastructure projects in Quebec and Canada. It should leave the organizations and institutions that work well in Quebec. The

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Bureau d'audiences publiques sur l'environnement is one Quebec institution that works well.

It is hard for the public and for Quebecers watching us to hear us discuss a bill that has a pleasing title, an act to amend the Canadian Environmental Assessment Act, except that it pleases the Canadian provinces that do not have environmental assessment procedures in place.

We in Quebec do have one and we are proud of it. I repeat, in 1992 the government of Robert Bourassa unanimously called on the federal government to withdraw from this area of jurisdiction, environmental assessment, because it is a provincial jurisdiction.

There is good reason no Quebec organization appeared before the various committees studying this bill. The Bloc Quebecois cannot support the bill, which is a blatant example of interference. It is because of measures like this one that an increasing number of Quebecers no longer believe in Canada. The federal government is only investing in an attempt to gain political popularity. It is trying to achieve that by duplicating services that are already provided by Quebec agencies. This is unacceptable.

I cannot understand why Liberal members in the House, who are aware of the problems associated with infrastructure programs and the constant needs of municipalities and of Quebec's road network, support a bill that would create a new level of environmental assessments.

• (1325)

Whenever the federal government invests, lends or guarantees even the smallest amount of money, it will be in a position to set up an environmental assessment program that will be in addition to the one that already exists and that works so well in Quebec. There are such aberrations in Canada. I hope people will remember that, and the sooner the better.

[English]

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I will be splitting my time with the member for Churchill. It is a pleasure to rise today to speak to Bill C-19, an act to amend the Canadian Environmental Assessment Act, at second reading. For the record, the New Democratic Party will be opposing the bill and will be voting against it at second reading.

Currently the Canadian Environmental Assessment Act does not go far enough to protect our environment. The changes proposed in Bill C-19, unfortunately, would only further weaken the legislation. The bill is an attempt to streamline and speed up the environmental assessment and review process to benefit developers and industry instead of protecting the environment.

This enactment would implement the results of the statutory review of the Canadian Environmental Assessment Act conducted

by the Minister of the Environment. It would establish a federal environmental assessment co-ordinator for projects that undergo screening or comprehensive study level assessments. It would modify the comprehensive study process to prevent a second environmental assessment of a project by a review panel while extending the participant funding program to comprehensive studies.

This enactment would expand existing regulations, making authority for projects on federal lands, provide the new use for class screening reports as a replacement for project specific assessments and makes follow up programs mandatory for projects after a comprehensive study or review panel. These amendments would provide Canadians with access to information about the environmental assessment of a specific project.

This enactment would create the Canadian environmental assessment registry. It would require that the Canadian Environmental Assessment Agency establish and lead a quality assurance program, promote and monitor compliance and assist relevant parties in building consensus and resolving disputes.

New Democrats believe that we need measures to strengthen and improve safeguards to protect the environment and this bill unfortunately does not go nearly far enough.

Canadians are increasingly concerned about the state of the environment in their communities and around the globe. They worry about the quality of the air they breathe and the safety of the water they drink. They are deeply concerned about the kind of ecological legacy they will be leaving their children.

The question is: What kind of measures are we talking about? At the present time outside the House of Commons we have a demonstrator from the Sierra Club, Elizabeth May, who is on her 14th day of a hunger strike. She is trying to force the federal government into taking action on the environmental travesty at the Sydney tar ponds. She wants to force the government to permanently relocate the many people who are living in the area directly around the tar ponds who have experienced colossal health problems for decades because of the pollution in their environment. This is a very concrete example of a measure that the government could take right now to ensure the environmental and health safety of many Canadian citizens.

Another very important measure in my mind is the Halifax harbour clean up. I come from a community that has been dumping raw sewage into the harbour for many decades. The only benefit is that we have ocean currents that continue to move the sewage around at quite a pace, but we have a huge job ahead of us.

The Halifax regional municipality has worked very hard to get both the provincial and the federal government on side to work on that essential infrastructure project. Something of that size has to

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be done on a three way split. Each level of government has to be involved because of the cost and the scope of the project. At this point in time the federal government is nowhere near offering the kind of money that is required from its side of the equation. That is another measure the government could take right now.

• (1330)

Clearly it is time that Canada implement comprehensive, enforceable and understandable standards for water and air quality and food safety. The government should be investing in services that clean up the water and the air, stimulate green investment and expand public transit. It should also take action to make work places safer. The government's record on the environment is a litany of neglect, delay and broken promises.

The NDP believes that we should protect the environment in some very specific ways. I will put forward suggestions for the government to take into account when it is doing further work on the act. We need to assert a strong federal presence in both environmental monitoring and regulatory enforcement. We need to implement comprehensive, enforceable and understandable standards for water and air quality and food safety. We need to develop and implement a national water strategy including development of national safe drinking water standards and a ban on bulk water exports.

It is time we institute agreements that give environmental protection precedence over trade agreements in transboundary movements of hazardous wastes and other environmentally dangerous goods. We need to ensure that a green screen integrates environmental criteria into all federal government decision making.

It is time we implement endangered species and habitat protection legislation developed in co-operation with other governments, affected communities and labour, making use of traditional aboriginal knowledge and vesting identification of species at risk with independent scientists.

We need to expand marine protected areas and the national parks system and protect the parks system from commercial development that threatens its integrity. We need to introduce tough punishment for polluters including criminal charges for corporate owners, directors and managers that break the law. We need to develop the environmental bill of rights to ensure the legally enforceable right of all Canadians to a safe and healthy environment.

In conclusion, I repeat that we will be opposing the bill. We will be voting against it at second reading. We believe that the environmental assessment act does not go nearly far enough. It needs to be strengthened. We need the federal government to invest

and commit immediately and generously to an environmental cleanup that will protect our children for generations to come.

Mrs. Bev Desjarlais (Churchill, NDP): Mr. Speaker, I want to emphasize, as the hon. member for Dartmouth mentioned, that the New Democratic Party is opposed to the bill and intends to vote against it. Hopefully there can be some improvements to the bill somewhere along the line, even though it is becoming clearer to most of us that the Liberal government does not follow through on its talk of being there to protect the environment and to do what is best for Canada. I doubt we will see those changes and certainly there need to be changes.

To follow on what my hon. colleague said, public services like clean water, effective waste disposal, diversion, good roads and accessible public transit are essential to strong, healthy communities. By the 1990s Canada was investing just 2.1% of its gross domestic product in public infrastructure. That was about half of what was spent throughout the 1960s and 1970s. We have had two decades of neglect. This has meant poorer public services resulting in major problems like poor water quality, pollution, and a \$75 billion deficit in municipal and environmental infrastructure.

No one group has suffered more from the neglect than Canada's first nations people. We heard of the situations with water in Walkerton and North Battleford. There was little emphasis on the number of first nations communities that have boil water mandates in place on an ongoing basis. Many Canadians do not know that although there were standards in place for water treatment in communities throughout Canada, the government and the first nations communities never bypassed the bare minimum standard for anything in first nations communities. Whether it be water, sewer or housing, bar none the bare minimum standard was met. We know what happens when only the bare minimum standard is met. That is exactly what they get. As a result, with little money going into the infrastructure we have seen even greater problems in those communities.

• (1335)

The occurrences of stomach and gastrointestinal problems that we hear about in non-aboriginal communities are ongoing issues in first nation communities. They struggle and fight with the government to put in place ongoing funding for these programs so they do not have to go to the government. I hate to say it, but often immediately before an election the government says it will do something and then right after the election we see many communities having to go on bended knees begging the government for what should be rightfully theirs in the first place, which is quality water and sewer infrastructure and quality housing.

Ecologists warn that without major new investment and a national approach to water quality, access to freshwater will soon become Canada's worst environmental crisis. Significant public

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and private investments are also needed to reduce greenhouse gas emissions, improve energy efficiency and cut back the release of waste into the environment.

Too many corporations have opposed efforts to deal with these pressing issues. The Liberals have listened to corporate Canada, ignoring the fact that no economy or society can exist independently of the environment. The Liberals have made no progress in developing a sustainable economy for Canadians.

We know the Liberals have listened to corporate Canada. We also know and fear the fact that our Prime Minister is now listening to the American president and vice-president saying they want more energy resources from Canada instead of the U.S. addressing its problems of overconsumption, greed and misusing energy when it should be putting into place conservation processes. We see our government buckling under to the U.S.

We all want jobs and economic prosperity, but we also want to protect the air we breathe, the water we drink and the food we eat. With leadership from the federal government working families can have both environmental and economic security. New Democrats believe Canada needs a new commitment to rebuilding our publicly owned and operated infrastructure.

The NDP has called for a multi-year national environmental infrastructure investment program to channel investment into pressing environmental concerns like water and air quality, toxic waste disposal, energy efficiency and the clean up of environmental hot spots.

A national environmental investment and infrastructure program could be used for the set up of a clean water fund to upgrade municipal water and waste water treatment plants to improve water quality, water conservation and effluent management. We cannot have another Walkerton.

We could clean up toxic hot spots like the Sydney tar ponds and the sites of the Great Lakes. I know my colleague mentioned this as well, but a number of colleagues from that area of the country over the past three or four years have constantly pushed and fought for the clean up of the Sydney tar ponds. This has made me realize just how terrible are the Sydney tar ponds. When hearing about it on a daily basis and getting all the background on it, we realize that this is a government-company sponsored environmental wasteland with no serious effort to clean it up.

The sad part is there is real concern it cannot even be cleaned up now. The least we should be doing is getting the people whose health is at risk out of that area. That is why Elizabeth May has been on a hunger strike for the past two weeks. The government has failed to address the issue of getting those families out of there. Instead it puts their health at risk.

The national environmental investment infrastructure program could renew efforts to achieve short term reductions in greenhouse

gas emissions in the wake of the Liberals' abandonment of commitments it made at Kyoto, Japan, in 1997.

We could set up a clean air fund to back community based initiatives that reconcile job creation with the challenge posted by climate change. The fund would be used for tree planting, alternative energy and transition programs for workers displaced by actions taken to reduce greenhouse gas emissions. We could support expansion and encourage greater use of public transit. We could put mandatory limits on sulphur content in gasoline.

• (1340)

We could change the federal tax system to ensure that tax policies encourage a more sustainable economy. Taxes should be reduced on sustainable activities, particularly those that involve a greater investment in labour and an increase in non-sustainable activities.

We could create a jobs fund to provide loan security for the cost of retrofitting residential, commercial and industrial buildings to meet higher standards of energy efficiency and make greater use of energy from alternative sources, resulting in reduced greenhouse emissions and lower costs. We could improve recycling, composting and recovery systems to improve the diversion of household and commercial industrial waste.

This fund could encourage dynamic environmental industries and the development of new environmental technology. We could invest as a partner in integrated and co-ordinated affordable public transit and commuter rail service in and around major urban centres. This would be part of a national transportation strategy.

Often we are criticized as New Democrats for thinking about the environment too much, for not considering the cost. I say we can never think about the environment too much. We can never put too much into the environment.

We have shown today that the cost savings are there. This is an economical opportunity for Canada. It is an opportunity for jobs, but even more so it is an opportunity to continue having the country we have now with a relatively decent environment and relatively clean air. We have some bad spots, but we have a country of which to be proud, a country to which people from all over the world want to come.

A young woman from Mexico attending university in Ottawa commented to me that it was nice to have her children go outside and play and not have to worry about their health because of the air. We have a clean environment to offer people of the world. Let us continue to offer it to them by making sure that we protect it. Let us fix the legislation and toughen it up instead of watering it down like the Liberals have done.

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I congratulate the member for Churchill on her excellent speech and the

suggestions she made. I want to ask her a question about aboriginal people and the quality of their environment.

Over 20 years ago I was living in Kenora, Ontario, where two reserves, White Dog and Grassy Narrow, were tragically affected by mercury poison in the Grassy River system. The irony is that we see pristine wilderness that is completely polluted by external forces, by pulp and paper mills or by other industries such as mining.

How would the member for Churchill tackle that problem in her area, which is certainly a home to many native communities?

Mrs. Bev Desjarlais: Mr. Speaker, I appreciate the opportunity to respond. Within the Churchill riding in Manitoba I actually have more than half the first nations in Manitoba. I have been to all 31 of their communities. Over my years living in northern Manitoba I knew many of the problems those communities faced. As their member of parliament I have had the opportunity to view firsthand the situations they live in.

We often hear members of the House criticize why first nations live in such conditions. The people in those communities do not want to live like that. That was not the bargain they made with the Government of Canada when they made a decision to share the land and in return receive certain benefits from the government.

They do not get specific funding to ensure that they have water and sewer services in every house. They do not get specific funding to ensure that they will have fire hydrants in their communities. The amount of funding for housing for all first nation members is so limited that we see literally a third of their populations leaving their communities because they do not have houses to live in.

Although we will hear great criticism of why first nations people live like they do, the criticism should be directed at the governments of Canada which over past number of years have not sufficiently supported first nations people.

• (1345)

Mr. Rick Casson (Lethbridge, Canadian Alliance): Mr. Speaker, I have a question for the member. I know she has close ties to the aboriginal community and environmental issues. She mentioned the Sydney tar ponds. I had an opportunity to view that disgraceful mess and I would sure like to see something started there to clean it up and get the people living nearby who have been exposed to it away from it.

Is the member aware of anything the government has done in the last few years to clean up some of the messes that were left in northern Canada by military bases, air force bases, the DEW line and things like that? I know that some were pretty bad. Could she comment on what has happened in that area?

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Mrs. Bev Desjarlais: Mr. Speaker, I actually recall questions in the House that were specifically on the issue the hon. member asks about.

If we were listening to the answers from the government we would say yes, there was a commitment that it would clean up these areas. My understanding is that very few of those areas have been cleaned up.

To go back to the situation in first nations communities, there were diesel powered generators in a lot of the communities for the nursing stations and schools. Over the years there were huge diesel spills in those areas that affected the health of the first nations people. In some cases schools or nursing stations were moved. In other cases they were not. In most cases areas affected by diesel spills were not cleaned up. The hazards are still within the first nations communities. There are affected communities in my riding. They are attempting to continue their fight with the federal government to get it to pay for the cleanups.

Certainly the federal government has not been strong in following through on its comments about cleaning up its environmental messes.

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, as opposed to the proverbial comment we hear in the House that it is a pleasure to participate in such a debate on Bill C-19, I might actually say that every time I have had an opportunity to speak on issues pertaining to the environment I usually preface my comments by saying that it is with great sadness that I have a chance to participate in the debate.

What I am referring to is Bill C-19, which is the Canadian Environmental Assessment Act. It was first brought forth as a very progressive piece of legislation by the Conservatives in June 1992 when the Progressive Conservative Party was in government. Those governments have been described by individuals such as Elizabeth May of the Sierra Club, who is outside fighting the environmental degradation at the Sydney tar ponds, in this way: the Conservative governments were the most environmentally progressive governments in the industrialized world.

The Conservatives actually developed the omnibus bill on the control and use of toxins in the environment, known as the Canadian Environmental Protection Act. It was a Progressive Conservative government that led the international community in 1987 with respect to developing a protocol known as the Montreal protocol. That challenged the industrialized world to eliminate or drastically reduce ozone depleting gases.

During that same era, Mr. Speaker, I am sure you will recall that the prime minister and the minister of environment of the day, Jean J. Charest, led a delegation in which Canada was a world leader by bringing the world together with respect to climate change and

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biodiversity. In contrast we now have a government that has been in office for nearly eight years and has yet to pass a single piece of environmental legislation of note. That is the record.

These are not just my comments. I can even refer to Stewart Elgie, who is the executive director of the Sierra Legal Defence Fund. These are his words, not just mine.

What we are looking at is a mandatory review, which was put in place by the Progressive Conservative government in 1992 in the first piece of legislation and which shows the understanding that what we do today with respect to environmental management will be drastically different in the very near future. That is why it is incumbent upon the government to review legislation of this sort.

• (1350)

In addition to this initiative, we should be doing what the minister of the day, Lucien Bouchard, said in 1990. He found three legislative gaps with respect to the environment. First, Canada essentially has a pesticide act that is over 30 years old. Second, we really do not have a framework to establish legislation to ensure safe drinking water in Canada. Last, at the time he was advocating that we have legislation in place to protect species at risk.

Here we are a decade later, after eight years of Liberal government, still waiting for those three initiatives to be brought forth to the Canadian public. However we do have some housekeeping, in that the minister has tabled in a timely manner the mandatory review of the Canadian Environmental Protection Act. According to the minister's press release, the purpose of the act is essentially tenfold. I will list the ten points very briefly.

One purpose is to focus the act on projects with a greater likelihood of adverse environmental effects as opposed to having only broad screenings of issues that have less or a minor impact and could be managed more effectively and exclusively by the provinces. The Progressive Conservative Party has a proud tradition of being respectful of jurisdictional issues with respect to the provincial governments and the federal government. That is why we support the idea of harmonization, not to the lowest common denominator but to ensure that this is done in the most cost effective, time effective and environmentally effective manner possible.

On this list with respect to this new review the minister advocates: improving co-ordination among federal departments and agencies when several are involved in the same assessment, which I think is a good initiative; reaffirming and enhancing co-operation with other governments in conducting environmental assessments where jurisdictional overlaps and duplications occur, which the Progressive Conservative Party indeed embraces; and increasing certainty in the process in order to reduce the potential for project delays and cost increases. Industry will play by the rules. We can develop faster and that will help our economy grow,

but industry and the provincial governments that want to take initiatives of this sort have to know what the rules are. The certainty in reducing overlap and duplication is a key component.

In the bill the minister advocates strengthening the role of follow-ups to ensure that sound environmental protection measures are in place for the project as well as improving consideration of what the cumulative effects of the project might be. One project on its own may not have an impact that would significantly degrade the environment in any way, shape or form, but the cumulative effect may come into play.

The eighth point the minister advocates is that of providing convenient and timely access to reports and other information about assessments. As well, he advocates strengthening the incorporation of aboriginal perspectives in the federal process, an initiative I strongly applaud, along with expanding public participation.

The House may be aware that within the last year a task force led by the federal government was struck to study issues with respect to environmental assessment. A myriad of items was tabled in that report. The sad thing is that in going through the legislation at first blush it seems that only a few were acted on in this revision of the act. When this gets to committee the Progressive Conservative Party wants to ensure that we have a full vetting of the committee's report. It is a report that I have not gone through in any detail, but through our research we have discovered that only a couple of the items were touched upon.

• (1355)

Here we are dealing with a mandatory review of a piece of legislation which the government is compelled to actually perform. We will do our process, but what Canadians want is environmental leadership across the board. As the former minister of the environment, Lucien Bouchard, said in 1990, we need new pesticide legislation. It is 30 years old. The Minister of Health said he would table it quite soon. I remember Claire Franklin, the executive director of the Pest Management Regulatory Agency, saying that framework legislation or draft legislation has essentially been in place for three years. Yet the government has not acted and does not table the legislation.

We are still waiting for a species at risk bill that will work. The Progressive Conservative Party will not support that piece of legislation for four reasons, primarily because it does not include migratory birds and it still contains the belief that politicians rather than scientists are a better fit to determine whether or not a species is at risk. It is also extremely intrusive in one regard, and very hypocritical, I might add. The species at risk legislation says that it has the capacity to force a private landowner to engage in recovery plans and the capacity to force a province to participate, but it is permissive with respect to habitat protection within its own

backyard, on federal land. We will have a chance to address that bill later on.

We are a long way from being able to give a definitive answer about whether we will support this legislation in its compulsory review. We will let the committee do its job, but ultimately the Government of Canada should take up the myriad of recommendations made by the task force that studied this issue. We will do our work in committee.

STATEMENTS BY MEMBERS

[English]

CANADIAN EXECUTIVE SERVICES ORGANIZATION

Mrs. Brenda Chamberlain (Guelph—Wellington, Lib.): Mr. Speaker, I rise today to commend the outstanding efforts of two of my constituents who have recently returned from working overseas for the Canadian Executive Services Organization.

Mr. Don Stockton went to Bangkok to advise a manufacturer of flour and starch on techniques to improve production. Don developed a repairs and maintenance system and advised the company on warehousing and small packaging programs.

Another Guelphite, Mr. John Van Esch, went to Guatemala City to suggest quality and productivity improvements for a company that produces dairy products. Among other things, John advised the company on a new formula for yogourt production and added a new flavour. The company reports that the new coffee yogourt is a real hit.

Mr. Stockton and Mr. Van Esch are just two examples of the good people we have in Guelph—Wellington doing fine things both in the community and across the world.

* * *

CENSUS DAY

Mr. David Chatters (Athabasca, Canadian Alliance): Mr. Speaker, have you mailed in your census form yet? I certainly hope so, because today is Census Day and according to the government everyone should be mailing in their forms today.

The problem as I see it is that there are large numbers of people who are very uncomfortable with the current census form and some of the questions that are asked.

I find it difficult to explain to my constituents why the government needs to know the answers to questions such as what religion they practise. It seems to me that we split church and state quite a few years ago. Other questions that have raised eyebrows include who pays the rent, how many bedrooms are in a person's home and are any repairs needed.

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• (1400)

The government insists that our census information is absolutely private and will not be accessed by anyone other than census officials, except maybe for HRDC officials who in the past used census information to put together a list on every Canadian in the country.

By all means, Canadians should mail in their census. They just should not be too surprised if the tax collector happens to know whether a husband and wife sleep in the same bed.

* * *

[Translation]

INSECTARIUM DE MONTRÉAL

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, the Insectarium de Montréal, which opened in 1990, is the largest museum in North America that is wholly devoted to insects.

It houses a prestigious collection of 160,000 specimens from every part of the world. In summer, there is an outdoor flight cage containing the most beautiful of Quebec's butterflies.

Every year, the Insectarium receives 400,000 visitors. Its educational programs add to the knowledge of thousands of young people about insects.

The quality of its live insect colonies and its innovative approach to museology have made the Insectarium de Montréal a model for numerous other projects throughout the world, including China, Taiwan, the United States, France and Brazil.

Until September 2, thanks to a contribution from the Millennium Bureau of Canada, the Insectarium will be presenting "Mad about Research", an interactive exhibit on the work of entomological researchers.

Take my word for it, it is an enchanting experience to discover the world of insects under the competent and professional guidance of the Insectarium staff.

Bravo, and thank you, to all those who are involved day in and day out in this endeavour.

* * *

[English]

BREAST CANCER

Mrs. Carolyn Parrish (Mississauga Centre, Lib.): Mr. Speaker, I wish to inform the House that the Cure Foundation is today holding its annual national denim day to raise money for breast cancer research.

This one day event asks employees across Canada to come to work dressed in jeans and to donate \$5 to the fight against breast cancer.

The Cure Foundation works in tandem with health professionals, other foundations and Canadian teaching hospitals to improve breast cancer outcomes. The most frequently diagnosed cancer in

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2001 will continue to be breast cancer for women. Added to that, there is a little known but lethal statistic that shows 3% of all breast cancers occur in males. By the time it is diagnosed the cancer is well on its way to killing the patient.

Health Canada is committed to improving these results and actively participates through funding for research. Funding is aimed at prevention, early detection and diagnosis of breast cancer, as well as treatment and care for those living with the disease.

Please join me in extending my best wishes for a successful national denim day.

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[Translation]

RIDING OF QUÉBEC EAST

Mr. Jean-Guy Carignan (Québec East, Lib.): Mr. Speaker, in my maiden speech in this House I referred to the historical nature of my riding and to the fact that it had been represented by Sir Wilfrid Laurier, Ernest Lapointe, Louis St-Laurent and Gérard Duquet.

I also pledged to do my best to follow in the footsteps of these great builders in representing my constituents in a worthy manner.

Today I would like to inform the House that a hundred or so of those same Quebecers, these same Canadian men and women, have travelled to their national capital to salute their Prime Minister and to show support for their government and their MP.

In so doing, they are demonstrating their profound attachment to their country and to their fellow citizens, and to the Canadian values of tolerance, personal freedom, equality, justice and the institutions that symbolize our democracy.

I wish all those who have come here from the beautiful riding of Québec East a wonderful day in the national capital.

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[English]

FIREARMS REGISTRY

Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance): Mr. Speaker, the Liberal government's gun control bill will cost \$1 billion before it is fully implemented. It may cost an additional \$1 billion to operate it over the next 10 years. This is \$2 billion that should be spent on the real priorities of Canadians, such as health care and our farmers who are facing disaster because of foreign subsidies, drought and flood in my own province.

Canada's privacy commissioner, George Radwanski, has confirmed that information collected under this law has led to investigations based on unsubstantiated hearsay and incorrect information.

Sixty per cent of gun owners in some provinces are ignoring the law and have not applied for possession licences.

It is obvious that the Liberal's wrongheaded attempts at gun control are enormously expensive, do not help the police reduce crime and are not accepted by Canadians.

My constituents did not want Liberal gun control when it was forced through the House. They used their vote to show they did not want it in 1997 and in 2000, and they still do not want it today. The Liberals should finally start listening to Canadians.

* * *

QIKITANI INUIT ASSOCIATION

Ms. Nancy Karetak-Lindell (Nunavut, Lib.): Mr. Speaker, this week the board of directors of the Qikitani Inuit Association of Baffin Island are in Ottawa for board training and meetings.

[*Editor's Note: Member spoke in Inuktitut and provided the following translation:*]

[Translation]

I am pleased they could be here.

• (1405)

[English]

The Qikitani Inuit Association is one of three regional Inuit organizations in Nunavut. As its mission statement says, the role of QIA is "to safeguard, administer and advance the rights and benefits of the Inuit of the Baffin region; to promote the Inuit language and traditions; Inuit environmental values, as well as Inuit self-sufficiency, economic, social and cultural well-being through succeeding generations; all in an open and accountable forum".

I invite my colleagues to meet with the board members at the reception I am co-hosting with the president at 5 p.m. in the Wellington Building and enjoy Inuit hospitality.

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[Translation]

NATIONAL MARINE DAY

Mr. Antoine Dubé (Lévis-et-Chutes-de-la-Chaudière, BQ): Mr. Speaker, today, representatives of the main components of the shipping industry—pilots, carriers, shippers, port managers and shipbuilders—are here in Ottawa to draw attention to the second National Marine Day. This event is intended to raise the profile of the important economic and social roles of the marine sector.

Last year, the marine industry carried nearly 400 million tonnes of goods, representing \$80 billion, and 50 million people.

With the federal government opting out, the marine community was able to count on the Bloc Québécois to bring the government to its senses in the business of ice breaking, and it knows the Bloc will rise up again against unreasonable fees for aids to navigation.

I encourage all my parliamentary colleagues to listen carefully to the various shipping stakeholders here today so we may one day have a real integrated shipping policy.

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[English]

NATIONAL MARINE DAY

Mr. Stan Keyes (Hamilton West, Lib.): Mr. Speaker, it is my privilege to rise in celebration of National Marine Day. Today in Ottawa, representatives of marine communities from across Canada are meeting with government officials to discuss ways to ensure a healthy, safe, efficient and competitive shipping industry.

Through technological advancement and a highly skilled workforce, the marine community continues to be an effective and efficient component of Canada's transportation infrastructure. As the most environmentally responsible mode of transportation, the marine industry in Canada is well positioned to support the nation's emissions reduction goals in the coming years.

In my own riding of Hamilton West, the livelihood of thousands of women and men depends upon the competitive future of marine shipping in Canada. The same is true in hundreds of communities across our great country.

Therefore, I ask my hon. colleagues to join me in welcoming members of our country's marine community and wish them well during National Marine Day.

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CAVEAT

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, after a decade CAVEAT has closed its doors. CAVEAT is a victims' rights group well known in this country for pioneering many of the victims' rights that have come to us.

CAVEAT was begun by Priscilla de Villiers who lost a child to a criminal. Through just common, plain folk that were involved in CAVEAT a lot of good has been done in this country. They worked very closely with many people across the country on victims' rights for all Canadians.

I would also like to thank a member of the provincial CAVEAT group, Chris Simmons, who became their president. Chris and Sue

lost their young daughter as a result of criminal action. They have helped so many other victims across the country.

I would also like to thank those who carry on the torch in many victims' issues, like Steve Sullivan with the victims group here in Ottawa. Victims' rights have yet more to come.

* * *

[Translation]

MARINE INDUSTRY

Ms. Hélène Scherrer (Louis-Hébert, Lib.): Mr. Speaker, today representatives of Canada's marine industry are here to meet government officials and members of parliament to discuss a partnership that will guarantee a healthy, effective and competitive industry.

After carrying over 400 million tonnes of cargo last year, evaluated at over \$80 billion, the Canadian marine industry played an integral role in the economic health of our country. Furthermore, as the most environmentally responsible mode of transport, the marine industry in Canada is well placed to support the gas emission reduction objectives the country has set itself for the coming year.

Over half of international cargo trade is moved by water. The marine communities across the country are eager to work with all governments so as to be ready to meet the environmental and economic challenges of our great nation.

I invite my colleagues and all Canadians to welcome the members of the marine community to Ottawa. I wish them as well great success on National Marine Day.

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• (1410)

[English]

MARIJUANA

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, the decision of the U.S. supreme court yesterday to criminalize the use of marijuana for medical purposes and strike down state laws, which permitted the same, reveals the tragic dogmatism at the heart of the official American attitude toward drugs. They are committed to a prohibitionist, universally criminalizing strategy that is ineffective and particularly unfair to Americans in need of cannabis for therapeutic purposes.

Canada fortunately seems tentatively headed in a more intelligent and compassionate direction. Not only have our courts ruled differently on medical marijuana and our government responded accordingly but there is a growing chorus of established opinion for a different approach to the possession of marijuana for personal use.

The Canadian Medical Association has joined the Canadian Association of Police Chiefs in asking that such an approach be

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seriously considered. These voices should be seriously listened to. Canadians and their government should continue to seek a superior alternative to the failed approach entrenched in the United States of America.

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[Translation]

INTERNATIONAL DAY OF FAMILIES

Ms. Monique Guay (Laurentides, BQ): Mr. Speaker, this being the Semaine québécoise de la famille, as well as the International Day of Families, I wish to say how important the family unit is to people's social and emotional development.

The Government of Quebec has understood this and that is why it looks after its children. Through family allowances, \$5 day care and a progressive tax system, Quebec takes families' needs into account and thus helps young families to balance work and family responsibilities. In addition, Quebec will soon be introducing a parental leave plan which will refuse to treat a pregnant woman as someone who is losing her job, if the federal government stops putting obstacles in our way.

Despite the fact that the federal government saves over \$70 million annually through \$5 day care and refuses to recognize the Quebec consensus on parental leave, Quebec stands as a model when it comes to family policy.

* * *

INTERNATIONAL DAY OF FAMILIES

Mr. Yvon Charbonneau (Anjou—Rivière-des-Prairies, Lib.): Mr. Speaker, I wish to remind the House of Commons and all Canadians that the International Day of Families, which is observed on May 15, is a very special day for families the world over.

[English]

This year is also the International Year of Volunteers and I invite members to reflect upon the important contribution families make to the voluntary sector. Families are the cornerstone of society. It is through families that we learn to be caring, responsible adults.

[Translation]

Offering families the support of the community is one of the best investments we could make in the long-term health and well-being of Canadian society.

* * *

[English]

POLICE WEEK

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, as police forces all across Canada celebrate Police Week, I rise in honour of the brave men and women from

New Glasgow to New Westminster who work tirelessly to protect the public and maintain law and order.

Commencing in 1970, Police Week brings public recognition to the valuable work of our local provincial and national police forces and it highlights the continued need to give police the resources necessary to fight crime and improve public safety.

Police have lobbied the Liberal government for legislative action. They want meaningful, specific legislation creating stiffer penalties for serious offences, efforts to streamline procedure, technical upgrades and a national sex offender registry. Routinely we see Liberal half measures and complicated, cumbersome legislation which often drags on for years.

As the solicitor general will attend tomorrow's Police Week event, Rendez-vous 2001, here on Parliament Hill, I encourage him to listen to police in attendance and respond to their concerns with meaningful legislation.

We want to thank the police everywhere very much.

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MISSILE DEFENCE SYSTEM

Ms. Aileen Carroll (Barrie—Simcoe—Bradford, Lib.): Mr. Speaker, Canada's silence on the Bush administration's missile defence system is being seen as an agreement bordering on complicity.

We need to speak out clearly against this flawed proposal which not only fails to accomplish its objective of nuclear deterrence but in fact increases the likelihood of nuclear proliferation.

What deterred before still deters today. The anti-ballistic missile treaty is necessary to the international stalemate. The abandonment of this treaty would take the lid off nuclear non-proliferation and essentially kickstart nuclear rearmament as states, such as China, Russia and India, perceive themselves at risk.

This government must be firm in denying support for such a destabilizing doctrine and, in so doing, be consistent with our foreign and defence policies.

There are times when saying no to a neighbour and ally is difficult. It does not absolve us of our responsibility to do so. There should be no silence on the front or back benches regarding this tragically flawed proposal.

* * *

• (1415)

NATIONAL MINING WEEK

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, today marks the beginning of National Mining Week which is celebrated annually to increase public awareness of the importance of mining.

Oral Questions

How often do Canadians think about mining, minerals and metals and the crucial role they play? About 400,000 Canadians think about it every day because their livelihood depends on mining.

Minerals and metal exports represent 13% of total Canadian exports, 70% of the total volume handled at Canadian ports, and more than half of all total rail freight revenue. Canadian mining is a global leader. It is a productive and innovative sector closely linked to the knowledge based technology driven global economy.

I encourage all Canadians to reflect on our mining heritage and to recognize mining's contribution to our prosperity and to our international reputation as a centre of mining excellence.

ORAL QUESTION PERIOD

[English]

THE ECONOMY

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, one economist after another is saying that the government's budget numbers simply do not add up. For instance, we have the former assistant deputy minister to the finance minister on record as saying that the government just never added those numbers together, so we are in the whole by \$1.5 billion. This confirms what others are saying.

Now that the evidence is mounting, will the finance minister admit that we are headed to a planning deficit by at least the year 2004?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we are in the fifth year of a surplus, something that has never been seen in Canada in 50 years. We remember very well that for months and months they were telling us that we were always too prudent in our analysis.

Now the big problem they face is that yes, we predicted a surplus of \$10 billion and it will be \$15 billion. We are not going in the direction of having a deficit. We are doing exactly the contrary at this moment.

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): He avoided the question, Mr. Speaker. I can assure him that I have never accused a Liberal spender of being too prudent. I have never said that.

Canadians have worked too hard to see the deficit eliminated. They are still working hard, too hard, to see it squandered because of poor planning on behalf of and on the part of the government.

Will the Prime Minister commit to and charge his finance minister with tabling a five year update, as the finance minister has

done in the past, to try to give assurance? Now he is talking about a two year update as if there is something to hide in year three. Will he tell his finance minister to table a five year update as he has in the past?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I will tell the Minister of Finance to do exactly what he has done in the last eight years, and that is to be a good Minister of Finance and produce more surpluses in the years to come.

[Translation]

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I think that he said no.

It is very clear that this government is going to take the contingency reserve and use it to pay for its election promises.

Will the Prime Minister tell us here and now that he will not dip into the reserve, except in the event of an emergency?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the word contingency reserve means for use in the event of an emergency. That is why we have a contingency reserve. Why? Because emergencies sometimes arise.

We will not use the reserve if there is no emergency and, if there is no emergency, we will once again use the contingency reserve to pay down the debt.

[English]

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, that is in fact wrong. All economists are telling us that we are looking at a planning deficit that will lead into the contingency reserve by the fourth year of this fiscal plan. We are also told that the finance minister will only give us a two year projection. Last October before the election he gave us a five year projection.

Why is he changing it? What will happen in those three ensuing years, like the planning deficit which he is afraid to admit to this House and to Canadians.

• (1420)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I never talked to that person, but there is a person by the name of Craig Wright, chief economist of the Royal Bank, who said:

Everything this government has done in the past would suggest we don't have to worry about a deficit.

Mr. Jason Kenney (Calgary Southeast, Canadian Alliance): Mr. Speaker, his own member for Markham said last October "the Liberal proposal does eat into the prudence reserve". The Prime Minister has just told us that reserve is there for emergencies and emergencies only.

His former ADM of finance commented in the *Economist*. His own members are admitting that he is going to use the emergency

Oral Questions

reserve, which we may need for an economic downturn, to finance increases in Liberal spending.

Will he clearly commit that will not happen and that we will not have a planning deficit in the fiscal year 2004?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I do not know where his economists come from, but I have another quote from a gentleman named Tim O'Neill, chief economist of the Bank of Montreal. He said:

I don't think they are going to have any problems avoiding a deficit in the foreseeable future.

That was in the Toronto *Star* of May 11, 2001.

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[Translation]

MISSILE DEFENCE SHIELD

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, some new facts support the statement made by a senior federal official to the effect that Canada is about to give its support to the U.S. missile defence shield program.

Indeed, the Department of National Defence has confirmed that a Canadian lieutenant-colonel will soon be at the Pentagon to act as liaison officer under the missile defence shield program.

When will the government finally be upfront, stop fooling the public and the parliamentarians, whom it has not yet seen fit to consult, and admit that it will support the missile defence shield program of the Bush administration?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I told President Bush that we wanted a dialogue on this issue. He agreed to have a dialogue with us, with the NATO allies, with Russia and with China.

We are keeping an eye on what is going on and we are waiting for the president of the U.S. to make proposals and to discuss the issue with us. We want to be involved in the discussions. Once we have all the information, we will be in a position to make a decision, but we cannot make a decision on a project that the Americans themselves are not sure they can implement.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, today, at the end of the meeting with the U.S. envoys, the federal government will hold a briefing for the media. However, the government has not planned anything for parliamentarians.

Why is the government so intent on not having parliamentarians involved in this issue? Is it to put members of parliament before a fait accompli and thus avoid a true debate in the House before the government adopts its position and makes it public?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when we talk to the media, we generally assume that some members of this House will read the newspapers.

Second, there are House committees that review these issues.

Third, nothing prevents the Bloc Québécois leader from calling public officials and asking them to provide him with the same information that they are giving to the media. This is public information. Therefore, it is available to all. I do not understand why they are moaning.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, a week ago the leader of the Bloc Québécois asked the Prime Minister for a meeting with the two U.S. envoys who are today in Ottawa to provide the Canadian government with more information on the missile defence shield project.

Does the Prime Minister intend to respond favourably, and what is more important immediately, to the request by the Bloc Québécois to meet with the U.S. envoys. This is a decision that can be taken readily. All the Prime Minister has to do is say "right away".

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, this is not a political visit but a technical briefing for departmental officials.

If the hon. member wishes us to prepare a briefing, we can get the appropriate departmental officials to prepare it. That is not a problem.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, this government seems to be up to its old tricks once again. It is informing us that it is going to brief the journalists and departmental officials, while all parliamentarians are kept uninformed. I find that the government is absolutely arrogant in making decisions like this one.

● (1425)

I would ask the Prime Minister to rise and tell us that he intends to make a commitment for a debate to be held in the House on this matter and that he will assure us that Canada will not take an official position until there has been a debate and vote here in the House.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Minister of Foreign Affairs has just offered the hon. member a briefing on the matter. We have therefore just said yes to him, yet he is rising to tell us that we are being arrogant.

Second, yes, there will be a debate in the House of Commons. I hope hon. members will also discuss it in committee.

We are not prepared to reach a decision. We want to know everyone's position, not just the position of the hon. members but

Oral Questions

also that of the public, before a decision is reached. That is what I have told President Bush.

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[English]

INFRASTRUCTURE

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, my question is for the Prime Minister. CMHC has estimated that \$4 billion yearly is needed for the next 15 years just to maintain safe water and water waste management systems. That is \$4 billion annually that is needed urgently from the federal government.

Will the Prime Minister indicate whether such a clean water fund will have the priority it so desperately deserves in the forthcoming economic statement?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, in the infrastructure program we put forward we said to the municipalities that money would be available for their water systems.

In fact almost 50% of the money in the infrastructure program is for what we call for green infrastructure. We are already doing that, and I hope this will satisfy the leader of the NDP Party.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the point is it will not satisfy the need. It is a drop in the bucket compared to what is required.

Water experts and ecologists like David Schindler have been screaming for a national water strategy from the government since the day it took office. What do we have eight years later? We have Walkerton. We have North Battleford. We have up to 100 aboriginal reserves and over 700 other communities that are faced with contaminated drinking water.

How could the government maintain the fiction that safe drinking water is a priority when it will not put its money where its mouth is?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I just said yes, it is the priority of the government. That is why, when we introduced our infrastructure program, we said our priority was to help the municipalities with the green infrastructure.

A lot of the requests for money at this moment are coming from the municipalities, to be approved by the provincial governments and financed one-third by the federal government.

* * *

NATIONAL DEFENCE

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, yesterday the Parliamentary Secretary to the Minister of National Defence stated that as soon as a general retired he received with his first pension cheque some type of conscience that he did not have when he was in the CF.

Was he expressing the views of the government? If not, will he retract those statements or resign his position in government today?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, the parliamentary secretary and all on this side of the House are certainly quite respectful of all those who have served with the Canadian forces. There may be times when we agree to disagree on certain issues.

I can tell the member that with respect to this matter of whether our troops are combat capable, they are indeed. They are much better than they have been for a great many years because of the kind of investment which has been put in place by the government.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, if the parliamentary secretary had stayed for the full meeting we had last week, he would have found out from one of the retired officers that the government told the officers what they were to tell the committee.

They are given a document. They are not allowed to tell us exactly what we need to hear. Will the minister confirm to the House today that his office continues to censor officers with talking points before they speak to the parliamentary committee on defence?

Hon. Art Eggleton (Minister of National Defence, Lib.): No, Mr. Speaker.

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JUSTICE

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, the ability of sexual predators to lure children, including through the Internet, is a concern to Canadian parents and members of our party.

● (1430)

Will the justice minister commit today to ensuring that specific and separate legislation is brought forward dealing with the use of the Internet to protect children against these predators?

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the hon. member is lobbying to split a bill. Might I suggest that the House leaders' meeting is held in room 340-S, not in public, and that it is at 3.30 p.m.

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, yesterday the House leader said that this legislation was not a priority for his government and that he wanted to see the legislation put over until the fall.

Will the Minister of Justice correct the House leader and tell him that Canadians care?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am here to tell the hon. member that not only do Canadians care about the protection of their children but we care.

Oral Questions

That is why I would ask the hon. member and the official opposition to stop their game playing on Bill C-15. It includes important provisions to protect our children. What do they want to do? They want to play their silly little games around firearms, their silly little games. They are supposed to protect the children of the country.

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[Translation]

NORTH AMERICAN FREE TRADE AGREEMENT

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the interpretation and scope of chapter 11 on investments contained in NAFTA have been considerably broadened by recent court decisions.

After saying that this chapter had to be reviewed, the Minister for International Trade said, in a recent article, that there was no need to change it. The minister's position is confusing, to say the least.

Could the minister bring us up to date on NAFTA's chapter 11 and tell us his intentions exactly?

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, in the article the member for Joliette referred to I did not set out the government's position on chapter 11.

In this article, I showed that the Bloc Québécois' idea man, Jacques Parizeau, the former premier, had supported chapter 11, had boasted that the government of Quebec, his government, and the Quebec national assembly had been the first assembly, the first parliament, to pass a resolution to support chapter 11 on implementation.

This is the subject of the article the member for Joliette is referring to.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, Jacques Parizeau, who supported NAFTA, is intelligent enough to recognize that some things needed correcting, something the government opposite is unable to do.

The minister says that Canada has no position on how to treat investors in the context of the free trade area of the Americas. What the minister is not telling us is that two meetings were held on the subject of investments and two are planned between now and August.

After holding 10 meetings, how can the minister seriously say that there is no Canadian position on investments?

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, Mr. Parizeau was intelligent enough to listen to the comments and position of our own government.

Some hon. members: Oh, oh.

Hon. Pierre Pettigrew: I told the House a year ago that our government wanted to clarify certain interpretations of chapter 11. I undertook a discussion of this with my counterparts in Mexico and the United States. We even discussed this last Tuesday in Washington.

I can assure the member that our government is being very vigilant and is well ahead—

The Speaker: The hon. member for Surrey North.

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[English]

JUSTICE

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, maybe the minister could answer this question. The Canadian School Boards Association has passed a resolution asking parliament to amend the youth criminal justice act such that justice officials would be compelled to notify school authorities about dangerous young offenders in classrooms.

This amendment would provide for safer learning environments. It would also enable schools to direct necessary assistance to those young persons. Will the Minister of Justice take the step to help school officials provide a safe learning environment in our schools?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the hon. member is undoubtedly fully aware there is a provision in the proposed youth criminal justice act that permits provincial officials to provide information to principals and others responsible for schools.

That is done in the name of safety. In fact I am very pleased to say that my department helped fund the pilot project with the association of school boards and others to develop a protocol under which information would be provided.

• (1435)

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, the present Young Offenders Act already provides for discretionary sharing of information in these cases but that process has failed. The new bill simply reintroduces past failures.

The Canadian School Boards Association is supported by its provincial counterparts. Why will the minister not listen to reasonable people from across Canada, people who simply wish to provide every possible support to students and parents who are asking for help?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as I have already indicated, there is provision in the youth criminal justice act that

permits provincial officials to provide information to school authorities.

I find it very interesting that in response to a question at committee asked by the hon. member for Provencher of provincial deputy ministers on whether or not they thought such a mandatory provision would be appropriate I believe they indicated no because it is provincial authorities who have to provide that information.

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[Translation]

MARINE INDUSTRY

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, marine transportation is the safest mode of transportation there is, the one which uses the least fuel and produces the fewest air pollutants. The government should therefore help the marine industry to maintain its competitive position.

Will the Minister of Transport admit that the competitiveness of Quebec and of Canada is threatened by his decisions with respect to recovering the costs to the coast guard of ice breaking and dredging operations and that this is detrimental to the St. Lawrence River and Great Lakes marine transportation system?

[English]

Mr. Brent St. Denis (Parliamentary Secretary to Minister of Transport, Lib.): Mr. Speaker, the hon. member across the way should not doubt Transport Canada's commitment to safety. It is the number one priority of the government.

Whether or not there are fees is an issue we dealt with some years ago, but ultimately safety and the protection of our offshore waters are number one priorities of the government.

[Translation]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, the member did not understand the question.

Is it true that the Minister of Fisheries and Oceans is planning a substantial increase in the recovery of coast guard fees, thus penalizing the marine industry working in the St. Lawrence River, which would have the effect of driving shippers to other ports?

[English]

Hon. Herb Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I had the opportunity to meet with the marine sector today to talk about some of these issues. They have made a case as to marine fees.

As the House knows, the minister of fisheries prior to me had frozen marine fees for a three year period. They will be reviewed in October. We will have another look at marine fees and work with the industry closely, as we have been doing for the last few years.

Oral Questions

MULTICULTURALISM

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, the embattled junior minister of multiculturalism refused an invitation to attend an anti-racism conference in Prince George, B.C., next month.

To heal the wounds and have her apology accepted, she should have offered to go to Prince George even before she was invited. By refusing to go, the minister is arrogantly demonstrating the insincerity of her apology.

Does the Prime Minister agree that if she is serious in her apology she must attend the anti-racism conference in Prince George?

Hon. Hedy Fry (Secretary of State (Multiculturalism)(Status of Women), Lib.): Mr. Speaker, the conference on racism in Prince George is a priority for me. In fact we funded it.

As well, the dates were changed in April. While I was preparing to go, the dates were changed and they conflicted directly with a longstanding commitment I had made to speak at another conference, and so I was unable to go.

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, attending the conference should have been the top priority on her desk.

The minister has no intention of clearing the air. Her refusal to go to the conference is proof of her lack of remorse for her slurs. She is shirking her cabinet duty. She should go. She has to go. Will the Prime Minister order her to attend the Prince George anti-racism conference or fire her?

• (1440)

Hon. Hedy Fry (Secretary of State (Multiculturalism)(Status of Women), Lib.): Mr. Speaker, as I already said, this conference is an extremely important one. That is why we funded the conference.

I was preparing to go, but the dates were changed. I had a previous commitment to speak at another conference and it was too late for me to cancel.

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PARA TRANSPO

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, my question is for the Minister of Labour. The people in the national capital region who rely on Para Transpo service are completely fed up with the almost three month old strike, which has tried their patience and caused them immense inconvenience.

Could the minister tell the House what the federal government is prepared to do to ensure that Para Transpo services are restored?

Oral Questions

Hon. Claudette Bradshaw (Minister of Labour, Lib.): Mr. Speaker, I am happy to inform the House that the parties have agreed to resolve their dispute by submitting it to binding arbitration. I understand Para Transpo's normal service is expected to resume on Friday, May 18.

I would like to express my thanks to my assistant deputy minister, Warren Edmondson, and Elizabeth MacPherson. I congratulate both sides for negotiating in good faith. What is important is that the people most affected, the disabled, can now return to their regular activities.

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THE ECONOMY

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, my question is for the Prime Minister. A University of Victoria study shows that Canada has one of the worst environmental records in the industrialized world. In fact it ranks us 28th out of 29 OECD countries for 25 different environmental indications. Protecting the environment has been one of the biggest failures of the minister across the way and the Prime Minister.

I want to ask the Prime Minister whether or not his government will commit itself to making Thursday's economic statement in reality an ecological budget and back up that ecological budget with a multimillion dollar plan to clean up the environment.

Mrs. Karen Redman (Parliamentary Secretary to Minister of the Environment, Lib.): Mr. Speaker, our government continues to make environmental issues a major priority. That is why last year we put \$6 billion into infrastructure programs.

Last year's budget included \$1.5 billion as a specific environmental expenditure over the next five years. That includes \$5 million for climate change, \$180 million for—

Some hon. members: More, more.

Mrs. Karen Redman:—\$100 million for a sustainable development technology fund, \$25 million for a green municipal enabling fund and \$100 million for a green municipal investment fund. We are committed.

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, I guess that is why we are the second worst out of 29 OECD countries. I want to ask the Prime Minister if he will rise to the occasion.

In the last couple of years over \$20 billion of the unforeseen surplus was automatically applied to the national debt without a debate in parliament over whether or not spending on the environment and social programs would have been more worth while.

Will the government follow the lead of Saskatchewan and Alberta and establish a fiscal stabilization fund which would, first, receive all the unexpected surplus and, second, allow parliament a full and democratic debate on how the money should be spent, like we should be doing in parliament and not allowing it to be decided by the Minister of Finance?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we have a budget that is presented in the House. All the provisions are there and they are voted in the House of Commons.

As we have done better than expected at the end of the year, the surplus was larger. It is the right thing to do. When there is a surplus it is used to reduce debt, which provides cash in the years to come, because there will be less interest to pay, for programs like the ones suggested by the member.

Mr. Scott Brison (Kings—Hants, PC): Mr. Speaker, the finance minister said yesterday that he may introduce a fall budget if the economy continues to slide.

The minister has finally admitted that the economy is sliding but believes budget planning can proceed at his own whim. How far does the economy have to slide before the finance minister realizes Canada needs a full budget?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the Minister of Finance, the government and I will never let the economy slide the way it slid when his party was in government.

The slide was so terrible that we had \$42 billion of deficit in the last year the Tories were in power. Now we are having problems with the Alliance because it thinks that a \$15 billion surplus is not enough.

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● (1445)

[Translation]

MISSILE DEFENCE SHIELD

Right Hon. Joe Clark (Calgary-Centre, PC): Mr. Speaker, a number of U.S. officials are in Ottawa today. They are holding secret talks on the missile defence shield, a program that could cost billions of dollars.

The government said that parliament would merely be consulted. We will be informed after the fact, we will be treated like kids in kindergarten. Parliamentarians should know the facts. They should have the opportunity to discuss the options in the House before a decision is made.

Will the Prime Minister assure the House that parliamentarians will debate the missile defence shield issue before any decision is made?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Yes, Mr. Speaker.

*Oral Questions**[English]***BULK WATER EXPORTS**

Ms. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance): Mr. Speaker, in response to my question last week the parliamentary secretary denied the government's intentions on bulk water sales.

Now the Prime Minister has contradicted that statement with his admission that bulk water sales were never off the table as far as the government is concerned. What will be the position of the Liberal Party next week on bulk water sales?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, there is a bill before parliament now, in committee, Bill C-6, dealing specifically with the issue of bulk water removal from boundary waters in Canada.

The position of the federal government is, has been and continues to be clear. We are opposed to bulk water removal from the country.

We have jurisdiction over boundary waters. We have acted on that. The Minister of the Environment is developing a Canada accord with provincial governments so that they too can take the legislative action necessary to make it clear to every Canadian and to the world that we do not support bulk water removal from this country.

Ms. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance): Mr. Speaker, Bill C-6 provides that the minister can license federally the sale of bulk water exports.

Canadians are concerned about bulk water sales. Why is the government intent on ignoring our abundant water heritage and sponsoring legislation that will allow bulk water exports?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, I do not want to confuse the hon. member, but let me see if I can explain.

Bill C-6 creates a legal regime that will prevent the removal of bulk water from the drainage systems in Canada, thereby prohibiting the exportation of water in bulk, which we view is not a good that can be subject to exportation. It is not permitted under Bill C-6.

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*[Translation]***MARIJUANA**

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, the Canadian Medical Association has now joined the long list of those who are asking the government to decriminalize the simple possession of marijuana.

In its journal, the association contends that arresting people for possession of marijuana has more serious social consequences than the moderate consumption of the drug itself.

If the minister is sincere about wanting to help the sick, will she agree that she has no other option than to listen to the Canadian Medical Association and decriminalize the possession of marijuana for personal use?

[English]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as the hon. member is already aware, as it relates to medicinal use, my colleague, the Minister of Health, has facilitated those and their physicians who would choose to use marijuana for medicinal purposes.

We have also made it plain that at this point we have no intention of decriminalizing the use of or possession of marijuana. However, as the hon. member is probably aware, the Senate has commenced an important study of a number of aspects surrounding issues of drugs. I certainly look forward, as I know the government does, to the results of that study from the Senate.

[Translation]

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, does the Minister of Justice agree that Health Canada's project, which allows sick people to grow their own marijuana plants, is unrealistic in many respects and that it is imperative to recognize the legality of other sources of supply, or else organized crime will be supplying these people?

● (1450)

[English]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, let me again say that the Minister of Health has made it plain that in fact as it relates to medicinal use, he has revised the relevant sections and regulations in and around medicinal use.

I think the government has taken an important step in clarifying for those who would use marijuana for medicinal purposes the rules surrounding that. I think we should all support the Minister of Health in his attempts to ensure this drug is available for medicinal purposes.

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CANADIAN COAST GUARD

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance): Mr. Speaker, safety of life at sea, protection of the environment, and safe and expeditious movement of vessel traffic along Canadian waterways, which includes oil tankers, container ships, hazardous materials and warships as well as fishing and recreational vessels, are all monitored by MCTS.

Oral Questions

Since 1995 the coast guard has been cut back to the bone. Current estimates slash another 25% from the MCTS budget. Cutbacks are putting lives and the environment at risk. Will the minister commit to restore funding for the protection that Canadians and mariners in Canadian waters depend upon?

Hon. Herb Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the hon. member should take the time to look at the last budget and the government's commitments. In fact the coast guard received \$115 million in the last budget. It is a commitment by members on this side of the House.

Guess what. The Alliance members voted against giving more money to the coast guard. The hon. member should look closely before he asks questions.

Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance): Mr. Speaker, current estimates of \$80 million being cut to \$60 million sound like a 25% reduction over two years to me.

I wrote to the Minister of Fisheries and Oceans regarding cutbacks in funding and programming for MCTS on the west coast. This week I received a reply from the minister advising me that training for these vital coast guard services and personnel remains a ministry priority.

The fact is that all training for staff in the Pacific region, including the ab initio entrance program, was suspended in November 2000. Why has the minister frozen funding for these vital services?

Hon. Herb Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, this is exactly what I told the hon. member. In fact we have given more resources to the coast guard because we allocated \$115 million in the last budget to ensure that we have the equipment and tools to make sure we can carry out the coast guard service.

By the way, our coast guard men and women do a tremendous job in providing rescue and services for the marine sector.

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VETERANS AFFAIRS

Mr. Geoff Regan (Halifax West, Lib.): Mr. Speaker, at 8.45 a.m. on December 6, 1917, at the height of World War I, the Belgian relief vessel *Imo* collided with the French munitions carrier *Mont Blanc* in Halifax harbour, resulting in the greatest man made explosion this country has ever witnessed. Out of a population of less than 50,000 over 1,600 died and 9,000 were injured.

Today, with only nine pensionable survivors still living, could the Minister of Veterans Affairs tell the House when the federal government will make good on its commitment to provide cost of living increases to these pensioners?

Hon. Ronald Duhamel (Minister of Veterans Affairs and Secretary of State (Western Economic Diversification) (Franco-phonie), Lib.): Mr. Speaker, that request has now been honoured. It was brought to my attention just a short while ago. I asked Veterans Affairs Canada officials to address it immediately. They did.

Letters have already gone out with adjusted cheques, or are about to do so, with the appropriate economic adjustments therein.

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TOMATO INDUSTRY

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, once again Canadian producers are facing unwarranted protectionist actions. U.S. authorities have ruled there is enough evidence to investigate Canadian greenhouse tomato producers for dumping.

Tomatoes contribute \$1 billion a year to the B.C. economy and 80% are exported. They contribute \$2 billion a year to the economy of Ontario. New U.S. tariffs could devastate a profitable export industry.

Is the government doing anything to protect our greenhouse industry today, or are the Liberals just waiting for U.S. tariffs to shut down the industry?

Mr. Larry McCormick (Parliamentary Secretary to Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, we have been following this file very closely. Certainly this is an industry situation.

We will be supporting our industry all the way. In fact I expect there are many more tomatoes coming north across the border that are being unfairly subsidized.

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, it took the government seven months to react to the U.S. protectionist blockade against P.E.I. potatoes.

Greenhouse tomato producers across the country cannot afford to have the government take that long to protect their interests from American protectionist actions.

• (1455)

The latest frivolous case against tomatoes is just the last in a long list of cases, including potatoes and softwood lumber. Why has the government failed to prevent the latest unprovoked protectionist attack against Canadian tomato producers?

Mr. Larry McCormick (Parliamentary Secretary to Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, anti-dumping proceedings deal with the pricing practices of this private sector.

Oral Questions

This is a quasi-judicial proceeding that will be defended by the industry itself.

Of course we are very disappointed that the U.S. greenhouse industry has taken this action, but we will be there for our producers and we are behind our producers.

* * *

[Translation]

HAROUN M'BAREK

Ms. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, on January 6, Haroun M'Barek was expelled from Canada, despite the opinion of experts and the many notes of caution expressed to the minister on the risks he would face if he were deported to Tunisia.

On March 10, Mr. M'Barek was sentenced to three years in prison, without parole, and five years' administrative control, following what many have called a parody of justice.

Will the Minister of Foreign Affairs have the courage to intervene with the government of Tunisia to protest against Mr. M'Barek's sentence and call for his immediate release so he may receive proper treatment for torture victims?

Hon. John Manley (Minister of Foreign Affairs, Lib.): Mr. Speaker, the member knows very well we have already made representation to the government of Tunisia. Diplomatic representatives of consular affairs are trying to observe the legal proceedings involving Mr. M'Barek. We are continuing to try to consider the effects on this individual, who is not a Canadian citizen, but who had interests here.

* * *

[English]

THE OLYMPICS

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, this morning the International Olympic Committee released its evaluation commission report on the five cities bidding for the 2008 summer Olympic games.

Would the Minister for Canadian Heritage tell the House how the Canadian candidate city performed and measured up?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the evaluation commission reported that Toronto has an excellent bid and it is ready to welcome the world for 2008. It particularly underlined the strong personal support from the Prime Minister of Canada, the premier of Ontario and the mayor of Toronto. It shows that governments can work together.

I am quite confident that when the Prime Minister is there for the final decision on July 13 in Moscow the IOC will announce that Toronto, Canada, will host the games in 2008.

* * *

CANADIAN WHEAT BOARD

Mr. Howard Hilstrom (Selkirk—Interlake, Canadian Alliance): Mr. Speaker, for weeks now I have been trying to find a question that the wheat board minister could answer. Let me try this one.

Communist China does not maintain a monopoly on the sales of wheat and flour in its domestic situation. Canada forces our organic farmers to sell their wheat to the wheat board, the wheat board lends the money to the farmer to buy it back, and then the organic farmer sells it to his customers.

How does the Canadian Wheat Board Act put more money into the pockets of organic farmers in view of these buyback provisions?

Hon. Ralph Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, the board of directors of the Canadian Wheat Board, two-thirds of whom are directly elected by farmers, has responsibility for this matter.

Certain producers have inquired of the Canadian Wheat Board about these calculations and a detailed calculation is in fact available. I can provide that to the hon. gentleman if he would like. The wheat board is absolutely determined to make this system as effective as it can be.

Again I repeat, it is the board of directors of the Canadian Wheat Board, two-thirds directly elected by farmers, that has the responsibility for this matter.

* * *

[Translation]

PYRITE

Ms. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, we have twice asked the Minister of Public Works and Government Services whether the government intends to help victims of pyrite damage. He told us yes, soon, and very soon. At least we know that the federal government intends to do something.

Will the minister tell the House whether he intends to join forces with Quebec's program to provide financial assistance to the owners of residential buildings damaged by pyrite, and how much he will be contributing?

Hon. Alfonso Gagliano (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I hope to be able to make an announcement very soon.

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• (1500)

ABORIGINAL AFFAIRS

Right Hon. Joe Clark (Calgary-Centre, PC): Mr. Speaker, the government is already facing legal action from aboriginals because of the treatment they received in residential schools.

Has the government even evaluated its legal responsibility and vulnerability with respect to the dangerous quality of drinking water on federal lands, including reserves?

Will the government agree today to make immediate changes in order to eliminate the potentially fatal health threat hanging over reserves and other federal jurisdictions?

[English]

Hon. Robert Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I, first and foremost, want to thank my colleague for what I think is one of the most important questions his party has asked in the House for a number of months.

The issue of our responsibility to aboriginal people and their water quality is, first, that since 1995 the government has put an extra \$500 million into reserves for the purposes of sewer and water quality.

Second, I want to inform the hon. member that the government is now in the process of putting a national first nations water management strategy together and we will be announcing that very soon.

* * *

NATIONAL DEFENCE

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, a couple of week ago in the Standing Committee on Defence and Veterans Affairs the chief of staff with over 40 years of military experience to this country said that the NMD project would be a political decision, not a military decision.

With that in mind, would the Prime Minister of our country please tell the toxic Texan and his band of salesmen, who are trying to pedal this project off to unsuspecting Canadians, to politely go home and that we will have no part of national missile defence in the hemisphere?

Hon. Art Eggleton (Minister of National Defence, Lib.): Mr. Speaker, people in the United States are concerned about the weapons of mass destruction and their spreading throughout the world. They are coming here to tell us what their objectives are with respect to missile defence. We certainly want to listen. We certainly want to understand what their plan is. We want to

understand what the costs are. We want to understand what the implications are for global security. We are in that consultation phase.

* * *

PRESENCE IN GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of the Hon. Pat Duncan, Premier of the Yukon.

Some hon. members: Hear, hear.

GOVERNMENT ORDERS

• (1505)

[English]

CANADIAN ENVIRONMENTAL ASSESSMENT ACT

The House resumed consideration of the motion that Bill C-19, an act to amend the Canadian Environmental Assessment Act, be read the second time and referred to a committee.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I understand that there have been negotiations among various parties in the House on Bill C-19. I would propose that we adjourn the debate and then proceed to Bill C-27.

The Speaker: Is it agreed that the debate on Bill C-19 be adjourned?

Some hon. members: Agreed.

* * *

NUCLEAR FUEL WASTE ACT

Hon. Ralph Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.): moved that Bill C-27, an act respecting the long-term management of nuclear fuel waste, be read the second time and referred to a committee.

He said: Mr. Speaker, I am very pleased today to present Bill C-27 for second reading. This is an act respecting the long term management of nuclear fuel waste.

The nuclear energy option has been part of Canada's energy supply mix for over a quarter of a century. Canada and, in particular, Ontario have benefited from this production. With these benefits, however, comes the responsibility of properly managing the resulting waste.

The waste in question is solid fuel bundles discharged from reactors built with our own Canadian Candu technology. Existing

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waste is currently stored safely at the reactor sites and await a long term management strategy. The development and control of the nuclear energy option falls under federal jurisdiction and the Government of Canada has a duty to assume its responsibilities in this area, which includes the very critical matter of oversight functions.

The proposed legislation in Bill C-27 is a major step forward in dealing with the management of nuclear fuel waste in Canada over the long term. The bill is the culmination of many years of research, environmental assessment and extensive consultations with stakeholders, including waste owners, the provinces, the public and aboriginal organizations.

Canadians want a solution to this issue and are looking to the Government of Canada to establish a clear, fair and comprehensive strategy to make effective progress. Bill C-27 provides a legal framework for such a strategy and sets the course for years to come.

This federal initiative builds on the government response to the nuclear fuel waste and disposal environmental assessment panel. The panel, also known, for short, as the Seaborn panel, carried out a comprehensive, decade long review while consulting with Canadians from Saskatchewan to New Brunswick. I commend the panel on its efforts to come to grips with this very important issue.

In March 1998, the panel submitted its recommendations to the Government of Canada. In December 1998, the Government of Canada provided its response. In the response, the government agreed with the large majority of the panel's recommendations. In particular, the government agreed that federal oversight was needed to proceed with the long term management of nuclear fuel waste, and we stated three policy objectives for that oversight: first, that it must ensure that a segregated fund be established by waste owners; second, that it must ensure a reporting relationship between the Government of Canada and a waste management organization to be set up by the waste owners themselves; and third, that it must ensure a federal review and approval mechanism, including the issue of access to the fund.

In 1996 the Government of Canada announced a policy framework for radioactive waste which highlighted that:

The federal government will ensure that radioactive waste disposal is carried out in a safe, environmentally sound, comprehensive, cost-effective and integrated manner.

• (1510)

The Government of Canada has already provided oversight to ensure that the safety and environment of Canadians are not unduly affected by the nuclear energy option. This has mainly been carried

out pursuant to the 1945 Atomic Energy Control Act which was replaced in 2000 by the new Nuclear Safety and Control Act. The proposed nuclear fuel waste act is now needed to complete the fulfilment of government responsibilities by ensuring that long term waste management activities are carried out in a comprehensive, cost effective and integrated manner.

Bill C-27 ensures: that all nuclear fuel waste to be managed in Canada is addressed under a consistent and unified approach; that all nuclear fuel waste owners fall within the same legal framework; that waste owners will start setting aside funds to fulfill all their financial responsibilities over the long term; and that waste owners will work together in complying with all relevant Government of Canada policies considering technical, socioeconomic and ethical aspects.

The proposed nuclear fuel waste act and the existing Nuclear Safety and Control Act would be complementary. Together they set the foundation for fulfilling federal jurisdictional oversight responsibilities for the long term management of nuclear fuel waste.

What are the main requirements of Bill C-27? First, the bill requires the establishment of a waste management organization by the main waste owners in Canada, which includes primarily the operating nuclear utilities. The organization would be responsible for carrying out government approved waste management operations. This is consistent with the regulatory philosophy adopted in Canada which places the primary responsibility for safety within the nuclear industry.

The safety record of our Canadian nuclear utilities is unparalleled. It is recognized internationally. These utilities understand the need for excellent performance and they understand the need and desirability of public participation in the decision making process. They must, in short, earn the public's trust. The proposed legislation would ensure activities of the waste owners and of the waste management organization are subject to public scrutiny and reviewed annually by the government.

Second, the bill requires the waste management organization to submit to the federal government options for the long term management of nuclear fuel waste. It is important to understand, and I underline this point very clearly, that no decision has yet been made on which management method will ultimately be adopted. The Government of Canada agreed with the Seaborn panel that more work needed to be done in this area before any decisions could be made. Bill C-27 provides a legal framework to carry out that work. The bill requires that the waste management organization examine three options: deep geological disposal, onsite storage or central long term storage. In addition, the waste management organization can propose any other option as well. The bill makes clear that the government will make the final decision on an approach to be adopted for Canada.

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Third, the bill requires the main waste owners to put aside real money in a segregated trust fund managed by a third party. Canadians want to be assured that when the time comes, money will be available to fund all long term waste management activities and the Canadian taxpayers will not be called upon to shoulder that financial burden. This is entirely consistent with the polluter pay principle. Therefore, upon entry into force of this legislation, it is expected that deposits as prescribed in the proposed nuclear fuel waste act would start the accumulation of the money that is needed in the trust fund.

The challenge for the government in developing this legislation was to be fair to all of the stakeholders and to strike an effective balance in the public interest. I firmly believe that the proposed legislation fully meets that challenge and it is supported by initial reactions that have been received on Bill C-27.

• (1515)

The main owners of nuclear fuel waste have conveyed to me that they welcome the increased regulatory certainty provided by the legislation, that it provides them with a clear framework to fulfil their public responsibilities and that it does not create an unmanageable financial burden. Small waste owners will note that the new waste management organization would be required to provide them, that is, the small owners, with long term management services at reasonable cost.

In developing this legislation the Government of Canada of course consulted with the affected provinces, that is, Ontario, Quebec and New Brunswick. We addressed many of their concerns and showed as much flexibility as possible without compromising that fundamental point about federal oversight. The provinces recognize that the development and control of nuclear energy is indeed within federal jurisdiction and they are supportive of the direction that we are taking in this legislation.

Government oversight in the legislative scheme provides for mandatory transparency. This was recommended by the Seaborn panel and agreed to by the Government of Canada for increasing public confidence. For example, all waste management organization reports submitted to the Minister of Natural Resources are to be made public. The waste management organization must carry out public consultations at every stage of its process. An advisory council must be established by the waste management organization, whose comments on the organization's activities would also be made public. In addition, over the life of the project the government would exercise additional oversight as required through the Nuclear Safety and Control Act and the Canadian Environmental Assessment Act.

Care was taken in putting all of this together to avoid overlap and duplication while ensuring that all requirements are fully met. Therefore, as recommended by the Seaborn panel, there are multiple government oversight mechanisms at play here which

would ensure that the process proceeds effectively and democratically.

Aboriginal people have shown considerable interest in this important initiative. I have sought their active participation in decision making on the long term management of nuclear fuel waste. They participated extensively in the Seaborn hearings. I have met with a number of aboriginal leaders to discuss how they wish to be further consulted on next steps. This active involvement of aboriginal people has been recognized and ensured in Bill C-27.

In addition the government will continue to carry out related activities pursuant to its fiduciary responsibility toward aboriginal people and recognizes the valuable perspectives and insights of aboriginal peoples which can usefully inform and influence all future steps.

I would make the point that in any of the dialogue that I have had with aboriginal leaders, whether verbally or in writing, whenever we have discussed this matter we have not discussed the issue of where any particular future disposal sight might hypothetically be located. That has not been the topic on the agenda. What we have talked about is how they wish to be consulted in the process, how they wish to have influence on and input into the process. It has not been any form of negotiation. It has been a respectful solicitation of their advice and their insights, because they do have a great deal to offer in this decision making process.

What of the administration of the nuclear fuel waste act? Under the proposed legislation the main decisions would be made by the governor in council. The designated minister for the administration of the legislation would be the Minister of Natural Resources. As such, the Department of Natural Resources would be charged with carrying out ministerial responsibilities under the act.

The department would provide the focal point for interdepartmental, technical, financial, social and ethical reviews and for any independent reviews that might be necessary. The department would provide the government's direct and regular liaison with the waste management organization, the public, the provinces, aboriginal peoples and other interested parties. The department would ensure that the nuclear fuel waste act is complied with and thus would manage all auditing, verification, inspection and enforcement measures.

• (1520)

Bill C-27 was not established in a contextual vacuum. The evolution of policy was guided by consultations with stakeholders and by experience gained in other countries, together with the invaluable work that was done by the Seaborn panel. The bill adopts a phased, step-wise approach allowing for all planned and executed waste management activities to be reviewed and for the public to participate effectively at every step along the way.

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The process would take many years to complete and would possibly affect future generations. The legislation focuses on this generation's responsibilities but is flexible in allowing decision making by future generations if that turns out to be the case.

Canada can now move ahead effectively toward an appropriate solution for the long term management of nuclear fuel waste which takes into consideration not only technical safety matters but incorporates, in a very integral way, the social and ethical values of Canadians. I commend the legislation to the House.

* * *

[Translation]

BUSINESS OF THE HOUSE

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, following consultations among all parties, I believe you would find unanimous consent for the following motion:

That the division at second reading taken earlier this day on Bill S-3, an act to amend the Motor Vehicle Transport Act, 1987 and to make consequential amendments to other acts, be deemed to have been adopted on division.

The Speaker: Is it agreed?

Some hon. members: Agreed.

(Motion agreed to)

* * *

NUCLEAR FUEL WASTE ACT

The House resumed consideration of the motion that Bill C-27, an act respecting the long-term management of nuclear fuel waste, be read the second time and referred to a committee.

Mr. Jacques Saada (Brossard—La Prairie, Lib.): Mr. Speaker, I rise on a point of order. Following consultations among all parties, I believe you would find unanimous consent to adjourn the debate on Bill C-27 now.

The Speaker: Is it the consent of the House?

Some hon. members: Agreed.

Mr. Jacques Saada: Mr. Speaker, again, following consultations among all parties, I believe you will find unanimous consent to proceed to the consideration of private members' business now.

The Speaker: Is there unanimous consent of the House to call it 5.30 p.m.?

Some hon. members: Agreed.

[English]

The Speaker: It being 5.30 p.m. according to the fiction we have adopted, the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[English]

PRIVATE DISABILITY INSURERS

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance) moved:

That, pursuant to Standing Order 68(4)(b), a legislative committee be appointed to prepare and bring in a bill that would create the position of ombudsman to oversee private disability insurers in Canada.

He said: Mr. Speaker, this is a very interesting topic because of the amount of time that it ends up taking up not only in my office but, I am sure, in your office and the offices of all of the other members of parliament.

Most MPs who come to Ottawa try to raise issues of importance to their constituents, which is what I am doing. However, as I say, the beauty of this one is that I think it is an issue of importance to all Canadians and all members of parliament trying to represent them at the national level. Today I want to raise the issue in the House with this motion:

That, pursuant to Standing Order 68(4)(b), a legislative committee be appointed to prepare and bring in a bill that would create the position of ombudsman to oversee private disability insurers in Canada.

● (1525)

There is a terrible injustice being inflicted upon some Canadian citizens by private insurance companies that are refusing to honour their policies and pay benefits to people who suffer with long term disabilities.

Some of these cases involve Canadians who have put their own lives at risk in careers with the armed forces, the RCMP and the peacekeepers. Others are what we would call ordinary Canadians who have worked hard at their jobs as nurses, teachers and loggers to provide for themselves and their families.

In a nutshell, the problem is that Canadians in the workplace who find themselves with severe illnesses or disabilities which prevent them from performing their duties of employment and who then turn to their insurance companies, under which they believe they have insurance to assist them in such unfortunate circumstances, suddenly find the support is not there. Thus, the stress and anxiety they are under from their illnesses or accidents, along with the reality that they can no longer work to provide for themselves

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and their families, is multiplied by the process of and treatment by their insurance company.

Of course one must preface this by saying that it is not true of all claimants and not true of all insurance companies, but surely all members who are listening would agree with me that two, three and four times a week in every one of our constituency offices it happens that people are having difficulty with their disability insurance.

This is what my constituents have told me about processing their claims. First they are informed that their only option is to go on short term disability, from 26 to 52 weeks, only after they can prove with medical evidence beyond any reasonable doubt that they are severely disabled and unable to perform their duties at their present employment. At the end of the short term disability period, their insurance benefits are cut off and they are again required to go through the process to prove that they are still disabled. At that point they may be allowed to go on long term disability or be granted another short term period, but even if they are granted long term disability they will be subject to a review, usually every year. That means their benefits will again be cut off and they are required to go through the whole process over and over again with the same insurance company.

Within the past month I was made aware of two cases of constituents of mine who have received foreclosure notices on their homes from their banks due to cancellation of disability insurance benefits. These were on applications that had been completed at the bank, the lending institution, on behalf of the insurance company. They have led to disqualification of benefits, resulting in the foreclosure action by the bank.

Neither the insurance company nor the bank in these cases would take responsibility for the intent of the insurance. In other words, in these cases the bank had the customer sign documents insuring the mortgage but later the insurance company claimed it was the wrong document or application and refused to accept it and process the benefit.

The bank's response in these cases has been to discipline the employees to satisfy the insurance company. However, the banks have failed their customers, who in these cases have paid the premiums attached to the mortgage for years and believed the coverage was in place should they require it.

The intent of the insurance company and the bank to provide this coverage needs to be addressed. Do they intentionally provide wrong applications to their customers? I think not, but do the insurance companies not provide proper training to the bank employees? Perhaps. Do the insurance companies not review these applications and advise the banks that they have not processed the correct application and that their clients may not be entitled to benefits as a result? With the banks and insurance companies

happily accepting their clients' insurance premiums each month, does it not obligate them to pay out benefits?

Surely if the funds are flowing through to the insurance company there is an expectation, an intent. If the paperwork is incorrect that is where an ombudsman would come in, because the banks and insurance companies end up working on and detailing only the words that are on a piece of paper.

Apparently the fact that people are paying their premiums does not really make that much difference. The question is: What can we do about it? What recourse do average Canadians have against banks and insurance companies when they find themselves faced with the circumstances that I have just described? Their insurance benefits denied, their only option is to accept it or hire a lawyer and fight for their rights. Talk about David and Goliath.

• (1530)

Of interest to all Canadians at this point is, if the claim is approved at this point, the insurance companies require the employee or victim to apply for early Canada pension benefits thus reducing the insurance companies benefit payable. In other words, the insurance company is downloading onto the reserves Canadians have paid into for their retirement pensions. Also of interest is that at one time all pension benefits received from an insurance company were in addition to any other pensions received such as the CPP and WCB.

The insurance companies will review each stage and suggest other employment opportunities that can be pursued so they can lower their benefit. Quoting from an insurance group's policy, it states:

"Totally disabled" shall mean, for the first 30 months of a total disability, an employee is wholly and continuously disabled by illness or accidental bodily injury which prevents him from performing the essential duties of his normal occupation. After the first 30 months of total disability, "totally disabled" shall mean he is unable to perform the essential duties of any occupation for which he is reasonably fitted by education, training or experience."

Note that when the insured obtained the insurance it was insured at his present job.

The tactics of periodically discontinuing benefits or taking away our financial support mechanism and requiring one to continually prove he or she is incapable of working is in itself questionable. We are aware of cases where the insurance company has hired private investigators or sent their investigators out to spy on and record all activities of their clients for extended periods.

I would like to quote from letters from my constituents who, according to their doctors and medical specialists, were disabled but were unable to convince the bureaucrats working for the Canada Pension Act. The insurance providers look for any unfavourable decision from CPP so they can suspend or deny benefits. The letter states:

I had been on Long Term Disability—for over two years, at which point (the company) informed me that I had to apply for Canada Disability. This upset me at the

time as I didn't consider my disability to be permanent. I am doing everything in my power to get better. It was explained to me that this is a necessary step in my health care management, and that I would qualify for benefits until such time as I was well. I was told (the company) would "top up" the benefits from CPP to my present level, if in effect, I qualified for disability pensions.

The next letter said:

Both companies denied my benefits, and I had to go through the appeal process. CPP has since denied my appeal, and I am awaiting (the company's) decision. I highly suspect (the company) is waiting to hear CPP's decision so that it can be used against me.

What we are looking at here is the fact that there is a patchwork quilt with which our constituents are faced. Much of the law that covers this particular activity in our society is federal law yet its administration is at the provincial level. Yet when we go to the provincial level, there is no ombudsman function on the part of any of the provincial governments. This unfortunately ends up falling between the cracks of federal and provincial jurisdiction. We recognize that getting an ombudsman is not the full answer because in effect we can still end up with fighting and delays and things getting in the way of the ombudsman to go ahead and work on behalf of the people.

The bottom line to the exercise is this, if people find themselves disabled and at that particular point no longer able to be gainfully employed, they now has a number of concerns.

• (1535)

The first concern is obviously their physical or mental incapacity to be able to perform at an ordinary level. That is a concern that would relate to everyone around them, particularly within their family unit.

Second, they will not have any income. Therefore, all their assets will be threatened and their ability to provide for themselves and their families will be threatened. It is a highly stressful situation because the two things work together in a symbiotic relationship to make both of those issues work. Then, if they are denied the benefits that they were fully anticipating by paying into a benefits program, there is a third compounding effect to their very difficult situation.

I am sure, Madam Speaker, as I said to the previous gentleman in that chair, that even in your office and in all our offices we deal with these things on a weekly basis.

The point of my motion is to tell the federal government that we have a problem and that there is no solution to the problem. The people who no longer have a job or the resources, and in many cases do not have the emotions to be able to handle the situation, require some help. To ask them to put down a \$1,000, \$5,000 or \$10,000 retainer for a lawyer to represent them is absolutely facetious. It simply cannot happen.

Therefore, with the motion I am simply asking the government take a look at this gaping hole between the federal jurisdiction of

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legislation, the provincial enactment that relates to the legislation and find some way to help our constituents.

This is an opportunity for all of us in the House, on a totally non-partisan basis, to bring a balance to the people of Canada which balance the rights of the individual against the rights of these very large corporations that are all, I am sure, obeying the law but nonetheless represent a very formidable force in the face of ordinary citizens. I say that collectively, on a non-partisan basis, we should be working together to represent individual Canadians.

[*Translation*]

The Acting Speaker (Ms. Bakopanos): It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Kootenay—Columbia, Transportation; the hon. member for Cumberland—Colchester, Lumber Industry.

[*English*]

Mr. Roy Cullen (Parliamentary Secretary to Minister of Finance, Lib.): Madam Speaker, I would like to congratulate the member for Kootenay—Columbia for bringing forward the motion.

Like many members on both sides of the House, I too am sometimes visited by people who have had some difficulties with disability plans, whether they be private or the Canada pension plan disability program.

I understand his sense of frustration, but I would submit that the motion is flawed for two reasons. One has to do with jurisdiction, and he touched on that point, and the other has to do with the fact that it would run counter to a number of initiatives under way right now at the federal-provincial level. I would like to discuss that.

The motion would create the position of an ombudsman to oversee private disability insurers in Canada.

[*Translation*]

I agree that it is important for consumers of financial services providers to have access to an impartial and fair complaints resolution mechanism that handles complaints about their dealings with financial institutions in a fair and impartial manner.

[*English*]

However, as I say, for two reasons I am not able to support this motion and I will explain why in more detail.

The first reason is it has to do with jurisdictional considerations. The second concerns conflicts with initiatives already under way at the federal and provincial levels to enhance and harmonize existing complaint handling mechanisms. In other words, the motion could lead to duplication and overlap.

Private Members' Business

[Translation]

In general, the property and civil rights power in the Constitution gives provinces the jurisdiction to regulate the day to day business activity of federally and provincially incorporated non-bank financial institutions, including life and health insurers.

- (1540)

[English]

Accordingly, the federal government cannot designate a particular dispute resolution system for non-banks. Provinces have the power to require insurers to be members of particular dispute resolution mechanisms and specify the design of such schemes.

Ontario, for example, has established an insurance ombudsman office to deal with complaints from Ontario policyholders, including Ontario disability claimants. All insurers in Ontario are subject to this regime.

In other provinces, provincial regulators respond to consumer complaints about insurance providers either directly or by referring consumers to an appropriate industry redress mechanism.

[Translation]

Further, as hon. members know, the marketplace in which financial services operate today is characterized by convergence, competition and increasingly complex products delivered through multiple channels.

[English]

Given this environment, provincial regulators recognize that financial services providers should be able to assure their customers that complaints and disputes will be handled promptly fairly and impartially through a mechanism that provides a uniform level of easily accessible service.

In this context, a task force on consumer dispute resolution has recently been established by the joint forum of provincial financial market regulators. The task force is comprised of representatives from several stakeholder groups, including the financial services industry and consumer groups, as well as officials from the federal Department of Finance. The task force on consumer dispute resolution is investigating the possibility of a single ombudsman system for Canada.

[Translation]

The federal government recognizes that there are potential advantages for consumers in having a single point of contact for dispute resolution for all financial services complaints. As a result, we are committed to working with the joint forum and other task force members towards this end.

[English]

I would also point out that the federal government is working with the industry to establish a new Canadian financial services ombudsman, often referred to as CFSO, as mandated by Bill C-8, which is currently under review in the other place.

As the task force I referred to earlier is still in its early stages and its ultimate outcomes are unknown, we believe that it is essential to press ahead with the CFSO to ensure that consumers will have the benefit of a fair and impartial complaints resolution mechanism at the earliest possible date.

Two points about the Canadian financial services ombudsman are particularly relevant to today's motion.

First, the CFSO would operate independently from government and the financial services industry, with a board of directors that would have a majority of non-financial institution representatives. It would replace the existing Canadian banking ombudsman.

Second, the new ombudsman would reflect the preferences of consumer and small business groups for a cross-sectoral ombudsman office.

To facilitate the creation of a single ombudsman for customers of all financial institutions, the Canadian financial services ombudsman would be capable of accepting all financial institutions as members.

[Translation]

Banks will be required to join. Other federally incorporated financial institutions will be required to be subject to a third party dispute resolution system and, along with provincially incorporated institutions, will be eligible to join the CFSO if they wish to do so.

[English]

The Canadian financial services ombudsman would have the power to recommend awards to aggrieved customers and while its rulings would not be binding, it would also have the authority to publicize the names of institutions that did not comply with its recommendations.

- (1545)

Further, the Canadian financial services ombudsman would provide the Minister of Finance an annual report on the number of complaints received and the results achieved in addressing consumer and small business complaints.

The government hopes to have the Canadian financial services ombudsman in place as soon as possible after Bill C-8 comes into force. In addition, the government would explore ways for the Canadian financial services ombudsman to interact with initiatives that may ultimately be launched from the provincial dispute resolution initiative I discussed earlier.

Private Members' Business

The hon. member has put forth a worthy proposal. However in light of the other initiatives and jurisdictional conflicts I have outlined, the need for an ombudsman to oversee private disability insurers has been overtaken by other measures.

For these reasons I am unable to support the motion put forward by the hon. member for Kootenay—Columbia.

Ms. Wendy Lill (Dartmouth, NDP): Madam Speaker, it is a great pleasure to speak today to the motion that reads:

That, pursuant to Standing Order 68(4)(b), a legislative committee be appointed to prepare and bring in a bill that would create the position of ombudsman to oversee private disability insurers in Canada.

I support any initiatives which help Canadians with disabilities, including this one. I hope members of the House do not see the creation of an ombudsperson to deal with the difficult and sometimes discriminatory practices of private insurers as the complete solution to the problems our friends, families, neighbours and community members with disabilities face every day.

The mandate must be broader. An ombudsman must not only be a mediator who helps people fill out forms. He or she must act on behalf of people denied benefits by insurance companies. An ombudsman should also investigate employers who try to keep down their benefit costs by getting rid of disabled employees.

There is reason to believe that insurance companies encourage this practice. The most shocking example is the way the Canadian government, through the Treasury Board and its insurer, Sun Life Assurance Company of Canada, has dealt with long term disability cases. The most common complaint brought to my attention concerns the difficulties disabled government employees face when they try to access short term or long term disability insurance through work benefit plans.

I will summarize how the system for the hundreds of thousands of federal government employees is supposed to work. Employees who develop a disability which prevents them from working must first use up their sick days. They stay on the government payroll at full pay for this.

However many employees who develop an illness have few remaining sick days by the time they apply for disability leave. They then go off the government payroll on leave without pay and the insurer takes over. Sick employees must then apply and be accepted for EI sick benefits for up to 15 weeks at 55% of their pay. With a maximum income gap in force the tax system could reduce their income below the 55% level if they were well paid.

They then apply to their insurer, Sun Life or National Life, for the disability benefit which is 70% of their salary. For the first two years of disability benefit, which is called short term, employees

must show medical proof that they are unable to perform all their job duties.

After two years they are classified as long term and receive 66% of their salary as income. They must then prove to the insurer that they are unable to do any work at all. That is how the system is supposed to work.

I am not at all enamoured by this model. It puts responsibility on the sick to prove their inability to work. It calls for complex forms to be filled out by doctors, a process often not covered by medicare. It causes the largest drop in income to take place at the same time the disability takes place, which is usually when the costs of having a disability are greatest.

• (1550)

It is a bad system by design, but the biggest problem is that it does not work as it is supposed to. I will refer to information I received, and which I believe other members of the House received, in May 2000 from government employees represented by the Public Service Alliance of Canada.

They sent my party a brief entitled "Victimising Disabled Employees in a deal to Save Insurance Companies Money!". I have the document here if anyone is interested in seeing it. They document the following problems with the current system, which they say are caused by treasury board policies, to minimize insurance claims to employees with disabilities. Some of the problems are simple. There is not enough space on the disability insurance application forms for medical evidence. It is a simple problem but it causes high numbers of rejections due to insufficient medical information.

Applicants then wait a very long time before receiving benefits, in some cases up to two years. This is a hideous circumstance if we think about it. If one is sick or disabled or facing the trauma of being disabled, the bills are not dropping. They are probably increasing and yet one is forced off the payroll to wait up to two years for a claim to be accepted or rejected.

If applicants finally get approved for short term disability after two years, they are forced into the catch-22 of the long term disability policies of the company and the government before they see a nickel from the insurer.

The catch-22 works as follows. After 24 months the company forces the employee to show that no other work can be done which would pay up to two-thirds of the former employer's salary. Because the burden of proof is on the sick person the benefit is generally cut off after 24 months. The person must go to court to appeal. The company has a policy to not deal with anyone who starts legal action against it.

That is only part of the problem facing the sick person. The government has taken an even more odious approach. It terminates

Private Members' Business

the person's employment after two years, even though the person is on leave without pay, so that it and the insurance company no longer need to pay benefits.

According to the brief I have referred to, after 24 months of medical leave without pay letters are sent to sick employees giving them four options: first, return to work; second, take medical retirement, which means no union representation or status as an employee and being at the mercy of the insurance company, which may cut off benefits and force employees to take it to court; third, quit with no benefits at all; and fourth, be fired for cause.

The government is supposed to be a model for society in accommodating persons with disabilities. It instead puts pressure on the sick to get out or be fired so that it and its insurer can save a buck. On top of this, according to the union, the names of employees on medical leave for 24 months are given to the insurance companies. It is hard to see any reason for that unless the companies review the files in order to cut people off.

It makes me wonder why we call it insurance. Insurance against what? Is it insurance against being picked on by an employer, the government, because one has a disability? Is it insurance for those who might be discriminated against by the people who have a duty to protect them?

We need solid insurance against such behaviour by the government. This is another example of how the government has good public relations regarding persons with disabilities but fails when it comes to action. Now is the time to stop.

The federal government should be a model for accommodating persons with disabilities. The federal government should make the accommodation of employees with disabilities a condition in awarding contracts. The federal government should work toward real income support so that poverty is no longer the biggest problem facing Canadians with disabilities.

• (1555)

I commend the member from B.C. for bringing forward this important idea for a disability ombudsman. It is one measure in regard to tackling an enormous systemic problem that starts right here at the federal government level with the treasury board.

[Translation]

Mr. André Bachand (Richmond—Arthabaska, PC): Madam Speaker, I am pleased to speak to private member's Motion No. 244. Since we will be finishing early and since everybody here, including me, feels very energetic, I will try to make my presentation in Canada's other official language, English.

[English]

The intent of this bill is to create an ombudsman to oversee private disability insurers in Canada. While the intent is to protect those who use this type of insurance, I do not think this is necessarily the correct way to go about it.

It should be noted that some provinces have set up their own ombudsmen to deal with these issues. Ontario, for example, has an insurance ombudsman. That ombudsman's role is to offer consumers an informal, last stop forum for resolving complaints about the business practices of insurance companies in Ontario.

I bring this up while debating the member's motion because I think it is important that before we create yet another government agency we are satisfied it will not play a duplicate role in regard to what is already occurring in the industry and also, I might add, in the provinces.

Instead of imposing government on everyone and everything, we should allow the private sector to take the lead on these issues and have parliamentarians here to ensure that the sector acts in a way that is ethical, lawful and in the best interests of consumers.

I again want to focus specifically on the member's motion. As I said before, the intent comes from a desire to ensure that consumers are protected, and it is a great intent. The problem is that the current industry is full of provincial and federal overlap and private and public overlap and the last thing we need to do is add to that congestion and overlap.

The bill deals with a very specific type of insurance and calls for an ombudsman with a very limited role in this large industry. If we were to create this agency which is very narrow in scope, the logical next step would be to create a similar ombudsman for each specific type of insurance. Would we create one specifically for car insurance, one for homeowners' insurance and so on? I think my point is made.

It should be noted that as we speak provincial and federal officials are engaged in discussions over the creation of a national organization to deal with consumer complaints. This ombudsman's office would be different from a federal office in that it would be created by the provinces and so would deal with the jurisdictional issues that often arise when a federal agency is imposed on the provinces. This ombudsman would be one of national scope, but would not be limited by the constitutional restrictions that arise when the agency is a federal initiative. This may surprise members, but it is another example of how we in Ottawa do not always need to impose on the private sector or, in this case, the provinces.

The financial services sector is evolving and changing rapidly. In response to that, the private sector has adapted and will continue to do so. The private sector has the skills, knowledge and desire to keep its consumers happy and recognizes the benefit of doing so.

The provinces are also taking a step in conjunction with the federal government to address consumer protection in this industry. As a federal government we should allow this to occur, not muddy the waters any more and only interject when and as needed.

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Madam Speaker, I noted with interest the comments of the Parliamentary Secretary to the Minister of Finance and I understand that there are efforts currently under way to address this issue.

• (1600)

The difficulty I am having on behalf of my constituents is that it is grinding. People are losing their homes. I am sure my constituency is no different than that of any other member. People in our constituencies are losing their homes after entering into contracts in good faith at a financial institution. In many instances, they enter into large borrowing contracts on their residence. A mortgage is likely the largest contract in which they will ever be involved in their lifetime. They sign the documents at an institution that, by the way, also happens to have a majority share or sole ownership of the insurance company with which they are also contracting.

Then, upon a cataclysmic event in their lifetime, they no longer are able to make mortgage payments because they are truly disabled. We then have one of the twins turning around and saying that they did not sign the right paper. My office does not have the ability to help these people. It is from this sense of frustration that I have brought the motion forward.

The parliamentary secretary knows that I have a great deal of respect for him as an individual. This is not at all a partisan issue. I do recognize that there is duplication and overlap, and that Ontario has an ombudsman. I do recognize that there are financial services provided for the people in my province of British Columbia. However, when we talk about the marketplace, about convergence and about task forces, we are not talking about the people who are currently being removed from their homes through no fault of their own. I find that frustrating beyond belief. It is a human tragedy that is happening far too often in our country.

I am having a lot of difficulty with the comment made by my respected friend from the Progressive Conservative Party who said that the private sector would take care of it. Perhaps the parliamentary secretary might find it a tad amusing, not laughable but amusing, that a member of a party who believes so strongly that the government should get out of the faces of Canadians would be a minimalist and would be advocating the role of an ombudsman. Well I am and I am doing it without any shame because there are people in Canada who are presently not being treated fairly or equitably. It is from that sense of frustration that I have brought the motion before the House.

I respect the fact that the committee which selects these private members' motions and bills has determined that this will not be a votable bill. I will not go through the charade of asking for

unanimous consent to make it votable but I do hope the government will see the sense of urgency that I have attempted to bring to the debate. It is my hope that the government will indeed put some fire and energy behind the task force.

The Acting Speaker (Ms. Bakopanos): The time provided for the consideration of private members' business has now expired. As the motion has not been designated as a votable item, the order is dropped from the order paper.

Adjournment Debate

ADJOURNMENT PROCEEDINGS

[English]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

TRANSPORTATION

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Madam Speaker, I rise today as a result of a question that I asked the transport minister a number of weeks ago with respect to the Trans-Canada Highway. I am concerned primarily about the stretch of road that goes through my constituency from Revelstoke to Field. For the most part the highway is not a divided highway.

• (1605)

Recognizing that this is a national issue, I have an immediate local perspective. Of the 15 million vehicle movements on the Trans-Canada Highway in the area of which I am speaking of, there were 150 fatalities. By comparison, on the Coquihalla Highway, which was constructed in 1986, 25 million vehicle movements had unfortunately 66 fatalities. One fatality is too many, but the point is that 15 million movements have 150 fatalities for a two lane road while 25 million movements have only 66 fatalities for a divided highway.

The federal government has a responsibility here because it enacted a policy over a period of time that had a direct impact on the number of vehicles on the road. When the highway was first built in the sixties there were only 1,500 vehicle movements a day. Today, on an average day, there are up to 10,000 vehicle movements per day.

Under this government, much of the freight that used to be on rails is now on trucks. As a consequence, the number of 18-wheelers using that road has multiplied tenfold. This has equaled a ramp up in revenue to the government. The government presently takes \$700 million a year from the province of British Columbia in federal excise tax.

Adjournment Debate

The government tells us that it does not believe in designated spending but it seems to me that the finance minister believes in designated collection. When he increased the federal excise tax by 1.5 cents he said that he needed to collect more money to help do away with the deficit. There is a little bit of a dichotomy here where he says on one hand that he does not believe in designated spending but that he does believe in designated collection. I wonder about the sincerity of that statement because now that the deficit has gone why has the extra 1.5 cents per litre not gone?

Indeed, the excise tax is simply a cash cow that is collected from the trucking companies, automobile companies and, ironically, also from the rail companies for the freight going back and forth through the province of British Columbia.

I would like to do a reality check on what we are looking at in my constituency. In the Kicking Horse Canyon, which is just east of the town of Golden, it would cost \$5 million to straighten out a 200 metre stretch of road. One million rock bolts would need to be put into Heather Hill, which is west of Golden, because there is an unstable mountain. There is already an ongoing slide occurring on that mountain. In spite of the fact that the slides have already started to come down this year, there is still no medium or long term plan.

There is a federal responsibility here that was recognized back in the 1960s when the Trans-Canada Highway was initially constructed. The average cost of constructing the highway across Canada in 1960 was \$100,000. The cost was \$1 million through British Columbia, ten times as much money. As a consequence, the funding arrangements were taken into account at that time.

The people of Revelstoke, the people of my constituency and the people of Canada are demanding that the federal government come to talk about this issue with a big fat wallet.

Mr. Brent St. Denis (Parliamentary Secretary to Minister of Transport, Lib.): Madam Speaker, I am pleased to participate in the late show. I appreciate the comments made by the member for Kootenay—Columbia. While his B.C. riding is a long way from my own northern Ontario riding, it is not unlike mine in a lot of respects.

I probably have the longest stretch of the Trans-Canada Highway of any riding in the country, which would be about eight or nine hours driving at 100 kilometres an hour, so I appreciate the importance of the Trans-Canada Highway. Some of the rocky terrain north of the Soo up toward Wawa would be reminiscent of some of the smaller hills in his riding.

• (1610)

I remind the member that highways are the responsibility of provincial and territorial governments. Nevertheless the federal government is concerned with the condition of Canada's highways. That is why Transport Canada has provided funding for provincial highways over the years through a series of cost shared contribution agreements. For example, the strategic highway improvement program, in effect from 1993-94 to 1999-2000, provided \$30 million for highway projects in British Columbia alone.

At this point I would like to clarify the funding allocated for highway infrastructure. Of the \$2.65 billion announced in budget 2000, over \$2 billion was earmarked for municipal infrastructure and \$600 million for strategic highway infrastructure. Agreements for the municipal component called Infrastructure Canada have been signed with all the provinces and funds would be available over a six year period starting from last year.

Although the primary focus of Infrastructure Canada is on so-called green infrastructure, funds would also be available for local transportation needs. Funding for the highway component would be available beginning in fiscal year 2001-02.

Transport Canada initiated negotiations last month with its provincial and territorial counterparts to identify those segments of the national highway system where a need for highway infrastructure improvement is the greatest. Given their jurisdiction over highways it is within the purview of the provinces and territories to propose highway projects for funding. I hope the member would encourage the government in B.C. to prioritize the stretch of highway through his riding.

The minister is well aware that B.C. has made a priority improvements to the Trans-Canada Highway and I am sure he would make that case with the province. Every attempt will be made to expedite the establishment of a list of eligible projects and the signing of the federal-provincial cost sharing agreement. The first negotiation session on the establishment of a list was on May 3, 2001.

[Translation]

The Acting Speaker (Ms. Bakopanos): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 4.12 p.m.)

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