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(HANSARD)

Tuesday, September 19, 2000

Speaker: The Honourable Gilbert Parent

CONTENTS

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

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HOUSE OF COMMONS

Tuesday, September 19, 2000

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*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 10 petitions.

* * *

[*English*]

JUSTICE

Mr. John Maloney (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I have the honour to table, in both official languages, a white paper entitled “Law Enforcement and Criminal Liability”.

* * *

ACCESS TO INFORMATION ACT

Mr. Bill Casey (Cumberland—Colchester, PC) moved for leave to introduce Bill C-494, an act to amend the Access to Information Act.

He said: Mr. Speaker, it is my pleasure to rise today to introduce this bill.

It effectively includes Nav Canada under the Access to Information Act because information is no longer available to critics, ministers and airport managers regarding safety with respect to the air navigation system in Canada.

Prior to divestiture, when the air traffic control system was under Transport Canada, all this information was available to critics and

airport managers to help design and ensure that safety regulations were in place. Now we no longer are able to access internal memorandums regarding safety and operational condition reports written by air traffic controllers themselves, and engineering reports of Nav Canada.

I feel we are operating at a very distinct disadvantage by not having access to this information like we had in the past. Hopefully this bill will pass and get the support of all members.

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

* * *

BUSINESS OF THE HOUSE

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.) Mr. Speaker, following consultations among House leaders, I think you would find unanimous consent for the following motion which deals with the agenda of the House today. I move:

That, notwithstanding the provisions of Standing Order 30(5), on Tuesday, September 19, 2000, members’ statements pursuant to Standing Order 31 shall be made from 1.45 p.m. to 2.00 p.m., followed by the introduction of new members and related proceedings, followed by the 45 minute Oral Question Period.

The Deputy Speaker: Does the hon. parliamentary secretary to the government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Deputy Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

* * *

QUESTIONS ON THE ORDER PAPER

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

Government Orders

The Deputy Speaker: Is it agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

SPECIES AT RISK ACT

The House resumed from June 13 consideration of the motion that Bill C-33, an act respecting the protection of wildlife species at risk in Canada, be read the second time and referred to a committee, and of the amendment.

• (1010)

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, I rise on behalf of the people of Surrey Central to speak to Bill C-33, the endangered species act.

First and foremost we have to think about what Canadians want when it comes to protecting species at risk. All Canadians want to help the environment. All Canadians want to protect biodiversity. We in the Canadian Alliance care about protecting species that are at risk and protecting or recovering critical habitat. The Canadian Alliance plan creates the potential for this to happen.

Canadians recognize that we need a proactive approach to protect species at risk that is based on respect, respect for the species that inhabit our lands and waters, and respect for those who own those lands. Our plan to protect species at risk is a common sense policy that considers the needs of all stakeholders. Our plan is balanced, accommodating, practical and workable.

The Canadian Alliance is committed to protecting and preserving Canada's natural environment and endangered species, and to the sustainable development of our abundant natural resources for use by current and future generations.

The Canadian Alliance maintains that for any endangered species legislation to be effective it must respect the fundamental rights of private property owners.

The four key areas or issues regarding the bill which I think are important are: compensation for landowners; recovery planning for

specific species; the role of the Council on the Status of Endangered Wildlife in Canada; and compliance, enforcement and dispute resolution. I will go into detail.

The first area is compensation. Compensation for expropriated lands that is not at fair market value is not fair. The species at risk act we are debating today hardly touches on the pivotal issue of compensation. There is no clear formula for compensation outlined in the bill. Compensation will be dealt with through regulations following the passage of the bill, and we know how the regulations work. The minister has this backward. Co-operation among stakeholders is unlikely unless the landowners are assured that any land expropriated for the purpose of species or habitat protection or recovery will be expropriated at fair market value.

The second area is recovery planning for specific species. Recovery strategies should list the activities required. A recovery plan should include estimated costs associated with the recovery of a given species or habitat. Integrated listing or recovery planning must be part of the act. Without such planning we will find ourselves listing species we have no capacity to protect. There should be no listing of a species as being endangered unless it can be scientifically proven that that species is in fact endangered. Furthermore, there should be no expropriation of land unless it can be scientifically proven that the species can be recovered.

The third point is the role of the Council on the Status of Endangered Wildlife in Canada. In the endangered species listing process, the Canadian Alliance supports an independent, scientific listing body such as the Council on the Status of Endangered Wildlife in Canada while recognizing the role and authority of parliament in recovery planning.

• (1015)

The last point of compliance, enforcement and dispute resolution, is a very important point. The Liberals should not introduce legislation that threatens to use criminal sanctions in addition to its power of expropriation.

Any attempt by government to expropriate private property should be subject to the following process. This process should include a review process that offers some form of arbitration and/or dispute resolution to landowners. Where warranted, and only after a fair review or dispute resolution process has been completed, the expropriation of private land at fair market value should be reasonable. The process should also include that any use of criminal law power by government against private landowners is unreasonable. A functional dispute resolution mechanism would render the use of criminal law power largely unnecessary.

The majority of producers and landowners believe that the government could achieve more through co-operation with farmers and ranchers than through threats of punishment.

So far I have been discussing the problems that the official opposition has with this bill.

Government Orders

The people of Surrey Central, whom I represent, are from largely metropolitan or suburban areas. While we are not running the risk of having our land confiscated without compensation, without reimbursement of fair market value, we do not want any Canadian subject to such an unjust treatment. Many of us in Surrey Central own our homes. We make mortgage payments like everyone else. We would not want the Liberals to swoop down and section off any of the area of land that surrounds our homes without paying us for that portion of land the Liberals say that they have to take from us for obvious reasons.

My constituents do not want me to sit on my hands in the House while the Liberals threaten to take huge chunks of land, thousands of acres in some cases, from Canadian citizens and pay them virtually nothing.

In fact, far from working in a democratic way to help Canada's ranchers contribute to our nation's efforts to save our endangered species, the Liberals are promising punishment for those ranchers. My heart goes out to the farmers and ranchers who are already overtaxed by the government and who are already suffering. They have huge input costs that are the fault of the government and its lack of vision. They have to compete at a disadvantage on the world markets thanks to the government's poor record on international trade. The Liberals are now planning to take, from what I have been told, sometimes thousands of acres of land from individual Canadians without a process of compensation and under the threat of criminal charges.

I received a note from one of my constituents, David Pope, and I would like to read from it. He said that the offensive penalties for actions against plants, animals or organisms that are deemed species at risk and the land which makes up their habitat are unlike any found in Canadian criminal law. They range from \$50,000 and/or one year in jail to \$1 million and/or five years in jail for each offence and are doubled if repeated. These are not offences of murder, arson, theft or rape but are for harming or harassing a plant, animal or organism or destroying a portion of its habitat, which is on one's land, and that is outrageous.

Mr. Pope went on to say that the above offences are strict liability offences and that an accuser need only say "you committed the offence and you must prove that you did not". That is a reverse onus, as the lawyers say, and rarely used in criminal law.

• (1020)

In the usual serious criminal offence a person is assumed innocent until proven guilty and beyond a reasonable doubt. That is not the case under Bill C-33. Mr. Pope further writes that the farmer is prohibited from charging them with trespassing. They can take anything they like and not pay for it. Homes can be searched under a search warrant which bears no resemblance to the usual

murder, arson, rape or other serious criminal offence. A search warrant will be much easier to obtain. This is an outrage.

When the eco-police start asking ranchers or farmers questions about the alleged offence the rancher or farmer must give them reasonable assistance. They must answer the questions or be charged with obstruction of justice. They will be forced to give evidence against themselves. Once again, under Canadian law an accused does not have to incriminate himself but he does under Bill C-33. Yet another civil liberty breached.

Another provision of Bill C-33 provides statute standing for anyone 18 years or older and a resident of Canada to start an investigation against a rancher or a farmer for any of the offences I have just listed. Any special interest group or anyone with a grudge against a farmer or a rancher can start an investigation which may well cost the farmer thousands of dollars in litigation fees and fines if not time behind bars. This is neighbour turning against neighbour. Do we really want this kind of society in Canada for these kinds of offences?

Bill C-33 provides that the accused rancher or farmer can never know who started the investigation against him. He will never be able to face his accuser in open court. Canadians and free people everywhere are afforded the right to face their accusers in open court but not under Bill C-33.

Fair market compensation is not mentioned in Bill C-33. There is a clause covering compensation but it appears from the wording that any compensation received for a regulatory restriction on agriculture land use to protect the habitat of species at risk will be difficult to obtain and below fair market value. These are the issues of concern.

The people I represent believe that there should be a fair and democratic manner in which to handle the protection of endangered species. We do not believe that conflict and heavy-handed government penalties should be the basis for working out this matter. The government is making a mess of the process.

I have some recommendations to make with respect to Bill C-33. This bill should be based on voluntary co-operation and partnerships between the stakeholders and our government. That is possible. It can be done.

All Canadians, including ranchers and farmers in our remotest lands, want to protect our environment, our vegetation and our animals. They want to protect flora and fauna. The people of Surrey Central want our government to work hand in hand with the stakeholders and have them co-operate and benefit from measures to protect our endangered species. It can be done. A Canadian Alliance government will do it. This Liberal government is trying to do it through the back door, through regulations. That is wrong. I know it is wrong because I am on the scrutiny of regulations committee. There are a number of regulations in the pipeline which

Government Orders

should not be there. They have been in the pipeline for years, some of them for 25 years, because when the committee writes to ministers of the crown they will not respond or will not respond in a manner that will resolve the issues. The regulations go in circles and keep on existing when they should not be there in the first place.

• (1025)

The government uses bill after bill. There is very limited scope in the bill but a huge number of regulations that control the implementation of that act. This is not the way to go. This is the back door process and that is wrong.

The Liberals should be up front and prepare the legislation. They should give details on how the protection of these species will be achieved but they are not doing that. The people of Surrey Central will not support what the Liberals are doing with this bill. We are ashamed of what the Liberals are doing. Therefore, we cannot support Bill C-33.

Mr. Loyola Hearn (St. John's West, PC): Mr. Speaker, I have a few comments on this extremely important piece of legislation. I will be speaking in favour of the hoist motion.

We feel that this is a bill that has been rammed through under threat by the minister to pull the legislation if there is any movement in relation to amendments or adjustments. That certainly is not the way to handle not only a piece of legislation that is important and as sensitive as this, but any piece of legislation.

We might say that this legislation will become as quickly extinct as some of the species if we do not soon get our act together and do something about it. The government cannot ram through legislation just because it is an arrogant government in power when it affects so many people and so many species.

There are a number of agencies that have grave concerns about what is happening in relation to our existing wildlife. These are not people who are just concerned from an environmental point of view. Many of them are very ordinary citizens who are not necessarily caught up in the protective groups. They are people who love what this country has to offer. They are members of industry who realize that even though their livelihood sometimes depends upon hurting the environment or destroying habitats, they are beginning to be aware only too well that in order to preserve our great country and continue to make a living they also have to be very conscious of the environment and the habitats that surround them.

We are seeing, as we never saw before, a coming together of the different fragmented groups for the purpose of preserving what we have and what we are rapidly losing. These agencies have a tremendous amount to offer if we give them a chance, if we listen to them and if the committee goes out and hears their presentations. If we pick the best of what each group has to offer, if we look at

putting together the solid recommendations that are coming to us and if we listen to the concerns that have been expressed, surely we can come up collectively with legislation that will not only do the job but will do it well.

• (1030)

When many of us were growing up in this great country, particularly those of us who grew up in the rural parts of the country, we remember living in a society where we worked and operated hand in hand with nature.

If we take time to listen to our elders we hear them talk about how they practically lived off the land. They did that not by raping what the land had to offer but by taking carefully as they needed while always making sure that there was something left for tomorrow because they knew the food they put on the table and their livelihood and the livelihood of their children depended on it.

If we go back to the opening up of the country and the days of the fur trade, perhaps in those days people thought we had so many animals that we could take more than was necessary or more than we should to preserve the species. However they quickly learned. As the animals they were hunting at the time became scarce in the areas in which they operated, they moved farther afield.

Perhaps we could even thank them for their concern about not depleting different groups of animals. They were forced westward and the country was opened up, not just because of curiosity of seeing what was beyond the next mountain but because these people pushed forward, in the fur trade in particular, in order to make a living for themselves and in order not to destroy what existed closer to the places where they had originally settled.

We should learn from the past. For years and years the country continued to produce the different species that were here originally, but it seems that somewhere along the line we forgot about it. With our concentration on opening up great towns, cities and building freeways we sometimes forgot the damage we were doing to the habitats for a lot of these species.

In my own province of Newfoundland everybody remembers the great auk, which is as extinct as the Liberals will be in Newfoundland after the next election. The only people who will survive are those who will not run.

My great friend from Bonavista—Trinity—Conception must be delighted this morning that the effort by the provincial Liberals to rid themselves of his colleagues did not work. The member for Humber—St. Barbe—Baie Verte will be back for a while in the House. The member for Labrador will also be back, I understand. Both of them won their nominations handily, as they should. It shows that the other agenda that is working certainly has not paid off for those who were perpetrating it.

Hon. Fred Mifflin: Are you still speaking about wildlife?

Government Orders

Mr. Loyola Hearn: I will leave to the member's own interpretation as to whether or not I am speaking about wildlife because he knows his colleagues much better than I do, but I assure him we are not too far from the topic.

Concentrating on the bill itself, when I was growing up in Newfoundland, some years after my distinguished colleague for Bonavista—Trinity—Conception, it was still at a time when there seemed to be an abundance of everything. As a youth we would spend our evenings on the wharves. We could stand there looking at the eels and small cod fish that swam right into the harbours and by the wharves. We used our trolling poles to try to catch them.

• (1035)

It is now almost impossible to find codfish in Newfoundland. During the recent recreational fishery that we had in the areas where for years there was an abundance we did not see any at all. Luckily some bay stocks still exist. Perhaps, if we are very careful, they will regenerate the growth that is necessary for the fishery to rebuild. However with the lack of scientific information that is a major concern.

One morning when I was teaching school I was driving toward the community where I taught. I stopped by the roadside to look at a small fishing area just off the coast. I counted 127 boats fishing a very lucrative area within a mile of the coast. In this one small place the codfish were so plentiful that there were 127 boats. When I talk about boats I am talking about boats from 20 feet to 40 feet, not big draggers but small inshore fishing boats. This fall during late August and September, which should be prime fishing time, no one could find one codfish on that same ground. It just shows what happens when we are not careful about protecting species that can easily be destroyed.

The country behind most of our rural communities always abounded in ducks, beaver, muskrat, moose, caribou and dedicated wildlife officials. Perhaps no thanks at all to the governments as such but to the wildlife officials, they took it upon themselves to make sure that the herds were protected. We still have in many cases an abundance of wildlife in Newfoundland.

I suggest to my colleague from Bonavista—Trinity—Conception that perhaps in this great country of ours Newfoundland can be looked upon as the last frontier. It is rapidly becoming a tourist destination for many people from within and outside the country. In particular we are drawing a lot of tourists from Europe, simply because of the habitats that still exist exuding different types of wildlife whether it be animal or plant varieties. It is providing a tremendous attraction for people who appreciate these things and who come from far away countries just to see them.

Where else in the country can we fly into the capital city as we can into St. John's, Newfoundland, and drive in a circular direction for four hours and see herds of caribou grazing on the side of the roads and see whales—

Mr. Peter Stoffer: Whitehorse.

Mr. Loyola Hearn: I asked the question and I got the answer, Whitehorse. I believe that, but I also suggest there are not many places where we can do it. When we look to Yukon or the Northwest Territories we sort of expect that. We expect to see it. We do not expect to see it in the rest of the country but we can in Newfoundland. We can drive and see caribou on the sides of roads. We can get out of our car on the other side of the road and watch whales in the ocean. We can watch seals. We can watch ducks fly about.

We can walk through the various paths in the woods. There is a tremendous trail being developed from St. John's right around the Avalon called the East Coast Trail. A lot of dedicated workers are involved and a lot of government money, to the credit of the government for investing in such projects. It is tying together not only the historic sites and the culture of the area but also giving people a chance to move right into the heart of wildlife habitats. The variety is such that anyone who has not experienced it would not believe if we tried to explain. We can stop by salmon rivers and fish when the season is open. We can pick almost any kind of berry imaginable as we walk through this area.

• (1040)

After one day we could see caribou, whales, seals, moose, rabbits galore running around, and all kinds of species of birds. A greater variety of birds than perhaps any other part of the country congregate in that small area of the Avalon.

We have three or four major wildlife reserves. The Cape Saint Mary's Bird Sanctuary is known all around the world. There are also a couple of great islands off a community called Witless Bay where a number of species of birds attract attention from all over the world.

Without getting into the numerous other things in the region I could mention, we still have regions in the country where wildlife abounds, due to the dedication of the wildlife officers and perhaps the education of the people.

People have become educated about how important it is to preserve. Many people have seen our wildlife being endangered. They have seen some species even become extinct. They are now concerned to the point where they realize that we perhaps have one more shot at doing it right.

The government is attempting to follow up on legislation originally brought in by the Tory government. In those days the bill was given an A rating by everybody. Now after several years the government is bringing in a bill to ensure proper preservation of wildlife. However it is doing so simply based upon perhaps what

Government Orders

the minister thinks should be done. That may not be and certainly is not what most agencies in the country feel should be done.

The legislation should be brought out for public input. We should take our time. We should listen to the groups and agencies that have much to offer. We have seen a variety of groups. Many of them have not been working hand in hand over the years. In fact they have been operating in opposite directions. When we see them willing to come together to effect a piece of legislation that will be good for all of them, we will hopefully see a piece of legislation of which everyone can be very proud.

I support the hoist so that we have time to assess this major piece of legislation. Then when it is finally brought into the House for a vote it can be passed unanimously because we will know it has the teeth to do what a good piece of legislation should do.

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, I thank my hon. colleague from St. John's for his presentation. He talked about Newfoundland being one of the last frontiers with much wildlife. He is absolutely correct. It is indeed one of the more beautiful places on the planet.

Recently it was announced that some logging would be done around some very sensitive salmon river areas. Voisey's Bay has been talked about as well as the expansion of power near the Churchill area along with Quebec. What does he think those so-called megaprojects would do to the wildlife and the habitat of Newfoundland and Labrador?

Mr. Loyola Hearn: Mr. Speaker, I thank the hon. member for his question. The points he raises are extremely important ones. Two major developments are under discussion in the province of Newfoundland and Labrador. One is the development off Voisey's Bay and the other is the development of the Lower Churchill.

Pointing to this piece of legislation, I say again that it is a time when we see the major players coming together wanting to offer solutions.

• (1045)

We cannot go out as environmentalists and put a hold on everything that is happening in the country. Neither can we go out as developers as in the old days when we jumped on a D-8 full steam ahead and cleared out everything ahead of us.

In order for people to survive, two things are necessary. We must make a living and we must assure that life goes on around us. There is no reason at all that major projects cannot be developed and still be very conscious of the general habitat and the wildlife around them. We do not have to destroy major areas of a country or a province just because it is a megaproject. In this day with the

scientific knowledge we have, certainly with proper planning and with the involvement of all the groups, we can work hand in hand.

I say to the member, as these projects press forward and are developed, they must be done in a very sensitive way. I am not convinced that cannot be done; in fact, I am sure it can be done.

[*Translation*]

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, at the start of this new political season, I have the pleasure to speak on behalf of the Bloc Québécois. I would like to take this opportunity to send greetings to the people of my riding of Beauharnois—Salaberry and my colleagues here in the House and to wish the latter a hot autumn.

Today, we have new leaders here with us in the House. We will also have several interesting questions on the Order Paper. I trust that the business carried out in the House will meet the expectations of the people of Canada, and of Quebec in particular.

Bill C-33 on the preservation of Canada's wildlife is one deserving of debate in this Parliament for a number of reasons, primarily the fact that it seeks to implement a number of Canada's international obligations under conventions it has signed, such as the Convention on Biodiversity and others like the Ramsar Convention, which is aimed at protecting species and preserving the flora and fauna of this planet.

This debate is of particular interest to me because there is a wildlife sanctuary in my riding of Beauharnois Salaberry, the Haut-Saint-Laurent, which is home to a number of species, some of them at risk. This is an issue that interests me particularly because certain individuals have made representations to me, including those who keep various species and want to have the public get to know them at the Hemmingford safari park. They think the present legislation is inadequate and should be expanded and improved with standards to ensure better species protection.

The Bloc Québécois would like improved protection, legislation ensuring such protection for endangered wildlife, but in a debate such as this, it is concerned about the government's desire to pass legislation without any possibility of amendment.

We recently heard the Minister of the Environment say that this bill was fine as it stood, as he had introduced it, as it had been tabled in the House. What is the point then of today's debate, which will continue before the Standing Committee on the Environment and Sustainable Development, if we already know that the government does not want any amendments, does not want it improved?

And yet, this bill is far from perfect. We could cite criticism by members of the government even, who hope the bill will be amended once we have passed it or when we are called to pass it.

Government Orders

• (1050)

I quote, for example, the member for North York, who said on June 12:

We will do nothing to protect species at risk unless this bill leaves committee as a good . . . piece of legislation. The House must support legislation that is strong, fair, effective and makes biological sense.

The member for Lac-Saint-Louis, an expert on environmental issues, who served as minister of the environment in Quebec under Robert Bourassa, said on the same day with respect to Bill C-33, and I quote:

Instead of being recognized as being the final list produced by scientists of the highest repute who have worked tirelessly over the last two decades, the list will now be subject to the discretion of cabinet—

He was speaking of the list of species that deserve protection and that should get protection under this new act.

The member for Lac-Saint-Louis added:

I find that terribly ironic. . .

We are not even starting with the roll of the list of the 339 species identified by COSEWIC. That is a glaring fault in the law. Without a listing there cannot be protection.

As members can see, this bill needs to be amended, it needs to be improved upon, as suggested by two Liberal members. They are not the only ones who think that the bill is flawed.

A number of environmentalists and environmental groups have also said that the bill would not eliminate the loopholes left by certain provinces. Some of these groups, including the Sierra Club, also said that this legislation, which the minister claimed to be the strongest in the world, is an embarrassment for Canada at the international level.

According to Elizabeth May, of the Sierra Club, species at risk are not adequately protected under this bill. On behalf of her organization and of several environmental groups, she said that politicians, not scientists—and this is definitely an area where the voice of scientists should prevail over that of politicians—have the last word regarding the selection of species deemed to be at risk, when we should in fact call upon an independent group of experts to make an annual list.

This criticism from environmental groups should be listened to. It should trigger a debate and a thorough examination by the members of this House. I hope that the criticisms made by some Liberal members, including the hon. member for Lac-Saint-Louis, and by environmental groups will be taken into consideration by the committee.

In something rarely seen when it comes to environmental issues, industry is also opposed to the bill in its present form. For instance,

two organizations, the Canadian Pulp and Paper Association, which wished to comment on Bill C-33 as it now stands, and the Mining Association of Canada, have indicated that the government could have taken a much tougher approach with respect to federal lands, public lands and natural areas, where the federal government's constitutional jurisdiction is not challenged by any of the provinces, particularly by our party, the Bloc Quebecois.

• (1055)

This brings me to the intergovernmental and constitutional aspects of Bill C-33. As my party's intergovernmental affairs critic, I feel it is necessary and indeed essential that the constitutional issues raised by this bill be tackled at this stage of the proceedings.

In matters of the environment, the division of powers in Canada is such that the federal parliament and the parliaments of various provinces have overlapping jurisdiction. This is affirmed in the preamble to the bill. But many provisions of the bill proper seem to run counter to this division of powers with respect to the environment and, by extension, the protection of wildlife.

Here, as in other areas, what we are seeing is a desire by parliament and the government introducing this legislation to drag in the issue of national interest.

Moreover, this bill is intended to implement an international treaty, namely the Convention on the Preservation of Biological Diversity referred to in the third paragraph of the preamble. It might serve, as has already happened in the past before the courts, the Supreme Court of Canada in particular, to imply that there is a national dimension to this bill, since it is intended to implement an international treaty and international obligations. Then, because of this national dimension, the appropriate legislation for the purpose of implementing these obligations becomes the federal legislation.

We in the Bloc Quebecois and all the governments of Quebec, one after the other, have always challenged this national dimension theory. The courts have hesitated to apply it, although they have sometimes been tempted to broaden the range of federal jurisdiction through reference to this theory, particularly when the environment is concerned.

It seems this is the case again here, because certain provisions in this bill clearly suggest the desire for this legislation to apply to the provinces, and apply to them without their consent. Moreover, a number of its provisions are along those lines.

For instance, paragraph 34(2) is the most explicit, and is very clearly aimed at having federal legislation apply within a province and without the province necessarily wanting this to be so. I will quote this, because it is worth reading in its entirety:

Government Orders

(2) The Governor in Council may, on the recommendation of the Minister, by order, provide that sections 32 and 33 apply in lands in a province—

This relates to the listing of a species of wildlife as extirpated species.

—with respect to individuals of a listed wildlife species that is not an aquatic species or a species of birds that are migratory birds protected by the Migratory Birds Convention Act, 1994.

Federal legislation can thus end up being applied in a province without the province's consent.

This would indicate that the government has little concern about potential overlap between this upcoming federal law and certain provincial laws passed in previous years, which have enabled the provinces to meet some of their obligations, including international ones arising from Canada's ratification of certain treaties on biological diversity and the protection and preservation of flora and fauna.

• (1100)

This is the case with Quebec, for example, since it passed two important bills: the act respecting threatened or vulnerable species and the act respecting the conservation and development of wildlife. The National Assembly considered it practical and essential to pass these laws to preserve endangered wildlife in Quebec.

Accordingly, the Government of Quebec, through its minister of the environment, Paul Bégin, has said that Bill C-33 constituted only more unnecessary duplication for Quebec and that its aim was to put in place a safety net for endangered species and their habitats in areas under federal jurisdiction. This is in keeping with the provisions of the constitution and the jurisdiction it afforded parliament over the environment, but the federal government wanted to do the same thing on Quebec soil, which the government of Quebec was not prepared to accept. Neither are the duly elected Bloc Québécois representatives in this House prepared to accept it, and their voices must be heard.

I would add that some provisions of the bill are also likely to be declared unconstitutional as they are incompatible with the division of powers. I am thinking in particular of clauses 36, 39 and 57 to 64, which also seek to allow the federal parliament and this legislation to interfere with the powers granted to the Quebec National Assembly and to the other provincial legislatures.

I take this opportunity to praise the work of our critic on environmental issues, the hon. member for Jonquière, who, in this area as in several others, shows not only an interest for the environment, but also for the protection of the right to the environment, this third generation right whereby we have a duty to protect species, to protect nature, plants and animal life against the dangers and the harm that man and institutions can cause.

In particular, I wish to emphasize the work done by my colleague regarding the importation of MOX, a fuel that entered Canada against the will of several environmental groups. In fact, MOX could still enter Canada through Quebec and Ontario even though no real debate, no consultation and no adequate impact studies have been conducted to our satisfaction and that of a number of other parliamentarians and groups representing the civil society.

The Bloc Québécois will not accept and will not support a legislation which, we are already being told, cannot be amended, even though we know it is inadequate, even in the eyes of Liberal members such as the hon. member for Lac-Saint-Louis, who is here with us. This bill is deemed unacceptable by several environmental groups, by a number of people in the industry, who want the federal government to take action in this sector, but only in those areas and territories over which it has accepted and recognized jurisdiction.

Therefore, the Bloc Québécois will not accept a federal act that creates overlap and duplication in this area, as is the case in so many other areas.

• (1105)

Yesterday afternoon, we learned that the government wanted to impose another gag—and this sets off bad memories for us; members have only to recall the series of gags imposed this past spring by the government, which was trying to ram through its clarity bill, gag by gag—to prematurely cut off debate in order to get its young offenders legislation passed.

This is another debate in which the Bloc Québécois has been trying to defend Quebec's interests and its jurisdiction in a field where it has shown that flexible, intelligent legislation encouraging the rehabilitation of young people was much better than federal laws designed to put 12 and 13 year olds in jail when what they deserved was a chance at rehabilitation.

The government does not seem to be interested in making the effort or urging others to do so, but is instead casting doubts on the chances of rehabilitating young people, and thus perhaps responding to the people represented by many Canadian Alliance MPs today, who are calling for tough measures against young offenders.

The young offenders bill, like Bill C-33, other bills, programs such as the millennium scholarships and others that come under provincial jurisdiction, shows just how far the federal government is prepared to go, this government which claims to be a national government, which wants to be such a government and in fact reiterates this in the bill when it speaks of its desire to defend Canada's national identity and history, of which its natural heritage is an integral part, and shows just how unfederal its federalism truly is. It is for this reason that so many of the Quebecers represented by the 44 members of the Bloc Québécois are challenging this federalism and calling for their own country.

*Government Orders**[English]*

Ms. Louise Hardy (Yukon, NDP): Mr. Speaker, I would like the hon. Bloc member to elaborate a little bit more fully on the scientific input that will not be there when making lists for species that are endangered. If we think of species that are endangered, we have to realize that their habitat is endangered.

The people who are on the land and share that habitat with the animals are scientists, biologists, elders, hunters, fishers and trappers. Those are the people who know the patterns of the wildlife.

It is completely unacceptable and really shocking that there would be no input from the scientists who have evaluated the patterns and the history of the wildlife and the flora and fauna on that land.

Mr. Daniel Turp: Mr. Speaker, to answer the hon. member's question, we share the same concerns. I hope the NDP will be consistent with its view that this piece of legislation is incomplete. It is certainly weak when it comes to defending the interests and allowing for better protection of the fauna and flora.

One of the very obvious weaknesses is not to want the scientific community to have the last word on the wildlife species that need to be protected. In that sense, together we should make sure that the government amends the provisions of the legislation so that it does give a say, and I would say a final say, to the experts on these issues.

• (1110)

In the draft legislation the cabinet, obviously, will have the last word. I think this kind of decision should be removed from the cabinet. It should not be ministers who make that decision. We should rely on experts. That is something that is not unusual and something that could be done in this case.

Hopefully the government will understand that this law is imperfect and it should be amended, which is contrary to what the Minister of the Environment has said. The environment minister said that this bill was good as it was.

[Translation]

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, I would like to take this opportunity to thank my colleague the member for Beauharnois—Salaberry.

He has given a very important new dimension to the work we are doing on Bill C-33. The new dimension he had to propose this morning relates to the division of powers between the federal and provincial governments.

Despite what the government says, it keeps on violating the Constitution Act of Canada. I think that, since the Bloc Québécois was first elected, ours is the only party in the House of Commons that stands up for the constitutional right of the provinces laid down in the Canadian constitution.

I would like my colleague to give us specifics to prove beyond all doubt that, with this bill, the government is once again violating the constitution and looking for yet another fight with the provinces.

Mr. Daniel Turp: Mr. Speaker, the whole constitutional issue is taboo. We must not talk about the constitution or wonder if it is being upheld or not, and we cannot amend it when we all know that it should be amended in order to meet the aspirations of many Canadians, including Quebecers, natives and all of those who want some of the provisions of the constitution to be amended.

Canadian constitutionalism has failed, and that is why some of us do not want to address these issues. They say that these issues should not be considered, even in our parliamentary debates. And when we go ahead and address these issues, they call it "constitutional obsession".

The Minister of Intergovernmental Affairs and member for Saint-Laurent—Cartierville likes to talk about constitutional obsession when we raise constitutional issues and try to stand for the interests of Quebec and to protect the current version of the constitution, which recognizes the jurisdiction of Quebec and the other provinces in some areas, especially in the area of environment which is being undermined by Bill C-33.

But of course we do not hear about constitutional obsession when the minister and some of his colleagues base this bill and other pieces of legislation on spending power, for instance, or legislative power, because it deals with cross-border issues and cross-border pollution. No, they forget all about constitutional obsession when they need to exercise their federal jurisdictions under the terms of the constitution. But there is an obsession with the constitution when it comes to protecting and defending the integrity of Quebec's jurisdictions, in the House and before parliament.

It is not an obsession. As long as Bloc members are sitting in the House, defending Quebec's interests will mean defending the respect of the current constitution before the day comes, and it will come soon, when we will decide, because of the numerous violations of this constitution, to give ourselves a country, to give ourselves the jurisdictions which will allow us to develop Quebec without having to suffer continuously, through parliament, violations of the constitution.

In fact, to respond to the question of my colleague, I would also like to point out that the Supreme Court of Canada is a strategic ally of the government and of the Parliament of Canada on this issue.

Government Orders

● (1115)

The theory on the national dimension which I mentioned earlier is a theory that the Supreme Court of Canada has tried to apply in many areas. On the environmental issue, on the transborder pollution issue, in the Crown Zellerbach affair, which was a very important case in Canadian constitutional history, the supreme court went very far in recognizing a federal legislative jurisdiction over the environment and the protection of the environment.

That the supreme court can use this to enrich and to interpret the Canadian constitution, largely in favour of increasing federal jurisdiction over the environment, is very disturbing. It concerns the Quebec government, which in other matters, especially when it comes to passing environmental legislation allowing for federal impact studies, has tended to want new powers and to expand its jurisdiction in an area where federal legislation could be interpreted by the courts in such a way as to annihilate the jurisdiction of the provinces and of Quebec by enshrining it in the constitution.

This is unacceptable. If this legislation is not amended so as to respect the jurisdiction of Quebec and other provinces, the government will not have the support of the Bloc Québécois. Environmental groups and industries which oppose this legislation will know that our objection is based not only on the criticisms they share with us but on an even more fundamental basis, that is, that we do not want this legislation to pass. Parliament must not pass legislation it does not have the jurisdiction to pass.

[*English*]

Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP): Mr. Speaker, it gives me great pleasure to speak to this very important topic.

I say to my hon. colleague from the Bloc Québécois Party that protection of the environment should never be in isolation. The problem occurs with cross-border pollutants and cross-border migratory species, et cetera. The best way to protect our planet's species and everyone else involved in that sphere should be co-operation at all levels. To do it in isolation simply will not work.

Our party vehemently rejects this legislation because it is quite simple. It is absolute nonsense to say we will protect animals and not protect their habitat. The bill does nothing to protect habitat.

The policies of the New Democratic Party will be the following ones:

Identification and listing of species at risk by an independent committee of scientists, wherein scientific evidence is the primary consideration and not political interpretation of data; and

Comprehensive, nationwide natural habitat protection, including protection for species that range or migrate over Canada's domestic and international borders; and

Inclusion of stakeholders in development of species recovery plans, provision of adequate support to those whose livelihood is disrupted by a species recovery plan

and provision for just transition to workers and communities affected by the recovery plans.

That is a much more proactive approach to species at risk.

I will delve into a little story of an area just outside my riding called the Liscomb Game Sanctuary. Two-thirds of that game sanctuary is already logged. When asked by a group trying to protect it, DNR officials in Nova Scotia said "Don't get us wrong but our job is to protect the wildlife and not the habitat". That shows the nonsense of officials in the bureaucratic governmental level who do not understand that if we do not have a healthy, vibrant habitat for species at risk then we simply will not have any species. Bill C-33 will just not allow that to happen.

It is unfortunate that the minister, who I believe is well meaning, does not understand that aspect of it.

● (1120)

A while ago the International Fund for Animal Welfare gave every member of parliament in the House a species to identify with. Mine of course was the bottlenose whale, a whale with a fairly large forehead but a very endearing smile. I thought that was quite nice. Every member in the House received one.

What that organization was highlighting and saying to every member of parliament was that it was our responsibility to do everything we could to protect the particular species identified. If we work together, if we do it from the ground or the waters of the ocean up then we can do it. We can do it very successfully, but if it comes from the top down there will be rejections and a very futile effort on the part of government when it argues about it. Meanwhile the destruction of our planet carries on.

As we speak, in Washington state just south of Sumas in the Abbotsford area of British Columbia, there are plans to set up a new power plant. Its emissions into our environment would equate to about 480,000 vehicles every day. What does our government do about it? Absolutely nothing.

There are many legal avenues that our government could pursue. It could send it to an arbitration board. It could ask for better clarification. Yet our government sits there and tells the state of Washington nothing. If this plant goes ahead I have very dire predictions for the environment, for the health of British Columbians and even for the people of the state of Washington for wherever that ill wind will be blowing.

We can also look at the history of past Conservative and current Liberal governments in terms of the fishery species. It is not an accident that salmon on the west coast and salmon on the east coast, cod, and crab stocks off Newfoundland are depleting at a very rapid rate. Many independent scientists are now saying that cod off our coastline may never recover.

Government Orders

Yet as we speak there are still terrible ongoing harvesting methods. We are still dragging the bottom of our oceans. We are still dumping millions of pounds of fish over the sides of boats every year. That is an abysmal policy of the government.

To say that we will now protect species at risk is simple nonsense. The government and the previous Conservative government have no idea what it takes, the leadership that it takes to protect our planet. When we protect the flora and fauna and other plants and animals, in essence we are protecting ourselves as well.

It is most unbelievable that the Canada-Nova Scotia Offshore Petroleum Board issues leases through the province and gives out lease permits to oil and gas companies to do seismic work off the coastlines of Cape Breton and Nova Scotia. Once it gives out a lease it says the company has to do an environmental assessment. It is simple nonsense.

The government is saying that the company has to do its own environmental assessment, report back, and nine times out of ten proceed as normal. A full independent, complete environmental assessment should be done of those areas first. Based on the discussions and on the parameters of that assessment, leases could then be granted if they will not harm ocean or fish habitats.

The mandate of the DFO and the Minister of Fisheries and Oceans is quite clear: the protection of fish and fish habitat. However basically the cart is before the horse when it gives away jurisdiction to an independent board that grants leases before an environmental assessment is done. There is nothing in the legislation that reverses that practice. Thousands of fishermen in their communities are very concerned about it.

I am not saying that oil and gas exploration and fisheries cannot coexist, but we need hard core, scientific, independent environmental evidence first to ensure that all fish and all fish habitat are protected by the burgeoning oil and gas industry.

At this time I would like to mention one of the top three books I have read, Rachel Carson's *Silent Spring*. Unfortunately many people in the House probably have not read it. I know government officials have never read it. It was written in the early sixties by an American environmentalist who predicted what is happening today: the decline of species, the increase of asthma in children, and the rampant use of agricultural pesticides on crops and products throughout the world.

It is no coincidence that on Prince Edward Island there are fish kills every year related directly to agricultural pesticides in its potato fields. What is done about it? Nothing, absolutely nothing.

• (1125)

We do not want to upset farmers. The salmon river groups and the fishing groups are saying that they do not want to upset farmers either. We have to work together not only to be able to yield a

sufficient crop in the potato industry but to protect the waters and the habitat of fish. It does no good to promote one industry at the destruction of another. That kind of attitude needs to change and a more co-operative level has to happen.

At this time I wish to thank some great organizations throughout the country that do a tremendous amount of good in protecting our habitat for future generations. The Sackville Rivers Association in my riding does a tremendous job of river cleanup, habitat protection and everything else, on a shoestring. The Atlantic Salmon Federation is trying to promote sustainable recreational fisheries for salmon. As well it is trying to protect their rivers and breeding grounds and ocean stocks in order for the salmon to return.

I also thank the people of the Burns Bog Society in Steveston, Richmond, British Columbia. Those people are trying to protect the Burns Bog area for migratory birds species. Unfortunately all levels of government are not really listening to them, but I thank those people for their efforts in protecting those species.

Also I thank a wonderful group in Nova Scotia called the Ecology Action Centre. It is a great group of environmental people doing it on a shoestring, trying to protect specific areas in Nova Scotia like the coral reefs and forested areas so that many generations from now can enjoy the benefits of those beautiful areas.

I also thank the David Suzuki Foundation for the great work it does not only within Canada but internationally, and of course the Nova Scotia Nature Trust. The Nova Scotia Nature Trust was started by a gentleman in Chester named Rudy Haase. Basically it purchases lands from people and tries to protect them for future generations.

I say to the government and other opposition members that if we do not protect the habitat of the specific species we are talking about, it is simple nonsense to talk about the back end and say we will protect the species without protecting their habitat. It can be done co-operatively with the use of aboriginal knowledge, especially of the north. It can be done with the municipalities, the provinces, industry, workers and all associated groups in that level working together not only to protect our country but to protect our planet.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, it is a pleasure to speak to this bill which I believe was tabled last April. It is much awaited endangered species legislation. While all Canadians support prudent measures to protect species at risk, this bill simply goes too far.

This piece of Liberal legislation was introduced by the environment minister. It will have a profound impact on property owners. It will essentially make them criminals if they fail to protect endangered species or habitat on their land. The bill gives the federal government the power and the capacity to pass emergency

Government Orders

orders that will force property owners to halt economic activities that may adversely affect the species or habitat in question.

Further, there is no clear formula for compensation outlined in the bill. By ignoring this issue, any hope the minister had for co-operation among landowners, conservation groups and the government is tossed right out the window. Compensation for expropriated land that is not at market value is simply not fair. It will adversely affect ranchers and farmers, just to name a few.

I am familiar with the situation in certain areas of the United States where this type of legislation has been attempted. Unfortunately it has been to the detriment of endangered species. The expression used in many areas south of the border because of this kind of legislation is: shoot, shovel and shut up. It expresses the feeling among landowners in the U.S. that it is better to quietly dispose of endangered species than protect them through less draconian measures.

• (1130)

Some have gone so far as to destroy land or habitat that they feared could potentially host or attract endangered species. This was to avoid potential problems with their federal government down the road.

Many people with whom I am acquainted have lost their land to the federal government. The land has become the property of the state and compensation was never part of the consideration. This just cannot be done to people.

There will, of course, be lots of lawsuits and families will attempt to recover the losses they will have by these draconian measures. If our government is interested in that kind of thing taking place, where we are constantly in the courts settling disputes because we have a constitution and a charter of rights that does not recognize property rights, there will be some real problems. The legislation will make these problems quite capable of occurring.

The ranchers and the landowners in Alberta are good stewards of the land and they all have a personal interest in preserving our natural heritage. They want to do it. There are also over 100 conservation groups in existence that do an effective job of managing millions of hectares of wildlife sanctuaries.

Canadians recognize that we need a proactive approach to protecting species at risk that is based on respect: respect for the species that inhabit our land and waters and respect for those who own and work the land. What we do not need is legislation that makes criminals out of all of us.

The Canadian Alliance is committed to protecting and preserving Canada's natural environment and endangered species, and to sustainable development of our abundant natural resources for the use of current and future generations. The Canadian Alliance maintains that for any endangered species legislation to be

effective, it must respect the fundamental rights of private property owners. This legislation does not do that.

Compensation for expropriated land that is not at fair market value is simply not fair. There is no clear formula for compensation outlined in this particular bill. Compensation will be dealt with through regulations following the passage of the bill. How many times have we seen that with this government? It passes the bill then brings in the legislation and socks it to Canadians.

The government does not have the courage to bring these things forward and have them included in the bill. Government members like to slam the door, usually through some kind of hurried legislation. Getting it through is the main thing. They put closure on it and then the regulations will be in effect.

This minister as well as other ministers in this government have this backwards. If we are going to have good legislation we need co-operation among the stakeholders. This is unlikely unless landowners are assured that any land expropriated for the purpose of species or habitat protection and recovery will be expropriated at fair market value. If that is not discussed and built into the legislation prior to the passage of the legislation, we can kiss those stakeholders goodbye. They will sit back and wait for the draconian regulations to come in that will make criminals out of them.

I could name other legislation that makes people feel like they are the criminal all of a sudden. We have law-abiding people who feel they have been placed into the criminal element because of the government's lack of proper consultation and working together with other stakeholders.

• (1135)

There is no recovery plan. They should be integrated into all the activities. There should be a recovery plan that includes the costs associated with the recovery of any given species or habitat. Without such planning, we will find ourselves listing species that we have no capacity to protect.

The Canadian Alliance supports an independent scientific listing body, such as the Committee on the Status of Endangered Wildlife in Canada. We also recognize the role and authority of parliament in recovery planning. That is our role.

However, the Liberals have introduced legislation that threatens to use criminal sanctions in addition to its powers of expropriation. Any attempts to expropriate private property should be subject to a process and that process should be a review which offers some form of arbitration or dispute resolution to the landowners. It does not exist in this legislation. Where warranted, and only after a fair

Government Orders

dispute resolution process has been completed, the expropriation of private land at fair market value is reasonable.

The majority of producers and landowners believe that the government could achieve its intention in protecting wildlife and endangered species through a much more co-operative attitude with farmers and ranchers instead of threats of punishment.

I encourage the government today to look at its legislation and recognize the fact that it is not building bridges between all these stakeholders who exist when it comes to this kind of legislation. Rather, it is putting up walls of resistance because of its constant threats to the law-abiding people of the land through this kind of legislation which says "If you don't do it our way, we'll sue the tail off you". Threatening and abusing the landowners to that degree is unacceptable and, unless the legislation is amended properly, there will be no support coming from this side of the House.

[*Translation*]

Mr. Jean-Guy Chrétien (Frontenac—Mégantic, BQ): Mr. Speaker, in 1867, when some twenty Fathers of Confederation laid the very foundations of Canadian society, they were not in the least bit concerned about endangered animals and other environmental issues. That is why today, with regard to endangered species as well as to the environment, we see federal interference in an area under provincial jurisdiction.

With regard to environment, as shown by agreements between provinces and the federal government, we have come to the conclusion that when a problem affects more than one province or a neighbouring country, the United States for example, it comes under federal jurisdiction. When the environmental problem is within a province, it comes under the province's jurisdiction. This is well understood and it works well. We must acknowledge that sometimes it goes beyond the jurisdictions of more than two countries and affects every country on this planet, since we breathe the same air and drink the same water.

• (1140)

With respect to endangered species, it must be pointed out that four provinces, including Quebec, have already passed strong laws, even better than Bill C-33, which is a reincarnation of Bill C-65 that died on the Order Paper and was sponsored Sergio Marchi, who was then the minister responsible.

Since 1989, more than eleven years ago, Quebec has had its own legislation to protect endangered animals. Now in the year 2000 the federal government wants to play an active role and, once again to encroach upon areas under provincial jurisdiction, again by using its spending authority.

From the point of view of the ordinary citizen, we cannot be against Bill C-33 since there are more than 70,000 animal species

in Canada. On these, 340 are at risk. We must give them every chance to survive. We need only think of the peregrine falcon. It is estimated that 12 species disappeared in the last few years.

Of course, if I taught ecology in grade eight, all of my pupils would tell me that something has to be done. And it is true. Well, Quebec did take action and was followed by three other provinces, including Alberta. We have our own act, we are enforcing it and things are working well.

Until recently, the federal government did not care much about the protection of species facing extinction on its own land, that is in federal parks. But suddenly, it has come forward and wants to interfere in an area under provincial jurisdiction. Quebec will never accept, as it has already been had with overlaps and with direct theft by the federal government.

Members should remember that during the war, the federal government took over the power to resort to direct taxation, supposedly for only a few years. The war ended in 1945, which is more than 55 years ago, but we pay more and more taxes directly to Ottawa.

With Bill C-33, the federal government is still trying to encroach indirectly on provincial jurisdiction. Worse still, the bill purports to protect habitats. I agree that the habitats must be protected. The government of Quebec currently protects the habitats of animals, primarily those threatened with extinction. If this bill were passed, what about cutting rights, for example, of spruce trees, which are natural resources and therefore under provincial jurisdiction? Well, Quebecers would have to obtain Ottawa's approval to cut down a mature forest.

We know federal bureaucracy. It does not happen in a week. It can take two years to get an answer. We write to ministers and sometimes it can take six months to get an answer, an acknowledgement. Getting approval for cutting rights will take two, three or four years.

No, Bill C-33 must not be passed as it stands. Worse yet, clause 34 of the bill provides that the minister may establish jurisdiction over a province by order in council, if, after summary discussion, he does not feel that things are being done the way he likes, that the province is dragging its heels.

• (1145)

He would quite simply treat a province rather like a large or small municipality depending on the province. Worse yet, we have before us another fine example of structural duplication. It usually creates a lot of discontent and costs a lot of money.

I point this out all the time to my dairy producers, who have a cow and a quota. As we know, quotas today are mixed, that is a combination of unprocessed and fluid milk. While the fluid milk is under Quebec's jurisdiction, milk used in processing to make butter

Government Orders

or something else comes under the jurisdiction of the department of agriculture in Ottawa. So there you are, with two ministers of agriculture trying to lead the same cow.

Mrs. Christiane Gagnon: Poor cow.

Mr. Jean-Guy Chrétien: So we have the same milk, the same cow, and two ministers of agriculture. We will end up with an endangered species and two environment ministers, one in Ottawa and one in Quebec City. It will take so long to reach agreement that the endangered species will have time to disappear completely from Canada or Quebec. It is not appropriate to have squabbles over endangered animals.

Two weeks ago I experienced a wonderful example of harmonious co-operation in Stratford, in the regional county municipality of Granit. Cambior, Ducks Unlimited, the municipality of Stratford and Mayor Gaétan Côté, and the regional municipality got together and invested \$2.5 million to restore the former Sullivan mine sites. Now that the site has been restored, there are more than 170 species which can be found there again after a period of total absence. This was accomplished without the federal government and without any squabbling.

There are enough problems at the present time. In the health field, agreement has been reached precisely because the problem originated with the federal government, which once again wanted to meddle in areas of provincial jurisdiction. Fortunately the agreement between Messrs Harris and Bouchard managed to overcome the resistance of the Quebec MP representing Saint-Maurice, who would not listen to reason and was prepared to again stir up things between Quebec and Ottawa in order to raise his prestige in English Canada. We are familiar with his recipe: jump on Quebec in order to get English Canada on your side. Fortunately it did not work this time.

We can see that there is unified opposition to Bill C-33, by all opposition parties in this House, the great majority of environmental groups, the major companies whose operations involve large tracts of land, such as pulp and paper companies, and the mining association. I would forewarn hon. members that the Bloc Québécois will do everything it can to stop this bill from moving through the House.

[English]

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, it gives me great pleasure to stand today to speak to this issue, particularly in light of the concerns the people in my constituency of Kootenay—Columbia have. My constituency has some of the finest, if not the finest, big game hunting, if not in North America, certainly in all the world.

This is an issue that I, quite frankly, despair over in that there seems to be so much misunderstanding on the part of people who

do not live in a constituency such as mine. To suggest that people who are concerned about this issue and who are speaking against some of the provisions of this issue are therefore not concerned about the environment is really desperately unfortunate.

• (1150)

I and my family have had the privilege, and I count it as a privilege, of having lived on the shores of a lake in the Rocky Mountains since 1974. When we wake up in the morning the sun is rising over the Rocky Mountains. There are loons, osprey, muskrat, beaver and all sorts of wildlife in the area. I love and respect that part of the country and I really respect the fact that I have had the privilege of bringing up my family in such an idyllic location. I therefore speak with a tremendous amount of passion about this issue.

The people in the cities who take a look at certain television programs or read certain documentation can come to a particular perspective. Sometimes that perspective is accurate but more often than not it is inaccurate. I think for example of the situation where we have had the various extreme ecogroups who have been involved in the so-called B.C. great bear rain forest.

There is no such thing as the B.C. great bear rain forest. It has never ever appeared on a map. It is a pure fabrication and creation for marketing to get more money into the coffers of some of these organizations. Unfortunately, what has happened is that companies which purchase wood products, softwood lumber and items of that type from that area have ended up succumbing to this marketing program. What we are looking at now in the interior of British Columbia is that the American extreme environmental groups are now silently working and coming toward the interior of British Columbia.

I will cite a specific example. I will read from notes I took in two days of meetings last Saturday and Sunday in the town of Revelstoke, part of my constituency. This city has been in existence for 100 years. It has spawned many great citizens, not the least of whom is the member for York South—Weston who was born and raised in Revelstoke. We make note of that very profound event.

All kidding aside, we have 8,500 people living in this city that is completely and totally surrounded. There are basically three valleys which converge at that particular point. We have a static population of 8,500. They traditionally have treated the environment with a tremendous amount of respect because it is the environment from which they sustain their living.

With the changes that there have been, and some very good changes I must say, in the forestry practices that have been brought forward by various levels and various brands of provincial government, we have seen a rollback in the amount of responsible resource extraction in the way of harvesting timber and wood products in the area.

As a consequence, there have been moves to more value added products with less actual fibre being taken out of the bush.

Government Orders

However, there is a limit to how many guitar faces or how many violin skins can actually be created and still have an employed work base in the area. However, I should say that on balance it strikes me that there has been a balance between the environmental concerns and responsible harvesting practices.

Because there has been a downturn and because the area is so absolutely spectacular, they have now moved to what we might call ecotourism. We are talking about snowmobile facilities and heli-skiing up on many of the magnificent glaciers in the area. Suddenly, as a result of the federal Department of the Environment red listing the caribou in the area, out of the clear blue sky the ministry of environment lands and parks, MELP, has decided that it is going to effect a closure for the snowmobilers in the area. This is understandable and would be particularly understandable if there was good scientific data and a good base to make these judgments. Indeed, from the notes I read, we have to take a look at the caribou in that area under the issue of habitat impact, disturbance and wildlife.

We keep hearing that the grizzlies are an endangered species, and indeed they are in certain areas of Canada, but in that part of my constituency, as in the far southeast corner of my constituency, the grizzlies are not an endangered species by any stretch of the imagination. They are predators that prey on deer and once they run out of deer they go after the caribou and the elk. What kind of pressure have the wolves as predators brought to the caribou herds? These are questions that MELP does not seem able to answer. However, this came about as a result of a listing by the Canadian Department of Environment.

• (1155)

Did MELP include, for example, the fact that we have Mount Revelstoke National Park and Glacier National Park adjacent to and between Revelstoke and Golden which obviously offer a tremendously undisturbed area for the caribou to go to? Did MELP include in its survey the fact that there was this totally undisturbed area? When we asked that question in the meeting the answer came back "In certain instances, yes, and in certain instances, no".

What the people of Revelstoke, Kootenay—Columbia and all Canadians who understand these issues want to know is how are we making these judgments, on what basis are we making these judgments and have we taken into account all the impacts.

I also want to speak very forcefully in support of the responsible use of the environment and the species by hunters. I will read something into the record. It says:

If you were to believe the rhetoric of many of the so-called modern environmentalists, hunters are an anachronism.

We are told that wildlife populations are declining while the callous, uncaring hunter goes afield intent only on the kill, giving no thought to the future of the resource.

A newly released survey from Wildlife Habitat Canada puts the lie to this carefully nurtured image.

The survey reveals that over a 15-year period hunters have directly contributed more than \$335 million to habitat conservation projects in Canada. While that figure is impressive by itself, the study notes that this does not include the hunter support given to national groups such as Ducks Unlimited Canada and the Nature Conservancy of Canada. It does not include the \$600 million in license fees collected from hunters over the same period, nor does it include the \$600 million that hunters invest in the Canadian economy each year on equipment, travel, lodging and other related expenses. It is also important to note that these figures do not include the equally significant contributions that anglers have made to the resource.

In British Columbia alone, hunters have, over that 15-year period, invested over \$106 million dollars and almost 2.5 million hours of volunteer work toward wildlife habitat conservation.

An impressive record for a group of citizens who are often portrayed by the popular media as a group of uncouth rednecks, blazing away at anything that moves and generally desecrating the environment.

I must speak up on behalf of the people in my constituency, not just the hunters but the people who, like myself, choose to live in the area because we have such a tremendous amount of respect for the environment, the ecology and the species. We must be heard and be part of the process.

When we come forward with this species at risk act, if indeed it is the will of the House for us to come forward with this act, we must take into account all the issues I have brought forward today, and the many more to come, to see that we create a proper balance and that we have an understanding of what that balance should be.

I and many of my colleagues who represent people like the citizens in my constituency will be standing up for them.

[*Translation*]

Mrs. Christiane Gagnon (Québec, BQ): Mr. Speaker, I am pleased to address Bill C-33, an act respecting the protection of wildlife species at risk in Canada.

My interest in this bill is twofold: first, a concern for the environment and, second, a concern for the effectiveness of this legislation. I am also concerned about how the federal government wants to get involved in areas of provincial jurisdiction and about the centralization process proposed by the federal government in that area instead of achieving true co-operation and signing parallel agreements with the provinces based on what is being done in each of them. As we can see once again with this issue, the federal government has no desire to take into account the particular situation of the provinces.

• (1200)

It is important to realize that biodiversity as a whole is the result of an evolution process that has been taking place on earth for over 4.5 billion years. That process has created a large number of living organisms and natural environments, and it is important to protect them to ensure a balance on our planet.

Government Orders

These organisms make up the ecosystems that we know. They all play a role in the food chain and in maintaining our planet's biological balance. However, in recent years, scientists have been telling us that certain species are increasingly at risk of becoming extinct, and that there is an increase in the number of endangered species or species that are at great risk.

Let me describe the present status. There are 340 species at risk in Canada, 15 are extirpated, 87 are endangered, 75 are threatened, 151 are vulnerable and of the 97 whose status is being reassessed, 27 will be closer to becoming extinct in the coming years. The situation is alarming and we must immediately look at what Bill C-33 will realistically allow us to do.

Given the increasing rate of extinction of some species, as I just mentioned, I admit that we are facing a serious problem. The Bloc Québécois is showing its concern by having several members speak out against Bill C-33. It is imperative that we react quickly but effectively.

Before reacting, though, some questions must be asked. The Minister of the Environment is telling us that the bill cannot be amended. What utter contempt for the committee that will be struck to study Bill C-33. What utter contempt for the opposition. Today, all the opposition parties have taken a stand against this bill; they want some regional issues to be dealt with. Environmental groups are opposed to this bill and they want some specific changes. The Minister of the Environment is ignoring all these objections, as well as those made by industries with daily activities which impact directly or indirectly on the environment.

Some basic questions must be answered. Will Bill C-33 result in better protection and can it really be enforced? Will the bill really help to increase the protection of our ecosystems and of their endangered species? These are the first questions to be asked. For me and for a number of representatives of various sectors affected by this serious issue concerning the survival of endangered species, the answer is no. This is what the Bloc Québécois, through its objections, wants to say to the government.

The principle of a better protection for endangered species is a principle the Bloc Québécois can readily endorse, contrary to what the government party would have us believe. Incidentally, government members are quite silent today about Bill C-33.

We are not convinced that Bill C-33 will protect endangered species any better. We are just not sure. Indeed, we oppose this bill because it is a direct intrusion in many areas under the jurisdiction of Quebec and other provinces, instead of an effort to have a true dialogue with the provinces and true respect for what is being done in the provinces.

• (1205)

In fact, it duplicates Quebec legislation that has been in force since 1989, legislation that works just fine and has had a significant

impact in Quebec. One again, this bill is granting the federal government excessive powers at the expense of Quebec.

Although the preamble of the bill indicates that the protection of species is a shared responsibility, everything leads us to believe that the minister has the power to impose his vision and the vision of cabinet when he deems appropriate. The minister is also putting himself in a vulnerable position.

We are very well aware that there are various lobbies around whose job it is to represent the interests of certain companies whose actions might pose a threat to certain endangered species. Cabinet and the minister are there to decide whether or not the legislation should be enforced. It is very dangerous.

In other words, its legislation would automatically take precedence over existing provincial legislation, even when habitats are entirely under provincial jurisdiction. We know that such an approach is unacceptable and will do nothing to promote the much desired balance in protecting our threatened species.

Clause 10 says that the minister may enter into an agreement with respect to the administration of any provision of the Act.

More specifically, clause 34(2) under general prohibitions, clearly states:

(2) The Governor in Council may, on the recommendation of the Minister, by order, provide that sections 32 and 33 apply in lands in a province that are not federal lands—

This is where the Bloc Québécois does not agree. As if that were not enough, clause 34(3) states that:

(3) The Minister must recommend that the order be made if the Minister is of the opinion that the laws of the province do not protect the species.

So cabinet will influence the minister. By extension, the minister and his office may be heavily influenced by various companies that dump chemicals into waterways and lakes. We are therefore unable to support this bill.

We can see how the party in power really operates in this legislation to protect endangered species. We know that it got a *D* minus and yet it wants to tell the provinces what to do. What a joke.

The government fails to get a passing grade when it comes to protecting endangered species but it wants to tell others what to do, just like the Prime Minister offering advice on poverty at international conferences. His own government, for the last seven years, has torn away the social safety net, has axed the employment insurance program and denied the provinces the amounts they need for social housing, and these are but a few of the measures it has taken. If I were to mention every way in which the federal government has backed out of social programs, the list could be

very long. Here we have a government that is trying to teach us a lesson when it is in no position to do so.

That is exactly the purpose of Bill C-33: the government is trying to tell provinces what to do. Some provinces definitely have nothing to learn from the federal government, as they could be leaders and show the federal government how to be more effective on its own lands.

The Minister of the Environment is absolutely inflexible: He will not entertain any amendments to Bill C-33. That is what he said. We know that the pulp and paper industry, some environmental groups, the opposition here today and even some members of the Liberal Party of Canada have told the minister that this bill will bring no real solution without major amendments: They have even said that this bill is seriously flawed.

• (1210)

Two members of the Liberal Party of Canada have also said that this measure disregards a list of 333 species identified by a committee struck in 1978.

So the government wants to give lessons without knowing how the provinces have enforced certain provisions of their own legislation on endangered species.

[*English*]

Mr. Lee Morrison (Cypress Hills—Grasslands, Canadian Alliance): Mr. Speaker, I notice that members opposite seem to be a bit embarrassed about this bill because the Liberals are making no attempt in the House to defend it. I am not really surprised that they do not want to be associated with their handiwork in a public way.

The enforcement and penalties provisions of the bill epitomize the contempt the government has for due process and individual rights. Why does the government always have to use the big sledgehammer to come forward with legislation which, we must admit, has a wonderful intent? I am sure its intentions are fine. I agree with them but not with the means. With what the government is proposing to do and the jeopardy it will place rural people in, our farmers, ranchers and woodlot owners will have to live with draconian legislation which contains provisions contrary to every historical piece of jurisprudence that I can find, and certainly contrary to the spirit of common law.

Why do I say that? Provisions in the legislation for searches without warrants of any building other than a dwelling house are almost word for word the same as in the notorious firearms legislation, Bill C-68. Even the condition that a warrant to search a dwelling may be obtained merely on the basis that there are reasonable grounds for believing that entry will be otherwise

Government Orders

refused are incorporated in this bill. This bill also copies the provisions in Bill C-68 that make it a criminal offence to fail to assist an officer searching one's property or to withhold self-incriminating information.

Clauses 86 to 91 must have been written and compiled by the same folks who wrote the firearms legislation because paragraph after paragraph in the enforcement section are absolutely identical in wording to the other bill. This is not a coincidence.

We say that this bill is to protect endangered species. I think it is here to protect a predatory species, namely the lawyers who have written it for lawyers. Lawyers will become fantastically wealthy trying to defend innocent landowners against the provisions of this insane legislation.

Not only are the provisions for search and seizure and all those good things totally contrary to the spirit of Canadian law, but the prescribed penalties for killing, molesting or trafficking in endangered species will be extraordinarily severe. This is a country noted for leniency for most criminal sanctions, but with this legislation an individual may be fined up to \$250,000 and/or imprisoned for up to five years, even if he does not deliberately commit the offence. Even if it is through negligence or accident, these penalties are available.

• (1215)

The same penalties are available for "destroying the nest or den of an endangered creature" again even through negligence. A person who accidentally runs over the nest of a bird which is supposedly endangered could be in trouble.

If I go out on my ranch, which incidentally teems with game, to check my cattle and I accidentally run over a species of plant which is deemed to be endangered, or even if my saddle horse steps on such a plant, under the terms of this legislation I can be charged. I can be charged not for some statutory offence, but with a crime. Why does the government want to make criminals of ordinary citizens every time they turn around?

The implications of the legislation for farmers are really alarming. Equally alarming to the possibility that one might accidentally destroy a nest or den is the provision that the penalties I have been quoting can be applied to anyone who destroys any part of the deemed critical habitat of an endangered species. There does not even have to be any endangered species present for this law to come into full force.

I would ask the indulgence of the House to read from an analysis of the bill which was prepared by Mr. David Pope, a prominent Calgary attorney who, as I do, cherishes civil liberty and the common law. Here is what Mr. Pope has to say:

Government Orders

The offences and penalties for actions against plants, animals and organisms that are deemed species at risk and the lands which make up their habitat are unlike any found in Canadian criminal law. These are not offences of murder, arson, theft or rape but are for harming or harassing a plant, animal or organism or destroying a portion of its habitat.

Mr. Pope then describes the listed environmental crimes as “strict liability offences”. That is to say that an accuser need only say that the offence was committed and the person accused must then prove that he did not do it. This is called, in legal terms, reverse onus. It is almost never used in criminal law. In the past it has been virtually unheard of, and the test for conviction is much less than the usual standard of the criminal law. This is a dangerous change, especially when one realizes that it is aimed directly at ranchers and farmers who are usually not seen as criminals in Canadian society.

The competent minister has authority to appoint eco-police who have the same powers as a peace officer but no training. These eco-police only have to justify themselves to the minister.

Finally, since I see my time has nearly elapsed, there is a provision in Bill C-33 for anyone 18 years or older and resident of Canada to start an investigation against a rancher or farmer for any of the offences that we have been mentioning. Any special interest group or anyone with a grudge against a particular farmer may launch such a prosecution and can do so in complete anonymity.

• (1220)

As a matter of fact, the act states that the minister may not release the name of the plaintiff. Anyone else in a criminal court in Canada is allowed to face his or her accuser. Even murderers have that right, but someone who may have accidentally or negligently damaged an endangered species habitat does not have that right. He or she cannot bring an accuser into open court face to face.

I do not know how the bill can be fixed in its present state. We would have to eliminate so many sections to bring the enforcement and penalty provisions into line with Canadian custom and other Canadian law that we would virtually gut the bill. I would respectfully suggest that that is what should happen. Perhaps that is why government members are not defending the bill. Maybe that is their intent. I pray that it is.

Let us go back to the drawing board. Let us get it right. Let us protect endangered species without beating up on our own citizens.

[*Translation*]

Mr. Jean-Paul Marchand (Québec East, BQ): Mr. Speaker, it is with pleasure that I rise today to speak to a bill as significant as this one.

This bill does not deal with the issue of endangered species such as the members of the Progressive Conservative Party or the NDP. As a matter of fact, it deals with endangered wildlife species, an issue that is extremely important.

Today, we are debating Bill C-33. This is a very significant bill. Its content and purpose meet a desperate need. As hon. members are aware, there are some 340 wildlife species at risk in Canada. A number of these species are already extinct. Others are in a rather critical state. There are 87 species that are considered endangered, while 75 are threatened and 151 are vulnerable, for a total of some 340 wildlife species at risk in Canada.

We know that this is an important issue not only in Canada, but also all over the world. There were several conferences, including the 1992 Rio Summit, which brought together representatives from different countries who looked into the issue of endangered species.

Environmental pollution, combined with all the issues related to water and atmospheric pollution, plays a role in the extinction of animal species. We ought to make every effort to ensure their preservation. That is why there was a summit in Rio in 1992 and why Canada signed the convention on biological diversity.

In fact, that is what prompted Canada, in 1996, to hold a conference to reach an agreement on the environment with the provinces. This was the agreement on the protection of endangered species, which led to the introduction, by the Minister of the Environment, of Bill C-65, an act respecting the protection of wildlife species in Canada from extirpation or extinction.

This legislation formed the basis of the bill we are examining today, Bill C-33. It is more or less the same bill with a few changes. In fact, this is the first time that the federal government has tried to pass legislation to address the issue of endangered species.

• (1225)

This is the government’s first bill, but it completely misses the mark. We even wonder why the federal government introduced such unclear legislation which has drawn so much criticism from all sides.

Even when the former version of the bill, Bill C-65—and the federal government was aware at the time of criticism that the bill was inadequate—was introduced, opposition to it came from all of the provinces, not only from Quebec, but also from Nova Scotia, Newfoundland, New Brunswick, the Yukon and the Northwest Territories. Everyone in fact was opposed to the principle that seems to be reincarnated in Bill C-33, namely the lack of harmonization with the provinces.

The bill represented an approach that did not respect provincial jurisdictions and lacked harmonization between federal and pro-

vincial jurisdictions. We do know that the federal government has powers in this area, it has legislated this area, but so have the provinces. The provinces have the tools to better protect the habitats of endangered species.

The federal government does have some degree of jurisdiction, but the ideal would be of course to have some degree of harmonization between both levels of government. However, once again the federal government seems unable, even when it would be very important to do so, to agree with the provinces. Quebec is not the only province to criticize the approach of the federal government under Bill C-33. One must wonder whether it is not always trying to create federal-provincial conflicts, as illustrated by this piece of legislation.

There is a fair amount of opposition to this bill. Without referring to all the clauses—there are 141 of them dealing with various definitions—I can say there are two major issues that bother us, and that bother all the opposition parties, all the environmental groups and even some Liberal members. The federal government wants too much power to enforce this law, and this puts into question the effectiveness of the law and may even threaten wildlife species at risk.

The federal government wants to impose its vision, a vision which, once again, does not respect provincial jurisdiction and which seems to imply that the federal law will take precedence over provincial jurisdiction.

The government is off to a bad start, obviously, because a law cannot be effective when it creates a problem in federal-provincial relations. It is obvious that the government is not at all on the right track. This is not a political matter. It is a matter of responding to a need other countries have been aware of for years. Time is of the essence. The more we wait before enforcing such legislation, the more endangered species will vanish. That is the problem.

Once again, in this bill, the federal government does not respect provincial jurisdiction, is seeking too much discretionary power and even, which is totally absurd, wants to let cabinet rather than experts, people who know this field, determine which species are endangered. It is totally crazy to play politics with a bill that deals with very scientific data.

• (1230)

It is good to involve people who are familiar with the situation. People who are in the know about environmental issues and the protection of endangered species are opposed to this bill. All, or very nearly all, environmental groups are totally opposed, because it is ineffective. It is useless, even dangerous, they say. It is dangerous in the sense that it does not respond to the need to effectively protect endangered species because instead of protecting them it creates a federal-provincial conflict once again.

Government Orders

Even stakeholders such as the pulp and paper industry and the mining association are opposed to this bill as well. Imagine, there are even Liberals on the government side who have examined this bill, and not just any old Liberals. The member for York North, for instance, was one of them. On June 12, 2000, she said “We will do nothing to protect species at risk unless this bill leaves committee as a good, effective piece of legislation”. However, the minister has already said he had no intention of making changes to the bill.

The hon. member for York North, who is incidentally very involved in environmental issues, also said “The House must support legislation that is strong, fair, effective and makes biological sense. Unfortunately Bill C-33 is wanting”. These are the words of the member for York North.

That same day, June 12, the member for Lac-Saint-Louis who, in another life, served as Quebec’s minister of the environment under Premier Bourassa, said “Instead of being recognized as being the final list produced by scientists of the highest repute who have worked tirelessly over the last two decades, the list will now be subject to the discretion of cabinet”. What business does cabinet have interfering in these decisions, which must obviously be based on scientific experience? It is only common sense that the experience required should be scientific in nature.

The member for Lac-Saint-Louis went on to say “I find that terribly ironic—We are not even starting with the roll of the list of the 339 species identified.”

That is a glaring fault in the law. Without a list, there can be no protection against this approach, which was why the Sierra Club said that, if the bill were passed, it would be an international embarrassment to Canada. I would also point out that all the opposition parties are opposed to the bill, as well as the government of Quebec obviously. Once again, we feel there is duplication and interference. The federal government does not seem to know where its jurisdiction ends. This bill must be killed.

[*English*]

Mr. Leon E. Benoit (Lakeland, Canadian Alliance): Mr. Speaker, I am pleased to be speaking to this bill today. I agree with many of the comments made by my Bloc colleague, particularly in the area of interference on the part of the federal government in areas of provincial jurisdiction. We share a lot of those concerns in that area. The government quite frankly does not respect provincial jurisdiction as is set out in our constitution. That is very unfortunate because it is not particularly productive.

We are talking about protecting species at risk. I know that I and the people in my constituency certainly take that seriously. I know my colleagues in the Canadian Alliance also take this issue seriously. We are concerned about protecting species at risk. The

Government Orders

approach the government has taken will not do that. It will not be effective in any way in protecting species at risk because instead of using a co-operative approach, instead of ensuring that there will be fair compensation for any loss of property or loss of use of property, the government has taken a heavy-handed approach with large penalties and fines and large potential jail sentences for those who do not act in the way that it lays out in the legislation. It has used a big stick rather than a true co-operative approach which would by far be the most productive approach.

• (1235)

I could cite dozens of examples from around the world, including here in Canada and in the United States, where a co-operative approach has been extremely successful in protecting a species which a particular group has decided should be protected. It has been proven to be effective.

United States endangered species legislation has proved that this heavy-handed intrusive approach with large penalties does not work. It does not work because people who may find they have a species at risk on their property or on property that they are using will not report that and will not work with government in protecting those species because of the fear of losing their property or losing the right to enjoy it or losing income from it.

I have been here seven years and this is the government's third attempt to put forth legislation. In spite of the fact that it failed twice before to put forth legislation to protect species at risk, it has taken the same approach again, a failed approach and an approach which does not work.

I want to talk a little about my background and where I am coming from in terms of my most urgent concerns with this legislation. In my constituency of Lakeland, in east central Alberta, there are many farms. It is a rural constituency. Also, there is an oil and gas industry which is a resource industry that is very concerned about this particular legislation as well.

I grew up on a mixed farm by Lloydminster. I bought a farm in 1974. I took agriculture at university. I have a bachelor of science in agriculture degree. I bought a farm with 100% financing, so I know what it is like to try to make a living on a farm. I know it is extremely difficult. I know there were years when I wondered whether I was going to make it another year.

I also worked as a farm economist and a business management consultant with farmers, first seasonally and then even on a full time basis as I farmed to help support this farm. Too often I was at a kitchen table where the children and their mother were in tears and where the father was there with a vacant look in his eyes because they knew they were about to lose the family farm. Too often I was at the kitchen table in situations like that.

I made a promise to myself at that time that it would be my mission to make sure that things improve for farmers so that it did not have to be like that any more. It is still my mission today.

I am not going to stand by and allow a piece of legislation which takes a heavy-handed approach which will cause farmers should it go ahead to lose their farms when otherwise they would not and one which will cause a loss of income to farmers which they cannot afford. I am not going to stand by and allow that to happen because I came here to fight on behalf of farmers and others against legislation such as this. We all want legislation which will work to protect species at risk. This bill will not. It will make things worse.

Farmers have proven over the years that if we co-operate and work with them, they will do everything they can to protect species at risk. They have done that and proven it. This legislation is going in the wrong direction.

Farmers have told me privately that if this legislation goes through what it will lead to. If they should identify a species at risk understanding that they could lose their property without compensation or should they lose the income from a part of their land which has been designated as the habitat for a species at risk, knowing that could happen, they are not going to want to be particularly co-operative. There is no guarantee of compensation and there is certainly no guarantee of compensation at market value.

• (1240)

In fact, it will be counterproductive and will lead to them ignoring that species at risk or worse. It will be a negative thing and that is not what we are looking for. The legislation simply is not productive. It is not a positive way of dealing with this problem. It has failed twice before because of that and now the government is introducing the same type of legislation again. It will fail again and that is not what we want.

I talked about farmers and those in the resource industries who will be impacted by this legislation should it pass as it is. I would like the environment minister to explain the situation to his friends. They may have cottages or may have finally, after years of work, managed to build the house they want on a shore someplace in an ideal spot. They have worked their lifetime to finally achieve this and they value it so greatly. What would happen if a species identified at risk was an found on their land? I want the minister to explain to those people whom he does not know what would happen if a species at risk was found on the land around their cottages or on some other property they own or use to earn a living. I would like the minister to explain to them what would happen in terms of compensation.

This minister has refused, despite being asked so many times, that should that situation arise, should that property be confiscated

or should the use of that property be limited as a means to protect a species at risk, to guarantee that there will be compensation at fair market value.

The message has come across very clearly that there will not be compensation at fair market value. I want him to explain to his friends when they lose their cottages or lose the right to enjoy it or lose their property or the right to use it for the purpose of their business, why he thinks they should lose that right and lose their property without at least a guarantee of compensation at fair market value. Yet no such guarantee has been forthcoming. In fact, the message is very clear that there will not be compensation at fair market value.

In a vague way, the legislation talks about the possibility for compensation. It does not say there will be compensation and nowhere does it guarantee that there will be compensation at fair market value.

What I want put into this legislation, not in regulation, before it ever passes this House, is a clause which guarantees, in an ironclad way, that should anyone lose property or lose the right to enjoyment of property or to income from property as a result of a plan to protect species at risk, that they will be compensated at fair market value. Along with some other changes that will help lead to a co-operative approach to dealing with the problem. Under that kind of situation, we can protect and will protect species at risk in a meaningful way.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, it is my pleasure to add some comments to this bill which is important and timely. There are few people in the country and in the Chamber who would not have a soft spot in their hearts for species at risk in this country.

This particular bill aims at its very root to prevent wild species in Canada from becoming extinct or lost from the wild and to in many ways move towards securing their recovery in their natural habitat.

A small background to this bill, in 1992 the former Progressive Conservative government signed what was then and went on to become the first industrial country to ratify the United Nations Convention on Biological Diversity. That convention included in its body the commitment for legislation and/or regulatory provisions for the protection of threatened and endangered species. It was certainly a worthwhile cause then and is equally so today.

● (1245)

In 1996 the Liberal government introduced legislation to fulfil the commitment made earlier by the Progressive Conservative government. That commitment came about through Bill C-65, the Canadian Endangered Species Protection Act. That bill was round-

Government Orders

ly criticized by environmentalists, scientists and landowners at the time. Sadly, because of parliament recessing, it died on the order paper at the House committee stage.

Bill C-33 is modified and renamed from Bill C-65. It represents the second legislative attempt by the government to fulfil Canada's commitment that was made earlier. According to the government, Bill C-33 is intended to complete and complement existing provincial and territorial legislation on endangered species. It would also fulfil the federal government's commitment under the federal-provincial accord for the protection of species at risk, signed in 1996.

The substance of the bill calls for protection of various species that are named and identified as being at risk of extinction. It prohibits the killing, harming, harassing, capturing or taking of species officially listed on a document. That list is there to signify those species in Canada that are endangered or threatened with the destruction of their own being or of their residence.

The species at risk legislation provides for emergency authority to list types of species and to take action to prohibit the destruction of critical habitat for those listed species and those that are identified as in some imminent danger. It will also provide for the recovery, the strategy and the action to identify the critical habitat of threatened or endangered species.

Obviously there is a need for a holistic approach that will identify the species being threatened. It goes hand in hand to say that we have to identify where they live in a strategy to prevent further harm and to preserve and complement their recovery.

The Committee on the Status of Endangered Wildlife in Canada is given legal status under this act. It will continue to operate at arm's length from the government. It will assess and classify the status of wildlife species. There is a great deal of ability for outside participation beyond simple government control. These assessments will be published and will be brought about in the form of a basis for the minister's recommendations to cabinet on the list of wildlife species at risk.

From the Progressive Conservative Party's perspective this is where the bill falls down to a large degree. The final determination as to what species will appear on the list is still very much entirely in the hands of cabinet. It is entirely at its discretion. That is fine in some areas, but in this instance it is specialized and in need of particular input from non-governmental bodies outside government to make this determination. Yet the government has retained exclusive control over this list and the determination of this list.

I will refer to who comprises the working group that is very much opposed to the government's preservation and exclusive jurisdiction over this decision. It includes the Canadian Pulp and

Government Orders

Paper Association, the Mining Association of Canada, the Sierra Club of Canada, the Canadian Nature Federation and the Canadian Wildlife Federation.

Their position is that they are in much better position to determine which species should or should not appear on that list. They feel that by cabinet retaining control over this exclusive decision it very much remains a political issue when it should not be such. It should very much be based on science, on tangible evidence that can be documented and put forward to determine whether species fit into the specialized category of being on the verge of extinction.

The mining and pulp and paper industries and environmentalists are often at odds with one another. Some would go so far to say they are often at each other's throats. If they can come to an agreement and a consensus that they can work together to make the list viable, it is in the country's interest and very much something the government should defer to this group.

• (1250)

It is almost trite to say that the Progressive Conservative Party recognizes that extinction is forever. There is no turning back when a species has been eliminated from the planet. As such, we believe that all Canadians very much support strong legislation that will preserve a species and in some cases will take very drastic measures to ensure the preservation of a species.

The status that has been given or would be designated is something that is a matter of scientific fact and not political choice. This is the reason the Progressive Conservative Party believes that to be effective the legislation has to take action based upon science and based upon evidence. This is not something that is political or partisan. This is an issue of utmost importance. It has to be placed in the hands of those best able to make the determination of what species may be at risk.

We are also committed to protecting the rights of landowners and users who believe that no single individual or entity should bear the burden of recovery when the benefits of a species' protection for all society are to be appreciated. There are occasions when the natural habitat of a certain species may be very much in the hands of a private landowner. There has to be some accommodation and perhaps some compensation involved when the government steps in and makes a determination that everything in its power has to be done to preserve the species and to ensure that their habitats are safe.

This is why we as a party believe the bulk of the decision should be left to the stakeholders when designing this recovery plan and not to cabinet. The party also recognizes that if an endangered species is found in a given area, landowners must be doing

something right and should in some instances be given the tools to continue doing so or in some instances to make that environment right.

We agree, support and recognize that many volunteers and voluntary measures have fully endorsed the stewardship as a means of providing protection for species in their critical habitat. We endorse a graduated approach to the stewardship and a full tool kit of materials designed to engage the stakeholders positively in the process. There must be an ongoing process of examination of factors such as examination of the habitat of the species and monitoring of the numbers of a certain species.

Once again it is obvious that this will be based upon scientific evidence that can be gathered in the field by those who have very specialized training in some instances. It is very obvious to me, and I suspect to all, that persons have spent virtually their entire lives studying certain species. I know that this is true in the maritime provinces of certain species of fish. I suspect it is true all over the world that individuals have made a very clear and very strong commitment to the preservation of some of our most natural and beautiful species on the planet.

The Conservative Party believes that simply making criminals out of landowners will not save endangered species. We have to include the stakeholders, scientists, landowners and governments in a role of enforcement. We cannot leave this decision simply in the hands of political masters.

This is one instance where it should be taken out of the political realm and based solely on science and individuals who have the know-how, the appreciation and the understanding of the status of species that may be literally on the verge of extinction from the planet.

These are four components of the bill, but there are certainly problems and areas in which there could be improvement. I hope and certainly expect that we may hear from the minister on the issue in the very near future.

One contentious element has been the minister's intransigence and unwillingness to yield on this point. He has said publicly that under his stewardship there would be no amendments to the legislation, that it would be an all or nothing approach. Early indications now are that he is recanting that position. We look forward to working with him at the committee stage and improving this important bill.

• (1255)

[*Translation*]

Mr. Paul Mercier (Terrebonne—Blainville, BQ): Mr. Speaker, despite the fact that the preamble to the bill states that responsibility is shared between the two orders of government in matters of

species protection, the bill is not drafted in these terms. It does not reflect the reality, namely that habitat protection essentially concerns the provinces.

Indeed, this legislation would automatically take precedence over existing provincial legislation even when habitats are entirely under provincial jurisdiction.

An example. Clause 34 provides clearly that “The Governor in Council may, on the recommendation of the minister, by order, provide that certain sections apply to lands in a province that are not federal lands”. In addition, the minister must recommend that the order be made if he is of the opinion that the laws of the province do not protect the species. Of course, the bill provides as well that the minister does not recommend that the governor in council make an order until he has consulted the appropriate provincial minister. Nevertheless, only the word consultation is used.

Here is another example. The choice of terms with respect to recovery strategies is also of some concern as it applies to the jurisdiction of the provinces in the matter. Indeed clause 39 provides that the competent minister will prepare the recovery strategy with the appropriate provincial minister to the extent possible.

The same applies to action plans, in which case again, it is provided that co-operation will be to the extent possible. More particularly, the entire section on protecting the critical habitat allows the government to develop codes of practice and impose national standards or guidelines, when the federal government has no legal authority over most of the lands concerned and no power over the management of the resources in these areas.

This bill encroaches squarely on the jurisdiction of the provinces and excludes their making any real and direct contribution in the process. Existing laws are ignored.

This is just the way it is with so many other recent laws and will be the same with future ones, we have no doubt. This law does not respect provincial jurisdictions.

Another point needs to be raised. Most environmental groups are opposed to the bill introduced by the Minister of the Environment, even though these groups should be the minister’s allies.

Most stakeholders feel that the proposed legislation does not go far enough. Even organizations representing the industry think that this bill will not provide greater protection for species and will not help them determine what they should to protect species living on the sites of their operations.

But the main problem raised by environmental groups has more to do with the fact that the decisions concerning the designation of species will be made by the minister and by cabinet, rather than by scientists.

Government Orders

A lawyer from the Sierra Club strongly condemns such an approach. She condemns the fact that such discretionary power about the designation of species is given to politicians, not to scientists. The minister is being criticized for resorting to a piecemeal approach dictated by cabinet, instead of a global approach supported by compelling legal measures if an agreement cannot be reached.

What is the position of the government of Quebec, which is directly concerned, on Bill C-33? As soon as the federal Minister of the Environment introduced his bill, his Quebec counterpart, Paul Bégin, said that the proposed legislation was just another example of useless duplication for Quebec. Indeed, the Quebec minister indicated that Bill C-33 sought not only to create a safety net for endangered species and their habitat on federal lands, but also on lands all over Quebec, regardless of whether the lands are under federal jurisdiction or not.

• (1300)

Although it is a federal responsibility to pass legislation to protect migratory species, the federal government has no constitutional power over habitat management in provincial territory. Obviously, as far as Quebec is concerned, there is no question of the federal government invading areas of jurisdiction that do not belong to it and dictating what approach is to be used to protect Quebec ecosystems when Quebec already has legislation aimed at protecting endangered species and their habitat.

The government of Quebec believes in fact that legislation such as that proposed by Bill C-33 might be acceptable if it were to exclude any species or habitat under provincial jurisdiction and were applied to provincial territory if, and only if, the province or territory were to specifically request it.

The government of Quebec passed its own legislation on this in the late 1980s. In fact, Bill C-33 represents a direct overlap with Quebec legislation which has been in place since 1989 and is working well, with conclusive results already evident.

This bill therefore represents a risk of creating more red tape instead of making it possible for limited resources to be properly channelled into the right things. The government of Quebec already has legislation in the areas addressed by Bill C-33.

While we recognize that the environment is a shared responsibility, it is becoming increasingly clear to us that the federal government is ignoring this fact, flying completely in the face of genuine environmental harmonization between the various levels of government. It is introducing legislation in an area which is outside its jurisdiction and liable to again bring about unnecessary duplication in areas which are already handled by the provinces and which affect their lands and resources.

Government Orders

What the federal government calls a double safety net, for example, two levels of government operating in the same area of jurisdiction, in fact waters down the accountability of both and needlessly complicates the assignment of responsibilities.

There is nothing new under the sun in Ottawa. With its arrogance, incompetence, and scorn for provincial jurisdiction, Bill C-33 is typical of traditional Liberal policy. But let us be fair. Whales, a protected species, seem to be beyond the reach of those whom Ottawa claims come under its exclusive jurisdiction, provincial jurisdiction notwithstanding. This was an oversight I am sure. Henceforth, I suppose that whales will sport a maple leaf. The oversight has been corrected.

I need hardly point out that our party will be voting against this bill, with its fresh demonstration of this government's incompetence and arrogance. Only sovereignty can save us from the mess of Canada's federal system.

[*English*]

Mr. Roy Bailey (Souris—Moose Mountain, Canadian Alliance): Mr. Speaker, the world series is approaching and the government has thrown the third ball. It is the third time it has tried legislation like this and it is the third time it will strike out.

I believe the government has deliberately designed the bill to promote confrontation. Nobody in his or her right mind would design a bill that confronts the people in my constituency and in the constituency of the hon. member for Cypress Hills—Grasslands, who did an excellent job of making this presentation. The bill is as ill-fated as the two former attempts. It will bring about the same animosity among innocent people as did Bill C-68, I can ensure hon. members of that.

Canadians from coast to coast agree that it is important to protect our wildlife. Canadians are enraged when people overfish. They are enraged when animals are hunted out of season. They are enraged when animals are hunted at night. Canadians aim for conservation. These same Canadians are delighted to work with any government to protect endangered species. This agreement must not come from the top down as this legislation has.

• (1305)

This bill will make criminals out of people who are completely innocent. Within my constituency there are huge areas of ranch land. I suspect that without the knowledge of the person who has running cattle on that land, there could well be endangered plant species. If by chance that same rancher puts up a new fence and unknowingly drills through one of the endangered plant species, he is automatically a criminal. That is the way the bill is written.

Contrary to most laws, although the individual knows nothing about the offence, he has to attempt to prove himself innocent. This is not like ordinary law where all people are innocent until proven guilty. The fines are so outrageously heavy that if they were enacted, the individual would not only have to sell his entire herd, but he would have to sell his ranch as well.

Because a lunatic went mad and shot some girls at École Polytechnique, the government overreacted and brought in Bill C-68. To this day it has had no value to anyone except to make criminals out of a lot of duck hunters across Canada. It has not solved one crime. However, some innocent young fellows were denied the right to have FACs for their rifles because their divorced wives said they were dangerous people. The government brags about taking the guns away from these nasty people who have never even had a traffic offence in their lifetime.

This legislation is going to fail. The legislation will use the government's criminal law powers on innocent people. I wish all Canadians would listen to the fear expressed by some environmentalists who probably have never seen one of those plants. This small group has encouraged the minister to bring this bill in. Where did the minister choose to announce the legislation? He made the announcement not in the prairies, not in a city, not when parliament was sitting, but in the new territory of Nunavut during the summer.

The last time the bill came before the House, Dan Gardner, who is on the Ottawa *Citizen* editorial board, wrote "Any government that is serious about saving endangered species has to compensate landowners for economic losses. To do otherwise is to pit people against animals and when that happens animals lose every time".

I would like everyone who is concerned about this to recognize that if the bill is passed, co-operation is gone. If the government takes the bill back and consults with people who will be affected by the bill, it will get wholehearted co-operation.

Right now the Minister of Fisheries and Oceans, in facing confrontation, is preaching co-operation. This bill does not co-operate. No farmer, no rancher, no farm organization, no cattle organization to my knowledge were ever approached by the government before it brought in this legislation. As a result of that, it is going to fail.

• (1310)

In an area not too far from where I live ground owls are nesting. The farmer took down the endangered species sign because he knew this bill was coming and he would ultimately lose that property. That is not co-operation; that is dictatorship.

I plead with the government to not pass this bill. No amount of amendments will make the bill palatable. Read the bill and see what powers it gives to the government. It could destroy people's lives overnight. Property could be seized overnight.

Government Orders

I beg hon. members, backbenchers and all, to read the bill and then have the guts to stand in the House and vote against it for the sake of humanity and for the sake of the people in agriculture and for the sake of all people who could innocently be incarcerated because of the bill. Am I being extreme? Not at all. I urge members to read the bill themselves.

When this bill comes for a vote, I pretty well know that a good number of the members opposite will probably be whipped into shape, forcing them to vote for the bill. In talking to many of them, I know they do not agree with the bill.

For the sake of our livelihood, for the sake of our country, for the sake of wildlife, let us take aim at conservation. This bill takes aim at confrontation and that is why it is doomed to fail.

[*Translation*]

Mr. Maurice Dumas (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, I am pleased to rise today at second reading of Bill C-33, an act respecting the protection of wildlife species at risk in Canada.

Before I start my remarks, I would like to mention that the International Fund for Animal Welfare held a precursory event when this bill was introduced in the House.

They allowed MPs to officially adopt an endangered species. Dr. Rick Smith, the Canadian director of the international fund for animal and plant welfare, gave each MP a certificate on an endangered species and an information booklet on its habitat and the dangers threatening its survival.

He told members about the following survey: a Pollar survey conducted in May of 1999 confirmed that 97% of Canadians believed that laws to protect endangered species are important. In addition, 85% felt that Canada's legislation should be the most rigorous and complete in the world. The survey results were consistent across Canada.

I myself received an adoption certificate making me responsible for protecting the Anticosti aster, a species whose survival and recovery depend on global and stringent legislation on the protection of species at risk. The Anticosti aster is one of the 313 Canadian species in danger of disappearing.

I would point out that two of our eminent colleagues from the other side of the House adopted well known mammals: the beluga and the blue beluga. For the two of them, the war of the belugas would obviously not have happened. The members have only to consult their list.

• (1315)

Biodiversity as a whole is the result of the evolution of the earth over close to 4.5 billion years.

It is to be noted that the secretariat of the convention on biological diversity has had its head office in Montreal since November 1995. The decision was made at the second conference of the parties, held in Jakarta.

The secretariat follows up on the decisions made regarding the protection of biological diversity when the convention was signed. By signing the convention, the nations of the world pledge to preserve the biological diversity of our planet, to use biological resources in a sustainable way and to share genetic resources fairly.

Starting in the 1970s, international conventions were signed to restrict the trade of certain species and to limit the trade of those threatened with extinction or highly vulnerable.

In recent years, scientists have been telling us that we are seeing more and more species become extinct, as well as increasing numbers of others being threatened with extinction or becoming highly vulnerable.

The UN report on biodiversity mentions several factors explaining the decline in biodiversity. One of these factors is the increase in population and economic development which, in their own way, contribute to the depletion of biological resources.

The increase in human migration, travel and international trade is also a threat to biodiversity, as is the increase in pollution.

It should be noted that the government has already introduced Bill C-65, an act respecting the protection of species at risk in Canada which died on the order paper.

The federal government can play a role in protecting wildlife species under certain statutes such as those dealing with fisheries or with our national parks. However no federal legislation exists for this specific purpose.

If passed, Bill C-33 would be the first Canadian legal instrument dealing specifically with the protection of wildlife species at risk.

It is estimated that close to 70,000 known species have their habitat in Canada, many of which are found only in Canada. The Committee on the Status of Endangered Wildlife in Canada, or COSEWIC, has designated 340 wildlife species as at risk in Canada.

This organization, established in 1978, is composed of representatives from every government agency, province and territory, as well as four national conservation agencies. It is the main player in the protection of species and it is responsible for establishing an index of the endangered species in Canada.

As well, through clause 36, the bill forces the provinces who identify some species as threatened species not listed as endan-

Government Orders

gered species by COSEWIC to apply the same restrictions to their own species as those imposed on designated species.

By doing so, the federal government is assuming the right to impose its own way of protecting species. By giving discretionary powers to the Minister of the Environment, the bill does not respect the division of powers as stated in the Constitution.

Bill C-33 interferes in an area under provincial jurisdiction and excludes the provinces from any real and direct input into the process. The protection of species can only be effective if habitats are also protected, but it is the responsibility of the provinces to manage these issues in co-operation with the various stakeholders.

While it may be appropriate for the federal government to legislate to protect migrating species, this government has no constitutional authority regarding the management of habitats on provincial lands.

• (1320)

The Quebec government cannot let the federal government infringe again upon areas of provincial jurisdiction. Quebec already has its own legislation protecting endangered species and their habitats.

The principle of providing greater protection to endangered species is in itself one the Bloc Québécois readily supports. However we do not believe that Bill C-33 will improve the protection of species at risk.

In fact we oppose the bill because it constitutes a direct intrusion into many areas under Quebec's jurisdiction. It even overlaps the act Quebec passed in 1989.

The bill could very well increase the paper burden. The Quebec government has already legislated in areas covered by Bill C-33.

We recognize the need to improve the protection of our ecosystems and the endangered plant and animal species that constitute them, but we do not believe Bill C-33 is the way to go. The Bloc Québécois is opposing the principle of this bill today.

In closing, I will repeat the opinion expressed by the Liberal member for Lac-Saint-Louis on June 12 of this year, and I quote:

We are not even starting with the roll of the list of the 339 species identified by COSEWIC. That is a glaring fault in the law. Without a listing there cannot be protection.

[*English*]

Mr. Ted White (North Vancouver, Canadian Alliance): Mr. Speaker, I will speak briefly to Bill C-33 because for the people who live in cities and are really driving this bill it is very easy to legislate away someone else's property.

In a moment I will read into the record a letter I received from one of my constituents, Earl Campbell, who will be greatly affected

once Bill C-33 is passed. He wrote a very good letter to the minister on April 25.

It is a pity we do not have the same rights to property as American citizens have. Our constitution, unfortunately, does not give us property rights so it is possible for a government, like the Liberal government, to just run roughshod over people's property rights. It can take away something for which people may have spent their whole lives saving to purchase some sort of land that they could retire on only to find that a government can take it away without even giving reasonable compensation.

I will now read Mr. Campbell's letter into the record which was sent to the Minister of the Environment on April 25, 2000. Mr. Campbell indicated that he had read the bill which he had located it on the Green Lane website. He read again the executive summary from December 1999 provided by the government and the material in a folder that had been sent to him by the minister, obviously promoting the bill.

Mr. Campbell wrote:

My main objections to the detailed wording are still the same. The enclosed editorial from the *National Post* says it rather well. Any individual rights are totally abrogated.

I will read the *National Post* editorial in due course, but I will continue with Mr. Campbell's letter at this point.

It is clear that you do not expect that this land use legislation is going to affect you personally, or restrict your future income or lifestyle, or you would be more concerned with the draconian nature of the regulations already proposed, and the absence of any appeal process.

All the talk in the world about what you or the Canadian government may do for the environment still leaves me in the same unenviable position; namely, some of my property is used seasonally by species listed in the lists in Sec 129 under regulations so far established, ironically enough because I protected some of their habitat under my control.

Bill C-33 says the minister may compensate individuals whose property use may or will have to be changed, making an economic difference to the individual owner. Nowhere does it say the Minister must compensate private individuals, adequately, completely, and promptly, for loss of use or benefits of their lands. Nor is there any provision for compensating the landowner for the costs arising from any damage caused by empowered officials entering or crossing private property as an access to other property which they may wish to enter or inspect; nor other costs.

This difference may be small to you.

It is not small to me. It is the difference between careful modest enjoyment of my retirement years and a penurious existence.

I am sure that I am not alone in this position.

Further, there are powers in the proposed bill which allow the Minister (or apparently even persons delegated by the Minister of Environment) to make further regulations from time to time. These would not necessarily ever be publicly debated, either. Potentially more dangerous.

Government Orders

I have already seen the effect of such omnibus powers as used by the Department of Fisheries and Oceans. Clearly, any individual landowner has to be both vigilant and lucky not to have some perceived infringement under these regulations cause a major problem with some enforcement officials.

I have little expectation that you, the minister, will ever see this letter—

• (1325)

Today, because I am reading it into the record, the minister will get it firsthand.

—or that it will in any way change the course which you and the Liberal government have embarked upon.

That is why my faint praise is on page 2.

I think that you may be making an honest effort, not just a political one, to do some real habitat protection for at least some of the threatened and endangered species.

Further, I agree that the government must make the final judgement on which species, and even which portions of a habitat, must be protected and conserved. To that degree, I think the introduction of socio-economic factors into the factors affecting any decision is prudent. The absolute protections as found in the United States laws, while they may soften the criticisms of the wildest environmentalists, offer no chance for rational decisions about the greater public good. It will still be a political can of worms to even discuss a decision to abandon some protection somewhere, for anything, I am sure; but the option needs to be open.

That is a heartfelt letter from someone who will be directly affected by this bill. There is something wrong with a proposal for a government to take away something that a person has worked his entire life to produce: a retirement farm that could be taken from him at a moment's notice, especially when he has taken the trouble already to provide habitat for a protected species.

As I mentioned, the position he took was backed up by a *National Post* editorial dated April 14, 2000. I am not sure I will have time to read the whole editorial but I will read it as far as I can. It is headed "Unsustainable" and reads:

Protecting endangered species and their habitats makes sense educationally, aesthetically, ecologically, even spiritually. But for a rancher or logger who finds such a species on his land, his immediate thoughts turn to personal risks. Will he lose economically if the government finds out he is working in an endangered habitat? Will his land be seized? Or just as bad, will he be allowed to keep his land, but forbidden to use it?

These are not just theoretical concerns. In the U.S., heavy-handed legislation has led to a "shoot, shovel and shut-up" mindset, where property owners view endangered species as creatures to be destroyed, not preserved.

Any workable conservation effort must recruit property owners to the environmental cause.

This is just like my constituent. From the tone of his letter, he clearly supports the idea of protecting these endangered species. All he asks is for reasonable and fair treatment by the government. The editorial compares the situation with the new federal species at risk act. It says:

Compensation for landowners is specifically not guaranteed: The bill says the government "may" choose to pay a landowner for taking his property—not "must" or "shall". This is no trifle; it is the only line a landowner has to read to know that endangered species are his economic enemy.

As with the colleague who went before me from the Canadian Alliance, I would beg and plead with the government representatives to please read the bill. They should think about what it would do to people in their ridings who have saved their entire lives to buy property to prepare for their retirement and now find themselves faced with the possibility of seizure of their land without any reasonable compensation. I ask them to vote against the bill and send it back for revision.

• (1330)

[*Translation*]

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, I am pleased to rise today to speak on Bill C-33, the Species at Risk Act.

The public is far more concerned about the environment when the economy is doing a little better. Fortunately this is the case in a number of regions of Quebec and of Canada. This concern ought to be an ongoing one and everyone agrees on that. There must however be effective legislation and measures that have a connection with reality.

First of all, I must admit to not having done an enormous amount of work in this area, but I do have some familiarity with it. My colleague from Jonquière is the one who handled this issue for the Bloc Québécois. I was extremely surprised, seeing all the material on this issue, that the government has not managed after all this time, for this is not the first time it has tried to get such legislation, to get any more support for a bill which ought normally to respond to some practical objectives.

Protecting endangered species is a worthy cause, but what it has managed to do instead in this case is to unite people against it. A number of provinces—if I remember correctly, Quebec, Ontario, New Brunswick, Nova Scotia, Saskatchewan, and others I cannot recall, there is a sixth I believe—already have legislation to protect endangered species.

If there is federal intervention, it ought not to have a negative impact on what is already in place, or occupy a space that would make it possible to better protect our environment and our ecosystem and provide all the environmental protection necessary. Like many others, the government of Quebec is not really comfortable about this because it looks like another case of duplication.

All this is not because everyone keeps saying it is less pertinent. For individuals, organizations, all those involved in the field it is not easy to figure out what is going on when there are two different pieces of legislation to deal with. Which one takes precedence? Which addresses which particular aspect? It is not a very simple matter. If the information is simple and understandable, people will be more careful and more informed, and a very healthy pressure will be put in place.

Government Orders

If the federal government also wanted to deal with what is under its jurisdiction, it could do many things in environmental matters. It too could set an example by the way it takes care of the environment. It could be more open in its approach to the citizens.

This brings to mind the MOX that the government tried to transport on the sly: the less people are informed, the better. My colleague and some people in her constituency managed to make the plan public and called for a halt to it. The government was forced to say that it would have to abide by its own principles. If it had not been for the vigilance of a few people this might have been done on the sly. The federal government's behaviour is not exemplary.

Speaking of the environment in the broader sense, people in my region as well as in northeastern Ontario are very concerned by what is coming up. When we talk about Témiscamingue, that is the Quebec side, but there is also Timiskaming on the Ontario side, with a similar name because of Témiscamingue Lake which straddles the border.

Northeast Ontario will have the great honour of hosting the largest dump, or almost, in North America. Out of generosity, the city of Toronto has decided to send its garbage to a former open-pit mine in northern Ontario; three other regional municipalities will do the same, Peel, York and Durham. A minimum of 20 million tons of garbage will be sent to northeastern Ontario, close to rivers flowing directly into Témiscamingue Lake.

For those who do not feel concerned, I mention that Témiscamingue Lake flows into the Ottawa River and eventually into the St. Lawrence River. It is located at the watershed. We live at the north-south divide, in an area where two watersheds meet. This project will be in the southern watershed, just at the very edge of that watershed.

• (1335)

I will explain briefly. They will put the garbage in the mine pit. Sure, they are going to put sand all around to protect the exterior walls of the mine. They will pray that there is no leak in the ground. Then, they will pour into the pit water from the surface and use it to rinse the garbage, pump it back up and treat it. This water will then go back in the rivers. To sum up, they are going to contaminate pure water and treat it afterwards. This, at a time when people worry so much, and rightly so, about drinking water.

Mr. Speaker, this project is an environmental disaster, and so far the federal government has not made a single comment about it. It did not state its position, when its own legislation would allow it to do so, because there are interprovincial considerations involved and the aboriginal people have land claims over the area. It should look after its own jurisdictions instead of always trying to duplicate what is being done elsewhere and to extend the areas where it can step in. It would be nice if it started to use its own powers more efficiently.

Incidentally I am taking this opportunity to raise the awareness of the Liberal members from the Toronto region, because I know that several of them are interested in this idea of shipping all that waste to our area.

When we talk about the environment we must emphasize the notion of recycling. The city of Toronto and three neighbouring communities will get a bonus for having signed a contract with a private contractor. They guaranteed 20 million tons and, if they exceed this amount, they will get a \$1.50 rebate for each ton.

Do you think that these municipalities will put pressure on people to recycle? Do you think they will use common sense? They are locked into a 20 year contract with a private contractor who will become a major waste manager.

Southern Ontario sends its refuse to the north and does not care one bit. It gets rid of the bad odours, etcetera.

This also has a major impact. It is related to the whole issue of the protection of species. What would be the consequences on our ecosystem, on our environmental balance, not just on our waters, of having a mega-dump, the biggest dump in North America, in a region like that? I can predict that our region will also end up having the largest concentration of seagulls and pigeons in North America. These birds also travel and contaminate other areas.

People back home are extremely concerned. We are very concerned about the Ontario provincial government, which seems to care little about the environment. We are also concerned about the federal government which has so far remained silent on this project.

When I see a debate like today's, where the government wants to assuage its conscience and pass a bill to protect wildlife species at risk in Canada, when six provinces are present already in this field trying to do the job—it may not be perfect what they are doing, but they are trying to follow the right path—when I see the federal government introducing a bill that does not even satisfy environmental groups that are very attuned to the issue, I say to myself that this is definitely not a step in the right direction.

I will not repeat the arguments made by my colleagues earlier. I would, however, like the government to be a little more realistic. It should pass legislation that is practical, and existing laws, such as the environment law, which allows the federal government to intervene when necessary, should be used too, when there is opposition such as is found in northeastern Ontario and northwestern Quebec, which is back home.

Just to give members a sense of proportion, where I come from, 5,000 people signed a petition. They oppose Toronto's proposal to ship its garbage out. Five thousand people at home represents a third of the population. In Toronto, it would take a million people to make the equivalent. I challenge members to find one million people to support the proposal to ship out waste.

I am happy to see that the government is talking increasingly about the environment. It will eventually also have to talk about real problems, our over-consumption of certain resources. We are not contributing either to maintaining a healthy balance for our environment, and our actions are not helping protect the species needed to protect our ecosystem.

It takes more than the passage of laws of limited scope and considerable confusion rather than positive solutions to go in the right direction.

I conclude by asking the Liberal members to awaken their conscience. They have to take real action. I hope that in the next stages of considering the bill, the government will return to a more realistic approach.

• (1340)

[*English*]

Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance): Mr. Speaker, it is a pleasure today to speak to Bill C-33. If there is one thing Canadians hold very close to their hearts it is the concept of endangered species. They feel that this is a legacy not only that they have inherited but one that they need to pass on to their children and their grandchildren.

The government has had at least two opportunities to deal with this pressing issue. Again, unfortunately, in Bill C-33 it has failed. As my colleagues have pointed out throughout the course of this discussion, a number of loopholes in the legislation will not enable us to protect the most vulnerable species within our midst.

It is important for us to understand the scope of the problem. In my province of British Columbia only six per cent of the temperate rain forests is actually protected. In our country today nearly 350 species are in danger of extinction. This situation unfortunately will only get worse.

The reasons are multifactorial but can be best summed up by habitat loss, the use of pesticides, agricultural practices and clear-cut forestry practices. We have seen this perhaps most dramatically on the prairies where large swaths of indigenous lands have been destroyed. The outcome of this has been the destruction and decimation of many species, from the great ox to the passenger pigeon.

We have an opportunity to deal with this matter in a very comprehensive fashion, and I will deal with the solutions one by one. The first and most pressing issue is the protection of a central habitat. My colleagues and I would love to see the government take a more aggressive stance in this regard by balancing off the protection of habitat with the understanding that landowners and property rights have to be protected also.

S. O. 31

What is interesting is that property owners, and indeed the private sector, very much would like to see the government come up with a distinctive plan to deal with it. They want rules under which they can function. They also want fair compensation for land that is taken away from them.

The private sector is very committed to wanting sensitive habitats protected, but it also wants to ensure that its land will not be taken away by the government in a willy-nilly fashion. Fair compensation is what my colleagues have called for, for a long time. Perhaps the most reasonable way of doing it is by basing compensation on fair market value.

It is not always necessary, in fact only in a minority of occasions is it necessary, to take away land from the private sector. As we have seen in Saskatchewan, most farmers and other private land-owners would like to work with the government in ensuring that their land is protected and that the land can be used reasonably without endangering the endangered species.

STATEMENTS BY MEMBERS

[*Translation*]

JOURNALIST JEAN V. DUFRESNE

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, in the past few days, the *Journal de Montréal* has been dealt two heavy blows.

The attempt on the life of Michel Auger was followed by the death of former Montreal journalist Jean V. Dufresne of lung disease, this past Saturday morning.

Mr. Dufresne was a gifted writer with a long career in both the print and broadcast media. He was on the staff of the three French-language Montreal dailies: *La Presse*, *Le Devoir* and *Le Journal de Montréal*. He was also on Radio-Canada. The quality of his work earned him the respect of his colleagues and of his readers and listeners.

Jean V., as he was known to his colleagues, retired from *Le Journal de Montréal* five years ago.

I would like, on behalf of myself and my colleagues, to express most sincere condolences to Mr. Dufresne's family, friends and colleagues.

S. O. 31

• (1345)

[English]

TAXATION

Mr. Ken Epp (Elk Island, Canadian Alliance): Mr. Speaker, let us look at the facts of the Canadian Alliance solution 17. Under our solution 17 a family with a mom and a dad and two kids would pay no income tax at all on the first \$26,000 of income. The Liberals are squeezing \$6 billion per year from these families.

Let us compare two families under our proposal. One family earns \$60,000 and with solution 17 their taxes would go down to about \$6,000. However families with a \$30,000 income will have their taxes go down all the way to \$680, one-half as much income but only one-tenth as much tax. That is a fair progressive system, and those are the facts.

This plan will work. It is affordable. It is good for families. It is good for the economy. Careful scrutiny shows that our plan is far superior to the Liberal plan. Canadians will find the truth and when they vote for us that truth will liberate them from years of PC and Liberal tax slavery.

* * *

ROBERT S. K. WELCH

Mr. Walt Lastewka (St. Catharines, Lib.): Mr. Speaker, I am saddened but honoured today to pay tribute to a great individual who passed away this summer, Dr. Robert S. K. Welch.

It is difficult to put into words the tremendous achievements of such a respected and accomplished person. Dr. Welch was an educator of our youth, a political leader, a well respected member of his community and loved husband, father and grandfather.

Dr. Welch had a long history of public service and deep roots within the Niagara community. Over the years he held the posts of chancellor of Brock University, Ontario minister of education, deputy premier of Ontario and an officer of the Order of Canada that he received in 1994.

Robert Welch was a loved and respected man whose work and dedication will be missed. I extend my condolences to his children Robert, Beth Kerley and Mary-Jayne Mete, and to his four grandchildren.

The memory of Robert S. K. Welch will remain in our hearts and minds and in many manifestations of his life of dedication to home and community.

* * *

SPORTS

Mr. Jerry Pickard (Chatham—Kent Essex, Lib.): Mr. Speaker, I rise today to recognize two outstanding athletes from Cha-

tham—Kent. The first is Meaggan Wilton. Meaggan was a virtual unknown in 1998 but scored the winning run that qualified Canada to compete in the Olympics. Now she is in Sydney with the Canadian National Women's Softball Team. That is a dream come true.

The second is past Olympian Shae-Lynn Bourne. On the ice Shae-Lynn and her partner Victor Kraatz have dazzled crowds. They have won seven Canadian championships and four consecutive bronze medals at the World Championships.

Off the ice Shae-Lynn's courageous public stand for fairer judging practices has brought about positive changes in the rules for all competitors. For her efforts Shae-Lynn has just received the Governor General's Meritorious Service Cross.

I congratulate Meaggan and Shae-Lynn, two outstanding ambassadors for Canada.

* * *

[Translation]

GASOLINE PRICING

Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.): Mr. Speaker, for months I have been calling for a cut in the federal excise tax and the Bouchard government's road tax on gas and diesel fuel, as well as for Canadian fuel companies to give a breakdown at the pump and on the bill of the gross price of a litre of gas, along with all the taxes separately.

This year I asked for an emergency debate, but it was denied. Why do the opposition parties not call for an opposition day debate on the prices of gas, diesel fuel and fuel oil?

* * *

[English]

CANADA POST

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, yesterday the House debated organized crime but today we have to talk about postage stamps for terrorists. Canada Post is considering the issuance of a vanity stamp for Velupillai Prabhakaran, leader of the Tamil tigers, the ruthless terrorist organization.

The government has already allowed a vanity stamp for Kumar Ponnambalam, a well known supporter of the Tamil tigers. That stamp was issued in violation of Canada Post's vanity stamp program rules requiring the consent and permission of the person to be pictured. Kumar was deceased and he could not give permission, but still the Liberals gave him a stamp.

Liberals have not only given tax free status and made Canada a haven for terrorists. Now they issue them stamps. Rather than stamping out terrorism, they have put terrorists on our stamps.

• (1350)

Did the finance minister promise to approve it when he was attending the Tamil tiger fundraiser along with the CIDA minister? How many more terrorist stamps—

The Speaker: The hon. member for Kingston and the Islands.

* * *

OLYMPIC GAMES

Mr. Peter Milliken (Kingston and the Islands, Lib.): Mr. Speaker, my constituents in Kingston and the Islands are rejoicing at the triumph of Simon Whitfield from Kingston in the men's triathlon at the Sydney Olympics.

Mr. Whitfield's gold medal is a tribute to his dedication to his sport, where he has excelled for a number of years. All Canadians were moved to see the magnificent finish in his race when he surged ahead of his opponents to win the big prize.

Sharon Donnelly, another of Kingston's athletes at the games, participated in the women's triathlon. Ms. Donnelly was a strong and hopeful medal contender, but she was involved in a bike crash caused by other riders. Despite knowing that a top finish was gone for her and despite her injuries and pain, Sharon got back on to her bicycle and finished her Olympic triathlon showing great courage.

I know my colleagues on all sides of the House join me and my constituents in congratulating Simon Whitfield and Sharon Donnelly on their accomplishments.

* * *

[Translation]

KOREAN WAR

Mr. Paul Mercier (Terrebonne—Blainville, BQ): Mr. Speaker, the Korean war has been called Canada's forgotten war, although 27,000 Canadian soldiers took part in it. Of these, 516 Canadians, 113 of them Quebecers in the 22^e Régiment, perished. They must not die forgotten.

I wish to mention last Sunday's unveiling in Quebec City of a commemorative plaque in tribute to these Quebecers. The 22^e Régiment laid on a guard of honour for this ceremony, which was attended by Quebec's Lieutenant Governor, Lise Thibault. I find it regrettable that the Department of Veterans Affairs did not see fit to contribute financially to this tribute, as it was asked to do.

Personally, and on behalf of the Bloc Québécois, I congratulate the Korea Veterans Association of Canada, especially Roland Boutot and his wife, Carmen, on this fine initiative, which will

serve as a memory to future generations of the sacrifice made by these Quebecers, who lost their lives in the Korean war.

* * *

[English]

POLITICAL PARTIES

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, Canadians are tired of political party leaders who want to download government, who urge slashing taxes to benefit the rich, who are prepared to jeopardize our health by privatizing public services, who think backbench politicians are better at home in their riding schmoozing for votes than debating how to make the best laws possible.

Canadians are not fooled by political party leaders who think governing is a series of personal photo ops, publicity stunts, private press conferences and attack ads. I have proof, unassailable proof. On September 8, in a provincial byelection in my riding, the Liberal candidate swung 20,000 votes away from the Ontario Tories in a landslide rejection of the policies of Premier Mike Harris.

Where walks Mike Harris stalks the leader of the Canadian Alliance. It may take some time—

The Speaker: I ask hon. members to use the names of ridings and not our regular names.

* * *

ORGANIZED CRIME

Mr. Jim Abbott (Kootenay—Columbia, Canadian Alliance): Mr. Speaker, last night the House sat until after midnight debating the issue of organized crime in Canada. This insidious force that is a cancer in Canadian society has grown in our lives in the last seven years under the Liberal government.

In their speeches last night it was evident that the justice minister and solicitor general have no concept of the complexity of this problem. They do not understand that organized crime presents a threat not only to the personal security of Canadians but also to Canada's national security as terrorists link arms with organized crime. Dangerous forces attempt to undermine the freedom of speech and association of Canadians as they threaten, coerce and attempt to bribe people in public life.

When will the government finally get serious and recognize the solid link between organized crime and national security? It is time the government came forward with a strategy that will encompass foreign affairs, immigration, armed forces, CSIS and our national police forces. A united solid front is the only wall between Canadians and the forces of destruction.

S. O. 31

[Translation]

INTERNATIONAL DEVELOPMENT

Mr. Eugène Bellemare (Carleton—Gloucester, Lib.): Mr. Speaker, on September 5, the Minister for International Cooperation tabled a five-year plan targeting four key sectors of social development in developing countries.

A total of \$2.8 billion will be invested in these priority sectors over the next five years. Funding for health and nutrition will more than double, while amounts earmarked for basic education, the fight against HIV/AIDS, and the protection of children will quadruple.

• (1355)

[English]

CIDA's social development priorities will allow Canada to bring a greater focus to its international development priorities. It will ensure that Canadian resources are invested where the needs are most pressing.

This framework for action presents a clear vision that will make Canada's development assistance program even more effective in building a better quality of life for some of the poorest and most marginalized people in the world.

* * *

CANADIAN ALLIANCE

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, welcome to the Bay Street golden trough Olympics where Liberal, Tory and Alliance parties fiercely compete for corporate gold.

Bay Street dinners have seen Tories charge \$500 a plate, the Liberals \$1,000 and the Alliance's Tom Long \$5,000 a person for a picnic in the Muskokas. However this year's winner of the golden trough award is the so-called grassroots Canadian Alliance for organizing a \$25,000 a table corporate fundraiser in Toronto.

Twenty-five thousand dollars is the yearly income of an average working family in my riding. Twenty-five thousand dollars is more than two years salary for a person working at minimum wage in the province of Alberta.

This is the Alliance's price for democracy. This is its price for access to its corporate agenda. This is a party where Bay Street is now paying the piper and a party where Bay Street will call the tune.

[Translation]

LEADER OF THE GOVERNMENT IN THE HOUSE OF COMMONS

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, the government House leader thinks we oppose his coming to Quebec because he is a Franco-Ontarian.

I would remind the leader that the Bloc Québécois opposes visits by all federal ministers touring Quebec at the expense of the Canada Information Office, the famous CIO, in tours organized by the good friend of the Minister of Public Works, Michèle Tremblay, and a former Liberal candidate, Serge Paquette, to whom the Liberals have paid out over \$4.2 million since 1997.

Why are the visits to Quebec only? Why the heck are these visits organized by the CIO and not by the various ministers' offices? Why are the contracts for the organization of these visits being given to friends of the Liberal Party of Canada?

The government leader would be better advised to rise in defence of his minority, which has been rather mishandled these days.

The Speaker: The hon. member for Mississauga West.

* * *

[English]

MEMBER FOR MISSISSAUGA WEST

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, I am a member of parliament and I am a Liberal. I believe in universal health care and the Canada Health Act, not the CA's two tier American style health care system.

I promote tax cuts, not the CA's proposal for a flat tax. I wear a business suit, not a wet suit, thank goodness. I do not even own a personal watercraft. I work seven days a week, not four. I believe in a clear majority on a clear question, not the Bloc's intention to confuse Quebecers and other Canadians.

I believe in sound fiscal management, not the NDP's urge to spend, spend, spend. I believe that when we circle the wagons we shoot outward unlike the Conservative view of pulling together.

By the way, I believe in the Canadian Olympic dream. Our team will win more medals to come and the 2008 Olympics are coming to Canada. Yes, I am Canadian and I am a Liberal.

* * *

MEMBER FOR KINGS—HANTS

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I am a Progressive Conservative and on behalf of the Progressive

Routine Proceedings

Conservative caucus I am pleased to welcome back to the House of Commons the new member for Kings—Hants.

I had the honour and pleasure of serving with this member from 1988 to 1993, at which time he proved to be an outstanding international leader and represented our country so very well.

• (1400)

More recently I served with him going door to door in Kings—Hants and could not help but be impressed as people came out to shake his hand. They brought their children across the street. They said “I want my daughter to meet Joe Clark. I want my son to meet Joe Clark”. This is just an indication of the honour and respect that people hold for this man.

There is a void in Canadian politics that is not now being met. Under his leadership in the House, the Progressive Conservative Party will now fill that void. Every single one of us will be there to follow his leadership in reaching out to Canadians and meeting their needs.

On behalf of his entire caucus welcome back to the House of Commons, the Right Hon. Joe Clark.

ROUTINE PROCEEDINGS

[English]

NEW MEMBERS

The Speaker: I have the honour to inform the house that the Clerk of the House has received from the Chief Electoral Officer the certificates of the election and return of the following members:

The Right Hon. Joe Clark, for the electoral district of Kings—Hants.

Mr. Stockwell Day, for the electoral district of Okanagan—Coquihalla.

* * *

• (1405)

NEW MEMBERS INTRODUCED

Joe Clark, member for the electoral district of Kings—Hants, introduced by Mrs. Elsie Wayne and Mr. Peter MacKay.

Stockwell Day, member for the electoral district of Okanagan—Coquihalla, introduced by Miss Deborah Grey and Mr. Chuck Strahl.

• (1410)

The Speaker: I guess as they say in the Olympics, let the games begin.

Some hon. members: Hear, hear.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we can wait a few minutes so we can be serious before the fun of the coming weeks.

I want to give a very special welcome to the hon. Leader of the Opposition to this House, and to federal politics. He will soon discover we do things a little differently here on dry land. There are no life jackets in the House of Commons.

It gives me great pleasure again to see new leaders of the opposition. In fact the member for Okanagan—Coquihalla is the sixth leader of opposition to sit across from me. It is a very dangerous occupation.

I had discussions with my caucus and I want to assure the Leader of the Opposition that my caucus will work very hard to make sure that he has a long and fruitful career as the Leader of the Opposition.

Seriously, in the House of Commons politics is very important. We may speak in the House from different points of view and have different policies and approaches, but anyone who sits in the House of Commons is here because that person believes that we are working together to make Canada an even better country. That is why I welcome the opposition leader to this House.

[Translation]

I know that the new Leader of the Opposition is arriving here full of good intentions. He will work very hard and put a great deal of energy into promoting his ideas. We will have serious and sometimes heated debates. But in the end, we will both be working to ensure that Canada gets off to a good start in the 21st century.

I wish to welcome the opposition leader in the House of Commons and, as I said earlier, I know that the members on this side of the House wish him a very long career as Leader of the Opposition.

[English]

I welcome the new member for Kings—Hants, the leader of the Conservative Party. He has been a servant of this House for a long time. I was a minister in 1972 when this young member of parliament came from Alberta and immediately made his name in this House.

He had a terrific task. He became my critic when I was minister of Indian and northern affairs. I had two critics at that time, the hon. member and the then member from Kingston, Flora MacDonald. I used to call them the flora and the fauna.

However, more seriously he was an extremely good parliamentarian. He was very effective in the opposition, he was always well prepared and he would give it to you very straight. However, he was a soldier because he would take it too.

Routine Proceedings

He became the Leader of Opposition when he was very young. He also became the prime minister when he was very young. After that he served the nation with great distinction as minister of foreign affairs. I am very happy that he is back with us because he is a parliamentarian from the school of Ged Baldwin, Stanley Knowles and Jack Pickersgill, people who made their names here in the House of Commons.

• (1415)

[*Translation*]

As for me, I am pleased to welcome a soldier with whom I had many battles in my life, but for whom I have the utmost respect. This is a man who is fully dedicated to public life and sincerely committed to making Canada an even better country.

I am sure that the House of Commons has much to gain from the return of the hon. member. I wish him good luck.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I join with the other members of this House in welcoming the two new members from the ridings of Kings—Hants and Okanagan—Coquihalla.

Although they are newly elected, these two new members are not new to politics. Mr. Clark's experience as party leader, minister and Prime Minister will stand him in good stead here.

Mr. Day will now be able to defend his ideas in the House, ideas I do not share for the most part, but which will lead to a democratic debate in the House and improve the quality of the debate, since it is through debate that we get a better grasp of ideas.

I have no doubt that we will engage, in the coming weeks and months, in vigorous debate reflecting the high level of the House, of parliamentary procedure and of our parliamentary democracy. The arrival of new members in parliament is always an important occasion in parliamentary life, because it is the tangible expression of the voters' choice. It reminds us pointedly that we are all representatives of the public whom we have a duty to defend and whose interests, values and hopes we must express.

I have no doubt that the arrival of the two party leaders will help to keep alive this parliamentary tradition so important to us and which they will contribute to through their energy, talent and determination.

I welcome these gentlemen to the House and wish them luck.

[*English*]

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I too rise to participate in that time honoured parliamentary tradition of welcoming new members to the House. I would like to associate

myself perhaps for the first, last and only time, with the Prime Minister of Canada during this session, with the comments that have been made to sincerely welcome the new members, the new leaders to the House, but at the same time not extend to them too much in the way of wishes for good electoral success. I think that is the more honest thing to do.

I think we are all aware that the two members who today take their positions as leaders of their respective parties are no newcomers to politics, no political rookies, and so I will not attempt to give them any advice today, or at least not too much advice. For one thing they would not take it anyway coming from this corner of the House.

I do want to say a special word to the leader of the Conservative Party, as I think Nova Scotians would want me to, to welcome him as an honorary Nova Scotian at least for the moment. I would only say that if he endeavours to reflect the true values and the true hopes and dreams of Nova Scotians in his work on behalf of the people of Kings—Hants, then he will have served Canadians very, very well indeed.

Let me say to the new member who has taken his position today as the Leader of the Official Opposition, as a member who faced the transition from provincial to federal politics as he does now, do not be too afraid of the scrums. Take it from one who knows. It can be tough sometimes but it can only get better.

• (1420)

We are living today in a world of the 500 channel universe. In the everyday lives of people there is no shortage of sports spectacles or circus entertainment. So I say with all due respect to the Speaker, because I do understand the context and the spirit with which the Speaker has said let the games begin, let us instead hope that this will be the dawning of a new day in the life of this session of parliament. Let us instead commit ourselves to ensure that the real debate begins.

People have asked whether I think the dynamics of this place will change as a result of the two leaders taking their seats. I can only say let us hope so. Let us hope we see some change for the better because in the end, there is only one challenge that we all face in common, and that is to try to make the Parliament of Canada work for the people of Canada and to ensure that the government of the country is accountable to the people.

Again I say congratulations to the two leaders who now have joined us in this place. Let us let the real debate begin.

[*Translation*]

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I thank you very much for your warm welcome to the House.

Routine Proceedings

[English]

I recognize that this is indeed an historic Chamber. Much history has been written here and much will be written.

I would like to first acknowledge those who have made it possible for me to be here, and possibly for each of us to be here in our own way. It was in this Chamber that a constitution was recognized which was prefaced with a clause that said “recognizing the supremacy of God” and by the grace of God we are all here.

I am also here by the grace of my wife and my family. They have continued to put up with me through the years, to encourage me, to let me know when I am getting too serious, and to let me know when it is time to lighten up. “Take off the pinstripe suit and put on a wetsuit” they tell me. I acknowledge them for being such a significant reason for my being here.

I wish to acknowledge the constituents in Okanagan—Coquihalla who gave to me such a wonderful mandate and such support from the farms, the ranches, the towns, the cities and the vineyards of that fabulous constituency. I owe thanks.

Yes, this is an historic Chamber. I experienced history just outside the Chamber. As a young teenager I stood outside of these doors when a flag was lowered and the new maple leaf was raised. At that moment as a young person excited about that event, I felt pride and expectation for the future. I witnessed a former prime minister, Mr. Diefenbaker, who stood there with tears coming down his cheeks at that moment. Beside him was the prime minister of the day, Mr. Pearson. I respected Mr. Pearson’s respect at that moment in time for a great change that was taking place. I learned the power of change but also the importance of respect at moments like that.

I also learned outside of the Chamber, down the cement corridor that leads to the sidewalk. I participated in my first protest. I was about 15 years old. I was with a friend. We circled with other protesters. I cannot remember what the protest was about. We joined them because it looked like fun. As the cameras approached I had a horrifying thought: What if my parents saw me on the news? So I ran and I have been trying to overcome my fear of cameras ever since.

Mr. Speaker, I say through you to our Prime Minister that we will have debates in the Chamber. We will have greater debates in the great crucible of the next general election. Yes, my party and I will question his policies and I will question his plans. Sir, I have watched you over the years and I want to assure all members that I will never question your love and your dedication for this country and for the high office which you hold.

• (1425)

[Translation]

This is the start of a new era, one in which the public wants governments that respect democracy, the House of Commons, the

legislature and taxpayers, governments that hold freedom in respect.

[English]

With that respect, we will bring forth the plans and the priorities that we think will lead to a better, a stronger and a healthier country with more hope and more opportunity. Under that umbrella of respect and optimism, we will conduct ourselves.

[Translation]

Right Hon. Joe Clark (Kings—Hants, PC): Mr. Speaker, it will be an unusual thing for me to have the last word in the House, at least until the next election.

[English]

I want to begin by expressing my deep appreciation to the people of Hants county and Kings county in Nova Scotia. May I say to the leader of the New Democratic Party that while I am an honorary citizen of that province, my great-great-great-great-grandfather was not from away. I take very seriously the trust that they have vested in me as their member of parliament. I look forward to working with you and others in the House to advance the interests of those Canadian citizens and the others represented by others here.

I think members of the House would allow me a brief departure from parliamentary practice to recognize and thank someone who is in the gallery, Scott Brison, the former member of parliament for Kings—Hants. There may be less applause for what I intend to say next, which is that I fully expect Mr. Brison to be back in this place after the next election.

[Translation]

As the House is aware, the highest tides in the world are found in the riding of Kings—Hants, and those tides swept away the Liberal Party from Nova Scotia in the last federal election. I can assure you that the tide is stronger than ever now.

[English]

I want also to congratulate the new Leader of Her Majesty’s Loyal Opposition both on his victory in Okanagan—Coquihalla and in the leadership process of his own party. I wish him good luck in the give and take of democratic debate.

I notice he made reference to his family and I can be forgiven for making reference to mine. My wife and daughter are in the gallery as they have been with me through 20 some years of active public life. I do not want to intrude on the Leader of the Opposition’s family life, but I noted he said that from time to time his family told him when he should lighten up a little bit. I can tell him that this House will take care of that.

Oral Questions

• (1430)

I deeply appreciate the words of welcome from the other party leaders in the House. The Prime Minister noted that I was his critic when I first entered the House years ago. Do not take this unkindly, Mr. Prime Minister, but it is easy to be your critic.

We in the House have a parliamentary duty to hold the government accountable, and I look forward to that responsibility, but we also have a Canadian duty to draw together the diverse interests of this truly extraordinary country. In all of Canada the House of Commons is the place that can best claim to represent all the communities of Canada. The nation is here. I hope to play some role in drawing out the better instincts of this nation, of having parliament reflect less of our divisions and more of what we can aspire to together.

I am honoured to be back among you and back to this House of Commons of Canada.

Some hon. members: Hear, hear.

The Speaker: This is such a good day I am almost tempted to cancel question period.

ORAL QUESTION PERIOD

[*English*]

FUEL TAXES

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, only yesterday the Minister of Finance said that he could not take leadership in seeing taxes lowered on fuels because there was no provincial interest. I am aware of two ministers of finance, myself formerly being one of those, who wrote letters to the Minister of Finance expressing interest in this.

Even if that could have been an excuse, which it now is not, why will the Minister of Finance not commit to seeing these fuel taxes reduced?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, since the Minister Finance often takes questions for me, I will take a question for him today.

We have a serious problem and we are looking into it. The Minister of Finance has asked the provincial governments to collaborate with him. However, as he has said, we have to make sure, as any move has an impact on consumers.

Perhaps I could quote an expert on that who said at one time “If we look at lowering the gas tax what kind of guarantees do we have that the gas retailers will also drop the price, or are they just going to fill in the ditch?”

An hon. member: Who said that?

Right Hon. Jean Chrétien: It was the Leader of the Opposition when he was the treasurer in Alberta.

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, that is quite right.

First, I am surprised that the Prime Minister did not let one of his most loyal supporters answer the question that was put to him. However, I will go on.

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. Leader of the Opposition may begin his question.

Mr. Stockwell Day: Mr. Speaker, I did not think loyalty was such a touchy subject over there.

[*Translation*]

Two years ago, the Liberal members gave their support to reducing the taxes on fuel.

This Thursday, is the Prime Minister going to allow his MPs a free vote on the Canadian Alliance’s motion on lowering the taxes on fuel?

• (1435)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, everyone knows that when a budget motion is moved, if the hon. member wants to have an election right away, all he has to do is ask members of parliament to vote with him. However, there are members, as some journalists have told me, who are afraid to have an election.

This is the point I would like to make at this time. First, there is a very good relationship between the Minister of Finance and myself. He has been an excellent Minister of Finance. Because he is a responsible person, he did not use a piecemeal approach. By working with the caucus, cabinet and myself, he was able to bring the Canadian economy forward, achieve a zero deficit, generate a budgetary surplus—

The Speaker: The hon. Leader of the Official Opposition.

[*English*]

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I realize my French is not perfect, but I did not think the Prime Minister would misunderstand it so badly and totally miss the question.

I would like to inform the Prime Minister that just this morning I spoke with the president of the Canadian Trucking Association who informed me that if this motion to reduce the taxes on fuel were to pass on Thursday that there would be no truckers’ strike.

Why will the Prime Minister not commit to allowing this vote to go ahead and preserve the nation from being crippled by this strike?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when you are in government you have to be absolutely responsible. You do not make fiscal decisions because there is pressure from one corner or the other.

We have a plan. We know that the priority of Canadians at this time is to have good management of the economy and the priority of this party is, first and foremost, to keep giving Canadians reductions in income tax.

I see that already he is going from a flat tax to an oil tax. Very soon he will be flat you know where.

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): I look forward in the days ahead, Mr. Speaker, to explaining that we do not propose a flat tax, only a single rate, actually two rates; 17% and zero.

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. Leader of the Opposition.

Mr. Stockwell Day: Mr. Speaker, I was pleased to hear the Prime Minister talk about responsibility because I would like to ask the following question. In the event that this nation could be crippled by a truckers' strike, will the minister responsible for such eventualities tell us what the contingency plan is that is in place right now?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the people of Canada are very responsible. They know we have a problem with the international increase in the price of oil. The Minister of Finance will be at the IMF and the World Bank in the next few days where all the ministers of finance in the world will be there to discuss the consequences of the increase in the price of oil by the oil producing nations. This where the problems lie at this time.

We hope that this situation will be re-established and the people will understand that when one sector of the economy like that takes too much it could create downward pressure on the economy and create a recession. I hope that everyone will realize how important it is to have international collaboration on that.

Mr. Stockwell Day (Leader of the Opposition, Canadian Alliance): Mr. Speaker, I see now why they call this question period and not answer period.

I would like to suggest that maybe the problem is not that he does not care but that he does not know what his constituents are going through paying the price at the pumps.

Oral Questions

[Translation]

Can the Prime Minister tell us what the price of gasoline is currently in his riding of Saint-Maurice?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, everyone knows that the price of oil has increased considerably over the summer. Everyone realizes that this is a problem.

• (1440)

At this point, the Minister of Finance and the government want to meet with provincial governments and discuss a collective solution with them, while at the same time making sure that the system works well and that the government can continue with its agenda to promote economic growth and reduce taxes.

Reducing taxes will help consumers afford goods whose costs have unfortunately gone up in recent months.

* * *

ORGANIZED CRIME

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Minister of Justice hesitated yesterday to use every means possible to criminalize membership in a criminal organization.

I ask her today if she would agree to define a criminal organization using section 1 of the Canadian Charter of Rights and Freedoms?

If she believes that this method would not pass the charter test, could she proceed by reference to the supreme court?

[English]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, let me make it absolutely plain that section 1 of the charter, which speaks to reasonable limits on otherwise guaranteed rights, is very much in use.

Let me report to my colleagues that this morning my officials, the solicitor generals and officials from Quebec, had a very co-operative and constructive meeting. We are looking at all aspects of organized crime. We are looking at a reform of the existing provisions in the criminal code in relation to organized crime. We are looking at provisions around intimidation of those involved in the justice system. We are looking at the issue of recruitment of people into criminal organizations. We will be working with the police both in Quebec and elsewhere to talk about law enforcement.

[Translation]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, would the minister agree and acknowledge that denying the right of association to groups of recognized criminals in no way prejudices the right of association of democratic organizations in

Oral Questions

our society and that, therefore, no means must be excluded should the means chosen fail to pass the test of the charter and an opinion were given by the supreme court?

[*English*]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as I made plain yesterday, we are looking at all possible measures in terms of dealing with the challenges of organized crime. I made it plain yesterday that we believe there is much we can do both on the enforcement side and on the legislation side that does not involve us using the notwithstanding clause.

[*Translation*]

Mrs. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, article 20 of the United Nations Universal Declaration of Human Rights provides for the right to freedom of peaceful assembly and association.

Would the Prime Minister take a page from the United Nations Universal Declaration of Human Rights and make it illegal to belong to a biker gang?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, as far as we are concerned, we have a charter of rights that protects the rights of everyone.

But, as the Minister of Justice has just said, a legislative solution to this problem is possible. It is not just a question of legislation, but also of police activity.

Section 1 of the charter provides for certain freedoms, but immediately invoking the notwithstanding clause would, in my view, be completely out of the question. To date, the Canadian government has never used the notwithstanding clause and I do not think it is a good idea to start doing so now.

Mrs. Pierrette Venne (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, despite what the Prime Minister has said, yesterday in the House the Minister of Justice said that the legislation would be amended if necessary.

Will the Minister of Justice assure us that she has succeeded in convincing the Prime Minister and that the government will take action accordingly?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I said yesterday, and I repeat today, that if legislative amendments are possible, we will be very pleased to make them.

That is why the Deputy Minister of Justice and the Deputy Solicitor General are now in Quebec City to discuss the possibility of amending the legislation. I have nothing against that.

But I would like to repeat that all other legislative and administrative solutions will have to be exhausted before the notwithstanding clause is resorted to.

[*English*]

FUEL PRICES

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, my question is for the Prime Minister.

Over the last few days we have heard a lot about the GST from the friends of big oil over there. It is clear that consumers are hurting. It is also clear that oil companies are racking up unprecedented profits.

● (1445)

In the spring session the NDP tabled legislation to get some accountability over oil companies, to gain some control over energy price gouging.

My question is for the Prime Minister. Will the government follow the NDP lead and establish an energy prices review commission?

Hon. Ralph E. Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, the government has already moved to try to achieve greater transparency with respect to the functioning of the marketplace and the pricing trends within Canada.

We have commissioned an extraordinary study to be conducted by the Conference Board of Canada as a totally independent body that can shed some light on the situation so that all Canadians can know exactly what is happening in that marketplace and why.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I think Canadians already know what is happening in the marketplace and what is happening with energy price gouging. The problem is if one feigns impotence once too often, one is bound to end up permanently impotent.

We have a national problem which requires national leadership. While consumers are being gouged, oil companies are getting the lion's share of the energy price hike. Why is the government refusing to stand up for consumers?

Hon. Ralph E. Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, the government is very anxious to have the information that can be provided by the conference board so that all Canadians, those in government as policymakers and those in the private sector who run various industrial parts of our economy as well as individual consumers, can fully see in a transparent way the exact trends in those markets so that when, for example, there are those inexplicable price spikes before long weekends people would be in a position to act.

*Oral Questions***HEALTH**

Right Hon. Joe Clark (Kings—Hants, PC): Mr. Speaker, my question is for the Prime Minister. Last week's health agreement delays for another 18 months the full restoration of federal health funding to 1994 levels. That delay costs Canadians more than \$3 billion, a \$3 billion gap between what the Prime Minister promised and what he has delivered.

Will the Prime Minister agree in the House right now, today, to restore the full 1994 levels right away?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the hon. leader of the Conservative Party should know that if we had kept the formula introduced by his government, the restoration would not be a restoration to 18.7. The cash payments today would be \$11 billion, because the formula was based on the premise that if the tax revenues were to increase the cash payments were to decline.

We stopped that and that is why today we are in a position to give more cash than it would have ever been if the Tories had remained in power.

Right Hon. Joe Clark (Kings—Hants, PC): I take it, Mr. Speaker, that the answer is no.

[*Translation*]

The unilateral cuts made by the Liberal government have devastated this country's health system. Even Monique Bégin has said that this has "deprofessionalized" nursing. It is impossible to create a new health system without the assurance of stable funding.

Will the Prime Minister make a commitment today to introduce legislation to guarantee the stability of federal health funding?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, the right hon. member ought to know that, in the agreement we have signed with the provinces, we guaranteed them stable funding in the coming years. All provincial premiers were very satisfied and signed enthusiastically.

At one point, I proposed a return to the formula used by the Conservative government. One of them replied "Maybe", then consulted his officials and immediately came back with "No, I prefer the Liberal regime".

* * *

[*English*]

FISHERIES

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, fishermen on Miramichi Bay are angry. More than a thousand traps are in the water now, not 40. More than

a half a million pounds of lobster have been harvested. That is over ten times what the minister allowed for.

• (1450)

He caved in to threats and allowed the fishery in the first place. He caved in to threats and refused to haul the illegal traps. Time has run out. The jig is up. The minister's back is against the wall. When will he do his duty and haul the illegal gear?

Hon. Harbance Singh Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, unlike the hon. member we believe that it is through dialogue and co-operation that we can resolve these issues.

That is why we have 29 agreements with the first nations that are working extremely well. We have an eminent Canadian, Mr. Bob Rae, who is working extremely hard to bring the parties together.

The party over there wants to divide Canadians. We want to bring Canadians together and solve the real problems of the nation.

Mr. John Cummins (Delta—South Richmond, Canadian Alliance): Mr. Speaker, the minister's dithering has created the problem. The crisis on Miramichi Bay was created by the minister. He was ill prepared for the Marshall decision. He ignored the Marshall clarification. He has refused to make conservation his priority. He has refused to enforce the law.

Will he once and for all do his job, uphold the law and get rid of the illegal traps?

Hon. Harbance Singh Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the government has made a tremendous amount of commitment to make sure that we abide fully with the supreme court ruling with an initial investment of \$160 million for the aboriginal people to fully participate in the commercial fishery.

This is working extremely well. We have two bands, Indian Brook and Burnt Church. We are trying to work with them so that they too can participate fully. We provide them with opportunities for access into the fishery, but we need to make sure that we take every avenue to bring the parties together.

At the end of the day, I want to assure the hon. member that the law of the land will be upheld.

* * *

[*Translation*]

YOUNG OFFENDERS

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, today the government is preparing to use exceptional means in order to get its bill to make adolescents into criminals through at all costs, despite the opposition of all those involved in the field in Quebec.

Oral Questions

How can the government explain its haste to throw 14 year olds in prison while it expresses concern about the rights and freedoms of known criminal groups?

[English]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, we have said many times in the House that our new youth justice legislation is about accountability. It is about responsibility and about providing provinces like Quebec with the flexibility to continue the programs they have in place to work with young people in their provinces.

I find it interesting that today the Quebec Human Rights Commission indicates that there is room for improvement in the youth justice system in Quebec. Therefore, with new federal resources I look forward to working with the hon. member to ensure that even in Quebec we are working together on behalf of Canada's youth.

[Translation]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, I think there is something the minister does not understand in this matter.

How can the minister explain her logic? When everyone in Quebec wants to see anti-gang legislation, the minister is hesitant. On the other hand, with her bill making adolescents into criminals, she is rushing ahead, and what is more ignoring the consensus in Quebec.

How can the minister explain the double standard of her logic in the area of justice?

[English]

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, there is no double standard. In both cases we have listened and we have consulted, not only with the province and people of Quebec but all provinces and territories and all people in the country who have an interest in this area.

Let me again extend an olive branch to the hon. member. We know that the youth justice system in the country is not serving our young people well enough. I ask the hon. member and all members of the House to work with us to ensure this new youth justice legislation is passed.

* * *

FISHERIES

Mr. Derrek Konrad (Prince Albert, Canadian Alliance): Mr. Speaker, on August 28 the Minister of Indian Affairs and Northern Development issued a statement in which he said:

My colleague, the Minister of Fisheries and Oceans and I have complementary roles to play in addressing the aspirations of first nations on the east coast.

Two weeks later the minister was touring a museum on the west coast, 6,000 kilometres from the action. I do not believe that the minister of Indian affairs has a complimentary role or one of any other kind.

• (1455)

Would the Prime Minister please confirm for the House that the minister of Indian affairs has no role to play in the Burnt Church crisis?

Hon. Harbance Singh Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I can assure the hon. member that both the minister of Indian affairs and I are working together on the east coast fishery and the first nations issue in terms of the supreme court ruling.

We have been working hard on the fisheries file and there are long term issues that we are working on together. He has been very active and involved in the Atlantic Policy Congress to look at the long term issues of the treaty rights in regard to Marshall. Together we are coming forward with a plan in the fall to make sure that we address some of those long term issues. We will continue to do that.

Mr. Derrek Konrad (Prince Albert, Canadian Alliance): Mr. Speaker, I am glad the Minister of Fisheries and Oceans answered for the Prime Minister.

Last year the Minister of Indian Affairs and Northern Development made this statement about the effect of the Marshall decision right off the cuff:

Any fishing rights recognized in the Marshall decision are extended to other resources such as forestry, oil and gas.

I would still like the Prime Minister to answer the question. Is it comments like these from the minister that are the real reason for the escalation of events in Burnt Church?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, it is comments like that which are the reason why first nations people are taking to the blockade to bring their grievances to the government. It is the fearmongering that the member opposite is dealing with that relates to first nations rights, treaty rights in particular.

It is a well known fact that the government has offered the APC, the first nations in Atlantic Canada, an opportunity to talk about treaty relationships which form a larger picture than just fish. That offer has been made. We are waiting and standing by for the first nations and our partners to come to the table.

* * *

[Translation]

BUDGET SURPLUSES

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, the Minister of Finance is about to announce the real budget

results for the last fiscal year and finally admit that he was off by 300% in his surplus forecasts, something unheard of in Canada.

Will the Minister of Finance admit that his refusal to provide real figures when he makes forecasts is just a strategy to avoid meaningful debates and to justify the drastic cuts to social programs and employment insurance, in spite of the huge surpluses?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member must know that I will deliver my economic statement tomorrow. I will then provide the figures.

I can assure the hon. member that, indeed, the surpluses will be greater than anticipated. Canada is doing really well.

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, it just so happens that we expected the surplus to be very close to \$12 billion.

While the Minister of Finance was making decisions based on forecasts that were off by 300%, taxpayers continued to pay too much tax.

Will the minister admit that this deliberate and hypocritical error in his forecasts has had consequences—

Some hon. members: Oh, oh.

The Speaker: Order, please. Members should choose their words very carefully.

Mr. Yvan Loubier: Will the minister admit that this deliberate error in his forecasts has had major social consequences and that it is the sick and the unemployed who always end up paying for his incompetence?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, we have surpluses because we are enjoying an incredible economic growth, because we have a great job creation program and because things are going really well in Canada.

I can certainly understand why the opposition member may not be pleased, but Canadians are.

* * *

[English]

ORGANIZED CRIME

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, the attorney general of Ontario yesterday wrote to the justice minister. In part, this is what he said: "Ontario has repeatedly urged the federal government to improve its anti-gang legislation. I ask you to immediately introduce the necessary amendments to the criminal code".

• (1500)

I ask the justice minister whether the changes to the criminal code will come a little faster than the Young Offenders Act which we have been waiting for now for seven long years.

Oral Questions

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, first, let me say on behalf of everybody on this side of the House, it is great to have the hon. member for Langley—Abbotsford back.

In response to the hon. member's question, I have obviously discussed the issue of organized crime with my colleague, the attorney general of Ontario. We have meetings today with representatives from the attorney general of Quebec and the public security minister of Quebec. We are going to be talking to other provinces and territories.

In fact, it is fair to say and I have already said in the House that we will be in a position to make changes to the anti-gang provisions in the criminal code that reflect many of the concerns raised by the government of Quebec, the government of Ontario, police forces—

The Speaker: The hon. member for Langley—Abbotsford.

Mr. Randy White (Langley—Abbotsford, Canadian Alliance): Mr. Speaker, the difficulty is that the justice minister says she is going to look at it and discuss it. This is not a problem that occurred yesterday. Over 400 people died of drug overdoses in Toronto and Vancouver last year alone and years before that.

When is the justice minister going to get on with this? Will it be before the election or does she want the Canadian Alliance to do it after the election?

Hon. Anne McLellan (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the Bloc says we move too quickly on youth justice and the Alliance says we move too slowly on youth justice. At the end of the day we are going to do the right thing.

For the party that talks the language and the rhetoric of provincial rights and provincial autonomy, it is interesting that it does not want to consult with the provinces and the territories. On this side of the House we understand that justice is a shared jurisdiction and we will do that work before we pass a law.

* * *

[Translation]

EMPLOYMENT INSURANCE

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, the Minister of Human Resources Development is demonstrating unacceptable insensitivity to seasonal workers and their families, particularly when she says:

We will implement changes to the boundaries of EI regions gradually over the next three years, so that workers in the Lower St. Lawrence and North Shore regions can adapt.

Oral Questions

When the minister says that workers will have to adapt, does she mean that she is condemning these workers to poverty and misery?

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, again last week, we announced measures that will help seasonal workers adapt to the changes over the next four years.

But all levels of government must also work with them and with employers in order to create new opportunities for these workers.

Unlike the Bloc Québécois, we on this side of the House want to work with employers in order to help improve the situation of these seasonal workers.

* * *

[English]

SPECIES AT RISK ACT

Mr. Gar Knutson (Elgin—Middlesex—London, Lib.): Mr. Speaker, my question is for the Minister of the Environment.

Canadians are concerned about the loss of species and their habitat. They are pleased to see legislation to address this issue but there are still substantive concerns.

Given that the standing committee will soon be hearing from witnesses with a wide variety of views on how best to protect species at risk, can the minister assure us that amendments put forward by the environment committee will not simply be dismissed out of hand, but met with a genuine open mind by the government?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, I am happy to assure the hon. member that the recommendations of the committee and the presentations before the committee will be looked at very carefully by the government.

Obviously the bill is at second reading and until it leaves the House the committee cannot start its work. When it does and the witnesses are heard and the committee comes forward with carefully considered suggestions for the government, we will look at those with great care.

* * *

• (1505)

GRAIN TRANSPORTATION

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, farmers are in the middle of harvest and desperately need cash flow. In order to maximize the grain farmers' returns, Canada must market and export as much grain as possible during this period. Disagreements between the Canadian Wheat Board, the grain companies and the railways are impeding the movement of grain at the farmers' expense. The grain industry

itself has asked the government for a mediator to help resolve these disagreements and disputes.

Will the transport minister today appoint a mediator to assist in this issue?

Hon. Ralph E. Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, at the end of August the grain companies indicated that in their view they thought the discussions with the Canadian Wheat Board had arrived at an impasse. Although they did not provide any detail at that time of what that impasse might consist of, the government immediately asked the grain companies to provide more detail. That detail arrived during the course of last week. Their position is being carefully examined at the present time and we intend to respond in an appropriate manner very shortly.

Mr. Jay Hill (Prince George—Peace River, Canadian Alliance): Mr. Speaker, it cannot respond any too fast for farmers' needs. These disagreements could lead to a complete system failure just like in 1993-94 and 1996-97. Those disputes damaged Canada's reputation as a reliable exporter and cost millions in demurrage and contract penalties, all at the farmers' expense.

The Estey and Kroeger reports recommended removing the wheat board from negotiations between the railways and the grain companies, yet the minister chose to ignore those recommendations.

I ask again, will the minister appoint a mediator to resolve this mess that he is partially responsible for?

Hon. Ralph E. Goodale (Minister of Natural Resources and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, as I just indicated, the Minister of Transport, the Minister of Agriculture and Agri-Food and myself will be responding to the grain companies very shortly with an appropriate considered reply.

Let me simply say to all of the players in the grain handling and transportation system that neither the farmers nor this government will take lightly any behaviour that puts an excess burden upon farmers in these difficult times.

* * *

HOUSING

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, while the finance minister is patting himself on the back for a huge revenue surplus, tonight there will be thousands of Canadians, including children, who have no place to go except the streets and emergency shelters.

How can the finance minister feel good about engineering this massive surplus on the backs of so many Canadians who are denied the basic necessities of life including shelter and housing? How can he do that?

Oral Questions

Mr. Paul Szabo (Parliamentary Secretary to Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Government of Canada has a strategy to deal with the matters the member just raised. CMHC makes mortgage loan insurance available across Canada with over 376,000 units insured in 1999. It provides about \$1.9 billion annually in housing assistance to some 640,000 low income households.

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, it is interesting that the government gives the same stock answer that denies the reality of what is going on. The fact is the homelessness crisis is growing as evidenced by the call by provincial and municipal representatives who are meeting today in Fredericton.

I want to go back to the finance minister with a simple question. Will the minister do what is right and share the wealth with homeless Canadians and commit federal dollars for a national housing supply program? That is the right thing to do.

Mr. Paul Szabo (Parliamentary Secretary to Minister of Public Works and Government Services, Lib.): Mr. Speaker, the member is quite right. The federal, provincial and territorial ministers of housing did meet today. In fact, I have their joint communique in which the ministers advised that they discussed the lack of affordable rental housing and agreed to work on a plan which would involve a common research agenda and multisectoral consultations with stakeholders to discuss and formulate action plans on social housing.

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FISHERIES

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, this government has confirmed that it does not have a plan *B* if negotiations at Burnt Church fail. The people living around Miramichi Bay deserve a plan. What is it?

Hon. Harbance Singh Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, as I have always said, we prefer the avenue of co-operative negotiations. I have said right from day one that we will enforce and make sure we uphold the law. The commercial fishermen have been very active and their views have been taken into consideration. They have been very much a part of what Mr. Rae is doing. He is meeting with the commercial fishermen making sure that their views are taken into consideration. We will monitor the situation very closely. We will make sure that we respond to make sure that the law of the land is upheld.

• (1510)

Ms. Angela Vautour (Beauséjour—Petitcodiac, PC): Mr. Speaker, in 50 minutes Bob Rae could be walking out of the negotiations. The tension in the communities in the regions of Neguac, Burnt Church and Baie-Sainte-Anne is critical. It cannot

go on. The government was not ready for the Marshall decision. Is it telling us today that it is not ready with a plan to make sure that there is no confrontation in the communities of Neguac, Baie-Sainte-Anne or Burnt Church today? We need an answer.

Hon. Harbance Singh Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, it was members of the Conservative Party who said that I was doing too much when we bought vessels to include the aboriginal people. They were saying I was doing too much when we brought them into training. Now they are saying we are not doing enough. What they should do is be constructive and not try to divide Canadians, not try to inflame the situation but bring Canadians together to make sure the problem is solved at the community level. That is exactly what we are doing.

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CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, many Canadians and NGOs have asked us to focus CIDA's attention to ensure that vulnerable populations are provided with the assistance they need to make their lives better. I know that the Minister for International Co-operation has recently announced a major change in CIDA's priorities. Could the minister tell us how this change will help the most vulnerable around the world?

Hon. Maria Minna (Minister for International Cooperation, Lib.): Mr. Speaker, on September 5 I launched a five year plan to strengthen CIDA's program in four key areas: health and nutrition; education; HIV and AIDS; and child protection. The increase over five years will be \$2.8 billion. In fact, that will take programming in the basic human needs area from 19% to 38%.

I did this to ensure that we are using the money to maximize the impact on the ground as these are the fundamental blocks of development.

* * *

VIETNAM

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, the government has sent tens of millions of dollars to Vietnam supposedly to improve its justice system but last spring that justice system unfairly executed a Canadian citizen. Now only five months later, the government is already in the process of normalizing relations with Vietnam.

Why are we restoring relations when there is not a shred of evidence that sort of travesty will not happen again?

Hon. Lloyd Axworthy (Minister of Foreign Affairs, Lib.): Mr. Speaker, first let me welcome the hon. member to his very distinguished critic's role. I promise to work with him very closely

Oral Questions

to retrieve Alliance foreign policy from the office of the senator from North Carolina as quickly as possible.

In answer to the question, I point out to the hon. member that Canada did take very severe measures when the execution took place. It was a very tragic event. We insisted on a series of very clear responses, such as the return of the mother, that the Toronto police would be allowed to go and undertake proper negotiations on drug trafficking, that we would promptly have the returns placed. Those conditions have now been met. We have not restored normal relations but we have started communicating, dialoguing and engaging with the Vietnamese to make sure it does not happen again.

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[Translation]

HUMAN RESOURCES DEVELOPMENT

Mr. Jean-Paul Marchand (Québec East, BQ): Mr. Speaker, with help from various parties, including an officer in the Department of Human Resources Development who felt that the undertaking qualified under the job creation program, 21 workers from Confection Haut de Gamme, located in Vanier, in Quebec City, formed a co-operative.

Following an error of interpretation by the department, the expected contribution of \$105,000 was withheld.

Is the minister prepared to review her department's decision in order to be fair to these workers and save 21 jobs?

[English]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, I accept that the hon. member agrees that the Government of Canada has a role to play in areas where we want to help find opportunities for employment for Canadian citizens. I am unfamiliar with this particular circumstance but I would be glad to take it under advisement.

* * *

THE ENVIRONMENT

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, my question is for the Minister of the Environment.

British Columbians are deeply concerned about air pollution, not just from noisy jet skis but massive pollution from the proposed Sumas II power plant.

• (1515)

In view of the very serious threats to health and the environment and the already heavily polluted lower Fraser Valley, will the minister now finally join with local communities and with the government of British Columbia to oppose this plant? Specifically,

will he use his powers under the Canadian Environmental Assessment Act and the Canada-U.S. air quality agreement to try to stop this disastrous plant from proceeding?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, the hon. member is a bit behind the times. In fact, on May 2 we presented to the Washington state site evaluation committee the analysis of the proposal of the Sumas II power plant. At the time we listed deficiencies. We are waiting, as I understand it at the present time, to get the full response. In that period we have also done a joint study with the province of British Columbia and the GVRD, the greater Vancouver regional district, on air quality.

The hon. member has to remember that the major threat to air quality in the Fraser Valley is in fact automobile emissions. He must also remember that the provincial government in the same proposal along with Sumas permitted two other power plants—

The Speaker: The hon. member for Fundy—Royal.

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TAXATION

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, give me a fuel tax break. Will the finance minister lower the tax on low sulphur gasoline? The minister knows that when we did this with lead Canada increased its pace to unleaded fuels. Will the minister lower the tax on low sulphur gasoline to improve the environment, human health and give Canadian taxpayers the break at the pumps that they deserve?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, in co-operation with the Minister of the Environment of course we have been examining a number of options. The fact is that the Minister of the Environment has been very clear on the importance of low sulphur gas in this country. We will continue to follow those options and take a decision.

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COMMUNICATIONS

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, my question is for the Minister of Industry.

Could the Minister of Industry indicate whether the competition bureau will investigate the recent media acquisitions, including the CanWest Global Communications acquisition of Hollinger newspapers and other media assets, which may result in massive concentration of power in the media at the expense of the public interest in the regions and nationwide?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, this transaction is reviewable under section 92 of the Competition Act.

*Government Orders***PRESENCE IN GALLERY**

The Speaker: I draw the attention of hon. members to the presence in the gallery of the Right Hon. Peter Mandelson MP, the Secretary of State for Northern Ireland.

Some hon. members: Hear, hear.

The Speaker: I would also draw the attention of hon. members to the presence in the gallery of the Hon. Dato Haji Abdul Rahman, Minister of Industry and Primary Resources of Brunei.

Some hon. members: Hear, hear.

• (1605)

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 1386)

YEAS

Members

Adams
Anderson
Assadourian
Axworthy
Bakopanos
Beaumier
Bélanger
Bennett
Bevilacqua
Bonwick
Bradshaw
Bryden
Caccia
Caplan
Cauchon
Chan
Chrétien (Saint-Maurice)
Collenette
Cotler
DeVillers
Dion
Duhamel
Eggleton
Fontana
Godfrey
Graham
Grose
Harb
Hubbard
Iftody
Jennings
Karetak-Lindell
Keyes
Kilgour (Edmonton Southeast)
Kraft Sloan
Lavigne
Leung
Lincoln
MacAulay
Malhi
Manley
Martin (LaSalle—Émard)
McGuire
McLellan (Edmonton West)
McWhinney
Mills (Toronto—Danforth)
Mitchell
Myers
Normand
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Price
Proulx
Redman
Richardson
Rock
Scott (Fredericton)
Serré
Shepherd
St-Jacques
Steckle
Stewart (Northumberland)
Telegdi
Torsney
Vanclief
Wappel
Wilfert

Alcock
Assad
Augustine
Baker
Barnes
Bélair
Bellemare
Bertrand
Blondin-Andrew
Boudria
Brown
Bulte
Calder
Catterall
Chamberlain
Charbonneau
Clouthier
Comuzzi
Cullen
Dhaliwal
Dromisky
Easter
Folco
Galloway
Goodale
Gray (Windsor West)
Guarnieri
Harvard
Ianno
Jackson
Jordan
Karygiannis
Kilger (Stormont—Dundas—Charlottenburgh)
Knutson
Lastewka
Lee
Limoges
Longfield
Mahoney
Maloney
Marleau
McCormick
McKay (Scarborough East)
McTeague
Mifflin
Minna
Murray
Nault
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proud
Provenzano
Reed
Robillard
Saada
Sekora
Sgro
St. Denis
St-Julien
Stewart (Brant)
Szabo
Thibeault
Ur
Volpe
Whelan
Wood—142

GOVERNMENT ORDERS

• (1520)

[*English*]

YOUTH CRIMINAL JUSTICE ACT

BILL C-3—TIME ALLOCATION MOTION

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I move:

That in relation to Bill C-3, an act in respect of criminal justice for young persons and to amend and repeal other acts, not more than ten further hours shall be allotted to the consideration of the committee stage of the bill and, at the expiry of the time provided for in this Order, any proceedings before the Standing Committee on Justice and Human Rights on the said bill shall be interrupted, if required for the purpose of this Order, and in turn every question necessary for the disposal of the said stage of the bill shall be put forthwith and successively without further debate or amendment.

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the yeas have it.

And more than five members having risen:

The Speaker: Call in the members.

Government Orders

NAYS

● (1610)

Members

Abbott	Ablonczy
Alarie	Anders
Asselin	Bachand (Richmond—Arthabaska)
Bachand (Saint-Jean)	Bellehumeur
Benoit	Bergeron
Bigras	Blaikie
Borotsik	Breitkreuz (Yorkton—Melville)
Brien	Cadman
Canuel	Cardin
Casey	Casson
Chatters	Chrétien (Frontenac—Mégantic)
Clark	Crête
Cummins	Dalphond-Guiral
Davies	Day
de Savoye	Debien
Desjarlais	Dockrill
Doyle	Dubé (Lévis-et-Chutes-de-la-Chaudière)
Dubé (Madawaska—Restigouche)	Duceppe
Dumas	Duncan
Earle	Elley
Epp	Fournier
Gagnon	Gauthier
Gilmour	Girard-Bujold
Godin (Acadie—Bathurst)	Godin (Châteauguay)
Goldring	Gouk
Grewal	Grey (Edmonton North)
Gruending	Guay
Guimond	Hardy
Harris	Harvey
Hearn	Herron
Hill (Macleod)	Hill (Prince George—Peace River)
Hoeppner	Jaffer
Johnston	Jones
Keddy (South Shore)	Kenney (Calgary Southeast)
Konrad	Lalonde
Laurin	Lebel
Loubier	Lowther
Lunn	MacKay (Pictou—Antigonish—Guysborough)
Mancini	Marceau
Marchand	Mark
Martin (Esquimalt—Juan de Fuca)	Martin (Winnipeg Centre)
Mayfield	McDonough
McNally	Ménard
Mercier	Meredith
Mills (Red Deer)	Morrison
Muise	Nystrom
Obhrai	Pankiw
Penson	Perron
Picard (Drummond)	Plamondon
Proctor	Ramsay
Reynolds	Riis
Ritz	Rocheleau
Schmidt	Solberg
Stinson	Stoffer
Strahl	Thompson (New Brunswick Southwest)
Thompson (Wild Rose)	Turp
Vautour	Vellacott
Venne	Wasylycia-Leis
Wayne	White (Langley—Abbotsford)
White (North Vancouver)	Williams—120

SPECIES AT RISK ACT

The House resumed consideration of the motion that Bill C-33, an act respecting the protection of wildlife species at risk in Canada, be read the second time and referred to a committee, and of the amendment.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance): Mr. Speaker, just to recap what I was saying earlier, we have now entered a period of one of the greatest and largest extinctions of species in history. In fact, the sixth greatest extinction is ongoing right now at a rate that is 1,000 times faster than the normal rate of extinction, so much so that we have about 350 species in Canada, as we speak, that are in danger of becoming extinct. This number is increasing with time.

The primary thrust of extinction is habitat destruction through various sources, primarily agriculture and also industry, the use of pesticides, clear-cutting, forestry practices, human habitation and human activities.

How we actually protect sensitive habitat is the crux of the problem. We have proposed that the government, rather than put forth a weak bill in the form Bill C-33, which I might add is the third attempt to bring in such a bill, needs to start addressing the problem in a pragmatic way. Indeed the private sector would very much like to work with the government, as we would, in trying to develop a plan that would be fair not only to the species at risk but to landowners and other stakeholders.

We can do it by buying in. We need stewardship. Groups can work with the government in order to steward or shepherd sensitive habitats willingly.

If land is to be taken away or use is to be compromised, private interests simply have to be remunerated at free market value for the costs incurred. Those costs need to be given to those who are suffering a loss as a result of their private land use being compromised. We also need to look at existing forestry and agricultural practices and stop them while using other tools to accomplish the same objectives.

● (1615)

Habitat protection is important. Listing is also important. Listing must take place for endangered species on the basis of good science. The government does not do that in this bill. COSEWIC, a group of scientists, are very effective at doing this. It will give the government a list of species in danger of going extinct on the basis of good science. In this bill the government should be obligated to listen to what this group has listed and follow its lead in protecting those species.

We must also enforce the law. Many Canadians would be shocked to learn that we are one of the major conduits in the

PAIRED MEMBERS

*Nil/aucun

The Speaker: I declare the motion carried.

Government Orders

trafficking of endangered species' products in the entire world. The reason for this is that while we have long borders, we have done an appalling job of protecting those borders, not only for endangered species' products but many others.

The fact that the government has not supported our hardworking men and women on the front lines at our ports means that our country is known as a safe haven for people who are willing to break the law in an effort to traffic in these endangered species' products.

The result internationally has been that many species, from tigers and big cats to birds and indeed plant species, are being felled and are becoming extinct. It is a sad thing when a country like ours, with its wild spaces and which prides itself on being in favour of endangered species' legislation, has been unable to get workable federal legislation and do our part internationally.

I introduced Bill C-475 on April 11, 2000 which dealt with how we can have an effective endangered species bill in a very pragmatic way. My bill would essentially do the following: First, it would obligate the government to protect species that are on COSEWIC's list, i.e. the lists that are there, the species that are endangered are based on science, not politics.

Second, it would obligate the government to work with private stakeholders and the provinces to protect habitat. This is not an option. This has to be an obligation on the part of the government to protect habitat. Failure to do so will ensure that these species will become extinct.

Third, it would obligate the government to work with the provinces to remunerate private landowners at fair market value where a negotiated settlement simply cannot take place, rather than putting all the power in the hands of the minister who will remunerate private landowners on the basis of what he or she wants.

The last thing I want to talk about is a personal experience I had. The best model in the world for protecting species is the province of KwaZulu-Natal in South Africa. It has saved species such as the white rhino, which went from 24 animals up to several thousand in a matter of 50 to 60 years. The reason it did this is that it used the private sector to husband these species. It convinced them that they would get more money from their land by ecotourism, by hunting excess animals and by other land uses, including harvesting plants in a responsible way that had medicinal uses.

The outcome is that the money drawn from these lands is poured back not only into conservation, but also poured back into the surrounding areas to benefit the people. We need to have the assistance of local people if we are going to protect habitat. The best way to do that is to demonstrate to those people that it will have a direct benefit on their own lives.

If we merely argue on the basis that it is nice to have habitat protected, it will fail, for habitat and animal species, unfortunately,

have to pay for themselves if they are going to survive. Where this was done in KwaZulu-Natal, they were able to save many animal and plant species from extinction. They have also managed to benefit the surrounding populous. The outcome has been that animals have been saved from the brink of extinction, an expanded habitat that has been protected, expanded wild spaces and a sustainable use of those areas for other purposes.

The outcome of that is that KwaZulu-Natal is now the international leader in conservation. I can only say to the minister and to the government that our party will be very happy to work with them to this end, but they have to have effective legislation that will protect habitat in the ways that I have mentioned. This is not only a legacy that we have been given, the endangered species in our country, it is also our responsibility to give that to our children and to our grandchildren.

• (1620)

[*Translation*]

Mr. Ghislain Lebel (Chambly, BQ): Mr. Speaker, it gives me pleasure to speak to Bill C-33 on endangered species.

I see that the federal government is very concerned about endangered animal species. Unfortunately, it is not as concerned about French Canadians, a species which has been assimilated for the past 150 years, with the result that it has now dropped from 50% of the Canadian population to approximately 25%.

I know that for certain members across the way who are recent arrivals to Canada, this means very little. But I can tell the lady who is gazing charmingly and wide-eyed in my direction that, in case she was unaware, at the time of Confederation there were as many francophones as anglophones in Canada.

Unfortunately, we see the federal government wishing to intervene so that endangered species will have the opportunity to grow, multiply and survive, something, I repeat, that it has always refused Quebecers, whether my colleague likes it or not.

I think that the intention behind the bill is good, except that what we have here is duplication and overlap. What was needed—even the preamble to the bill points this out—is for the bill to pave the way for consultation with the provinces precisely so that this duplication can be avoided.

Six Canadian provinces, namely Quebec, Ontario, Alberta, New Brunswick, Nova Scotia and Saskatchewan have legislation on this, and a list compiled by scientists and their governments establishing which species are endangered or at risk in the province.

The federal government is going to encroach in a heavy-handed way on an area of exclusive provincial jurisdiction. I know that, for

Government Orders

the member who earlier was yelling like someone caught in a barbed wire fence, this kind of debate on respecting legislative jurisdiction we have on a regular basis is plain gibberish and makes no sense at all.

To say in the House of Commons, in this very parliament, that constitutional law and the constitution are nothing, when in the mind of members of the Bloc Québécois the constitution is the basic law which governs the relationship among provinces and among private citizens, is to show contempt to a degree that would not have been thought possible on the part of today's politicians.

The constitution is the law of the land. The Fathers of Confederation decided to balance powers. The federal government was to have authority over international relations, the post office, national defence and the telegraph, which transmitted communications from one province to the next.

However, precedent after precedent, change after change, including legal rulings and mainly the abolition of referrals to the Privy Council in London, have turned it into the quintessential joke.

• (1625)

The Supreme Court of Canada, which has always leaned to the same side, has started to set out principles of constitutional law and the related rules of interpretation, and as a result our constitution has more or less lost all meaning.

I will give you a few examples. We had sections 91 and 92, which gave effect to the powers of the federal government and to those of the provincial governments respectively. The Supreme Court of Canada came up with all kinds of wild theories, such as that of unoccupied fields in estate law.

For a long time, the federal government said "The province is not exercising its right to collect taxes on inheritances in estate law". It is the unoccupied field theory, which means that the federal government can interfere as long as the provincial government is not exercising its jurisdiction in that field. But it so happens that it is a province's prerogative not to exercise its jurisdiction in a particular area.

Look at what is happening. Recently, a decision was handed down regarding federal interference in areas under provincial jurisdiction, such as property and civil law, including estate law, with the reference on the gun control legislation. The Supreme Court of Canada invented yet another theory by saying "Yes, the federal government can still interfere in areas under provincial jurisdictions in matters of public safety for instance".

The construction of high-rise buildings also has an impact on public safety. Transportation, be it by tractor trailers, trucks, ships

or just plain surface transportation, can have an impact on public safety. One thing leading to the other, the provinces are losing all the jurisdictions they kept for themselves when the Confederation agreement was negotiated in Charlottetown starting in 1864.

Today, we have this bill on endangered species. The habitat of species that are endangered and on the way to becoming extinct, be it a seabed or wetlands, often comes under provincial jurisdiction.

Bill C-33 says that harmonization between provincial and federal scientists is desirable. Unfortunately, clauses in the bill indicate that the federal government is grabbing almost *manu militari*, *proprio motu*, the right to oversee the whole thing and is asserting its primacy in the field of endangered species protection.

This is unfortunate, because more confrontation is looming. The hon. member opposite, who is a champion of confrontation, will certainly be involved. Quebec is being told that it cannot look after its own resources and the habitat of endangered species.

I think that moderation and conciliation are preferable. The federal government should have provided in its bill that, following consultations with the provinces, a list of endangered species could be drawn up in co-operation with the provinces.

Mr. Réal Ménard: They went about it *ultra petita*.

Mr. Ghislain Lebel: My hon. friend from Hochelaga—Maison-neuve, who has been studying law at night, really seems to know his stuff. He is using Latin words now. He said they went about it *ultra petita*.

We asked the federal government to get involved and, as usual and as was pointed out by the brilliant member for Hochelaga—Maison-neuve, who will get a score in his law courses that will put the Minister of Justice to shame, the federal government went overboard and used its prerogative to interfere in the protection of endangered species.

• (1630)

It is unfortunate. There will be overlap and duplication, with double the costs, double the number of departments involved and all the bureaucracies around them. The Bloc Québécois cannot support such a process, which is why we will be voting against this bill.

The Acting Speaker (Mr. McClelland): 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 Burnaby—Douglas, Foreign Affairs; the hon. member for New Brunswick Southwest, Employment Insurance.

[English]

Mr. Bill Gilmour (Nanaimo—Alberni, Canadian Alliance): Mr. Speaker, I am delighted to speak to Bill C-33. This is the third

time the government has brought forward endangered species legislation. I was the environment critic when some of the other bills came through. The last bill was so weak that even government backbenchers could not support it. This legislation is not much better. It would appear that the government is still going to ram it through and that is wrong.

This seems to be the whole impetus of the government. Rather than talk about voluntary measures, rather than trying to get people to work together to get endangered species legislation that is going to work, it chooses another way. The government has chosen the big hand.

There are penalties in the act that are criminal code penalties. This means, for example, that a logger is in trouble if while doing his normal work of felling a tree and an endangered bird or a bug is in the area. If a farmer drives his tractor over some habitat or a rancher allows his cows into an area where there are endangered plants they too would be in trouble. The penalties are severe.

I talked to a number of people who said that if they found an endangered species on their land it would be gone. They would not allow the government to see it because it would take away their property without compensation. They cannot afford that. That is wrong.

For the greater good, we all recognize that. There may be an area of land for example that has endangered species on it. We all agree we should keep it. However the person who owns the land has to be fairly compensated. They cannot be expected to walk away. This legislation says that the government may compensate, not will compensate. That is absolutely wrong. That is why it has people running scared and understandably so.

This legislation also steps on provincial jurisdiction. It was interesting to note what the justice minister said during question period about how much the government consults with the provinces. The government has not consulted with the provinces. The provinces need to be right in with this. They need to have either parallel legislation or they have to be onside. Right now they are not.

One point that is weak is how a species gets on the list. What about polar bears for example? What is the criteria to get them either on an endangered or on an at risk list? We need to have a scientific body to establish this. COSEWIC is that body and it can do a fairly incredible job if it has the criteria. The situation is worse when politicians get involved.

One species that will never make it on the endangered species list as long as politicians are involved is Atlantic cod. Members know that cod stocks are down the toilet. The stocks are well down and fishing should not be allowed. What happens? An election is called. There was a cod fishery on the east coast which was just

about on its knees. That is what happens when politicians get involved.

• (1635)

There has to be endangered species legislation that is arm's length from the politicians. It has to be on a scientific basis and not able to be manipulated by the politicians.

I was in the forest industry and spent 25 years as professional forester before going into politics. There was an issue south of the border in Washington and Oregon that dealt with the spotted owl. Hon. members may remember that. However, the issue was not the spotted owl. It was simply a vehicle for people to use to stop logging. That was the issue.

I am not sure how we get it into legislation, but we need to have legislation to protect the species, not for manipulation which is what happened for years years in Washington and Oregon. It did not have a lot to do with the spotted owl. It had a lot to do with stopping logging.

We also need habitat protection. That is not in the bill. How can we possibly say that we are going to protect a species yet we are not going to protect where it lives? That is nuts.

In summary, there are a number of holes in this bill, so many that it has to go back to the drawing board. During question period the minister said that he preferred that it go to committee. I suspect that this bill is so flawed that it needs to go back to the drawing board. The environment committee will clearly have its work cut out for it.

The bill is so flawed from the beginning that the actual direction needs to be rethought. I said earlier that impetus of the bill is whether it is through voluntary measures by getting the provincial and federal governments together with the farmers and ranchers and saying this is how we are going to do it or having the big heavy hand of criminal justice. The latter is not going to work. People are just going to plough them under.

This bill is bad. It is so bad that it needs to be redrafted and our party and my constituents do not support this legislation.

[*Translation*]

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, the issue of wildlife species at risk or on the verge of extinction is certainly important. It is an issue that warrants our finding solutions that are both practical and in keeping with the constitutional arrangements existing between the provinces and the central government.

The problem with the bill before us is that in several respects the effects it will produce are not necessarily what we might hope for. In addition, it lands squarely in provincial fields of jurisdiction.

Government Orders

A number of members of the House and especially those on the government side have the impression that the federal government is in the best position to decide what is good for the people, for resources and for wildlife. It has been my experience since my arrival in the House, in 1994, that the government has shown itself consistently incompetent in all these areas.

It is not enough, to resolve the problem, to introduce a bill in the House that is supposedly going to protect wildlife species on the verge of extinction. First and foremost there must be a complete strategy in place to ensure that what the right hand wants to do will not be undone by the left hand.

• (1640)

Let me give a few examples of a left hand that is particularly gauche in certain areas. Allow me to remind this House that about a year ago, the auditor general announced, after tabling his report and researching the matter, that many wild species, both flora and fauna, had disappeared from national parks managed, as we know, by Parks Canada.

This was not a fortuitous occurrence. It was not a matter of chance. It was poor ecological management in the practices of Parks Canada. A commission made recommendations and a new law was passed. We can only hope there will be no other such occurrence.

All this goes to show that, with its bill, the federal government has not proposed anything that guarantees that the objectives pursued will be reached. In fact, there is every reason to believe that this bill will not solve anything, since the problems often lie elsewhere.

Here is another example of a problem lying elsewhere. We are going to talk about genetically modified organisms. The idea is not, in principle, to genetically modify plants or wild organisms. But here is what could and will, for all intents and purposes, happen.

Let me remind the House that the whole biological evolution of our planet is largely based on genetic mutations orchestrated by nature itself through cross-breeding, particularly through pollination. What is cross-breeding?

Everyone knows what a plant is, what a flower is, and everyone knows that, at some point, the pollen of the flower will travel and fertilize another flower to create a seed that will ensure the survival of the species. I am, of course, referring to plants.

Sometimes, cross-breeding will occur and a new species will be created. This is how the diversity that surrounds us came about. Nature, through selection, has created a balance that allows us to benefit from an environment that is healthy, provided we protect it adequately.

Let us get back to genetically modified organisms. I will make up a little horror story which, when we think of it, is not really a

figment of my imagination. Some companies are currently marketing graminaceous plants. The farmer plants the seeds, so that they will grow and produce fruits. However, while the fruit can be consumed, it cannot replicate itself because the seed is sterile.

I would rather not think about what could happen if that sterility feature was somehow transmitted to another species in the wilderness. That species would slowly stop reproducing as pollen spread that undesirable feature. Some might argue that this is unlikely. But nothing is impossible with nature.

• (1645)

Our very presence on Earth as human beings is a strong demonstration of nature's capacity to yield highly improbable results. Nothing proves that if we manipulate genetically modified organisms we will not obtain results that are both unexpected and unfortunate.

I will talk about salmon. There is a genetically modified species of salmon endowed with an incredible growth capacity. It rapidly becomes a big salmon. Of course, this salmon is kept in fish farms. As long as it stays in its tank, there is no way it can reproduce in the wild, in our waterways or our oceans. However, fish have often escaped from fish farms and gone into the wild. So, I would not see why the genetically modified salmon should be unable to escape, as so many other fish have.

The day the salmon escapes and reproduces, given its incredible capacity to grow rapidly and to be bigger than the other fish, it will, as the saying goes, eat the smaller fish, the smaller salmon, and eventually, wipe out wild salmon, and take its place.

The government is not acting responsibly to protect our environment. This bill will not change the course of events. Much more important measures need to be taken.

In closing, I will give the example of Ducks Unlimited, an agency which was not set up through legislation like the one before us, but which has done wonders for the preservation of our natural environment, and which can be found everywhere in America, even in my riding. Its positive action has led to the protection of habitats, environments and species. Its initiatives should be given help and support on a larger scale, instead of the government introducing a bill which, for all intents and purposes, is going to upset everybody and most certainly will not yield the expected results. The government should withdraw this bill.

[English]

Mr. Deepak Obhrai (Calgary East, Canadian Alliance): Mr. Speaker, it is my pleasure to rise on behalf of the constituents of Calgary East to speak to Bill C-33, an act respecting the wildlife species at risk in Canada.

The title of the bill is the species at risk act. There is no Canadian who will not agree to do something about the risk to endangered

species. I have received numerous letters from my constituents saying that they are concerned and would like me to support the bill. Why? Because the term species at risk raises the spectre that we are in danger of losing a species. I do not think any Canadian would accept that and Canadians would like to see something being done about it. When constituents write to me they are asking their member of parliament to do something about it.

I come from Calgary which is very close to one of the best national parks in the world, Banff National Park. Its natural wilderness is very dear to Albertans as it is to all Canadians. People have seen in the past the joys that nature and species bring and hence their concern about this issue.

• (1650)

I grew up in a land which has some of the best national parks in the world, the Ngorongoro crater and the Serengeti national park. Over the years I have seen the decline of the wild species habitat in those national parks. It pains me that they were roaming there in numbers but today they are on the endangered list. There are many reasons that they are on the endangered list. Primarily the loss of habitat has been through hunting, poaching and other illegal activities which put those species in danger.

It would be extremely shameful for humankind that we would be responsible for species being extinct. Many species around the world, even in the Amazon forest and other places, are in danger because of the reasons I have stated and it raises the question of what do we do.

In Canada the issue has been brought up. Many species are on the endangered list and Canadians would like us to take action. Naturally when the bill on species at risk came forward, Canadians felt they should support it.

In principle I do not think anyone in the House could not support the bill when it says species at risk. However the Canadian Alliance, as my colleagues have indicated previously, has a serious problem with the bill, not with the intent of the bill but with the way the bill has been drafted. We would like to make our position very clear. We are not and I repeat not opposing the bill for any frivolous reasons. We support the intent of the bill which is to protect the species at risk. However, we feel there is a different approach to achieve that result and not what the government is proposing in the bill.

I would like to highlight some points. Most important is that the bill gives the government the power to expropriate land. Down the road it may also give the power to the government to lay criminal charges against private landowners.

The government has gone one step further and said that in order to protect species it is trampling on other rights instead of working with a co-operative attitude. The problem with the bill is that when

Government Orders

the government tries to do something it adds on something and it creates a situation where suddenly people are opposed to the bill.

It was the same with Bill C-68. We agree with the intent of Bill C-68 in that we want to keep guns away from the criminals, but the government came along with legislation that will make ordinary law-abiding citizens potential law breakers. That is where there is a serious problem with Bill C-33. It is similar to Bill C-68.

The government will come along and expropriate the land. The government will say to the landowners that it needs to take the land because it needs to protect the species and it leaves the compensation blank. There is nothing in the bill stating how the government is going to expropriate the land. What is it going to give? Is it going to give fair market value?

• (1655)

Property rights in our country are fundamental rights. Constitutionally we have the right to own property. However with this bill, while the government recognizes that there are property rights, it will expropriate. The bill does not go one step further to say that there is a fair compensation process. That creates a problem because in order to maintain their land, at the end of the day the landowners may not be in a co-operative mood.

There is a serious flaw in the bill. We would like to support the bill but it is our intention and that of our critic to bring forward amendments to the bill. I hope the government will listen to Canadians and amend the bill in such a manner that is acceptable to everyone.

[*Translation*]

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, I am pleased to take part today in this debate at the second reading stage of Bill C-33, an act respecting the protection of wildlife species at risk in Canada.

As we all know, industrial development in our society has had and continues to have disastrous and often irreversible effects on the environment.

Numerous plant and animal species have disappeared, particularly since the beginning of the 20th century. However, it was not until the last few decades that the need to protect our environment and to preserve our environmental heritage has become obvious, forcing governments to pass appropriate legislation.

As members know, I represent an urban riding, Laval being the second largest city in Quebec. On the initiative of certain individuals who understood the importance of protecting the diversity of our fauna and flora—and I will gladly take this opportunity to salute Jean Lauzon and Michel Aubé for their vision and their extraordinary commitment—an organization in my riding, Éco-Nature, has worked hard to preserve wildlife in the Mille-Îles River area. In co-operation with the Quebec department of the environ-

Government Orders

ment and wildlife, Éco-Nature has played an important role in the protection of endangered species for more than 15 years.

The part of the greater Montreal area where Laval is located is already heavily urbanized and development continues to grow. In fact, 75% of the north shore of the Mille-Îles River is developed, whereas in Laval, on the opposite shore, the figure is 65%. Of course what relatively intact habitat remains must be protected.

Since 1998, the Mille-Îles River Park includes approximately 10 islands that have wildlife refuge status. The Mille-Îles River Park is a protected habitat in the heart of greater Montreal. Every year it is host to tens of thousands of visitors.

Thanks to the enthusiasm and skills of many naturalists, the young and the not so young get reacquainted with the habitat of turtles and the great blue heron. In an idyllic setting throughout the seasons, visitors can see beaver dams and species of deciduous trees hard to find elsewhere.

This is an example of the kind of results produced by threatened species legislation such as Quebec's.

Earlier I mentioned the Quebec environment and wildlife department. I must add that since 1989 it has as protection tools the Act respecting Threatened or Vulnerable Species and the Act respecting the Conservation and Development of Wildlife.

Quebec uses these tools to identify species at risk, list them as threatened or vulnerable, protect their habitat, and develop and implement recovery plans to adequately protect species and habitat in a precarious situation.

• (1700)

One might well wonder why have federal legislation. What is this legislation going to add to the administrative measures already in place in Quebec? Nothing.

Moreover, it is not the first time the federal government has tried to slip through legislation dealing with this area. Here is a brief historical overview of the legislation.

In 1995, the Minister of Environment of the day, now Minister of Heritage, announced her intention to pass legislation on endangered species. This raised a general uproar, from both provincial governments and environmental groups.

A year later, her successor called a meeting with provincial environment ministers. This was on October 2, 1996, close to four years ago now, the location, Charlottetown, a city with a certain myth attached to it as far as agreements are concerned. The hope was for the ministers of the environment to reach an agreement in principle on endangered species. Thus the agreement on the protection of endangered species.

Yet, when Bill C-65 was introduced, which is sort of the ancestor of the bill we have before us today, the Quebec minister of the environment and regional minister for Laval, my friend David Cliche, rightly found that the federal government's bill did not fully reflect the agreement that had been entered into.

As usual, the federal government is proclaiming the necessity for co-operation between the various levels of government, but as usual when it comes time for action it knows but one way of implementation: blundering in over the lines of provincial jurisdiction. In a letter dated December 2, 1996, the Quebec minister of the environment wrote the following to his federal counterpart:

Nor was it ever agreed that ratification of a treaty by Canada changed anything in the distribution of jurisdictions and gave the federal government exclusive jurisdiction to implement the treaty.

Further on, he added:

Under the pretext of protecting species at risk, the bill is in fact an attempt to rewrite or reinterpret the Canadian Constitution and the way it gives certain powers to various levels of government.

At that time, the Bloc Quebecois opposed this bill because it intruded in provincial jurisdiction.

Bill C-65 died on the Order Paper in April 1997, when the election was called.

Bill C-33 is almost a carbon copy of the defunct C-65. With the same pre-election climate to boot, we could even ask ourselves whether this bill too will die on the Order Paper for electoral reasons.

The bill ignores provincial jurisdictions and existing laws, such as those in Quebec. This is new useless duplication in a field in which the government of Quebec has proven its mettle. As an example of these intrusions, let me point out that clause 34(2) provides that:

The Governor in Council may, on the recommendation of the Minister, by order, provide that sections 32 and 33 apply in lands in a province that are not federal lands.

Federal lands mean lands of the federal crown. The intent is clear. The prohibitions contained in clauses 32 and 33 of the bill can apply to lands under provincial jurisdiction simply by ministerial order.

In addition, if the minister feels that the laws of a province do not properly protect a given species, the minister may recommend the governor in council make an order in this regard. If this is not meddling in the way the provinces carry out their environmental protection responsibilities, I do not know what it is.

• (1705)

We all realize that the protection of the environment and particularly of the threatened species is a key issue. However, the federal government cannot take action in that area while denying

Government Orders

the role that the provinces are already playing. As the Quebec minister of the environment, Paul Bégin, said:

Quebec has always behaved in a responsible and appropriate manner regarding the protection of the most threatened fauna and flora species and it intends to keep on exercising its authority in this matter. We will never accept an umbrella piece of legislation covering all the initiatives in this area.

Bill C-33 only duplicates what certain provinces such as Quebec are already doing, instead of harmonizing what each level of government could do in its area of jurisdiction. Unfortunately, we all know that this is the federal government's way of doing things. To believe that a tempered federalism, a federalism respectful of the existing jurisdictions is here is just an illusion and Quebecers will not be fooled.

[*English*]

Mr. Grant Hill (MacLeod, Canadian Alliance): Mr. Speaker, as an outdoorsman, a guy who spends a lot of time in the wilderness, I have a personal interest in this topic and I will approach it from that perspective.

I spend many hours in the wilderness. I have hiked, climbed, hunted and fished in spots that do not see very many individuals. I believe that Canadians have an interest in and a public need to protect species at risk. That is certainly the case in my riding, a riding that extends from Calgary down to the U.S. border and from the mountains out to the southwest corner of Alberta.

I will give an example of a rancher, a landowner, who in my view typifies the somewhat typical western perspective on this. This individual lives west of High River. His name is Francis Gardiner. He is a big, tall, raw-boned rancher, a guy with a cowboy hat and boots. If you met him on the street you would not sass him, but inside him is the softest perspective when it comes to species at risk.

He has a large, beautiful tract of land in the foothills, land that has very diverse countryside. Beaver, deer and elk roam the hills to the west. He has whitetail and mule deer on the grasslands. He and his family have been there a long time.

He has been recognized for some of his achievements with species at risk. He has tried to be very natural in his stewardship on the land. It is titled land but he looks upon himself as a steward of that land.

In the old days there used to be fires throughout the country regularly and the fires took care of the brush. There have not been fires lately. We are good at preventing fires. We take fire prevention measures there so he has brought in animals that will eat some of the vegetation to maintain the grassland because the diversity requires that. His land would have been overtaken by brush. To bring in a bulldozer and push the brush aside and smash all the undergrowth is against his beliefs. This sounds kind of corny but he brings in goats for certain periods of the year to eat the vegetation

and maintain the grassland. The grassland is specific to species that might be displaced.

Francis Gardiner, in my view, is a trustee or a steward of the land. Has anybody forced him to do that? Has anybody pushed him with legislation? Has anybody rammed it down his throat? Not for a second. He has done this co-operatively and eagerly. As I say, he has been recognized and has just received some of that recognition here in the House.

One other thing that is not often mentioned is that species are not static. There is a change with species. Raccoons were unknown in my part of the country until a few years ago when they moved in. Raccoons have had an impact on other species, for instance pheasant. I enjoy pheasants but the raccoons have had an impact on them. Here we have interspecies activity. I think we sometimes from our human activities miss that.

• (1710)

I believe that the interests of many of the individuals merge. I have said that I am an active outdoorsman. I believe my interests merge with those of the industrialist who wants to do a sustainable harvest of some of the forests. I believe that unless those individuals and industry look after some of these species they will get shut down completely and the harvest will not take place. Of course, the harvest of a forest, if it is done properly, results in new growth and that new growth sustains and supports species sometimes at risk.

Co-operation is what is necessary. I will not criticize the bill specifically, but I do not believe that co-operation is given the highest profile in this legislation. The co-operation I look at is the co-operation of a fellow like Francis Gardiner. Surely, if there is a species at risk on his property and if he is given the opportunity, he will do what he can do to prevent that species from being pushed aside. If he cannot do enough—remember I said that this was an overall societal good—and it is determined that his land must be taken from him, either through the use being taken away from him, or actually purchasing the land from him, or maybe even expropriating it, if he does not get fair market value compensation it turns this steward of the land into an enemy of the species.

If there is one thing that I urge my colleagues across the way to do, it is to change the clause in the bill that says that compensation may be provided. Compensation must be provided, if the public good says that the land is no longer available to a farmer, a rancher or somebody building an apartment building in a city, it does not matter what the land is designated for, even if it is a grazing lease. I cannot stress this strongly enough.

To my colleagues opposite who put blinkers on and say that species at risk is the only issue, they know that in other jurisdictions there has been the shoot, shovel and shut up mentality. As soon as a species at risk is found, it is shot and buried and nobody knows about it. It is totally against what I believe the trustees of the land would do if they felt they would be treated properly.

Government Orders

The scientific process is important when it comes to species at risk. We have a big panel that will decide which species do in fact require protection. That panel should also be given the task of looking at how the habitat should be protected. It should also be given the task of coming up with the cost to the community at large to protect that species at risk, and when do the numbers allow us to back away from the program that is so specific for that species at risk.

There have been some remarkable successes. Canada has had a part to play in some of those successes. I think of the whooping crane. We knew how many of them there were in the world but we did not know where they nested or where they went for migration. Early on in these conservation efforts we used tracking methods that were quite primitive according to today's tracking methods and we also made some moves in capturing and raising whooping cranes and then releasing them into the wild. This was a success story and it was done co-operatively.

Luckily, the whooping crane did not have a huge impact on landowners because they did nest far away in the north where there was not very much impact and most of the impact was from accidental killing and activity that was inappropriate as they went through their migration patterns.

There is hope for species at risk. There is an increased awareness of species at risk. The Alliance will vigorously oppose some of the principles in this bill, especially the one with regard to the lack of compensation. If the government thinks that it can take this issue and do it by regulation, it is be sadly mistaken because it will lose the goodwill of many of the individuals, certainly in my riding of Macleod.

• (1715)

The criminal powers in this legislation get completely away from the co-operation I believe is necessary. A person should be encouraged to be trustee of the land and given recognition. That is the way we will go. If land must be taken away, it must be taken away in the public good in the larger sense with fair market compensation.

I could go on much longer about the bill. It is an important one to people like me and to people in my part of the country. It is a privilege to speak briefly in this regard. I encourage the government to look at the issue of compensation because surely that is where the bill will fail.

[*Translation*]

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Mr. Speaker, I am pleased to rise as parliament begins the September 2000 session. First I want to congratulate the two new

leaders who were elected and who were introduced in the House today.

They were elected with a rather strong majority, which means they represent two important schools of thought in western and eastern Canada. They will have to make their opinions known in the debates we will have in the coming months, debates that can be heated at times while being respectful of every member who sits in this House. I think that the arrival of these two leaders from two different ridings, one in the east and one in the west, may help the government realize that it is not on the right track in many areas.

On the economic side, there is a strong demand for a reform of the personal income tax system for middle income Canadians. We can also see that the government is making economic decisions that are not at all in the best interests of Canadians and Quebecers.

In the area of health, the provinces have fought hard to obtain an agreement, and yet it was reported in the media today that the federal government is still trying to say that this agreement does not say what it should say. It could simply have restored funding at the 1994 level, as the opposition had been requesting for a long time, and that would have solved the problem.

The government has been making one blunder after another in the arts, in the area of health, as I just mentioned, and in various other areas. I hope these new forces in the House will show the government that it has to rethink a lot of its legislation, including the bill before us today, which deals with species at risk.

Once again, the federal government is clumsily interfering in areas under provincial jurisdiction. We, who are members from Quebec, are proud mainly because the Quebec government has, especially since 1989, made extraordinary efforts to protect these species, requesting zoning changes in some areas and environmental changes to prohibit the dumping of some undesirable substances in specific rivers.

The Quebec legislation is really helping to protect endangered species and supporting the environmental community, which claims to be very satisfied. Of course, they want more, they expect more, but they have someone to whom they can turn.

There is a way for the federal government to get involved, if it wishes to do so, in the protection of endangered species not under its jurisdiction. But why has it, once again, decided to meddle in a provincial area of jurisdiction? It is like a disease the leader of the Liberal Party has and is now passing on to his members, where he gets the urge to forget about the constitution and to infringe upon provincial areas of jurisdiction. In this case, it is so obvious.

It is a shame to see the government members say nothing while the Bloc members, all from Quebec, stand up for the interests of their fellow Quebecers. We have heard the member for Chambly as well as the member for Portneuf talk about the legal issues. We all

Government Orders

heard of course the brilliant speech made earlier by the member for Laval East.

• (1720)

These members are telling us how important it is to look at this bill very seriously in order to achieve a greater respect of jurisdictions, the provinces' and Quebec's. The fact that we are asking this government to respect the constitution it enacted is nothing new. It is clear and simple. However, every time we have to go back to square one. We have to repeat the same thing over and over again.

The worse part is that today as we are demanding respect for provincial jurisdiction and the Canadian constitution, the Quebec members on the other side are not saying a thing. They hang their heads in shame. I can see them across the way. They are ashamed their party is not allowing them to speak on the issue. They have to keep their mouths shut to be able to serve in a government, but one that is working against Quebec's interests.

I am surprised to hear that the two new members who crossed the floor of the House said "We are crossing the floor to better serve Quebec". Did they change sides to tell the Liberal caucus "You are going to change your methods, you do not understand, you are going to have to respect jurisdictions, you will respect Quebec". No, they did not. They only crossed the floor of the House a few days ago and already they have become meek little sheep who wait for a signal to raise their arm and speak, and no longer think for themselves. Since they crossed the floor somebody else is doing the thinking for them. They now belong to the silent party.

I believe the Liberal party should change its name to the "Muffler Party", as its members' voices are very muffled. I think this name would suit them very well.

I therefore appeal to the members from Quebec across the way who say they are defending Quebec's interests. Ministers of the government of Quebec, whether members of the Parti Québécois or the Liberal Party, have always stated clearly that in this area the legislation that Quebec has had since 1989 serves Quebec's interests very well. According to Mr. Bégin, who was quoted earlier by the member for Laval Centre:

Quebec has always behaved in a responsible and appropriate manner regarding the protection of the most threatened fauna and flora species and intends to keep on exercising its authority in this matter. We will never accept umbrella legislation covering all the initiatives in this area.

This is the statement quoted by the member for Laval earlier. The message is simple: the government of Quebec is telling the government in Ottawa that if they each mind their own business, everyone will get along. But who is still promoting discord, unnecessary debate and wasted energy? The answer is this government, which has made this its trademark, its *raison d'être*.

I see the members from Quebec across the way, including the member for Shefford who has just, as I mentioned earlier, crossed the floor to announce that she wanted to defend Quebec's interests, but who is mum on this issue. Worse yet, she is getting ready to vote against Quebec in her first official action as a member of the Liberal Party when occasionally, as a member of the Progressive Conservative Party, she voted for Quebec's interests. In the case of Bill C-20, for instance, she showed courage. But now that has all gone. She has lost her nerve. The election is approaching and it must be won. But do voters feel the same way? We shall see.

The same is true for the members from Quebec for Pierrefonds-Dollard, and Beauce. What does the member for Beauce, who is caucus president, have to say? As president of the caucus in Quebec, he must defend Quebec's interests. How is it that he is silent in the face of such a major assault on provincial jurisdiction? What do the members for Brossard—La Prairie, and Lac-Saint-Louis think? The latter was a former minister of the environment in Quebec. Never, as Quebec minister of the environment, would he have allowed such an intrusion into provincial jurisdiction. He was its staunch defender at the time and, moreover, the one that saw the legislation passed in 1989.

I do not know what kind of shot they give people when they become Liberals, but it always has an extremely good sedative effect. It renders people speechless, they never rise again to defend interests, they draw their salary and hope for the Prime Minister's help in getting re-elected.

• (1725)

Now for the hon. members for Verdun—Saint-Henri—Saint-Paul—Pointe Saint-Charles, for Gatineau, for Vaudreuil—Soulanges, I call upon you all as MPs for Quebec. Stand up with us to tell the government to mind its own business and to leave the provinces to administer this jurisdiction as they have been doing, efficiently and effectively.

Where are the hon. members for Abitibi—Baie-James—Nunavik, for Brome—Missisquoi and for Laval West when it comes time to speak up? The Minister of Intergovernmental Affairs, the Minister of Public Works, the Minister of Amateur Sport, the Minister of Revenue, the Minister of Finance, the Minister for International Trade, who are all Quebec MPs, please understand that it is in the best interests of Quebec to oppose this bill, to make amendments to it if necessary. At least, have something to say. Do not remain silent, earning the label of members of the "Muffler Party". No, you will surely be something other than that, I trust.

In closing then, I appeal to you all to wake up at last. Wake up, work with us, so that this provincial jurisdiction will be respected and we can avoid yet another federal-provincial squabble provoked by this government.

Mr. Réal Ménard (Hochelaga—Maisonnette, BQ): Mr. Speaker, first I would like to congratulate the hon. member for

Private Members' Business

Bas-Richelieu—Nicolet—Bécancour, who is an excellent parliamentarian. We are of course very pleased to have him with us in the Bloc Québécois. He is a man with a lot of experience and a sound judgment.

The hon. member clearly showed us how sad the situation is, with the people across the way not speaking up.

I am thinking of the government House leader, the member for Glengarry—Prescott—Russell. I am not ruling out the possibility of going door to door in his riding with my Bloc Québécois colleagues to tell his voters about the real nature of this House leader.

Let us not forget the prowess of the House leader and the current Minister of Canadian Heritage. I understand that, like her House leader, she does not support the Minister of Finance, but supports the Prime Minister, which explains why she is still a member of cabinet. Let us not forget how, when they formed the opposition, these people felt about non-confidence motions. They desperately asked for parliamentary reform and for freedom of expression within the political parties. But where is that freedom of expression when Quebec MPs must protect the higher interests of Quebec?

It is always the same predictable scenario. They cave in, they show no political courage, they let the steamroller go over Quebec, at the expense of our province's higher interests. This must end. Fortunately, the Bloc Québécois is here. Which party is leading in the polls in Quebec? It is the Bloc Québécois. What will be the strengths of the Bloc in the next election? We will always be there to protect the interests of Quebec.

Does my colleague, the government House leader, wish to say something? No. Just like his own party, he remains callously silent when the time comes to stand up for Quebec.

I say this in a very cordial way, because here in the House, friendship must prevail. However we cannot let the federal government interfere once again in an area outside of its jurisdiction.

I want the government members to tell me something. Who is supporting such a bill? The Quebec government is against it. The environmental community is against it. Why is the government so determined to use such a tool when it could be acting within its own jurisdiction?

The government is acting as if it has taken some very positive measures to protect the environment. But what has the auditor general had to say about the decontamination of federal lands and sites? He said the government is dragging its feet. What has the auditor general had to say about the ratification of the Rio Convention and especially its regulatory framework? He said the government has been tardy in doing so.

I know my time is running out and that is unfortunate, because I still have a lot to say on this issue.

• (1730)

As the previous speakers and my colleagues from the Bloc have said, we will not let the government interfere once again in an area outside of its jurisdiction. I really hope the House will let me continue with my speech at the next sitting of the House.

The Acting Speaker (Mr. McClelland): It being 5.30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[English]

INCOME TAX ACT

Mr. Eric Lowther (Calgary Centre, Canadian Alliance) moved that Bill C-289, an act to amend the Income Tax Act (child adoption expenses), be read the second time and referred to a committee.

He said: Mr. Speaker, it is good to see you back after the summer. I know you had a busy one. I appreciate the opportunity to speak to Bill C-289, my bill that was drawn not long ago. I appreciate it being before the House. Unfortunately, although we made a very heavily supported recommendation to the committee from people right across the country, the bill was not deemed votable. However I appreciate this hour of debate in the House. I know many who are interested in this topic are watching today on the network.

The bill states in its own summary that its purpose to enact an allowance for taxpayers, a deduction for expenses related to the adoption of a child that does not exceed \$7,000 when computing his or her income for a taxation year. The expenses must have been incurred in that taxation year or in the previous two years. That is the summary of the bill.

Essentially the bill would recognize that adoptive parents make a significant social contribution to our society by adopting children that have a need for parenting, and that this activity should be encouraged and supported for the good of children and for the good of society as a whole.

I submit that this is a very important bill and worthy of being deemed votable. Unfortunately we did not get that, but I would hope that in the future parliament would entertain doing more for adoptive parents. I think we can all agree that adoption is a gentle option to ensure that a child can be placed with loving and generous parents.

Private Members' Business

However adoptive parents often face significant upfront costs when they embark on adoption, and out of pocket adoption expenses are not tax deductible. This bill would be a first step toward addressing some of the concerns of adoptive parents.

Adoptive parents have unique challenges and expenses when they adopt a child. Even in public adoptions where provinces have traditionally covered the related adoption expenses, we are now starting to see adoptive parents faced with new fees and ever increasing costs such as \$1,200 for home studies, et cetera.

In the case of a private or international adoption, couples may face costs in the thousands of dollars in legal fees, home studies and a number of other studies that they must cover off. Such upfront costs may result in the discouragement of couples even thinking of adoption. It would thus serve a larger public interest to allow adoptive parents to deduct expenses related to the adoption of a child to better facilitate and better encourage this act of generosity and love that serves us all so well.

Bill C-289 is essentially an adoption expense deduction bill which proposes to allow a taxpayer a deduction of up to \$7,000 for expenses related to adoption.

The introduction of the bill follows consultation with a number of adoption organizations as well as individuals who have personally adopted children. Statistics Canada's national longitudinal survey of children and youth has clearly shown us, in empirical terms, clear measurables, that an environment where there is a mother and a father is an environment where children thrive. Children without parents are at a disadvantage. I believe we should do all we can to encourage families who have the desire to adopt children instead of making adoption a difficult alternative.

• (1735)

We need to send a message of appreciation for the social contribution that adoptive parents make and recognize the inequities that adoptive parents face.

Adoption is under the control of the provinces, but Bill C-289 is a means by which this important institution could be encouraged and supported at a federal level through the means of a federal tax deduction format. Bill C-289 therefore is constitutional and fulfils another of the guidelines that the subcommittee required for a bill to be deemed votable.

Here are some details of the bill. As I said, it would cover off the legal expenses related to adoption. Any kind of illegal adoption or surrogate parenting arrangements would not be covered, but the legal adoption expenses that relate to adoption would be tax deductible up to a maximum of \$7,000. The \$7,000 figure was used so that it would be the same as the maximum amount deductible for the child care expense deduction currently in the tax code, the

CCED, which is essentially a deduction that recognizes the costs of third party care.

If the state can recognize these costs, I believe it is appropriate to recognize that there are costs specifically related to adoption which adoptive parents face. The adoption expense deduction would be available for both domestic and foreign adoption. It would include expenses for pre-adoption home study as well as birth parent counselling and travel expenses related to the adoption of the child. All these are incurred regularly by adoptive parents today with no recognition.

It would be available for the adoption of any child under 17 years old, again matching the CCED provisions. If any expenses are to be reimbursed by an employer or by the government, they would not be eligible for this tax deduction. We thought out those aspects of the bill.

The numbers of adoptions are difficult to attain but the Library of Parliament indicates that the total number of domestic adoptions in 1990 was about 2,800. The most recent figures available indicate that some 1,800 international adoptions occurred in 1997. The province of Quebec estimates that the average cost of an international adoption for adoptive parents is \$20,000.

The paper that the Library of Parliament prepared for my office used the assumption that Bill C-289 would not come at a high cost to the treasury. The estimated cost to federal tax revenues for this bill, using a \$7,000 adoption expense deduction, is approximately \$5 million at the current estimated adoption levels.

In addition to sending a message of appreciation and encouragement that parliament could send to adoptive parents through the bill, allowing adoption expenses to be tax deductible would make the tax system more equitable for adoptive parents for two reasons.

First, biological parents have the pre-natal and post-natal costs of having children covered under medicare, but adoptive parents have to pay out of pocket expenses related to adoption costs directly out of after tax income.

Second, currently fertility treatments are tax deductible. According to the Library of Parliament fertility treatment expenses are eligible for the existing 17% federal tax credit for medical expenses provided for in section 118.2 of the Income Tax Act. Thus it could be argued, and this is straight from the document prepared by the Library of Parliament for my office, that among those taxpayers who are unable to have children naturally the current tax law favours those who seek fertility treatment over those who adopt. Yet it could be said that adoption is more socially beneficial since it aims to provide a family for children who already exist.

It is inherently unfair and poor public policy for expenses related to in vitro fertilization to be tax deductible while adoption expenses, which by definition relate to a case where a child has already been born and is in need of parents, are not tax deductible.

Private Members' Business

● (1740)

In the end I also submit to the House that adoption saves the taxpayer money as many children in need of parents would no longer be under the care of the state with the related expenses that are all paid by the state. It would result in a permanency for the child, which would also result in a stronger society and as a whole more healthy child development with a two parent family.

This topic has been in the media. I just make reference to some of the statements that have been captured in the media concerning this issue. The *Winnipeg Free Press* on January 4, 2000, in an article by Leah Janzen indicated:

Faced with a critical shortage of loving homes for older children and those with special needs, Child and Family Services is offering paycheques to adoptive parents.

It is not something we are advocating here, but we are advocating through the tax system the recognition of the social contribution made by adoptive parents. Ms. Janzen went on to say:

But so far, with about 700 needy children on their waiting list and only 125 prospective parents in sight, the gap is still heartbreakingly wide.

In the *Ottawa Citizen* on April 3, 1999, Derek McNaughton wrote:

Between 1997 and 1998, the adoption rate for children from overseas countries jumped by at least 30 per cent. For China, the number of adopted children has rocketed upward by 73 per cent.

He went on to say:

Currently, Quebec is the only province providing tax relief for adoptive parents. And in its recent budget, the Quebec government raised the allowable tax deduction for adoptive parents from a ceiling of \$2,000 to \$3,000.

A lady whom I have had some contact with on this topic, Judy Grove, executive director of the Adoption Council of Canada, says that the issue of tax relief is rooted in how this country values children. She says that politicians from both federal and provincial governments are long on rhetoric about the needs of children but short on action. She states:

It's very shortsighted, adoption, from the view of the state, is a cost effective process because kids that are adopted are not on the child welfare budget. If you look at the effect of allowing tax breaks, it makes adoption easier and therefore it saves the state money.

She makes a very valuable and valid point. The Adoption Council of Canada has also sent a number of letters to my office. In one of those letters on this private member's bill it points out that there are more than 70,000 children in foster care in Canada. More than 20,000 of these children are available for adoption. One of the main barriers, they pointed out to me, to the adoption of these children is the financial burden adoptive parents face.

Most adoptions of Canadian newborns and infants are facilitated through private adoption agencies which have fees that range anywhere from \$6,000 to \$10,000, and in some cases even more than that.

This proposed tax deduction will make it more feasible for lower income families or those concerned about the costs to adopt and care for children. That just makes sense. This bill would be a public recognition or a statement on the value of the contribution those parents are making.

What about public support? Do Canadians want Bill C-289 to pass? I would submit that public opinion is very supportive. Since I first introduced the bill in the first session of the 36th parliament petitions of support have steadily been coming into the House of Commons. I have received many e-mails and many letters of support with really no media play or public promotion on my part at all. I was actually surprised by the overwhelming support I have had on the bill without really publicizing it or promoting it in the least.

In parliament there have been about 4,000 signatures on petitions in support of the bill already presented to the House of Commons. I have another 1,000 signatures waiting. I have some petitions that I wanted to present here today but I plan to do that tomorrow, all in support of the bill.

● (1745)

I thank the many Canadians who supported my office and supported me in the endeavour of bringing this bill forward to the floor of the House of Commons. I thank the Adoption Council of Canada, Judith Grove and Connie Premont who created an e-mail list and communicated the intent of this bill to many supporters right across the country. I would also like to thank the many adoptive parents who sent me pictures and letters and encouraged me to contact other members of parliament to support this initiative.

This is good legislation. I urge all members to strongly consider making a bill of this kind something the government would develop legislation for and that we move to recognize the contribution of adoptive parents, especially when we so regularly say how important children are and how legislation needs to be in the best interests of children. Recognizing the contribution of adoptive parents would go a long way to us taking a step in that direction.

Mr. Roy Cullen (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, this private member's bill proposed by the hon. member for Calgary Centre would allow taxpayers to deduct expenses related to the adoption of a child to a maximum of \$7,000. While I am sure that the member opposite from Calgary Centre has been motivated to present this bill to the House of Commons for all the right reasons, a basic principle of our income tax system is that tax relief is not generally provided for personal expenses, such as adoption costs.

Private Members' Business

Although the government is aware that parents adopting a child incur relatively high costs, these and other personal expenses do not qualify for tax assistance because they are incurred at an individual's discretion in widely varying amounts and types depending on the individual's tastes, lifestyle and economic status. The higher the socioeconomic status of the taxpayer, the more likely he or she is to incur larger and more varied personal expenses. If these expenses were made deductible, a portion of the personal expenses incurred by some taxpayers would be financed by taxpayers at large.

[Translation]

When tax assistance is provided with regard to expenses, it applies to expenses incurred to earn an income, for example child care expenses, union dues or job related moving expenses, or to largely non-discretionary expenses, such as higher than normal medical expenses.

[English]

Let us take the example of child care expenses. As hon. members know, eligible child care expenses are deductible in computing income. The purpose of the child care expense deduction is to recognize that taxpayers who need to incur child care expenses to earn employment or business income, to attend a recognized educational institution or to take an eligible vocational training course have a lower ability to pay taxes than taxpayers with the same income who do not need to incur such expenses.

The child care expense deduction provides a tax deduction of up to \$7,000 annually for expenses related to the care of a child under the age of seven and of up to \$4,000 for a child between the ages of seven and 15.

[Translation]

Since it would be difficult to separate the personal and non discretionary components of child related expenses, tax assistance is provided to families with children in the form of a benefit, the amount of which is predetermined, rather than in the form of tax credits or deductions for specific expenses.

[English]

As the House may know, the government provides considerable financial support to families with children through the Canada child tax benefit, the CCTB. More specifically, the CCTB has two components: the base benefit and the national child benefit. Under the base benefit families currently receive up to \$1,020 per child. In addition, supplements of \$213 for each child under the age of seven where no child care expenses are claimed and \$75 for the third and each subsequent child are added to the base benefit.

Additional assistance is provided to low income families with children under the national child benefit, the NCB.

• (1750)

As of July 1999 NCB benefits are \$785 for the first child, \$585 for the second and \$510 for the third and each subsequent child. Therefore, the maximum CCTB benefit is \$1,805 for the first child and \$1,605 for each subsequent child.

Over the last few years our government has proven that it is committed to investing the future of our children. In fact, even before the budget was balanced, the government committed \$850 million to the Canada child tax benefit to start building the national child benefit in 1997. In the 1998 budget the federal government enriched the NCB by an additional \$850 million. The design of this enrichment was set out in the 1999 budget which also proposed an additional investment of \$300 million to extend benefit enhancements to modest and middle income families.

[Translation]

Moreover the budget tabled in the House on February 28 contained a five year plan to increase benefits under the Canada child tax benefit by \$2.5 billion annually by 2004. That means that the maximum Canada child tax benefit has increased to \$2,056 in July 2000 and will reach \$2,400 by 2004.

[English]

In the three budgets preceding the 2000 budget, the government invested a total of \$2 billion a year in the Canada child tax benefit. With the additional investment of \$2.5 billion a year proposed in the 2000 budget, by 2004 over \$9 billion will be devoted each year to helping families with the cost of raising children.

Before concluding, I also want to emphasize that the significant tax reduction measures proposed in the last four budgets were especially beneficial to families with children. By 2004-05, the measures in these budgets will translate into a 30% reduction in the tax burden for families with children, compared to 22% on average for all Canadians. The measures presented in the 2000 budget alone will mean a 21% reduction in the tax burden for families with children, compared to 15% for all taxpayers.

The five year tax reduction plan announced in budget 2000 proposes to restore full indexation of the personal income tax system. This will protect families against automatic tax increases and erosion in benefits caused by inflation.

In addition, the plan proposes broad based personal income tax reductions. For the first time in 12 years, a reduction in a tax rate is being proposed. The middle tax rate will be reduced from 26% to 23% by 2004. As well, it is proposed that by 2004 the amount Canadians can earn tax free will increase to at least \$8,000, while the income levels at which the middle and top tax rates begin to

Private Members' Business

apply will increased to at least \$35,000 and \$70,000 respectively. It is also proposed that the 5% surtax be eliminated.

In total, the 2000 budget proposes a minimum of \$39.5 billion in personal income tax relief for Canadians.

It was announced at that time that the government hoped to accelerate the five year tax reduction plan. Well, the government is now able to guarantee that it will do so.

[*Translation*]

In conclusion, the government believes that parents should receive financial assistance to help them meet the needs of their children, and we are giving it to them.

[*English*]

However, it would not be appropriate to ask taxpayers at large to subsidize adoption expenses through the tax system because of the largely discretionary nature of these personal expenses. Therefore, I ask that all hon. members not support this bill.

[*Translation*]

Mr. Gilles-A. Perron (Rivière-des-Mille-Îles, BQ): Mr. Speaker, I am pleased to rise to speak to Bill C-289, an act to amend the Income Tax Act (child adoption expenses), introduced by my colleague from Calgary Centre.

• (1755)

The purpose of this enactment is to allow a taxpayer to claim a deduction for expenses of up to \$7,000 related to the adoption of a child when calculating his or her income for a taxation year.

I remind the House that in 1998 my colleague from the Bloc, the member for Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, introduced a bill similar to this one. I believe the only difference was that we were asking for a deduction of \$10,000 instead of \$7,000. It is the main difference between the two bills.

It is therefore a bill my party, the Bloc Québécois, and myself support.

As we know adoption is a provincial responsibility. However the lack of participation on the part of the federal government creates a grey area for adoptive parents.

A federal tax deduction would not only be a welcome incentive for adoptive parents, but also would make the tax system fairer.

Biological parents are covered under the health insurance plan for prenatal and post-natal care whereas adoptive parents must pay out of their own pocket the full cost of an adoption.

It is odd that the costs of in vitro fertilization are deductible when the costs of adopting a child are not. This is neither fair nor wise on the part of the federal government.

Children of the World, one of the largest Canadian adoption agencies, estimates the cost of adopting a child in China at \$17,270 per couple.

Two years ago, my colleague, the member for Saint-Hyacinthe—Bagot, adopted a little Asian girl. He has confirmed to me that the adoption expenses were over \$20,000 Canadian. These figures include expenses in Quebec and in China.

At this point, I would like to tell the House about a small expense chart that Children of the World sent me. It must not be forgotten that when one wishes to adopt a child internationally, there are administrative expenses, expenses for psychological testing, for parents' birth certificates, marriage certificates, letters from physicians, notaries' fees, legal expenses, law stamps, the embassy, contacts with foreign countries, enrolling with the Canada-China adoption association, translation of files into Chinese. This mounts up to \$7,422 before leaving Canada to actually adopt a child. To this must be added the expenses incurred abroad: donations to the orphanage, the fees of a notary in China, passport fees for the child one wishes to bring back, airfare and accommodation, totalling \$17,270.

The federal government should recognize, as Quebec does, the important social contribution of adoptive parents in our society.

It has been observed that half of Canadian adoptions are to Quebec families. This is in part due to the fact that Quebec's family policy is far more progressive than that of the federal government.

Adoptive parents face special expenses, particularly in the case of private and international adoptions. I know whereof I speak. Thirty-two years ago, my wife and I adopted a child, Richard.

• (1800)

Many couples who want to adopt a child think about it twice because of all the expenses it entails, which is where this bill comes in.

For almost nine years now, Quebec has undergone a change quite unique in the western world: every year, 700 to 800 children from all over the world finally find in Quebec a family to adopt them.

It obviously would have made adoption easier if the adoptive parents were able to deduct from their income, at the federal level, the child adoption expenses, not by an amount not exceeding \$7,000 as is stipulated in this bill, but by double that amount.

We cannot talk about adoption without talking about family. In Quebec, we are proud to have an integrated and comprehensive

family policy. The policy includes among other things a tax credit for adoption expenses, family allowance benefits and the development of educational services and day care for young children, what is commonly known as the \$5-a-day day care.

Quebec is also developing a parental insurance program based on the needs of families in Quebec.

In short, it is obvious that the federal government is 20 years behind in this area and by quickly passing this bill, it would at least be taking a step in the right direction.

[English]

Ms. Louise Hardy (Yukon, NDP): Mr. Speaker, I am pleased to speak to this bill, which introduces adoption expense deductions.

I am surprised at the argument from the Liberal member across that categorizes this as a personal expense. I think adoption is probably one of the most impersonal expenses anybody can put forth. People will be adopting a child of parents whom they do not know. They will not know the child and they will not know if the child is going to be troubled. If it is an international adoption the child could have been denied love, stimulation and care. They will be facing the problems of integrating that child into their home and their community. They could be adopting a child that has fetal alcohol syndrome or other problems as a result of the parents' actions. So it is an incredibly impersonal expense that a family makes when they decide to adopt. We are talking about families and the incredible struggle they go through to adopt.

I have seen some of my friends go through five years of trying to adopt. What they submit themselves to, no biological parent has to. They have to do a home study in which they are asked the most personal, intimate questions one could ever imagine. No one would even want to answer them, but they have to answer them because they want to adopt a child.

They need letters of reference so they have to go to different people of good standing in the community and ask if they would consider them to be good parents and then get them to write letters for them. They need psychological assessments which at a minimum are probably about \$90 an hour. Their religious standards are scrutinized. Their income is scrutinized. Their age, are they too young or too old. Their health, are they healthy and what their family history is when it comes to mental health. I was certainly never asked those questions when I was young and having children. I have four children.

My big expense of having children was to buy a crib that lasted for all four of them. If I had to pay out \$20,000 or \$10,000 or even \$1,000 per child at that age, I certainly could not have done it. However, we are expecting these people, who will be making a

Private Members' Business

contribution to our community and who will be raising other people's children as their own, to do so without any kind of break.

I am again really disappointed at the Liberal approach of categorizing adoptive parents' desire to have children as a personal expense. It is shocking and hurtful to anybody who is willing to go through the expense and the gruelling ordeal of adopting a child.

As has already been mentioned, there are public and private adoptions in this country but they both involve huge expenses. As I have said, the family has emotional expenses as well as financial expenses to go through. I do not think we should promote this bill just because it would save the government money. I think we should support it because it is the right thing to do. We should support it because it would support families and it would be a good addition to any children's agenda.

● (1805)

If we are going to put forward something seriously it is critical that we recognize parents who are willing to adopt. Not everybody is capable of adopting or of seeing those children through all the years of adoption. It is not always easy. These families are different.

I was just talking to a woman today who has adopted three children. It was an international adoption. It is difficult for families to adopt a child who may come from a wartorn country and has been traumatized. Adopting families do not know the child's history or what life holds for them. I do not have to face those questions with my children but we are not willing to give people who adopt children from anywhere, who look after them, love them, care for them and do all the things that we would do for our own children, a leg up or a boost, even in this small way of recognizing the initial financial costs of an adoption.

In a lot of ways we can not ameliorate or lessen the psychological and emotional impact an adoption has on people. It is a gruelling test of their character. Anyone who does adopt should be applauded rather than penalized.

This is a private member's bill that is worthy of support by all MPs in the House. They should stand and say "Yes, we will support you in every way we can because your struggles are different than ours". It would be another addition to our criteria as a family and there is just no way that what they do could ever be considered as just a self-serving personal expense because it is not self-serving. They have been serving other people for decades by including adoptive children in their families.

[Translation]

Ms. Angela Vautour (Beauséjour—Petitcodiac, PC): Mr. Speaker, this bill proposes a tax deduction for the costs relating to the adoption of a child, up to a total of \$7,000.

Private Members' Business

Despite the bill's good intentions, I believe that the problem of this country's children is far more serious. Amending the Income Tax Act by adding another clause does nothing but complicate still further a piece of legislation that is already overly complicated and does not solve the real problem. There are 2.5 million children living in poverty in Canada.

The problems that are being experienced by low income families, particularly single mothers, require examination by this government.

Living in poverty is not easy. Being unable to provide one's children with the necessities of life sometimes pushes certain people into making hard decisions.

I believe that this country needs to ensure that a favourable environment is created to acknowledge the good will of those who choose to be parents. Parenting is not always easy, especially in the year 2000, with the high cost of living, and the many challenges our young people have to deal with: drugs in the schools, finding jobs, even if their parents can manage to find enough money for their education.

Becoming a parent involves many costs. As parliamentarians, we have a duty to ensure that parents, that single mothers with children can choose. People must first be able to choose to have children, but they must also be able to decide to keep their children. It is often for economic reasons that young parents are forced to give their children up for adoption. We are very lucky to always find parents who are prepared to adopt these children, to give them a good life, to see that they live in a healthy and safe environment with all the necessities of life.

Clearly we have a duty as parliamentarians to make sure that Canadians have the necessary tools to provide what is needed.

I wonder if the hon. member for Calgary Centre really believes that the solution to the problems facing children in this country lies in tax cuts.

• (1810)

To listen to Canadian Alliance members, one would think that all the problems in this country are tax-related.

[*English*]

Having been a single mom for a few years, my son and I certainly know, as we all know, that we need some form of tax reduction. We also know that there are many single parents out there who need a lot of different help. Far too often the reform alliance feels that the solution to every problem in Canada is to reduce taxes. I do not believe that reducing taxes solves every problem. We have to address problems in many directions.

Because of the changes to the unemployment insurance program introduced by this government in 1996, many single parents have had difficulty over the last four years because it targeted families at the lower end of the scale when it came to income and jobs. We know it has also targeted families living in communities dependent on the seasonal industry.

Cuts to the provinces' social transfers have dramatically increased the cost of post-secondary education. What is more devastating than to cut off from a teenager the chance to get an education which would permit that young person to get job and have a future? As parliamentarians we do have a responsibility to make sure that when legislation is passed in the House that we are not targeting the ones who do not have a way to defend themselves. It has happened too often in the House that policies are made, legislation is passed and we are targeting groups, especially women and children, and that is not right.

I must recognize parents who have chosen to provide good and safe homes for children across the country. Choosing to become a parent is not an easy task. Every one of us who either has children or who knows parents who have children know it is not an easy task in today's society with all the challenges that our children are facing. Sometimes both parents have to work whether they want to or not. It is a must today in order to make ends meet. If both parents are working in a region where the minimum wage is \$5.50 or where there is only a seasonal industry, we can just imagine what the children are living on in winter. I believe 2.5 million children living in poverty is way too many. It is 2.5 million children too many as far as I am concerned.

We can address some of the barriers through tax reduction but we also need to see a commitment on the part of the government that will truly address the real problems of the country: too many hungry children living in this very rich country.

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): Mr. Speaker, it is a privilege as a Canadian Alliance member to support my colleague's bill, the member for Calgary Centre.

I have the privilege of having several adopted nephews, four to be exact, and an adopted niece. In a counselling role, I have worked with couples who were sterile or could not conceive a child in the normal way. It was a big concern to them to have the adoption option. It would also have been a big concern to those people to have some kind of support. Some of them did not have a lot of financial means. They came from lower income groups and would have found it to be a great drain on their resources to adopt children.

Nevertheless, many parents do proceed at great sacrifice because children are dear, special and precious to them, but I do believe that it would be of great assistance to have the kinds of measure that are in the bill before us today.

Private Members' Business

Bill C-289, as has been said, is essentially an adoption expense deduction bill. We are not talking about an infinite amount of dollars that would be allowed as an income tax deduction, as my Liberal colleague across the way inferred at a point. It is capped at \$7,000 for expenses incurred as a result of adopting a child.

As members on this side of the House have said, I would also agree that this is not a simple purchase of a car or some other luxury item. This rates as an altogether different kind of thing. These are couples who want to adopt because they are in some cases sterile or for various other reasons cannot have children by the normal way. It is not purely a discretionary issue or choice as was implied by my colleague across the way.

• (1815)

The deduction would be available for the adoption of any child under 17 years old, matching the child care expense deduction provisions. Expenses to be reimbursed by the employer or by government would not be eligible for the tax deduction.

As has been stated by colleagues in the House in response to the bill thus far, without doubt adoptive parents would face a huge financial burden. It does not matter whether the adoption process is public or private or whether it is in Canada. When it is international it involves travel and involves a great deal more in costs as well. Sometimes these costs are considerable. Sometimes they are prohibitive. Let us consider a few of these costs. Some have been referred to, but I will just reiterate again.

There are expenses for pre-adoption home study undertaken by a couple hoping to adopt. That first base is as far as some of them may get because of the rigours of the whole process. There might be agency fees involved in private adoptions. Even in public adoptions where provinces have traditionally covered expenses relating to adoption, we are now seeing adoptive parents faced with new fees and ever increasing costs.

There might be costs for counselling for the birth parents who must grieve the loss of the baby if the child to be adopted is an infant, or in the case of a mother who is giving up her baby.

For international adoptions my Bloc colleague noted considerable travel expenses, transportation, meals, lodging and other expenses related to the child's immigration into Canada.

Then there are the judicial expenses. We know that lawyers are not cheap. There is the adoption order, whether it is a Canadian one or a foreign one. On top of that, international adoption orders may require that the couple obtain a recognition order in Canada as well so that the foreign adoption order will have the same force and effect as a Canadian adoption order.

This means that some couples will have two judicial expenses, one in each country. Let us not forget the legal fees that will change

hands if there are several lawyers involved in the whole process. I think hon. members get the idea that significant amounts of money can change hands in an adoption, especially in the case of private and international adoptions.

The province of Quebec estimates that the average cost of an international adoption is at least \$20,000. I believe that it is unacceptable that these expenses are not tax deductible. What is unacceptable is that expenses associated with adoptions are paid with after tax dollars. The tax system in my opinion is quite unfair in this regard. It does not provide a tax deduction for adoption expenses, even though it provides tax relief for couples who become parents through means other than adoption, and I will get on to citing some of those.

In other words, the Income Tax Act is unfair in its treatment of new adoptive parents. I want to look at some of the inconsistencies and the unfairness in the Income Tax Act.

First, the Income Tax Act makes provision for parents of children who are born naturally. Such parents have the pre-natal and post-natal costs of having a child covered under medicare across our country. Adoptive parents, however, do not have either the direct assistance of public funds or even the direct assistance of a tax break, as we are talking about here today. While society pays for the cost of a parent's birthing of a child, an adoptive parent has to pay for the entire cost of adopting a child.

Second, as was said before but I think bears repeating just to show the unfairness or the inequity, the Income Tax Act makes provision for parents whose children are conceived and born as a result of fertility treatments which are tax deductible. According to the Library of Parliament, fertility treatment expenses are eligible for the existing 17% federal tax credit for medical expenses provided for in section 118.2 of the Income Tax Act.

Thus it could be argued that among those taxpayers who are unable to have children naturally, the current tax law favours those who seek fertility treatment over those who adopt. Yet it could be said that adoption is more socially beneficial since it aims to provide a family for children who already exist.

• (1820)

It is inherently unfair for expenses related to in vitro fertilization to be tax deductible while adoption expenses are not tax deductible as things stand. There is really no logical reason for it. There is no consistency at all in its approach.

Third, the Income Tax Act does allow parents to deduct child care expenses. My colleague referred to that. It does not distinguish between adoptive parents and parents who have given birth naturally, or between adoptive parents and couples who have used fertility treatments. They all are allowed that expense under the Income Tax Act.

Private Members' Business

All parents who use day care receive the deduction. There is another matter of parents who provide care at home and are not given the deduction, which is unfair, but that is another matter for another date.

Therefore it is inconsistent for the government to treat adoptive parents and natural parents the same when it comes to the costs involved in parenting by way of the deduction for child care expenses, yet differently when it comes to the costs involved in becoming parents. I think my colleague, in weighing the logic, is thinking he can understand that there is an inconsistency in that whole approach.

There is no justification for this inequity since new parents contribute equally to society regardless of how they become parents, whether by adoption, whether biologically or whether by in vitro fertilization.

If there were a good reason for this unfair treatment then perhaps we could justify it, but there is no reason. No reason exists. New parents contribute equally to society regardless of how they become parents. A child, its needs and its potential for contributing to society are the same, whether there has been an adoption, in vitro fertilization or a natural birth.

Therefore the logic would suggest that a tax deduction for adoption expenses makes as much sense as medicare spending in maternity wards and as much sense as the current tax deduction for infertility treatments.

Let us think of the benefits of adoptions to society. Children who would otherwise grow up without parents gain parents to love them, discipline them and teach them, parents committed to them for the long term. The likelihood of positive outcomes for such children would be much greater. It translates into better physical and mental health, better grades in school, and a greater contribution as adults in the workplace and in the community.

Parents who adopt love their children. They make deliberate choices and deliberate sacrifices. Adoption is a positive thing for society and it makes sense to encourage adoption by use of a tax deduction.

What loss is there to government tax revenues? Not very much at all. In fact public coffers would be offset by reduced government expenditures in several ways. It costs money for the state to provide care for unadopted children. Adoptions therefore save taxpayer money as the new parents assume financial responsibility for the children. There would be reduced mental health costs, criminal justice system costs and prison system costs.

There would also be increased sales tax revenues from the parents spending on adopted children. Once grown, those children would be healthy, contributing members of society who would pay taxes themselves.

This is an important bill. I would move at this point that it be made votable by unanimous consent of the House.

The Acting Speaker (Mr. McClelland): The hon. member for Wauskewin has asked for unanimous consent of the House that the private member's bill now before the House be made votable. Is there unanimous consent?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Eric Lowther (Calgary Centre, Canadian Alliance): Mr. Speaker, I am encouraged by the debate today. I thought there were some good points made, in particular on this side of the House. I hope they registered with the government.

I am struck by the fact that in the House we hear a lot about a children's agenda. We hear a lot about "the best interests of children". The bill we are debating talks about children in need of adoption. Some 70,000 children are wards of the government and 20,000 of them are ready for adoption today.

• (1825)

We talk about the best interests of children, yet we have a government that will not entertain incentives or recognize legislation that shows appreciation for the contribution adoptive parents make.

We have a government that talks about \$2.2 billion for school programs and for children to be cared for in state run institutions. We talk about the child tax credit. There is lots of money through the child tax credit. I am not knocking that. We talk about child tax recognition for infertility treatments. We talk about child tax credits and recognition for child care expense deductions for those parents who choose to go out and work.

However, we will not consider tax recognition for parents who probably make one of the largest social contributions possible by adopting children who otherwise would never have the benefit of a mother and a father. They are stuck as wards of the state and shifted from one foster home to another. Many of us know that the social costs of that kind of damage to a child go on and on. We could do something about it with a piece of legislation like this one.

I encourage making it easier for loving parents who want to adopt but are faced with financial burdens and financial hardships to do it. We could do something about it in the House today if we were to embrace legislation of this type.

That is what the House should be about. I am tired of the rhetoric about best interests of children and a children's agenda, yet we ignore something as simple and as straightforward as this legislation. It is an absolute no brainer.

Adjournment Debate

I heard a consensus on moving in this direction from colleagues in the NDP. I heard it from the hon. member of the Bloc. I heard it from members of my own party. Without too much hard work we might even get the PCs on side.

I ask members of the government to think about the opportunity they are missing. We have had enough of their rhetoric about the best interests of children and a children's agenda. Let us see them demonstrate it in something as straightforward as this piece of legislation which would give a child a mother and a father to love them in a family environment.

In that light I would like to seek unanimous consent of the House to refer the subject matter of the bill to the HRDC subcommittee on children and youth at risk. There could not be a more appropriate place for this item to be discussed.

The Acting Speaker (Mr. McClelland): The hon. member for Calgary Centre has requested that the subject matter of the bill be referred to a standing committee. Does the hon. member have unanimous consent of the House?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. McClelland): The time provided for the consideration of private members' business is now expired. As the motion has not been designated as a votable item, the order is dropped from the order paper.

ADJOURNMENT PROCEEDINGS

[*English*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

FOREIGN AFFAIRS

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, in April of this year I raised a question in the House of the Minister of Foreign Affairs concerning the impact of economic sanctions on the people of Iraq. I asked the minister to finally speak up for the security of the people of Iraq where over 500,000 children have died since 1990 as a result of inhumane UN sanctions.

Some time after that question the Standing Committee on Foreign Affairs and International Trade issued a strong, powerful and unanimous report on the issue of sanctions in Iraq.

• (1830)

In its report the standing committee, which again I emphasize is made up of members from all parties, strongly and unanimously urged the government to address on an urgent basis the ongoing humanitarian tragedy in Iraq.

It noted as well that notwithstanding the adoption of security council resolution 1284, the committee urgently pursue the delinking of economic from military sanctions with a view to rapidly lifting economic sanctions in order to significantly improve the humanitarian situation of the Iraqi people while maintaining those aspects of the multilateral embargo necessary to satisfy security requirements and contribute to the overall goal of regional disarmament.

As well the committee called for the establishment of a Canadian diplomatic presence in Iraq and the continuing pursuit of the broader issue of the reform of the use of sanctions in order to allow a clearer targeting of military forces and regimes instead of civilian populations.

It has now been some 10 years since the imposition of sanctions in Iraq in August 1990. They have had a devastating impact on the people of Iraq. The foreign affairs committee noted that a United Nations panel established by the president of the security council said this:

The country has experienced a shift from relative affluence to massive poverty. Infant mortality rates in Iraq today are among the highest in the world. Chronic malnutrition affects every fourth child. Only 41% of the population have regular access to clean water. The gravity of the humanitarian situation of the Iraqi people is indisputable and cannot be overstated.

I want to appeal again today to the government to finally respond positively to this plea from the foreign affairs committee, this unanimous call from the committee that includes members of the Liberal Party, such as the hon. member for Brampton West—Mississauga who has been particularly eloquent in speaking out on this issue.

[*Translation*]

“Ten years of cruel sanctions is enough”. This is what a group of Quebec NGOs that includes Églises du Québec, Artistes pour la paix, the Association québécoise de coopération internationale and many other well respected groups have said.

[*English*]

I want to appeal today once again to the parliamentary secretary to rise in his place and tell Canadians why we are prepared to co-operate in this genocidal policy, a policy described as genocidal by none other than the former humanitarian co-ordinator for the United Nations in Iraq, Denis Halliday, who indeed will be speaking in Vancouver this Saturday night.

The genocide must end. The death of children must end. The barbaric bombing killing innocent civilians must end. We must

Adjournment Debate

seek regional disarmament. We must certainly seek democracy and human rights. This is not support for Saddam Hussein, but there are many other dictatorial governments in that regime. I want to appeal to the government to adopt this report, end the sanctions in Iraq and do it now. Too many innocent human lives have been taken as a result of these sanctions.

[Translation]

Mr. Denis Paradis (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Speaker, first I want to congratulate all the members of the foreign affairs committee for their outstanding work, including on the Iraq file.

Canada worked diligently throughout 1999 to re-engage the UN security council on Iraq in order to bring about humanitarian improvements and the return of weapons inspectors to Iraq.

As you are aware, it was a Canadian idea to create three panels in January 1999 to examine the humanitarian, disarmament and Kuwaiti POW issues to review the status of these issues. The panel reports were instrumental in the development of a UN security council resolution to address the thorny Iraq problem.

On December 17th, 1999, the UN security council passed the omnibus resolution on Iraq. The resolution calls for the re-establishment of a disarmament agency, the UN Monitoring, Verification and Inspections Commission (UNMOVIC) to replace the Special Commission (UNSCOM) which left Iraq at the start of the bombing campaign in December 1998.

The resolution also invokes changes in the scope and delivery of humanitarian goods allowable under the current sanctions regime and sets clear disarmament conditions for the suspension of sanctions.

Passage of the resolution began the clock ticking on a number of key humanitarian provisions which can be implemented without requiring reciprocal Iraqi concessions.

• (1835)

These provisions include the lifting of the ceiling on oil exports, the addition of a cash component to humanitarian contracts to help with local implementation, and a streamlined approval process for humanitarian goods.

The humanitarian provisions of Resolution 1284 provide practical measures aimed at addressing the situation facing the people of Iraq. The resolution also provides a road map for the suspension and lift of sanctions as well as for increased investment in the Iraqi oil industry.

This is a step in the right direction.

[English]

EMPLOYMENT INSURANCE

Mr. Greg Thompson (New Brunswick Southwest, PC): Mr. Speaker, I am on my feet tonight on a question on EI changes which I asked the minister before the House rose for the summer. As you know, Mr. Speaker, our party has led the cause and the fight on that.

Basically the government changed the EI eligibility rules in the western part of New Brunswick and other parts of Canada. The government changed the rules where people would have to work 595 hours instead of 420 hours. In other words they would have to work an extra month to qualify for benefits. Many people would not qualify for benefits because in my part of the country there has been a downturn in the fisheries, in tourism and even in agriculture this year. If they did qualify, they would have received benefits for 18 weeks and not 28 weeks, which would mean that come winter, most people would have no benefits at all.

Our caucus fought it and about a week ago the minister admitted that the government had made a mistake and changed it back to the old rules. The only reason the government did that was that we fought it right here on the floor of the House of Commons. The government took a position it could not sustain. It could not live with the decision it made to go to a new set of rules.

The fight is not over. The government wants to gradually implement changes within a four year period and go back to the draconian changes which we were successful in overturning.

A number of things could happen between now and that time. One would hopefully be a change in government. If that does not happen, there is no question we are going to have a change in the ministry. The minister proved on the floor of the House of Commons that she does not understand the rest of Canada. Let us assume she does understand industrialized Ontario but she certainly does not understand Atlantic Canada and resource based economies and seasonal workers.

The government was punishing seasonal workers. Where were the members of the reform party, the Canadian Alliance Party, on this? They could not be heard. They never showed up in southern New Brunswick or in any other part of the country to defend seasonal workers, the poorest of all workers.

We fought this with reason and well argued positions. I called a public meeting in my riding. We were successful in bringing all the politicians, regardless of political stripe, into the same room. All the provincial MLAs who represented the people in my riding of New Brunswick Southwest came. We brought employers and employees into that public meeting. All of us were in the same room with officials from the department. Believe it or not, the minister herself did not show, but the message was clear that neither she nor her department understands seasonal workers and the importance of a seasonal workforce.

Adjournment Debate

I want to publicly thank everyone who came out to help me on that issue. I want to thank the MLAs, the mayors, the councillors, the employers and the employees. It shows what people can do when they all sing from the same song book. It shows what governments are forced to do when they make a mistake.

We will continue to raise these types of issues and debates here on the floor of the House of Commons where they should be raised.

• (1840)

[*Translation*]

Ms. Raymonde Folco (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Mr. Speaker, the new EI economic regions reflect the growth in our economy, and an improved labour market.

But we can understand that seasonal workers in certain communities are worried about these new boundaries and we are sensitive to their concerns. That is why we have been flexible before taking action.

On September 13, the government announced measures to gradually phase in changes to the boundaries in the Lower St. Lawrence region of Quebec and in northwestern New Brunswick.

The reactions to these changes have been favourable. Normand Carrier, the spokesman for the Comité d'étude sur le travail

saisonnier au Madawaska, had this to say in the September 15 edition of *L'Acadie Nouvelle*:

—the federal government's announcement was what was expected. Another good thing is that the federal government has let us know what its policy will be on this issue for the next three years.

But the challenges facing seasonal workers call for more than EI benefits. Governments, employers, communities, unions and individuals will have to join forces in order to improve work opportunities.

That is why we are working at the local level and with our provincial and territorial counterparts to develop lasting solutions. A number of directions are open to us, the first being improved access to training for seasonal workers; the second being—and I urge the hon. member for New Brunswick Southwest to encourage his constituents to discuss this—greater economic diversity in the region; and the third being to develop communities.

We must work together in order to come up with effective, long-term solutions.

[*English*]

The Acting Speaker (Mr. McClelland): 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 6.42 p.m.)

CONTENTS

Tuesday, September 19, 2000

ROUTINE PROCEEDINGS

Government response to petitions	
Mr. Lee	8333
Justice	
Mr. Maloney	8333
Access to Information Act	
Bill C-494. Introduction and first reading	8333
Mr. Casey	8333
(Motions deemed adopted, bill read the first time and printed)	8333
Business of the House	
Mr. Lee	8333
Motion	8333
(Motion agreed to)	8333
Questions on the Order Paper	
Mr. Lee	8333

GOVERNMENT ORDERS

Species at Risk Act	
Bill C-33. Second Reading	8334
Mr. Grewal	8334
Mr. Hearn	8336
Mr. Mifflin	8336
Mr. Hearn	8337
Mr. Stoffer	8337
Mr. Hearn	8337
Mr. Stoffer	8338
Mr. Hearn	8338
Mr. Turp	8338
Ms. Hardy	8341
Mr. Turp	8341
Ms. Girard-Bujold	8341
Mr. Turp	8341
Mr. Stoffer	8342
Mr. Thompson (Wild Rose)	8343
Mr. Chrétien (Frontenac—Mégantic)	8345
Mrs. Gagnon	8346
Mr. Chrétien (Frontenac—Mégantic)	8346
Mr. Abbott	8346
Mrs. Gagnon	8347
Mr. Morrison	8349
Mr. Marchand	8350
Mr. Benoit	8351
Mr. MacKay	8353
Mr. Mercier	8354
Mr. Bailey	8356
Mr. Dumas	8357
Mr. White (North Vancouver)	8358
Mr. Brien	8359
Mr. Martin (Esquimalt—Juan de Fuca)	8361

STATEMENTS BY MEMBERS

Journalist Jean V. Dufresne	
Ms. Folco	8361

Taxation

Mr. Epp	8362
---------------	------

Robert S. K. Welch

Mr. Lastewka	8362
--------------------	------

Sports

Mr. Pickard	8362
-------------------	------

Gasoline Pricing

Mr. St-Julien	8362
---------------------	------

Canada Post

Mr. Grewal	8362
------------------	------

Olympic Games

Mr. Milliken	8363
--------------------	------

Korean War

Mr. Mercier	8363
-------------------	------

Political Parties

Mr. Bryden	8363
------------------	------

Organized Crime

Mr. Abbott	8363
------------------	------

International Development

Mr. Bellemare	8364
---------------------	------

Canadian Alliance

Mr. Nystrom	8364
-------------------	------

Leader of the Government in the House of Commons

Mr. Lebel	8364
-----------------	------

Member for Mississauga West

Mr. Mahoney	8364
-------------------	------

Member for Kings—Hants

Mr. Casey	8364
-----------------	------

ROUTINE PROCEEDINGS

New Members

The Speaker	8365
-------------------	------

New Members Introduced

The Right Hon. Joe Clark (Kings—Hants)	8365
Mr. Stockwell Day (Okanagan—Coquihalla)	8365
Mr. Chrétien (Saint—Maurice)	8365
Mr. Duceppe	8366
Ms. McDonough	8366
Mr. Day	8366
Mr. Clark	8367

ORAL QUESTION PERIOD

Fuel Taxes

Mr. Day	8368
Mr. Chrétien (Saint—Maurice)	8368
Mr. Day	8368
Mr. Day	8368
Mr. Chrétien (Saint—Maurice)	8368
Mr. Day	8368
Mr. Day	8368
Mr. Chrétien (Saint—Maurice)	8369
Mr. Day	8369

Mr. Day	8369	Mr. Goodale	8374
Mr. Chrétien (Saint-Maurice)	8369	Mr. Hill (Prince George—Peace River)	8374
Mr. Day	8369	Mr. Goodale	8374
Mr. Chrétien (Saint-Maurice)	8369		
Organized Crime		Housing	
Mr. Duceppe	8369	Ms. Davies	8374
Ms. McLellan	8369	Mr. Szabo	8375
Mr. Duceppe	8369	Ms. Davies	8375
Ms. McLellan	8370	Mr. Szabo	8375
Mrs. Venne	8370		
Mr. Chrétien (Saint-Maurice)	8370	Fisheries	
Mrs. Venne	8370	Mr. Keddy	8375
Mr. Chrétien (Saint-Maurice)	8370	Mr. Dhaliwal	8375
		Ms. Vautour	8375
		Mr. Dhaliwal	8375
Fuel Prices			
Ms. McDonough	8370	Canadian International Development Agency	
Mr. Goodale	8370	Ms. Augustine	8375
Ms. McDonough	8370	Ms. Minna	8375
Mr. Goodale	8370		
		Vietnam	
Health		Mr. Solberg	8375
Mr. Clark	8371	Mr. Axworthy	8375
Mr. Chrétien (Saint-Maurice)	8371		
Mr. Clark	8371	Human Resources Development	
Mr. Chrétien (Saint-Maurice)	8371	Mr. Marchand	8376
		Mrs. Stewart (Brant)	8376
Fisheries			
Mr. Cummins	8371	The Environment	
Mr. Dhaliwal	8371	Mr. Robinson	8376
Mr. Cummins	8371	Mr. Anderson	8376
Mr. Dhaliwal	8371		
		Taxation	
Young Offenders		Mr. Herron	8376
Mr. Bellehumeur	8371	Mr. Martin (LaSalle—Émard)	8376
Ms. McLellan	8372		
Mr. Bellehumeur	8372	Communications	
Ms. McLellan	8372	Mr. Caccia	8376
		Mr. Manley	8376
Fisheries			
Mr. Konrad	8372	Presence in Gallery	
Mr. Dhaliwal	8372	The Speaker	8377
Mr. Konrad	8372		
Mr. Nault	8372		
Budget Surpluses			
Mr. Loubier	8372		
Mr. Martin (LaSalle—Émard)	8373		
Mr. Loubier	8373		
Mr. Loubier	8373		
Mr. Martin (LaSalle—Émard)	8373		
Organized Crime			
Mr. White (Langley—Abbotsford)	8373		
Ms. McLellan	8373		
Mr. White (Langley—Abbotsford)	8373		
Ms. McLellan	8373		
Employment Insurance			
Mr. Crête	8373		
Mrs. Stewart (Brant)	8374		
Species at Risk Act			
Mr. Knutson	8374		
Mr. Anderson	8374		
Grain Transportation			
Mr. Hill (Prince George—Peace River)	8374		

GOVERNMENT ORDERS	
Youth Criminal Justice Act	
Bill C-3—Time Allocation Motion	
Mr. Boudria	8377
Motion agreed to	8378
Species at Risk Act	
Bill C-33. Second reading	8378
Mr. Martin (Esquimalt—Juan de Fuca)	8378
Mr. Lebel	8379
Mr. Ménard	8380
Mr. Lebel	8380
Mr. Gilmour	8380
Mr. de Savoye	8381
Mr. Obhrai	8382
Mrs. Dalphond—Guiral	8383
Mr. Hill (MacLeod)	8385
Mr. Plamondon	8386
Mr. Ménard	8387
PRIVATE MEMBERS' BUSINESS	
Income Tax Act	
Bill C-289. Second reading	8388

Mr. Lowther	8388
Mr. Cullen	8390
Mr. Perron	8392
Ms. Hardy	8393
Ms. Vautour	8393
Mr. Vellacott	8394
Mr. Lowther	8396

ADJOURNMENT PROCEEDINGS

Foreign Affairs

Mr. Robinson	8397
Mr. Paradis	8398

Employment Insurance

Mr. Thompson (New Brunswick Southwest)	8398
Ms. Folco	8399

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